

CODE OF CONDUCT

Gardens Neighborhood Watch (Gardens Watch)

(May 2017)

1. Aims and Objectives

- 1.1 To provide a channel through which local communities can play a meaningful role in crime prevention in a manner that is ethical and non-violent.
- 1.2 To work with and assist the South African Police Service (SAPS) in safeguarding the community against criminal activities and strive for a safe and secure environment.
- 1.3 To create public awareness with regard to safety, crime prevention and protection of families and their property.
- 1.4 To nurture a sense of community among the residents of Gardens.
- 1.5 To work with all city role players in caring for the area from environmental issues to service delivery

2. Indemnity

- 2.1 Gardens Watch is not a legal person and functions within the guidelines provided by and set out in the Western Cape Provincial Constitution and Code of Conduct for Neighborhood Watch Structures.
- 2.2 By signing (or submitting online) the membership form you are signing an acknowledgement that Gardens Watch is a voluntary organization and the Neighborhood Watch structure is indemnified.

3. Liability

- 3.1 Gardens Watch is not a legal person and as such does not have powers of whatever nature which might be in law to act or be acted upon.
- 3.2 All individual members of the Gardens Watch act in their own capacity as individuals, and liability will be in that capacity.
- 3.3 Gardens Watch will not be responsible for civil and or criminal actions or omissions that are perpetrated by a member of Gardens Watch nor responsible for civil and or criminal actions or omissions against its members.
- 3.4 All and any criminal and civil actions that are instituted against a member of Gardens Watch will be against the member concerned and not Gardens Watch.
- 3.5 Any damage or injury to any member of Gardens Watch or his or her property when such member is acting as a member of Gardens Watch in whatsoever capacity shall, subject to claims against third parties, be the sole and absolute responsibility of the member.
- 3.6 Gardens Watch carries no insurances whatsoever for members or their families or dependents.
- 3.7 Members of Gardens Watch must take all such steps as they chose to establish their own legal position as to their personal/ accident/medical or vehicle insurances and assurances.

4. Accountability

- 4.1 Gardens Watch is accountable to the Cape Town Community Police Forum (CPF) who are registered with the Department of Community Safety. Gardens Watch is then accountable to SAPS.
- 4.2 Each member of Gardens Watch shall give a verbal report to the EXCO or Chairperson of any pertinent incidents occurring during a patrol. This is at the discretion of the patroller or at the request of the EXCO, who can request written report.
- 4.3 Forms for reporting incidents in detail are available on the website and should be used in the event of a crime taking place – for Gardens Watch reporting purposes only.
- 4.4 If SAPS requires any information from a member of Gardens Watch about an incident this shall be provided timeously.

5. Functions

- 5.1 Gardens Watch is there to assist SAPS in crime prevention in the Gardens area.
- 5.2 Gardens Watch will assist and support the social crime prevention policy of SAPS.
- 5.3 Gardens Watch must operate within the framework of the law. Only minimum force may be used to secure an arrest as defined in Criminal Procedure Act No. 51 of 1977.
- 5.4 Gardens Watch members will have powers similar to that of any other citizen to perform a citizen's arrest and the requirements set out in the Criminal Procedure Act No. 51 of 1977 will be adhered to and complied with at all times.

6. Identity Cards

- 6.1 Any members of Gardens Watch on patrol must have identity cards and must carry these cards at all times when on any patrol on behalf of Gardens Watch.
- 6.2 The identity cards of members must contain a recent photograph of the member, his or her full names, Gardens Watch membership number and the member's legible signature.
- 6.3 The identity cards shall refer to Cape Town Central Police Station and be signed by the station commissioner.
- 6.4 All identity cards shall be valid for 24 months.
- 6.5 Any member losing his or her identity card shall report such loss to the card issuer.
- 6.6 Only members of Gardens Watch as defined in the constitution may go on any patrol. Under special circumstances non-members may accompany a member on patrol, such persons do so at their own risk and Gardens Watch cannot be held liable in the event of injury or accident.
- 6.7 No person under the age of eighteen years shall be a member of Gardens Watch. Should a person over the age of 16 desire to become a member this is possible provided that his/her guardian signs the membership form on their behalf.

7. Conduct

- 7.1 All members of Gardens Watch must at all times act in a non-violent manner. No member may take the law into his or her own hands irrespective of circumstances.

- 7.2 No member of Gardens Watch will display racism, sexism or any other form of discrimination towards any other person.
- 7.3 No member shall carry any weapon perceived to be dangerous that could inflict serious bodily harm or damage to property when patrolling on behalf of the Gardens Watch. Only weapons for the sole purpose of self-defense as approved by the Provincial Commissioner, SAPS - Western Cape may be used.
- 7.4 Should a member of Gardens Watch take a registered and legal weapon on patrol, they do so in their personal capacity, and not in the capacity of the neighborhood watch.
- 7.5 Should a member of Gardens Watch be found guilty of a criminal offence committed when the member is operating formally as a Gardens Watch member, Gardens Watch will take such disciplinary actions as are considered appropriate by the Committee and will issue a public statement regarding its action if necessary.
- 7.6 Members of Gardens Watch shall not divulge any confidential or privileged information that they may have acquired as a result of their membership of Gardens Watch.
- 7.7 No member of Gardens Watch may exploit his or her membership for personal advantage or benefit.
- 7.8 Members of Gardens Watch must at all times act in a manner that will uphold and promote the aims and objectives of Gardens Watch.
- 8. Conduct and Patrol Procedure**
- 8.1 Patrols will be conducted according to an EXCO approved patrol schedule and on an ad hoc basis.
- 8.2 Members of Gardens Watch are permitted to carry and use high intensity torches up to ten million candlepower.
- 8.3 Pepper spray or CS gas emitters and electric stun guns are permitted but may only be used in self-defense when physical damage has been committed or is reasonably expected to be committed. An extendable baton is also permitted but may only be used in self-defense.
- 8.4 Each member going on patrol must have at least one two-way radio or cell phone in each car or group of members on foot patrol, and must have the cell number of the SAPS patrol car (or control room).
- 8.5 Members of Gardens Watch are not expected or required to confront any persons whether they are suspected of being about to commit a crime or having committed a crime. Members shall use their own discretion as to whether or not to confront an individual and they do so at their own risk and is not required by Gardens Watch.
- 8.6 The duty of members on patrol is to report any suspicious person/s or vehicle/s in the neighborhood.
- 8.7 The precise position of the member or the member's vehicle must be given to the Response vehicle and all members on patrol should ensure that they are aware of their precise location at all times.

- 8.8 Gardens Watch members shall follow any instructions from the response vehicle as to whether to follow the suspects or maintain observation. No physical interference can be directed by SAPS.
- 8.9 Gardens Watch members shall withdraw from any scene or incident forthwith upon any violence being used or threatened and shall not confront the perpetrators.
- 8.10 Any pertinent information about an incident should be recorded with detail of time; place; number of suspects or perpetrators; description of perpetrators by age, size and colour and clothing followed by a brief description of the incident.
- 8.11 No member of Gardens Watch shall release any statement to any media on any matters concerning Crime and crime stats unless the content of any statement has been agreed by the Crime Prevention Officer.

9. Radio Protocol

- 9.1 Radio holders agree to abide by the guidelines and protocols for radio use as formulated by Gardens Watch. Failure to comply with these guidelines and protocols may lead to the de-programming of the radio.
- 9.2 Only fully registered DPV members who have undergone adequate patrol training may use the two way radio communication system. DPV reserves the right to do a background check on a member wishing to acquire a radio and subsequent to deliberation by the EXCO, may decline to provide or program a radio.
- 9.3 Radios may only be used for communication relevant to DPV patrols and activities. No comments that can be construed as racist, sexist or derogatory in any way are to be made on radio.
- 9.4 Keep transmissions short, calm and to the point.
- 9.5 After an incident, report back to fellow radio users on the outcome of the situation.
- 9.6 Failure to comply with these guidelines and protocols may lead to the de-programming of the radio.

10. Working with SAPS

- 10.1 When possible SAPS may provide members or reservists to accompany Gardens Watch members on patrol.
- 10.2 Gardens Watch and SAPS must share information on matters pertaining to crime prevention and the apprehension of criminals.
- 10.3 Gardens Watch will alert SAPS to any areas of concern within the sector and assist SAPS with targeted action to combat these concerns.
- 10.4 Gardens Watch will work with the sector commander to share information and assist where needed.