



EVALUATING THE IMPACTS OF THE CAPE TOWN STREET PEOPLE POLICY ON STREET PEOPLE

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Abstract

Cape Town is facing a homelessness crisis driven by high unemployment and a shortage of housing. This project explores the City's approaches to resolving homelessness, specifically the 2013 Street People Policy and its associated bylaws. In order to gain perspective on the issues, we partnered with The Hope Exchange, a non-governmental organization (NGO) that provides services to street people. We interviewed multiple stakeholders, including street people, city officials, and NGOs to gain a complete perspective on the impact of the policy. We found a common interest to revisit the policy, unanimous desire for improved collaboration, and a need for expanded public programs. To address an issue as complex as homelessness, we recommend that the policy be revised.



Executive Summary

Background

Homelessness is a crisis in Cape Town due to a high unemployment rate, lack of housing, and economic segregation remnant of Apartheid. Street people have difficulties finding employment, obtaining government IDs, and interacting with law enforcement. In order to accommodate the homeless population, the government of Cape Town enacted the Street People Policy in 2013, which outlines the city's plan to reintegrate street people. The policy is supposed to be reviewed every two years, but it has not been reviewed since its creation. In this project, we analyzed the policy and its applicable bylaws, and interviewed different stakeholders in order to understand the policy's impacts.

The homelessness crisis in Cape Town was a result of the complex history of Apartheid in South Africa. Apartheid (a legalized form of segregation practiced in South Africa) officially ended in 1994 after Nelson Mandela was elected president; however, remnants of Apartheid can still be seen. This includes economic segregation and high unemployment among black and colored populations. White Capetonians continue to have higher levels of education and employment rates, perpetuating the socioeconomic barriers between races (Viljoen 2016).

General causes of homelessness include mental illness, domestic violence, and substance abuse. Mental illness is a large contributor to homelessness in South Africa due to the country's shortage of psychiatrists (SADAG 2017). Additionally, the rate of domestic violence in South Africa is extremely high compared to the rest of Africa (Moyo 2017). Substance abuse is also on the rise in Cape Town, where drugs like methamphetamines can be purchased inexpensively.

In order to help the homeless population, Cape Town's Street People Policy (Policy Number 12398B) describes resources and reintegration processes for street people. There has been growing speculation in the city that the policy is not producing the outcomes it was intended to. According to the protocol, a Department of Social Development (DSD) field worker analyzes a street person and matches them with an NGO to receive services based on their needs. NGOs, such as our sponsor The Hope Exchange, play a key role in accommodating street people and reunifying them into society.

Project Objectives

Our goal was to help The Hope Exchange improve the lives of street people in Cape Town by analyzing the Street People Policy and identifying areas that could be revised. We developed four objectives to accomplish our goal.

1. Determine the process and context within which the policy was developed
2. Evaluate the impact of the Street People Policy on different stakeholders
3. Identify key areas of the policy that The Hope Exchange and other advocacy groups could focus on to suggest informed policy revisions
4. Create a media deliverable to raise awareness for The Hope Exchange and other advocacy groups

Methods

In order to achieve our first objective, we interviewed several city officials including Cornelia Finch (the original Street People Policy author), Councillor Zahid Badroodien, and Lorraine Frost. These interviews were intended to discover how and why the policy was created.

We evaluated the impact of the Street People Policy on multiple stakeholders by conducting interviews with representatives of NGOs, lawyers of rate payers' associations, and street people themselves. These interviews gave us a comprehensive understanding of how the policy affects different stakeholders as well each stakeholder's view on the Street People Policy and its implementation.

Objective three was achieved by conducting an in-depth analysis of the policy its associated bylaws. By analyzing the policy and bylaws, we gained the necessary understanding to decipher what was not working as intended in order to make appropriate recommendations.

Our last objective was accomplished by filming a video for The Hope Exchange, which will be used to bring awareness to the services offered at The Hope Exchange and the homelessness crisis in Cape Town.

Findings and Discussion

We found that social factors within the City of Cape Town have changed drastically since the creation of the Street People Policy in 2013. NGO personnel and government officials from the street people sector explained that the prevalence of gangsterism and cheap drugs, especially methamphetamines, has risen exponentially in recent years. The policy does not allocate enough resources to help street people affected by gang violence and drug abuse, since the issues were not as prominent in 2013.

There is a disagreement among government agencies and NGOs regarding whether to allow legal exceptions within the policy to accommodate street people. For instance, NGOs are currently petitioning the city for an interdict on bylaws associated with the Street People Policy that ban shelters and sleeping in public places. Simultaneously, NGOs are trying to obtain an exemption for street people from South African labor laws. Under the current labor law, workers must obtain benefits after working for three months. However, all government-provided job opportunities are less than three months, because of this, street people do not qualify for benefits.

Another theme of our findings is that both NGOs and city government want the policy to be revised. Every person we interviewed from NGOs and the city government agreed that the policy needs to be revisited, but the point of contention is how to alter it. There is an interest in collaboration from both sides, but NGOs feel their views are underrepresented with the city, and that the city does not seek their expertise. Conversely, the city feels like they are unable to collaborate effectively with the NGO sector due to varying opinions amongst NGOs.

Based on thirteen informal interviews we conducted with street people, we found that their greatest needs are improved housing and employment opportunities. Street people found the current housing options, including shelters and the Safe Space, unsatisfactory because of restrictive schedules, lack of LGBTQ+ specific accommodations, and long waiting lists.

Recommendations

We determined the aspects of the policy bylaws that are particularly problematic for street people and proposed several recommendations to improve NGO and city relations and the environment for street people in Cape Town. These recommendations include: creating a new medium for collaboration between NGOs and city government, allocating a certain percentage of new housing for vulnerable groups including street people, raising public awareness of the Street People Policy, building more Safe Spaces, revising the bylaws associated with the policy to avoid criminalizing homelessness, explicitly defining the protocol for the city to interact with a street person, and planning the rehabilitation and reintegration of street people. Based on our findings, we believe these measures can increase collaboration between stakeholders in the policy and alleviate some of the issues that currently exist with the Street People Policy.

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Glossary of Terms

Amicus Curiae- a friend of the court, a party that provides new evidence

Community Based Organization (CBO) - an organization of private residents whose mission is to benefit the community

Coloured- a person of multiracial ethnicity

Displaced Peoples Unit (DPU) - government organization which addresses anti-social behavior in street people by providing therapy and accommodation

Local Government- a synonym for city government

Local Network of Care (LNOC) - a coalition of organizations focused on providing services to street people after they are reintegrated back into society

Non-Governmental Organization (NGO)- an organization not affiliated with local, provincial, or national government

Peace Officer- a law enforcement officer who has undergone special training to issue compliance notices and warnings to street people

Rate Payers Association- community group of people who pay neighborhood taxes on their homes that come together to address issues affecting its neighborhood

Rehabilitation- restoring health and well-being of a person

Reintegration- reintroducing someone back into society

Street People- people who reside on the street, homeless



Introduction

Chapter 1: Introduction

Cape Town, South Africa is a popular tourist destination, rich in natural beauty and history. However, Cape Town is a modern city facing modern problems, such as high unemployment, racism, homelessness, and economic segregation. With its troubled history, Cape Town is different from other tourist destinations in many ways.

Cape Town sits on the coast of the Western Cape Province and marks a point where the Atlantic Ocean and Indian Ocean meet. It is home to roughly 3.75 million people (Government of Cape Town 2013). Cape Town is a diverse and divided city. Historically, its population was divided by race, and today, many still live in highly segregated neighborhoods. The black and colored populations are nearly equal at approximately 20% each, followed by the white population at 7.5% (Government of Cape Town 2011).

Cape Town has significantly high levels of homelessness. According to the Government of the Western Cape, there are approximately 4,682 street people in the greater Cape Town area, 700 of which live in the Central Business District (CBD). The current combined unemployment and underemployment rate in South Africa is 38.5% (Webster 2019), which contributes to the large amount of people living on the streets, in addition to limited housing options for street people. To manage the problem of homelessness, the Cape Town Government created the Street People Policy (Policy Number 12398B) in 2013.

The Street People Policy attempts to allocate resources and create a structured environment for street people in Cape Town to be able to recover and return to society. The policy

addresses some, but not all the needs of the street people population. The policy has not been revised since 2013, despite a provision that orders the policy to be reviewed every two years. The policy places the burden of providing temporary and secondary accommodations for street people onto Non-Governmental Organizations (NGOs) and Faith Based Organizations (FBOs). The street people tend to seek out nonprofit shelters in order to eat, bathe, and do laundry.

The Hope Exchange is one of the NGOs that provides necessities namely, clothing and showers for street people every day. The Hope Exchange also advocates for the rights of street people and wanted us to analyze the policy to determine if it was adversely affecting street people. In this report we presented a background chapter which examines the historical context of homelessness in South Africa, what the city of Cape Town is currently doing to address homelessness, and agencies that advocate for street people. The background is followed by the methodology chapter which outlines our objectives and research methods for achieving them. The findings chapter lists our results including a common interest to revise the policy, disagreements over legal exceptions, and street people's greatest needs. The recommendations chapter gives suggestions based on our findings such as altering the Street People Dialogue and revisiting the policy and bylaws.



Courtesy of The Hope Exchange

Background

Chapter 2: Background

2.1 Historical Context of Homelessness in South Africa

Cape Town was initially settled by the Dutch East India Trading Company in the mid-17th century as a trading post. In 1948, the all-white National Party took over South Africa and shortly after established a system of racial segregation called Apartheid. Apartheid policies disadvantaged all populations who were not white by separating and relocating citizens by their classified race: white, black, colored, or Indian (Thompson, 2018). Protests about these laws began and turned violent, which drew international attention and later led to foreign boycotts that hurt the economy and negatively impacted all races (Grantcraft, 2015). The international pressures and the negative economic impacts led the white leadership to abandon Apartheid.

Apartheid was abolished in 1994, when South Africa held its first multi-racial election and elected Nelson Mandela to be the country's first black president. With this change, they elected to have a democratic government and established a bill of rights for all South African Citizens (Newsweek Archives, 2017). For the first time in almost 300 years, black and colored South Africans had political rights and the promise of a brighter future. However, the remnants of Apartheid show themselves in many ways; specifically, through increased unemployment and homelessness among black and colored citizens.

Causes of Homelessness

Causes of homelessness are vast and complex. However, many South Africans view homelessness as a personal problem rather than a widespread public issue (du Toit 2010). Homeless people are stereotyped as simply lazy or unmotivated, an attitude which is counterproductive. Major factors contributing to homelessness include mental illness, substance abuse, and domestic violence. These factors worsen without intervention, ultimately leading to homelessness.

According to the South African Depression and Anxiety Group (SADAG), there is a lack of qualified psychiatrists that can work in public healthcare, and many public hospitals do not even have psychiatrists (SADAG 2017). SADAG also reported that in 2011, The World Health Organization advised South Africa to increase its psychosocial care providers from 1.58 providers per 100,000 people to 2,937 providers per 100,000 people (SADAG 2017). Without these public resources, many mentally ill people find themselves vulnerable to homelessness along with substance abuse and ill-health (Hills et. al 2016).

Domestic abuse is another contributor to homelessness in South Africa because escaping domestic violence is often a matter of life or death for victims, for whom homelessness may be the only option. In South Africa, the domestic violence rate among women is five times greater than the continental average (Moyo 2017). There is a dangerous cultural mindset that men have the right to use violence against women when they deem necessary, to the point where domestic abuse is normalized (Smith 2019). The result is an increased number of women and children living on the streets as a means of escaping a violent home.

Apartheid and its racial segregation left lasting impacts on the street people population in South Africa. A study done in 2018 by the World Bank found that racial inequality is a leading cause of poverty in South Africa (World Bank Group, 2018). Historic racism continues to disadvantage South African citizens. Blacks and colored people have less opportunity for higher education, and those living in informal settlements are located far from job options (World Bank Group, 2018). Such economic segregation and systemic discrimination have greatly disadvantaged the black and colored populations, increasing their likelihood of living on the streets.

Economic Segregation and Systemic Discrimination

In Cape Town, residents are still recovering from the divide of apartheid and moving toward equality in terms of educational opportunity and living conditions for all citizens (Bickford-Smith, 1995). Unfortunately, South Africa is continuing to experience racial and economic segregation. Economic segregation is the phenomenon in which people of the same socio-economic class live in the same areas. Wealth is concentrated in small pockets of the city which keeps the neighborhoods politically, academically, and culturally divided (Bickford-Smith, 1995). In Cape Town, most black and colored people live outside of the main parts of the city, often in informal settlements. These areas have poor access to quality education, employment, and government services, but often times people cannot afford to move elsewhere, which perpetuates inequality. Seen in Figure 1, the average household income of black South Africans is less than a quarter of the income of white South Africans. Consequently, almost 30% of black South Africans live below the poverty line due to

unemployment, underemployment, and below par wages (DeSilver, 2016).

The pay gap is also in part due to the education disparity between the white, black and colored people. According to the 2016 Education and Enrollment Report of South Africa, there is a large inconsistency in educational opportunity in black and colored South Africans. Virtually all white South Africans have received some formal schooling, compared to the almost 10% of black and colored South Africans with no formal schooling (Viljoen, 2016). Consequently, black and colored South Africans have higher rates of unemployment (South African Government, 2017). Many career paths that are in demand within South Africa require some amount of education or skill, giving an advantage to white South Africans who have more opportunity for schooling and acquired skills (Viljoen, 2016).

Due to the disparity of employment and education, the racial divide in South Africa is further perpetuated. As a result of these factors, many choose to live on the streets of the city to be closer to governmental services and nonprofit support (Writer, 2019). Many of the streets that are inhabited by the street people are often also shared with housed residents whose homes are surrounded by barbed wire and electric fences to keep them separated. This inequality between socioeconomic groups in South Africa can be quantified by the Gini index. The Gini index is a scale from 0 to 1, where 0 is complete equality and 1 is complete inequality. South Africa has one of the highest Gini indexes in the world, falling between 0.66 to 0.69, because of this South Africans are more vulnerable to risk factors that may cause them to end up on the streets.

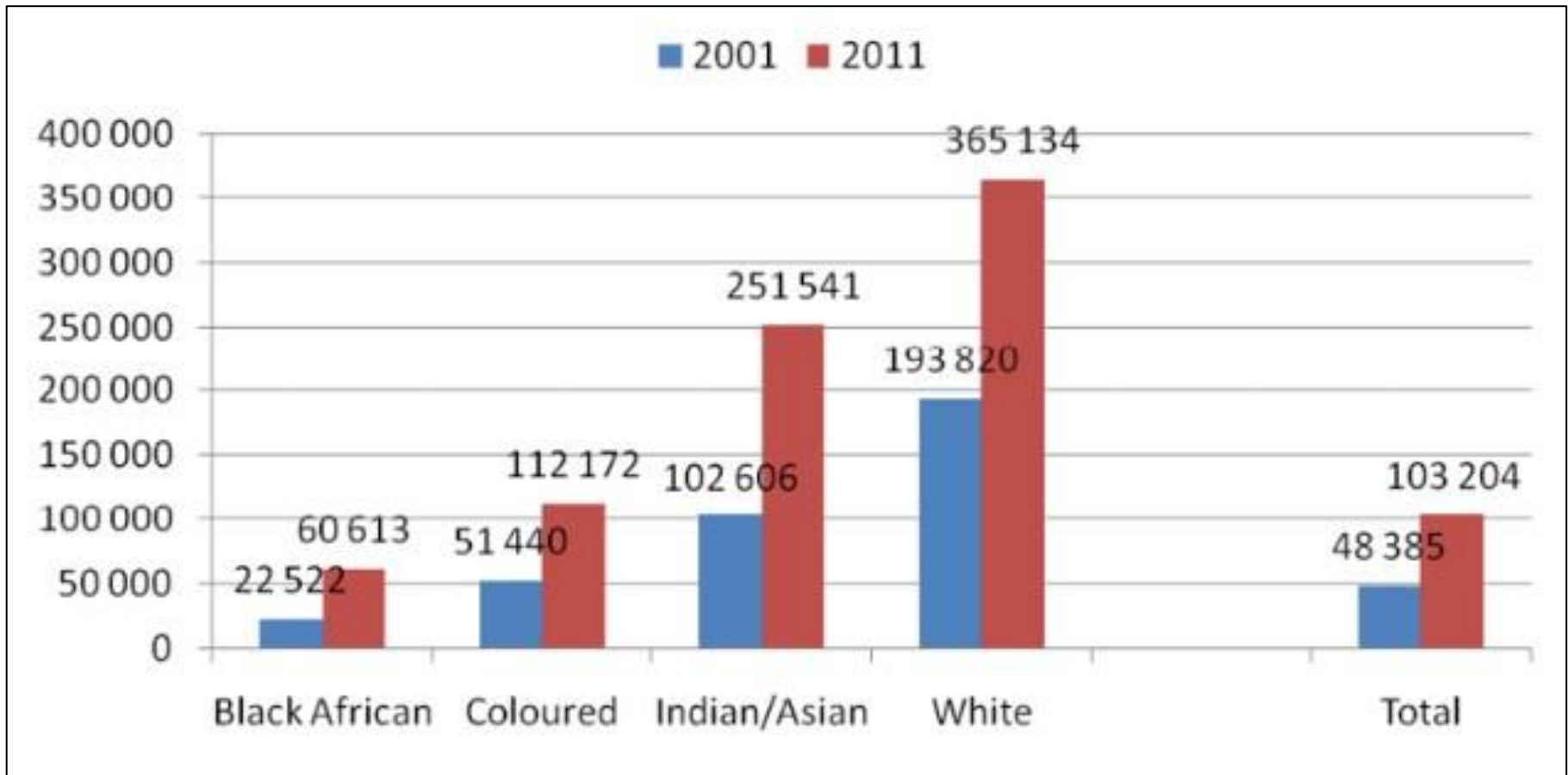


Figure 1: The income inequalities in South Africa between different races for period 2001 and 2011. Adapted from Courtesy of Desilver, 2016.

2.2 Governmental Role in Addressing Street People

Governmental support for street people in Cape Town exists in the form of the ‘City of Cape Town, Social Development Strategy,’ and the ‘Street People Policy’. The Social Development Strategy’s main objectives are to maximize income opportunities for the poor, build safe households and communities, support the vulnerable, promote social integration, and mobilize resources for social development (City of Cape Town, 2013). While it outlines important factors that relieve the issues faced by street people, and suggests helpful methods to ease the situation, the Social Development Strategy is not enforceable. The Street People Policy (Policy Number 12398B), much like the Social Development Strategy, proposes several methods to help solve the issues facing street people. These methods range from clarifying and addressing the roles and responsibilities of various programs currently operating within the city, to the establishment of a Local Network of Care (LNOC) in order to “assist with the reunification of street people with their families and communities” (City of Cape Town, 2013).

The Street People Policy was intended to be “reviewed and updated every two years,” or more frequently if necessary (City of Cape Town, 2019). However, in the six years since the policy was initially approved, no revisions have been made.

Street People Policy in Cape Town

The policy suggests protocol for intervention with street people. Accordingly, a street person is to be initially contacted by a field worker who will then assess their needs and match them with an NGO that can provide accommodations for them. The street person will be given life skills training and secure an

income stream before they leave the shelter. The flowchart in Figure 2 details how the policy is intended to work from the referral process to second phase accommodation (Government of Cape Town 2011). Advocacy groups in Cape Town, particularly The Hope Exchange, are currently petitioning for the policy to be revisited. They cite that the policy is not completing its intended function.

The Street People Policy assigns responsibilities to several organizations, both governmental and non-governmental. The Cape Town government puts the burden of implementing the policy on the shoulders of the Street People Programme within Cape Town’s Department of Social Development and Early Childhood Development or SDECD. Furthermore, the SDECD collaborates with the Expanded Public Works Programme to give access to temporary jobs to street people (Government of Cape Town 2011).

The Street People Policy also establishes the Local Network of Care (LNOC), a collaboration of NGOs, Faith Based Organizations (FBOs), and Community Based Organizations (CBOs). The policy mandates that the LNOC meet regularly and propose plans to mitigate homelessness (Government of Cape Town 2013). The LNOC strives to identify “at risk” people and provide a network of care to reduce the number of street people (Carter 2018). The LNOC is a major part of the Street People Policy that involves a complex web of organizations. The Street People Policy has several bylaws associated with it. The bylaws that most relevantly affect the lives of street people are the Waste Management Bylaw and the Public Spaces and Nuisance Bylaw. Even though both were written before the Street People Policy, the latter is explicitly noted as regulatory context in the policy while the former is not. There has been a recent increase in the enforcement of these bylaws regarding street people.

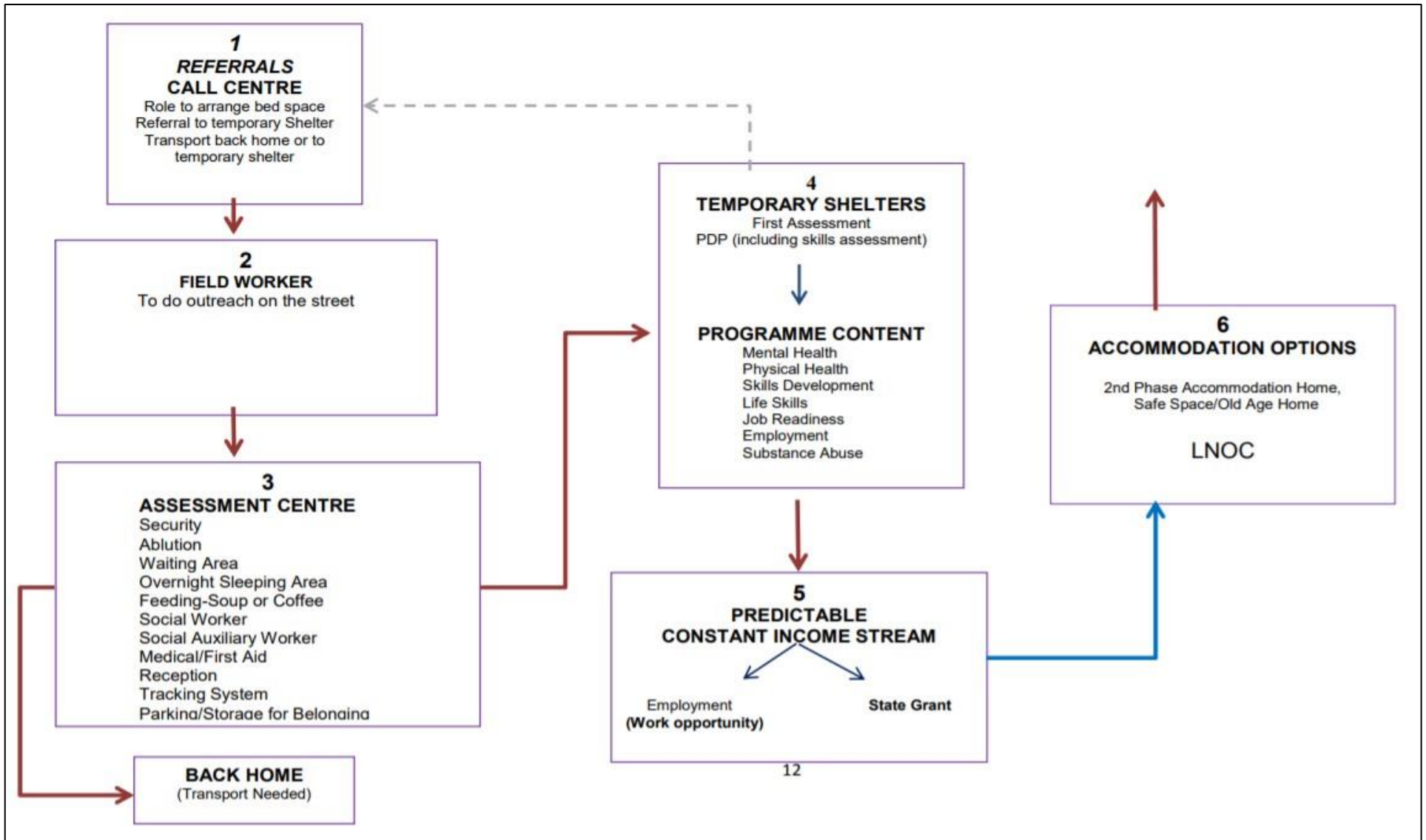


Figure 3: Street people process flow as laid out in Annexure A of the 2013 Street People Policy.

Street People Policies in Other Cities

Homelessness is prevalent worldwide, and there have been numerous strategies used in an attempt to resolve the issue. The main elements of legislation that traditionally appear in successful homeless policies are allocation of housing through vouchers and decriminalization of homeless activities in public (HUD Exchange 2012). We reviewed a case in Los Angeles, which was aimed to better accommodate the homeless population. Los Angeles County made attempts to bring in portable toilets and trailers for housing, but City Council members would not allow for these resources to be put in their districts (Holland 2019). They also planned on transitioning homeless people into permanent housing and provided 500 homeless veterans with vouchers but the lack of accessible housing in Los Angeles County handicapped the policy.

San Francisco's approach to tackling homelessness has been similarly ineffective. San Francisco created a coalition to form the Healthy Streets Operation Center (Berman 2019). This coalition is similar to Cape Town's LNOC structure, in that it is a collaboration of multiple organizations, primarily city departments and law enforcement, coming together to help reduce homelessness in the city. The Healthy Streets Operation Center has not been effective because San Francisco has taken a law enforcement approach to homelessness. There is concern that taking homeless people's tents and moving people around has worsened the situation (Berman 2019). The criminalization of homelessness has infringed on human rights and led to tensions between homeless San Franciscans and police.

Finland, on the other hand, was able to reduce homelessness by 35% in 2015 by providing counselling for people experiencing financial hardships or who have bad credit

(Ministry of the Environment Finland 2016). The Finnish policy has some similarities to the Cape Town policy. In both policies, a social worker is assigned to each homeless person, but the Finnish policy is much more intricate in the way it allocates housing separately for homeless criminals as well as those who have drug and alcohol addiction. The government has specified organizations to accommodate each subpopulation of homeless people, which helps provide personalized care and get each person back on their feet faster.

In the United States, the State of Colorado's "Right to Rest Act" protects homeless people from being penalized for eating, sleeping, or moving in public places (State of Colorado 2018). Unlike the Cape Town policy, the Colorado policy does not criminalize homelessness, because they believe that criminalizing homelessness "increases incarceration rates and the financial indebtedness of people who simply have no means of supporting themselves" (State of Colorado 2018).

Cape Town's policy lacks key aspects of the two successful policies, namely, the Finnish and Coloradoan, whose success was based on allocating housing for homeless people and decriminalizing homelessness. Instead Cape Town aligns closer with the failed policies of Los Angeles and San Francisco.

2.3 Advocacy for Street People in Cape Town

The Hope Exchange

The Hope Exchange, founded in 1981 by Geoff Burton, is one of the many advocacy groups that assists street people in Cape Town, South Africa (Henriques, 2019). The core value of the group is “To bring hope for the homeless, through dignity and opportunities for change.” The Hope Exchange supplies a helping hand in getting street people to be able to provide for themselves. Every month, the group invites nurses from St. John’s Ambulance service to give checkups to those who would otherwise be unable to see a doctor. The Hope Exchange helps street people gain a source of income by offering jobs at a car cleaning service and a secondhand clothing store. The Geoff Burton House is a group living space for men, owned and operated by The Hope Exchange, where they can achieve a semblance of a normal working life before they are financially stable enough to live on their own (Henriques, 2019).

Our team collaborated with The Hope Exchange to analyze the Street People Policy and make suggestions for improvement. Revisiting the policy would hopefully make Cape Town a more accommodating place for street people.



Daily ablutions offered at The Hope Exchange

Courtesy of The Hope Exchange



Picture of The Hope Exchange



Methodology

Chapter 3: Methodology

The goal of this project was to assist The Hope Exchange in improving the lives of homeless Capetonians through the assessment of Cape Town's Street People Policy. Our objectives were to:

1. Determine the process and context within which the policy was developed
2. Evaluate the impact of the Street People Policy on those affected by it (street people, NGO's, shelters, city officials, and *Amicus Curiae* applicants)
3. Identify key areas of the policy that The Hope Exchange and other advocacy groups could present to the City for policy revisions
4. Create video or other media deliverable to advocate for The Hope Exchange and to raise awareness of treatment of street people.

In this chapter, we discuss and justify our methods for achieving these objectives.

3.1 Objective 1: Determine the Process and Context Within Which the Policy was Developed

Understanding how and why the policy was initially created was vital in determining where the discrepancies and shortcomings of the policy were.

Interviews with Government Officials

We conducted interviews with government officials to determine the viewpoint of the policy creators and enforcers. This helped us better identify what the policy was meant to accomplish and get an understanding of how the authors viewed street people and their challenges. We asked them questions found in Appendix A.

Our sponsor assisted us in contacting the Street People Policy author, Cornelia Finch. Ms. Finch now acts as the Head of the SDECD in the eastern region of Cape Town. We asked her about the origins of the policy and the process by which it was created. For all interviews with city officials, all team members asked questions as well as took notes which decreased the likelihood of missing information.

We interviewed City Councillor Zahid Badroodien, who has been in office for a year. His position as Councillor gave us a unique perspective on how the government currently views the Street People Policy. We asked him about his familiarity with the policy and about other government programs aimed to help street people not stipulated in the current policy. This semi-structured interview gave us a top-down point of view of government to the homeless crisis, and insight to programs that are aimed to help street people that we could not find in our prior research.

We interviewed Lorraine Frost, Director of Vulnerable Groups, Street People. We asked her similar questions to Councillor Badroodien to get a government perspective. Ms. Frost manages the Department of Social Development (DSD) and the Displaced People's Unit (DPU). These two government organizations are the ones that work with street people the most, so understanding how they function through a semi-

structured interview gave us more perspective on how the Street People Policy is enforced.

3.2 Objective 2: Evaluate the Impact of the Street People Policy on Different Stakeholders

Interviews with Street People

We conducted interviews with street people about the Street People Policy, their interactions with law enforcement, and experiences living on the street. These interviews were semi-structured which allowed for conversation to occur organically and for rapport to be built. We split our team into two pairs and interviewed The Hope Exchange's clients. Each of us took notes. We stratified our interviewees by race, gender and age. This helped us mitigate bias and ensure that we gained the most objective point of view possible. Questions asked can be found in Appendix B.

Interviews with Service Providers Affected by the Policy

There are numerous service providers to which street people can go to receive showers, food, and shelter, namely, NGOs (Non-Governmental Organizations), CBOs (Community Based Organizations), and governmental facilities. These providers, like street people themselves, have been affected by the Street People Policy. To understand how organizations are affected and what adjustments they need to make as a result of the policy, we interviewed a breadth of organizations. The interviews shed light on how the policy positively or negatively affects these organizations. Questions asked to these organizations can be found in Appendix D.



Client of The Hope Exchange

We interviewed Hannes van der Merwe, the head of Straatwerk, an NGO which is a part of the Street People's Forum. Hannes was also part of the group that was consulted during the creation of the Street People's Policy, therefore we wanted to understand his perception on changes in how street people are treated since the creation of the policy, and how it affected how his organization functions.

We also interviewed Erica Arendse, the administration manager of the Culemborg Safe Space, a government-funded overnight living accommodation located under the Culemborg

Bridge, in Cape Town. The Safe Space provides street people with a bed, blankets, water, ablutions, and lockers. Her perspective provided insight into how the government views street people and outlined her vision to rehabilitate and reintegrate them. We also learned the goals of the Safe Space and how it has been successful and the ways she would like to see it improved.

We interviewed Peter Solomon, Director of The Hope Exchange to gain insight on how the government affects The Hope Exchange's ability to provide services to street people. All four group members were present, took notes, and asked questions.

3.3 Objective 3: Identify Key Areas of the Policy That The Hope Exchange and Other Advocacy Groups Could Present to the City for Policy Revisions

We hoped that by identifying the key areas of the policy which do not achieve their intended outcomes, we would provide The Hope Exchange with data to support them in case they wanted to petition for changes in the policy.

Analysis of the Street People Policy

Our Street People Policy analysis focused on four main areas that were the most relevant to our project and which helped us identify key informants to interview. First, we looked at the definitions of the policy to see who and what are encompassed into the policy. We needed to define a "Street Person" to decipher who was addressed in the policy to determine how they were impacted by the policy. We then investigated other terms such as "Assessment Centre," "Personal Development Plan," and "First and Second Phase

Accommodation" by understanding these terms, we were able to better understand the entire policy. We described terminology in the glossary section of the report.

We then examined the stakeholders to further assess who the policy directly impacts. The policy itself gives a list of internal (government) and external (nongovernment) stakeholders. We analyzed this list, and categorized organizations and contacts that fit under each section - internal or external. We then grouped the data from the interviews based on whether the interviewee was an internal or external stakeholder to see the discrepancy between the two. We interviewed several stakeholders, both internal and external, including Cornelia Finch, Hassan Khan, and Hannes van der Merwe.

Finally, we examined the "Desired Outcomes" section of the policy. Particularly, we examined Section 2.1 which states that the city will identify and provide street people with accommodations. To see if this was being accomplished, we asked street people about being approached by government field workers, and if they receive government assistance. We also examined Section 7.1.4. which is a directive which gives certain by-laws power to enforce legal steps for violators of certain public behaviors, which are inherently common to street people. Section 7.1.4 states "Should the street person be identified due to anti-social behavior or a violation of the law or by-laws or engaging in criminal behavior, proceedings may be lodged against that person by the City law enforcement agencies or South African Police Services." These by-laws are primarily the Waste Management Bylaw of 2009 (absent from Street People Policy) and Public Space and Nuisance Bylaw of 2007 (this bylaw is stipulated in section 6.4.1).

There is currently an interdict against the city from a group of street people suing Cape Town over their interpretations of bylaws. The current interdict against the city is over whether the interpretation of the bylaws is unconstitutional. We interviewed Lucien Lewin, an attorney representing street people, to understand why the city is being sued over interpretations of the bylaws, and his perspective of street people and details of the interdict. We used a semi-structured interview to allow him to expand on his thoughts and give full details about the court case entailed.

To get the opposite perspective, we interviewed Gary Trappler, who organized a crowd funding campaign in favor of the bylaws. He was one of the attorneys representing the rate payers' associations, which are neighborhood-based organizations that act in the area's interests. We asked Mr. Trappler about the rate payers' motivations for participating in the case. Both Mr. Trappler and Mr. Lewin were asked questions found in Appendix C. All team members were present for both interviews.

When interviewing street people, we asked them about their interactions with law enforcement, including having their belongings taken, being arrested, and being fined. To quantify their interactions, we tallied each occurrence a street person had with government, positive, negative, or neutral, to show how the policy and bylaws were affecting street people.

Interact with the People's Forum

The Street People's Forum is a coalition of active advocacy groups including The Hope Exchange, that assist the street people in Cape Town. We consulted with member organizations to gain knowledge of how the policy is impacting their work and to identify potential interviewees. We attended the final Street People's Forum meeting on 28 November 2019.

We made a brief presentation of our project goals and findings. We accepted questions and feedback based our talk and found more NGOs to converse in an effort to continue to understand their perspective as well as gain more contacts to interview. Some recommendations we received at the meeting contributed to our research.

3.4 Objective 4: Create a Media Deliverable to Raise Awareness for The Hope Exchange and Other Street People

Creating a video or other media deliverable helps bring awareness to the situation facing street people in Cape Town as well as raise support for The Hope Exchange and other advocacy groups.

Create a Video or other Media Deliverable

As a final deliverable for our IQP we wanted to help The Hope Exchange and associated organizations gain support from the community. We created a video that will put the mission of the organization into perspective. We put this on The Hope Exchange's website and YouTube channel to increase their online presence and to bring awareness to the services they offer. The video framed issues that street people face and showed how The Hope Exchange helps them.

To create the video, we filmed different clips that exemplified the experiences and struggles of street people, as well as services provided by The Hope Exchange. Our footage includes clips of the temporary structures on the streets and visuals of The Hope Exchange (i.e. second phase accommodation, ablutions, porridge). We also recorded clients talking about the services they receive at The Hope Exchange. If the street people wanted to speak in our video, we gave them

the opportunity to explain how they feel about The Hope Exchange.

We sought consent to when featuring people in our video and explained that it was completely optional. We explained to that the video was for The Hope Exchange and may appear on their website and YouTube channel.

We edited the video using a program called Hit Film. We added transitions and text in order to set the mood and tone of our video. The video illustrates the realities of life on the street, and explores the services offered by The Hope Exchange. The objective of the video was to connect the viewer with street people and educate them about the mission of The Hope Exchange. We endeavored to paint a picture of

the street people that we know, their personalities, their positivity, and their faith. Through this video we hoped to spread the message encouraging the public to donate to The Hope Exchange and other advocacy groups that support street people.



Clips from our video for The Hope Exchange





Findings and Discussion

Chapter 4: Findings and Discussion

In this chapter, we present the Street People Policy background and findings based on interviews. Our six findings can be grouped into two main themes, common interests and disagreements between NGOs and the City, and street people's biggest needs and obstacles. Common interests between NGOs and the City include revising the policy and avoiding criminalizing homelessness. Disagreements between NGOs and the City include strategies for reintegration and rehabilitation and allowing exceptions for street people. Street people's biggest needs include housing and employment while their biggest obstacles include interactions with law enforcement.

Background on Street People Policy and Associated By-Laws

The Street People Policy begins with a set of definitions and stipulates who and what the policy effects. The process of implementing and enforcing the policy falls primarily under two governmental entities and Non-Governmental Organizations (NGOs). The Street People Programme, a city department, is responsible for referring street people to NGOs and facilitating accommodation and rehabilitation of street people. The Displaced People's Unit (DPU) is responsible for enforcing bylaws. Finally, NGOs and other organizations are responsible for providing accommodation for street people. We learned about this process through preliminary research and our

interview with Cornelia Finch, the author of the Street People Policy.

The policy outlines the process of accommodating a street person. The first step in the process is that the government field worker will assess a street person. This assessment can take place after a social worker is sent to contact a street person on the street, or if the street person comes to the Department of Social Development seeking assistance. The social worker then matches the street person with an NGO that can accommodate them. This assessment can be a result of the field worker contacting a person on the street, or a street person coming to the Department of Social Development (DSD). The street person is then given shelter and life skills training by the NGO until they are ready to reintegrate into society. Once they are reintegrated, they can access their Local Network of Care (LNOC) for assistance regarding employment and ongoing mentoring. In each community, an LNOC is comprised of a coalition of NGOs and other local organizations. The Street People Programme is held responsible for establishing each LNOC.

There are two bylaws that are closely associated with the Street People Policy, and both are being challenged in the current court case, 'Gelderblom and six others v City of Cape Town'. The Bylaw Relating to Streets, Public Spaces, and the Prevention of Noise Nuisances of 2007 is stipulated in the policy. The other bylaw in contention, the City of Cape Town Integrated Waste Management Bylaw of 2009, is not annotated anywhere in the policy.

The Bylaw Relating to Streets, Public Spaces, and the Preventative of Noise Nuisances of 2007, to be referred to as the "Public Nuisances Bylaw" for the rest of the report for simplicity, is the first bylaw being challenged in court. It is

intended to keep order in the city but has several sections that can be interpreted as targeting homeless people. Section 2.3 (l) makes starting fires in public spaces illegal, while Section 2.3 (m) disallows people from sleeping or erecting shelters in public spaces. These two subsections have the largest impact on street people. According to our interviews with street people, most of them live and sleep in public spaces and make small fires to cook.

The second bylaw being challenged in court is The City of Cape Town Waste Management By-Law of 2009. The point of contention in the bylaw is in the definition of litter. Litter is defined as waste not including hazardous waste. Section 15.1 prohibits people from storing litter in public spaces. We interviewed Lucien Lewin, the lawyer representing the street people suing the city, who said that the city has categorized street peoples' cardboard shelters as waste, therefore when street people temporarily move away from these shelters, the city is authorized to dispose of them. This means that a homeless person should be constantly guarding their shelter and belongings or risk coming back to nothing.

These bylaws are not meant explicitly for street people, and the City of Cape Town claims they do not target street people. They maintain that the bylaws' goal is to set a precedent for the expectations of all residents. The city recognizes street people as a vulnerable group. According to Councillor Badroodien only 0.013% of people arrested for violating the Public Nuisances Bylaw last year were street people, indicating that very few street people are affected by this bylaw. As Councillor Badroodien said when we interviewed him, “[The City must] ensure street people are not criminalized because they are street people.” Unfortunately, due to the phrasing and usage of the bylaws, many feel that they disproportionately affect street people.

Study Findings

4.1 Theme 1: Common Interests and Disagreements Between NGOs and the City

Finding 1: There is Unanimous Agreement among Stakeholders to Revise the Street People Policy

The Street People Policy is cited as “a good idea in theory” by several NGOs and government officials; however, most agree that the policy needs revisiting. Part of the argument for revisiting the policy is the fact that new factors have emerged in the city that were not present in 2013. The author of the Street People Policy, Cornelia Finch, cited a rise in gang violence and drug abuse on the streets since the policy's creation; this was corroborated by Gary Trappler, the lawyer representing rate payers' associations. Mr. Trappler noted a rapid increase in the street drug methamphetamine. Drug related crime went from 1475 in 2010 to 2894 (SA Stats, 2019) and methamphetamine use has grown exponentially in the past 15 years (Asante et. al 2017).

The city has a program called Matrix that has been successful in rehabilitating people with drug addictions for the past decade. However, Martix is not identified in the Street People Policy, meaning street people often miss out on getting these resources. Additionally, the Matrix Program is for all Capetonians, there is no specialized program for street people like there are in other cities. Street people often require specialized counseling regarding drug and alcohol

rehabilitation which the Matrix program does not have the resources to provide.

Gang violence has also grown rapidly since the policy's initiation in 2013. According to a Cape Town newspaper article, the 10 most gang-ridden precincts in Cape Town contributed to 42% of the attempted murders in the province. The Western Cape Province and the City of Cape Town have launched a war on gangs in 2019, called Leap. The City of Cape Town has contributed over R452 towards Leap so far (Petersen 2019). Over the past 10 years drug-related crime has almost doubled. In 2010, there were 1,475 reported crimes of this nature; however, this figure almost doubled to 2,894 drug related crimes in 2018 (South African Statistics, 2019)

Another new factor is an increase in the LGBTQ+ community. There is no plan in the policy to help the LGBTQ+ homeless population specifically. According to Mr. Badroodien, there is only one shelter in the Cape Town Metro that is dedicated to the LGBTQ+ community. Without a comprehensive plan to accommodate homeless people who are part of the LGBTQ+ community or suffering from gang violence or drug abuse, the policy does not deliver a solution to all those affected by homelessness.

Furthermore, there are new resources provided by the city that are not allocated for in the policy. The Safe Space, which currently houses 230 people, was created in the summer of 2018. Safe Space is a government funded transitional shelter located under the Culemborg Bridge that provides clients with beds, blankets, water, and ablutions, as seen below in Figure 3. The city is currently working on creating new Safe Spaces, because the Culemborg location has been a successful pilot. According to the city, 67 clients of the Safe Space have been reunited with their families, 201 have received Expanded

Public Works Program (EPWP) contracts, and 113 have received temporary or permanent employment. Despite the massive success Safe Space has had, the Street People Policy only allows the city to refer homeless people to traditional shelters that meet a specific set of requirements. The city is restricted in its ability to properly advocate for the current program because the Street People Policy does not acknowledge the existence or use of transitional shelters. This makes it harder to replicate the creation of new Safe Spaces and contributes to the irrelevancy of the policy.



Figure 4: City funded Safe Space located under the Culemborg Bridge, currently housing over 200 people who would otherwise be on the streets, courtesy of SABC News.

Finding 2: Perceptions of Responsibilities of NGOs and the City Differ

We interviewed seven people that were associated with NGOs or worked for the City of Cape Town. All seven of them said that the 2013 Street People Policy needs to be revised. The point of contention between these stakeholders is how to revise it. While both groups want collaboration, there is disagreement between and within the groups on multiple issues.

For years, NGOs have felt underrepresented in the city's decision-making process for policies regarding street people. Several NGOs reported that they feel they should be given more support and responsibility in creating solutions because they work on the ground with street people every day. In response, the City of Cape Town implemented a representative system where NGOs were given two representatives total on the HOMAC committee, the City's homeless agency. These representatives are appointed by the City and are often board members from larger NGOs, who have had a long history working with the City. Some NGO directors stated that this creates a system of discrimination and favoritism towards larger NGOs and can skew their representation. Since only certain NGOs have board members who serve as representatives, infighting is perpetuated between NGOs because some NGOs are given a voice while others are not.

Some NGOs who receive city support, such as the Haven Night Shelters, are satisfied with the city while others, such as The Hope Exchange, are not. According to one NGO, some NGOs consider themselves "elitist" and in the "business of welfare" and are more interested in profit than helping street people. For example, some shelters often charge clients to stay. Some NGO shelters are more apt to accept street people in

better standing, such as those who have a job or have stayed in a shelter before, thinking they will be good clients and be able to pay shelter fees. This favoritism shown by some NGOs towards certain clients has further perpetuated disagreements in the sector, making the NGOs a less united front.

Officials working within the City of Cape Town are also amid a disagreement. The Street People Policy was created at a much different time in city politics. Newer politicians, such as Councillor Zahid Badroodien called the approach "dated" and stand vehemently against aspects of the policy such as the establishment of the LNOC. In addition to multiple LNOCs collapsing, Councillor Badroodien and Ms. Frost explained to us that the LNOCs currently operating are a waste of resources because they "do not do their job." Conversely, Cornelia Finch cites the lack of support for the LNOC as the reason for its shortcomings and would like to see its resources increased.

Another strategy the city has deployed to establish collaboration between NGOs and itself is conducting Street People Dialogues. These dialogues are organized by the city and NGOs and street people are invited to give input. Some NGOs have been reluctant to attend and promote these dialogues for several reasons. Firstly, the moderators for the events have been appointed by the city and have not interacted with NGOs and street people before the event. Since dialogue moderators have only consulted the city to set the agenda, it often reflects the city's best interests, and not a true dialogue. The city's top-down approach of collaboration does not bring the NGOs to the table completely and is a cause for dissatisfaction with the NGO sector.

The debate of who should shoulder the burden of accommodating street people differs depending on who you ask as well. According to our interviews with NGOs, they often

feel as though the City has good intentions regarding street people, but the City employees do not work with street people every day, so they do not know how to best serve the population. Street people often share this view. One street person we interviewed stated that “You have some [city officials] who have never seen a street person.” Some city officials share this view. Councillor Badroodein said in our interview “The City thinks we do street people the best. We do not.” While sitting next to Lorraine Frost, Programme Manager: Vulnerable Groups, Councillor Badroodein reiterated his point saying “her people” do not know street people like NGOs do, showing that even City officials value the role of NGOs. This interview demonstrates the divide seen between some in local government.

Finding 3: There is Resistance to Exemptions for Street People Despite Their Vulnerability

The City of Cape Town, through the Social Development Strategy (SDS), identifies street people as a “vulnerable group that requires assistance to achieve reintegration into communities and access employment opportunities.” As a vulnerable group, street people face adverse conditions. However, even when recognized as such, few special exceptions exist to protect them. Because some of their daily activities are outlawed, such as sleeping on the street, it can be difficult to adhere to rules. There is debate as to whether to hold street people to the same rules and bylaws as other residents. Through interviewing a wide range of people, we have found different perspectives on the introduction of statutory exceptions for street people.

Through the interpretation and enforcement of these bylaws, the City of Cape Town clearly outlines the rules and regulations of society. The Waste Management Bylaw and the

Public Space and Nuisance Bylaw prohibit people from sleeping on the streets, building shelters, and leaving their belongings on the streets. However, the enforcement of the bylaws is left to the discretion of police officers. Many interviewees expressed that the police can target street people through their chosen implementation of the bylaws. We interacted with many NGOs and street people who feel that this discriminates against street people and criminalizes daily activities for those who live on the streets. For example, it would be unacceptable for a resident with a house to sleep in a public place or change clothes in public; there may not be another option readily available for street people. The criminalization of such actions has called for a constitutional review of the bylaws. Specifically, passing of the interdict would effectively make the bylaws exempt to street people until the completion of a constitutional review.

This interim interdict has allowed space for other voices, such as local residential groups referred to as ratepayers associations, to contend that street people are still members of society and must follow laws like everyone else. To get the perspective of the rate payers’ associations, we interviewed their legal counsel, Mr. Gary Trappler. Mr. Trappler argued that regardless if street people are vulnerable, they are not entitled to sleep in front of stores or aggressively beg residents. Rate payers’ associations feel that if exemptions to these bylaws are granted, more street people will come to the Atlantic Seaboard, including Greenpoint, Seapoint, and Camp’s Bay. According to Mr. Trappler, they have entered the case to ensure enforcement of the bylaws during the constitutional review.

In the eyes of the ratepayers and lawyers, “homelessness leads to various crimes.” For example, Mr. Trappler showed us a video of someone breaking into a car

near his house. He explained that with the increases in street people populations, there has been an increase in burglary and other crimes. The current interdict against the city would nullify the part of the Public Nuisance Bylaw that makes erecting shelters and sleeping in public spaces illegal until the bylaws are formally reviewed, a process that could take several months. The issue of making exceptions to the bylaws for street people is complex, because there are many people and external factors that need to be considered.

Finding 4: There is No Common Agreement Among Stakeholders About the Most Effective Approach to Reintegration and Rehabilitation of Street People

Reintegration and rehabilitation are both important aspects of resolving the homelessness epidemic in South Africa, but there is disagreement among NGOs and government officials about how they should be implemented. Reintegration is the concept of re-immersing street people into the community. This includes employment, reunification with family, and/or functionality within society. Rehabilitation means gaining skills, treatment, or therapy that allows a person to be stable, healthy, and self-sufficient. Examples of rehabilitation for street people include recovery from drug addiction, medical treatment for mental illness, and therapy. Although stakeholders share a common goal of making stable housing available to street people, we found three points of view for implementing these strategies: prioritizing rehabilitation, prioritizing reintegration, and simultaneously prioritizing both.

Cornelia Finch believes rehabilitation should be the main priority for resolving homelessness. According to Ms. Finch, not enough resources are spent addressing the root

causes of homelessness, particularly mental illness and substance abuse. She argues that we must first look at what causes a person to become homeless in order to reintegrate them into society. In order to do this, more social workers will be required. Social workers are able to work closely with street people to provide individualized approaches for rehabilitation. By focusing on rehabilitation, the chance of falling back into homelessness due to unresolved issues could greatly decrease.

Alternatively, Hannes van der Merwe of Straatwerks believes reintegration should be the primary step in helping street people. Straatwerks prioritizes reintegration by providing small under-the-table jobs with local businesses as an opportunity for street people to make money while contributing to the community. Mr. van der Merwe says that having a job teaches street people teamwork, leadership, and social skills. A street person may become rehabilitated, but if they do not feel comfortable or adjusted to society, then they may again choose life on the streets. According to Mr. van der Merwe, feeling at home in the community and having a support system is essential to solving homelessness.

Another approach we discovered through our interviews is a combination of rehabilitation and reintegration at the same time. Our sponsor, The Hope Exchange, believes that you cannot have one without the other and that both are equally necessary for success. Zahid Badroodien, City Councillor of Cape Town, shares a similar point of view. Councillor Badroodien supports the City's Social Development Strategy, which outlines rehabilitation methods for street people.

4.2 Theme 2: Street People's Biggest Needs and Obstacles

Finding 5: The Greatest Need for Street People is Improved Housing and Employment Opportunities

While interviewing street people, we identified several primary needs that they would like to see addressed. We informally interviewed 13 street people and heard cases from many others at the City Dialogue, where street people had the opportunity to voice their concerns. Of the 13 people we interviewed, all of them identified housing and/or employment as their greatest need. Five people said housing was their greatest need, four people said employment was their greatest need, and the remaining four said both were necessary. These were also the two main points brought up by street people at the City Dialogue.

There are many homeless shelters in Cape Town as well as the city funded Safe Space. We asked street people why they were not living in a shelter and/or what their experience has been with shelters or the Safe Space. Many people stated that shelters were too expensive to live in, so they preferred to stay on the streets. We also found that some street people think shelters are too restrictive; one person compared shelter life to “being in jail.” Shelters often require early curfews, schedules that must be followed, and strict policies against drug and alcohol use. For someone used to living on the streets and doing as they please, this may feel like a violation to their freedom. Additionally, many members of the LGBTQ+ community feel victimized in shelters and at the Safe Space. One man

at the City Dialogue explained how he and his male partner were not given a bed in the couple's section of the Safe Space, while other clients were. He believes he is being turned down by other shelters because he and his partner are gay. There have also been instances of rape and domestic violence against women and LGBTQ+ members in shelters, as discussed with Councillor Zahid Badroodien. Many street people stated that they have attempted to get into shelters but find that they are all full. Multiple people claimed to be on the shelters' waiting lists for months. The Haven Night Shelter has several locations that claim to have openings, but many of them are far from the center of the city where street people may receive services or have family.



Picture of temporary shelters near The Hope Exchange

In addition to housing, employment opportunities for street people are also problematic. The City currently implements the EPWP in order to provide temporary job opportunities to street people. While EPWP does employ many street people, the solution has been ineffective in resolving homelessness. In order to sign up for EPWP, one must have a permanent address and identification. Most street people do not have a permanent address, and identification cards are often lost or taken and are expensive to replace. Several street people working under EPWP find that after their three-month term has ended, they are left back where they started. One woman at the City Dialogue asked, “What am I supposed to do after those three months?” She claimed that after the three months with EPWP, she is left with no income and is forced back on the streets. The EPWP does not yield long-lasting solutions for street people because many people relapse into homelessness after their term.

Additionally, there are labor laws in place that can hinder the employment opportunities of street people. The laws state that employment of a person for more than three months is considered ‘permanent employment,’ and the employer must provide insurance and other benefits to the employee street person. This is a significant deterrent for employers, so they terminate employment at the three-month mark. This leads to informal payment of street people for jobs because there is no contract. Many street people try to earn income by selling goods or artwork on the street. Technically, this is illegal without a trading license, which also requires a permanent address. Ian Veary of The Hope Exchange explained that one of his clients received a fine for trying to sell his artwork on the street without a trading license. This sets street people back even further.



The Car Wash at The Hope Exchange provides employment for many clients

Finding 6: Protocol for Law Enforcement Interactions with Street People is Not Always Followed

While interviewing Councillor Zahid Badroodien and Lorraine Frost, Programme Manager: Vulnerable Groups, we found that there is a certain protocol in place for how law enforcement is meant to interact with street people. According to Councillor Badroodien and Ms. Frost, law enforcement is not supposed to initially interact with a street person without a social services field worker present. There are several steps to be followed when a street person is found breaking the law, for example obstructing a public sidewalk. A social services field worker is the first to be contacted and interact with the street person. The social services field worker informs the street person of available services and offers to help them off the street. If the street person denies assistance, then a peace officer comes next to deliver a warning that the street person

will receive a fine, have their belongings removed, be arrested, etc. if they do not comply. It is at this stage that law enforcement takes action if the street person still does not act in accordance. This process can be seen in Figure 4. Lorraine Frost said that this procedure is “always” followed.

We found that the number of field workers and peace officers is significantly small compared to the number of street people in Cape Town. According to the presentation at the City of Cape Town Street People's Dialogue, approximately 4000 people are living on the streets and there is a team of 47 field workers. That breaks down to each field worker having an average caseload of 85 street people, excluding any additional on-call interactions. We learned that the team of field workers are not necessarily certified social workers, and that there are only 20 peace police officers patrolling Cape Town. We were also informed that 80% of the calls to the 107 (non-emergency) police number are complaints about street people.

While interviewing street people, we asked what their experiences have been with law enforcement, social services field workers, and peace officers on the street. We found that the above protocol is not always followed. Several people received no warning before having their belongings confiscated or being issued a fine, and many were only contacted by law enforcement. One woman said that when the police instruct her to pick up her belongings and relocate, she was compliant. However, she explained instances where she was not given a warning and was issued a fine. Another man told us that social service field workers never come directly to the street people and that the street people must go to them. Ten of the thirteen people we interviewed have no experience with a social services field worker or peace officer, despite witnessing or being involved with law enforcement in some way.

With regards to the current court case against the City, seven street people claim they were fined for not relocating after being given a warning for sleeping on the street at 2:00 AM. Gary Trappler, attorney representing the ratepayers' associations in the case, admits that there was no complaint made, meaning law enforcement showed up by themselves, and no social services field workers or peace officers were there. This is contrary to the protocol that says a social worker must arrive first, followed by a peace officer.

In addition, we found cases where law enforcement acted brutally towards street people. One man said that he was smacked in the face several times for smoking marijuana. He also said that police have threatened to spray them with water if they do not move off the street. Another said that he had been tear-gassed by law enforcement for taking shelter in a public area. Many interviewees described law enforcement as judgmental and dismissive towards street people. One street person called law enforcement “crazy”. Law enforcement may not be aware of the protocol that they are meant to follow. The protocol that Councillor Badroodien and Ms. Frost explained is not clearly outlined in the policy, leading to a lack of accountability for law enforcement.

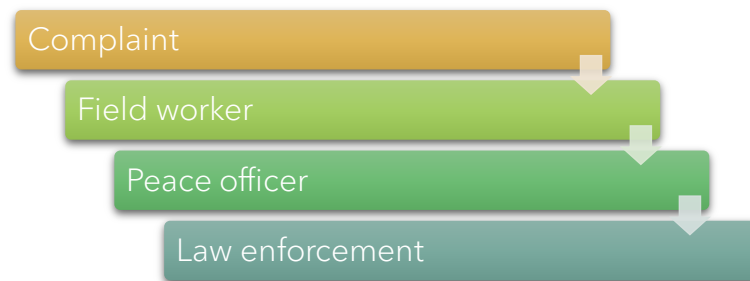


Figure 5: Protocol for interaction with a street person, according to City of Cape Town Officials.



Recommendations

Chapter 5:

Recommendations

Based on our findings, we developed several recommendations that The Hope Exchange can advocate for. Our findings demonstrate that there are differences in opinion among, as well as within, each stakeholder group about various aspects of homelessness. Each interview we conducted showed the complexity of homelessness and who it affects. By comparing each unique perspective, we were able to create impartial and objective recommendations. Homelessness is an extremely complex issue; however, we hope these recommendations spark positive change towards resolving the epidemic.

5.1 Recommendation 1

Collaboration Between NGO's and City Government should Improve

Both NGOs and the government are interested in better collaboration. However, the current system of representation disadvantages smaller NGOs with less political clout. In order to achieve better collaboration, there needs to be an open dialogue between NGO social workers and DSD field workers. This channel could take the form of monthly meetings between DSD social workers and NGOs, or City Dialogues where DSD social worker attendance is required. Collaboration between these groups will have the most positive impact on street people because social workers work so closely with street people. This suggestion was raised by Ian Veary, Social Work Manager, The Hope Exchange. Without this suggested

dialogue, some NGOs will still not have a voice, and the local government will only be lobbied by the larger NGOs that do not represent the whole front. Additionally, there should be a forum where street people can voice concerns themselves. City dialogues have proven ineffective in accomplishing this. Based on the City Dialogue we attended, the guided Q&A and focus group discussion did not give street people freedom or time to voice issues they are facing. Even if NGOs were consulted before the forum, the agenda would still be filtered through larger NGO talking points, rather than coming straight from street people. A forum where street people can not only express concerns to their social worker or the NGO they are affiliated with, but with city officials would go a long way in making sure their best interests are put forth. This is the missing link between true collaboration between all parties involved.

The City's current Street People Dialogues attempt to stimulate collaboration between stakeholders, but there are several ways in which these meetings could improve. The Dialogues include question and answer and focus group sessions among City officials, street people, and NGOs. The City can go further by making sure as many of the 47 City field workers are present at each meeting and dedicating a certain time for collaboration between the city field workers and NGO workers in attendance. Holding these dialogues monthly instead of every other month should alleviate some time pressures that currently exist. Additionally, an independent facilitator should be contracted, meeting separately with each party beforehand to create the agenda for the dialogue. This would ensure that all parties are more fairly represented and that all voices are being heard, rather than only that of the City officials. The rules of engagement for the dialogue should be agreed upon before the parties engage in discussion and enforced by the independent facilitator. Another proposal that

could improve dialogue between the stakeholders is for the Street People's Forum to host their own dialogue and invite the City. This would give NGOs and street people a chance to add to the agenda.

5.2 Recommendation 2

Set a Goal for New Safe Spaces and Allocate Some New Housing to Vulnerable Groups Including the Homeless

Through several interviews with street people and NGOs, we have determined that one of the greatest needs for street people is adequate housing and alternative housing opportunities. The director of the Haven Night Shelters, Hassan Khan, has identified designating a small percent of all new housing developments to vulnerable groups as a potential solution to the housing crisis. Others have suggested opening more shelters and government funded Safe Spaces to encourage people to leave the streets and begin to reintegrate into society. One of the challenges faced by street people is the location of new developments and shelters. Many of the cities' shelters and dedicated housing is located upwards of 20 km outside the center of Cape Town. It would not be feasible for a street person to commute into the city where most of the job opportunities exist. In many cases, people will quickly abandon these accommodations in favor of sleeping on the streets closer to the city center which offers more opportunities and services for street people.

The current Street People Policy does not acknowledge programs such as designated housing or the Safe Space, a transitional shelter which has had great success since it was first created. The City of Cape Town has had plans to increase



Geoff Burton House provides second-phase accommodation for 40 men at The Hope Exchange

the number of Safe Spaces throughout the city following the success of the Culemborg Safe Space. Unfortunately, there have been no major moves to break ground on a new safe space. We propose allocating a small percent of new housing developments to vulnerable groups along with the creation of new Safe Spaces and acknowledgment of transitional shelters in the Street People Policy. To have a goal set in writing, such as having a new safe space built each year for the next 5 years, will make the city accountable for creating these spaces and addressing the housing crisis. Currently there are simply not enough beds in Cape Town to accommodate the rising number of street people, and there needs to be more low cost housing options for street people. Acknowledging the existence and use

of transitional shelters would allow non-profit organizations to expand upon the current success of Safe Space. This would benefit the many street people who cannot use traditional shelters due to their cost, locations, or long wait lists.

5.3 Recommendation 3

Raise Awareness

Throughout our interviewing process, we asked each participant if they were familiar with the Street People Policy along with the services they accessed. Of the thirteen street people we have interviewed, only three were familiar with the policy goals and ideas and few receive services. Most of the NGOs and both lawyers we spoke to had heard of The Street People Policy but had not read it through. Annexure A of the Street Policy outlines a mechanism to reintroduce people back into society, however there is little knowledge of the policy outside of city officials and policy makers.

Spreading awareness about a policy is not the job of a single entity. All stakeholders need to take responsibility in educating themselves about policies and bylaws that affect them. However, the government should be informing the public on the policies and bylaws because of the profound affect they have on those residing in the city. It would be beneficial to the government to run policy and bylaw information campaigns, to increase the number of people familiar with the policy. Information sessions in which NGOs, street people, city government and any affected citizen can attend would be beneficial in addition to distributing flyers about the policies and bylaws to NGOs and service providers to further inform street people. The NGOs and the government together hold the responsibility to teach street people about the policy. Street people have a right to know about the plans for

their reintegration and the ideology behind the policy. The government departments and social workers should be familiar with the policy and be obligated to explain it to the street people they interact with. Similarly, NGOs should also have a responsibility to follow the reintegration plan laid out by The Street People Policy and advise street people on the policy as it affects them.



Ian Veary of The Hope Exchange speaks to guests at a networking event

Along with the impact of the policy, street people also seem to be lacking an understanding of the services available to them. Many of the street people we spoke to only went to a singular NGO and did not access government services such as a social worker. Services to street people provided by both the government and NGOs should be increasingly advertised to street people. Promotional videos can be used by NGOs and the city alike to promote resources available to street people and attract support and donations to make more resources available. We created a promotional video for The Hope Exchange to raise awareness for the organization. This will leave a long lasting, positive impact on The Hope Exchange and street people who receive services from the NGO.

5.4 Recommendation 4

Revisit the Bylaws and Law Enforcement Protocol for Interactions with Street People

The implementation of the Street People Policy is through the enforcement of the Public Spaces and Nuisance bylaw and the Waste Management bylaw in which, there must be direct interaction between law enforcement and street people. According to Councillor Badroodien and Lorraine Frost protocol dictates that a DSD field worker is the first to offer services, followed by a peace offer. It is only after a street person disobeys a peace officer that law enforcement is sent to fine or arrest the person. From our interviews, we can conclude that this is not common practice in reality. While it is nice to have a protocol, it is useless if it is not followed. Although Ms. Frost explained this as the required process, nowhere in the Street People Policy or the Social Development Strategy is this process of contact explicitly outlined. There is no accountability on the government to follow this process. In

order to make sure it is followed; it must be outlined in the revision of the Street People Policy.

Without this explicit outline, a multitude of problems arise. Most prominently, people are not aware of this process that is there to provide them protections. Their right as a street person is to see a field worker before law enforcement, but if they are contacted by law enforcement first, they are not aware that this is wrong. From our interviews with street people, we found that often, law enforcement was the first contact. Street people were not aware that they were supposed to see a field worker first. Unfortunately, there is no accountability for the city to follow its protocol. If it is not laid out anywhere, there is little motivation for the city to police itself. If it is written explicitly in the policy, and the policy is better understood by street people and NGOs, the city must do a better job promoting such a document because it is public information, accessible to anyone.

Along with the interaction between street people and the police, the interpretation of the Public Spaces and Nuisance bylaw and the Waste Management bylaw are in question. The interpretation of these bylaws has effectively criminalized homelessness by making it illegal to sleep on the streets or build a shelter. When these bylaws are enforced either by fines, confiscation of property, or arrest, the street people are set back on their path to reintegration. From the interviews we completed, it seems that overwhelmingly, stakeholders want the bylaws to be reviewed and revised. This process has already begun with the interim interdict and constitutional review of the interpretation and the bylaws themselves. However, we have found through interviews with lawyers, NGOs and even street people, that no one believes street people should be entirely above the law. These voices have

expressed that street people should not be disturbing the public with their actions.

There must be a compromise between the needs of the street people and the needs of the other citizens of Cape Town. The bylaws should be rewritten to have more clearly defined and accommodating rules that pertain to street people. However, regardless of an exemptive policy, the bylaws should be clear in stating that street people are citizens and are expected to follow the rules outlined. We suggest that Cape Town adopt a policy like the State of Colorado's proposed "Right to Rest Act," which would decriminalize sleeping on the streets. Decriminalization prevents street people from being arrested, receiving a fine, which they do not have the means to pay, or having their possessions taken. Cape Town could incorporate a "Right to Rest Act" by allowing street people to sleep undisturbed between specified hours of the night or permitting them to build small informal structures out of the public view. These compromises would take pressure off both the police and street people and should be written in a way that sleeping throughout the night causes as little disruption to the public as possible.

5.5 Recommendation 5

Expand Public Works Programs

The street people we interviewed identified stable employment as one of their top necessities. As part of the reintegration plan in the current street people policy, street people are expected to find a predictable and constant income stream as a step toward reentering society. Many street people rely on the EPWP and under-the-table jobs such as cleaning, doing handiwork, and selling crafts. However, these forms of employment do not generate a constant income stream.

According to Lorraine Frost at the Street People Dialogue, only 800 EPWP jobs are available in the City of Cape Town, making this employment scarce and sought after. The EPWP only provides employment for three, six, or nine months. Following their time in EPWP, street people are essentially back where they started: unemployed and homeless.

Due to these factors, the city should consider reallocating its funds for the EPWP by implementing shorter shifts and longer terms of employment. Based on what we have learned from other NGOs such as Straatwerk and Streetscapes, the accountability of coming back each day and getting paid helps keep people on track, regardless if shifts are long or short. Shorter shifts allow more people to work each day for longer periods of time. With a stable income, even a minimum wage, street people could learn to manage their finances and work towards their goals. We realize that this is a big change from the current EPWP program; however, we feel that this mechanism of employment is more beneficial to street people. Another strength of this kind of program is that no additional funding is required to provide stable employment to more street people. As a result of restructuring the EPWP, more street people could access stable employment, which is a crucial step in their journey to rehabilitation and reintegration into society.

5.6 Recommendation 6

Reintegration and Rehabilitation of Street Persons should be Addressed on a Case-By-Case Basis

With regards to prioritizing reintegration or rehabilitation for street people, we recommend implementing a case-by-case approach. For many street people, rehabilitation first may be their most successful option, for example, those recovering from drug/alcohol addiction or those with severe mental illness. In these cases, rehabilitation is the first step towards stability. However, reintegration may be more beneficial as the primary step in different scenarios. For example, those who do not suffer from addiction or mental illness but lack certain social skills may benefit more from gaining leadership roles or jobs within the community.

A combined approach, where rehabilitation and reintegration happen simultaneously might be appropriate for some people. Reintegration and rehabilitation often times cannot be separated and require simultaneous implementation. Regardless of the approach, all NGOs and government officials that we interviewed recognize that both aspects are crucial to resolving homelessness. We conclude that each case of homelessness is unique and must be analyzed independently in order to maximize success. Rather than prioritizing reintegration, rehabilitation, or a strict combination, we recommend individualization because homelessness is so complex and far-reaching. Developing personal reintegration/rehabilitation plans for street people should be a task for social workers, peace officers, and NGOs.



Social worker with client at The Hope Exchange

5.7 Considerations

The project was complex as we gained perspective across multiple disciplines and points of view. The first thing we considered is bias. Objectivity can be difficult for those directly involved in the creation or implementation of the policy. Therefore, we objectively examined all the data we gathered, especially qualitative data from interviews. It was important to cross-reference data with other accounts of people in similar situations.

When interviewing homeless people, it is important to note that they were often unsure of what resources they were taking advantage of and who they were provided by. Often times when asking street people if they used government services they would say no, but later in the interview they would say they have a social worker who works for the DSD. These “no” answers may have skewed our data. Similarly, street people often were unsure of timelines and therefore answers to questions regarding the how long they have been homeless or on RDP Housing lists may be inaccurate.

The sample of street people interviewed was also highly concentrated on those who attend The Hope Exchange and was relatively small. This may have skewed data regarding street people’s interactions with law enforcement, perception of the city government, et cetera. It is important to note that if a different sample of street people were interviewed, or if the sample was larger the results may be different.

Our interviewees including government officials and NGO representatives may have been biased by the fact that we were associated with The Hope Exchange. In our communications with interviewees prior to interviews we introduced ourselves as interns at The Hope Exchange. The

interviewee’s preconceived notion of The Hope Exchange may have affected the way they answered our interview questions.

It is important to note that we have a limited background in social work, law enforcement, and South African governmental proceedings. Because of this, our recommendations should be reviewed and further expanded on by professionals in these areas.



Conclusion

5.8 Conclusion

There is no one answer to addressing homelessness in any city, much less a city like Cape Town whose large homeless population, economic segregation, and checkered racial past make things even more difficult. When initially approaching the project, the group assumed NGOs would be united against government in a fight for more resources, support, and action. We assumed elements of other cities' policies could be easily adopted and implemented into the City of Cape Town's. However, we have uncovered the issue is much more complex than initially expected. There are disagreements amongst NGOs and within government. City politics and economics play a larger role than expected.

We found the biggest barrier to revising the policy was not a lack of desire, but a lack of a clear path to go about executing such a process. If NGOs and city government cannot collaborate effectively together, the policy will remain ineffective and a disservice to the people of Cape Town will be done. If collaboration flourishes and a united front is formed, everyone's voice will be heard, and real change can happen.

Our research can prove to be a valuable roadmap to achieving this collaboration. By holistically framing the issue and all stakeholders involved, we hope that everyone's perspective can be seen and understood by the other side by reading this report. Points of view have been expressed by NGOs, government officials, and street people themselves. By having all these perspectives in one place, each stakeholder can access the concerns of the other. Ultimately, we hope the desire from all sides to help street people shines through. The city and NGOs both expressed their motivation to help street people.

Instead of demonizing the other side, we hope both sides realize their motivations align, and can use that perspective as motivation to collaborate.

The project has great potential for making a positive impact on the homeless people of Cape Town. If our data sparks a revisiting of the Street People Policy and the policy is revised to better support the needs of the homeless, the lives of thousands of Capetonians will be improved. Similarly, if our media deliverable attracts support for The Hope Exchange, the organization could gain support and funding which will better equip them to provide services to and improve the lives of homeless people.



Cassie with The Hope Exchange friends

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Appendix A: Questions for Government Officials

The following questions will be used in our interviews with government officials. Our prerogative in these interviews is to gain insight on how and why the policy was initially created. This will give us perspective on how the policy was intended to work and how and why it is falling short of the initial goals.

Sample Verbal Consent Text (we will convey the following information in a friendly, conversational manner rather than reading the text directly): We are students from Worcester Polytechnic Institute (WPI) in the United States working in cooperation with The Hope Exchange to obtain information about the current Street People Policy. We would like to ask you questions about the policy so we can better understand its origins. Your participation in this interview is voluntary and your identity will not be published. Thank you for your cooperation.

1. To what degree do you perceive the city government accommodates the city's street people population?
2. How familiar are you with the Street People Street People Policy?
3. What are your views on the Street People Policy as it currently stands?
4. Have you noticed any changes to street people as a population since 2013/The Street People Policy was introduced?
5. What specific problems does the Street People Policy aim to address?
6. Before being involved with the Street People Policy, were you involved in any similar projects? Have you been involved in any similar work since then?
7. Since the policy was written over six years ago, do you see any ways in which the policy could or should be modernized?
8. Were there any issues or topics that you wished were originally addressed in the policy?
9. How big of an influence does prior policy such as the Street People Policy play in current government assistance of street people?

Appendix B: Questions for Street People and Rate Payers

The following questions will be used in interviews with homeless Capetonians and/or in interviews with Capetonians who are currently living in homes. These questions will help us accomplish our second objective, and determine the impact the policy has had on Capetonians.

Sample Verbal Consent Text (we will convey the following information in a friendly, conversational manner rather than reading the text directly): We are students from Worcester Polytechnic Institute (WPI) in the United States working in cooperation with The Hope Exchange to obtain information about the current Street People Policy. We would like to ask you questions about the policy so we can better understand its impact. Your participation in this interview is voluntary and your identity will not be published. Thank you for your cooperation.

Please feel free to contact us with any questions or concerns at gr-CT19-hope@wpi.edu. You may also contact our WPI project advisors, Melissa Belz at mbelz@wpi.edu and Thidi Tshiguvho, at thidinalei@yahoo.com

10. Do you know about the SPP?
11. It was put into action in 2013. Were you living on the streets before the policy was created?
12. Do you notice any differences since the policy started?
13. Has/how has the police treated you differently since the Street People Policy was initiated?
14. How has your living condition changed since the SPP has been implemented?
15. Do you trust the government to provide you with basic amenities?
16. What is your greatest need that you would like to see the government further assist with?
17. What types of housing have you lived in before you became homeless?
18. What types of jobs have you previously worked in or are currently working in?
19. How often do you see a doctor?
20. Have you applied for RDP housing/ have you heard anything about it?
21. When the SPP was first introduced, did you know what it was, and what it was meant to do?

22. Follow up: Did you have any hopes for what the SPP would change in your day to day life? Where any of these hopes and expectations met?
23. How big of an issue do you see homelessness in Cape Town as? Do you view the steps the government has taken regarding homelessness to be too much, too little, or adequate?
24. How much education do you have/ what is the highest level you have completed?
25. Follow up: Do you feel you are employed/not employed based on your education and skill level?

Appendix C: Questions for Attorneys

The following questions will be used in our interviews with attorneys involved in the ongoing court case. Our prerogative in these interviews is to gain insight on how and why the bylaws associated with the policy are being questioned. This will give us perspective on how the bylaws affect the policy, in turn affecting stakeholders.

Sample Verbal Consent Text (we will convey the following information in a friendly, conversational manner rather than reading the text directly): We are students from Worcester Polytechnic Institute (WPI) in the United States working in cooperation with The Hope Exchange to obtain information about the current Street People Policy. We would like to ask you questions about the bylaws associated with the policy. Your participation in this interview is voluntary and your identity will not be published. Thank you for your cooperation.

1. Can you give us a little more insight on what the current court case is trying to accomplish and who is involved?
2. Do you have experience representing homeless people/rate payers in court before?
 - a. Before the SPP was implemented in 2013?
 - i. Have you seen changes in how homeless people are treated since 2013?
3. What is the rate payers' associations' role in the case?
4. If the case is won, what will change?
5. What is the biggest need your clients need/are advocating for?
6. How is constitutionality involved in this case?

Appendix D: Questions for NGOs

The following questions will be used in our interviews with NGOs. Our prerogative in these interviews is to gain insight on how and the policy affects NGOs.

Sample Verbal Consent Text (we will convey the following information in a friendly, conversational manner rather than reading the text directly): We are students from Worcester Polytechnic Institute (WPI) in the United States working in cooperation with The Hope Exchange to obtain information about the current Street People Policy. We would like to ask you questions about how your organization is affected. Your participation in this interview is voluntary and your identity will not be published. Thank you for your cooperation.

1. How does your organization work?
2. How do people apply for it?
3. What kind of successes have you seen in your program?
4. To what degree do you perceive the government accommodates the city's homeless population?
5. How familiar are you with the Street People Street People Policy?
6. What are your views on the Street People Policy as it currently stands?
7. Have you noticed any changes to the homeless population since 2013/The Street People Policy was introduced?
8. How have you seen the government involved in the Street People's lives?
9. Do you feel that the government provides what is needed to support the rehabilitation of street people?
10. How has the government been successful and/or unsuccessful in their involvement?
11. In what capacity do you feel that their involvement could be improved?
12. What is the street people's greatest need based on your experience?

Informed Consent

If we want to take photos or video, we will use the further protocol developed by the Cape Town Project Center for this purpose.

We are a group of college students from Worcester Polytechnic Institute in the United States working with The Hope Exchange to evaluate the City of Cape Town's Street People Policy. We are requesting your permission to interview you about the impact of the current policy and how it has affected you. The interview will not take longer than 45 mins, and will take place in a location agreed upon with you. The purpose of the interview is to gain perspective on how the policy affects those it was created to help. All interviews will be completely confidential and voluntary; you can choose to participate or not. Any questions that you want to opt out of you may. Your participation or lack thereof will have no effect on your affiliation with The Hope Exchange or the services you receive from them. You can contact us at any time via email at gr-CT19-Hope@wpi.edu, or our advisors Professor Melissa Belz, mbelz@wpi.edu and Professor Thidi Tshiguvho, thidinalei@yahoo.com. The contact for The Hope Exchange is Ian Veary and he is assessable at (072) 304-1793 or ian@thehopeexchange.org

I, _____, agree to be interviewed by WPI students and/or co-researchers working in cooperation with _____ (*project sponsor*) on a project concerning _____ (*topic*).

I have been informed of the confidentiality of information collected for this project and the anonymity of my participation. I have been given satisfactory answers to my inquiries concerning project procedures and other matters. I have been advised that I am free to withdraw my consent and stop my participation in the interview at any time.

Participant Signature: _____ Date: _____