



Africa Criminal Justice Reform
Organisation pour la Réforme de la Justice Pénale en Afrique
Organização para a Reforma da Justiça Criminal em África



Crime and the 2021 Local Government Elections

Overview of the manifestos

Lukas Muntingh, 27 Oct 2021



UNIVERSITY of the
WESTERN CAPE



Introduction

- The 2021 elections are taking place in an environment where the very importance of elections themselves may be under pressure as trust in state institutions have dwindled to its lowest levels according to Afrobarometer.
- Some two-thirds of Afrobarometer respondent stated that they would accept a non-elected form of government if such a government can deliver **security**, housing, and jobs.
- Nearly all evidence we look at shows a criminal justice system that is failing, if not entirely dysfunctional.
 - Declining number of prosecutions
 - Violent crime (murder rate) has increased after 2010/11
 - It seems that the highly centralised and unitary approach to policing and prosecution is not working.
- What is the responsibility of LG and what can it be held accountable for?
- What is our understanding of what works (and what does not) in preventing and reducing crime?
- Most people live in local governments and the focus then ought to be on those issues that impact on people's daily lives, but in practice the alignment of people's experiences and tier-of-government responsibility does not match that well.
- Looking at manifestos of three parties: ANC (57.5%), DA (20.8%) and EFF (10.8%) = 89% of the NA

Crime and the three tiers of government

- Law enforcement (policing, prosecutions and prisons) is largely centralised but policing is contested
- Crime prevention (socio-economic conditions, health, social services, education, environmental design) sits largely with provinces and LG.
- Both law enforcement and crime prevention are beset with a range of design, management, capacity and performance problems.
- The complexity is deepened by the porous boundaries of LG mandates (vis a vis PG and NG), but also about what is understood to be crime prevention versus socio-economic development versus law enforcement.
- Five questions:
 - Who is responsible for public safety?
 - What is LG responsible for?
 - What external factors have an impact on the LG mandate and performance?
 - What is LG held responsible for, but are not?
 - What can LG police and prosecute?

The manifestos

- The manifestos typically give a bit of history, a problem analysis, party priorities to be addressed when it comes to power/post-election
- There is largely agreement across the three parties that LG has failed with reference to governance, service delivery and crime.
- The EFF manifesto more detailed (17 priorities) than the other two with the DA's (7 priorities) and the ANC (14 priority areas), but DA manifesto covers substantial detail under the 7 priorities.
- When comparing the three, can categorise in four areas, being:
 - Responding to crime
 - Crime prevention
 - Good governance
 - Municipal infrastructure
 - The distinctions are a bit artificial as infrastructure can have a crime prevention impact etc
- Also distinguish between (a) crimes committed by LG officials in the context of the LG mandate (b) crimes and risks to community safety that are within the sphere of local government to address directly or indirectly (e.g. by-law enforcement) (c) crimes/risks impacting on the LG mandate but are **not** within sphere of LG to address (e.g. corruption, and organised crime).

Category	ANC	DA	EFF
Responding to crime	Fight corruption and end wastage	Tough on crime and its causes	[EFF municipalities on] Gender and women
	Together, building safer communities and fighting crime, drugs, and alcohol abuse		Crime
	Working Together We Must Intensify the Fight against Gender based violence and for Safer Communities		Corruption
Crime prevention	Create jobs and drive economic development	Holistic community health	Indigent households and free basic services
	Jobs, education, training, and opportunities for young people	Jobs and investment to local economy	Youth
	Food Security		The economy
			Sports, arts, and culture
Good governance	Choose the best people to run municipalities	Good governance	Local government capacity
	Working together to overcome our challenges and build accountable, capable, and effective local government		
	Make municipalities financially viable		
	Together, we must strive for a non-sexist society and must build communities committed to Gender Equality		

Category	ANC	DA	EFF
Municipal infrastructure	Water, Sanitation, Sewerage and Roads	Water, sanitation, electricity & public spaces	Land and agrarian economy
	Electricity	Roads and public transport	Health
	Land and Housing	Sustainable housing	Human settlement
	Bring integrated government closer to the people		Fisheries
			Water
			Sanitation
			Environment and climate change
			Transport
			Municipal infrastructure

Some observations

- There is little to criticise in the aspirations, but the manifestos are generally short on the detail – the “how”.
- The complex and inter-related nature of crime in SA, but there is lacking an across-government strategy.
 - Some LGs and provinces trying to pick up the slack where national government is failing - not easy.
- Crime from within
 - Supply chain management
 - Appointments
 - Credible appointment process based on objectively verifiable criteria in a transparent process
 - Where is the capacity to prosecute LG corruption?
- Oversight and accountability
 - Responding to AGSA reports
- Law enforcement with a purpose and there needs to be prosecutions for arrests by municipal police.
- Alcohol and violent crime
 - Unlicensed vendors
 - In-put on licence applications
 - Trading hours and accessibility

Thank you

