

COUNCILLOR PROTECTION POLICY

3rd DRAFT

1. Purpose

- 1.1 The purpose of this policy is to provide protection to all councillors (public representatives) of the Mangaung Metropolitan Municipal Council (the Council), in particular ward councillors, during the times of violent service delivery protests or political instable situations that threaten their lives relating to their duties as councillors.

2. Objectives

- 2.1 Violent service delivery protests are increasing countrywide, including the areas within the jurisdiction of the Mangaung Metropolitan Municipality (the Municipality). These violent service delivery protests are mainly directed at ward councillors who become targets at the times of the protests.
- 2.2 These pressing circumstances necessitate the municipality to develop and put in place a regulatory mechanism and measures, within its powers, to provide support to all vulnerable councillors who will from time to time be exposed to attacks from the communities.

3. Who to Protect?

- 3.1 All councillors including their property and family members who are staying with a councillor concerned during the time of threats or actual attacks.

4. What Type of Protection?

- 4.1 Protection provided includes, inter alia, escorts, evacuations, armed response, ad hoc patrols and guards, depending on the nature of the threat or attack subject to funds available in terms of the Municipality's annual budget.

- 4.2 No firearm will be issued to any councillor under threat or attack.
- 4.3 Threat or attack should relate to the councillor's council duties.

5. Who to Authorise or Withdraw Protection?

- 5.1 Upon the request or recommendation, based on the risk analysis, the Speaker can authorise that protection be provided to a councillor or on the other hand he/she can withdraw the protection if he/she deems necessary.

6. Establishment of Councillor Protection Unit

6.1 Powers and Functions

- 6.1.1 The Municipality must establish a Councillor Protection Unit (the Unit) whose main purpose is to deal with all matters pertaining to the protection of councillors.
- 6.1.2 The Unit must play a major role in terms of recommending and advising the Speaker on matters of the protection of councillors.
- 6.1.3 The Unit must advise and recommend the requirements for a person to be trained as a member of the Municipality's Councillor Protection Unit.
- 6.1.4 Members of the Unit must undergo an intensive training for the purposes of executing their duties effectively and efficiently.
- 6.1.5 The Unit must deploy trained members in all the three regions of the Municipality, namely: Bloemfontein, Botshabelo and Thaba Nchu.
- 6.1.6 The Unit must determine the numbers of the deployed members required for each region from time to time.

6.2 Composition of Committee

6.2.1 The Unit should have a committee consisting of the following members:

- Head: Speaker's Office (as a chairperson);
- General Manager: Public Safety (as a coordinator);
- Three members from National Intelligence Authority (one from each Municipality's the regions);
- Six members from the South African Police Services (two from each Municipality's the regions);
- Six members from the Municipality's Law Enforcement Unit (two from each Municipality's the regions);

6.2.2 Each region must have a Law Enforcement Chief who is accountable to the Municipality's General Manager: Public Safety.

6.2.3 Head: Speaker's Office is accountable to the Speaker.

7. Risk Analysis

7.1 Office of the Speaker should conduct a risk analysis profile of all councillors to determine the levels of risk each councillor is exposed to.

7.2 The Office of the Speaker should undertake the risk profiling in consultation with the SAPS, National Intelligence Authority, Municipality's Councillor Protection Unit, Municipality's Law Enforcement and leaders of structures in the wards as well as social organizations within the communities.

7.3 The risk analysis should be comprehensive and should factor in the levels of responsibility councillors are given in their respective areas.

- 7.4 A further analysis of the Regions and Wards that are volatile should be conducted to determine the form of security that might be required.

8. No Insurance

- 8.1 This policy or its provisions must not be interpreted or regarded as an insurance to the councillor's life or his/her property in cases of attacks leading to death or property damage.
- 8.2 Councillors are, accordingly, advised to secure their own insurances in this regard.

9. Response During Emergencies

- 9.1 All councillors should have a telephonic link with the Municipality's Councillor Protection Unit Centres at three Municipal Regions.
- 9.2 Any councillor under attack should immediately contact the Regional Law Enforcement Chief or his/her designated member in charge at the Centre to report the incident.
- 9.3 The Regional Law Enforcement Chief or his/her designated member should immediately also contact the SAPS to provide a rapid response service.

10. Protection During Normal Circumstances

- 10.1 General Manager: Public Safety is responsible for coordination of all measures for protection and related matters, including but not limited to calling of Emergency Medical Services and Disaster Management Services.
- 10.2 Any councillor under threats should report any incident to the Office of the Speaker as well as the Office of the Chief Whip who will then notify all political parties in Council of the impending threat to the councillor(s).
- 10.3 General Manager: Public Safety should then ensure that the Unit starts investigating the matter are immediately and put in place any immediate security measures, should so required.

- 10.5 National Intelligence Authority and the SAPS, and all other role players where necessary, must be involved during this process of conducting a risk assessment and threat analysis.
- 10.6 Head: Speaker's Office together with the General Manager: Public Safety must then provide the Speaker with the assessment report.
- 10.7 The Speaker must then provide the report of his/her decision on the assessment report, based on the recommendation by the Unit, to the Executive Mayor, the City Manager and all party leaders of the Council.

11. Alternative Accommodation

- 11.1 If the situation so warrants, the Speaker's Office should arrange a temporary alternative accommodation, where necessary with the Municipality's Human Settlements Department, for the councillor and his/her family.
- 11.2 The budget allocated for this purpose should be borne in mind when providing alternative accommodation and must be spent economically and ensuring that the purpose of this policy is achieved.
- 11.3 During the period of alternative accommodation, the councillor's property as well as the alternative accommodation should be guarded twenty four (24) hours a day until the situation becomes normal.

12. Short Title and Commencement

- 12.1 This policy shall be known as *Mangaung: Councillor Protection Policy* and comes into operation on the date of approval by the Council.