

# ANNEXURE D

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## CONSTITUTION FOR THE SECTOR FORUM

### 1. NAME

- 1.1 The Name of the SECTOR FORUM shall be the “Community Police Forum”. (hereinafter referred to as the “Forum”) established subject to the provisions of Section 18-23 of South African Police Service Act, Act 68 of 1995.

### 2. BODY CORPORATE

The forum shall

- (a) Exist in its own right, separately from its members.
- (b) Continue to exist even when its membership and office bearers change;
- (c) Be able to own property and other possessions;
- (d) Be able to sue and be sued in its own name;

### 3. OBJECTIVE

The forums objectives are to:-

- 3.1 Establish and maintain a partnership between the community and the police.
- 3.2 Promote communication between the community and the police.
- 3.3 Promote co-operation between the community and the police in fulfilling the needs of the community regarding policing.
- 3.4 Improve the rendering of police services to the community at local level.
- 3.5 Improve transparency in the service and accountability of the police to the community.
- 3.6 Promote joint problem identification and problem-solving by the police and the community in relation to crime, service delivery, disorder, and poor community police relations.
- 3.7 Monitor the effectiveness and efficiency of the police.
- 3.8 Evaluate the provision of visible policing in the station area.

#### 4. RESPONSIBILITIES

- 4.1 Advise the SAPS regarding local policing priorities. Jointly identify policing priorities for presentation to the MEC for Community Safety.
- 4.2 Facilitate in resolving concerns, problems and complaints from community members regarding policing.
- 4.3 Harmonize the relationship between the police and the community.
- 4.4 Request the station commander to provide crime information analysis on policing on a quarterly basis and as when it is required.
- 4.5 Obtain regular feedback from the community about the quality of police service delivery.
- 4.6 Initiate community based crime prevention projects.
- 4.7 Inform the community about the activities of the CPF and engage them accordingly.
- 4.8 Ensure effective management of the CPF's resources.
- 4.9 Requesting enquiries into policing matters in the locality concerned.
- 4.10 Ensure the implementation of sector policing.
- 4.11 The monitoring of the effectiveness and efficiency of the Service.
- 4.12 The evaluation of the provision of visible policing priorities, including.
  - (i) The provision, and staffing of the police station
  - (ii) The reception and processing of complaints and charges.
  - (iii) The Prosecution of offenders

#### 5. COMMUNITY PARTICIPATION

- 5.1 All persons who live or work in the station area may participate in the activities and attend meetings of the CPF as prescribed in the CPF constitution.

#### 6. MEMBERSHIP

- 6.1 Membership of forum shall be open to all **bona fide** CPF Sub-Forums, CPF Sub-Sub Forums, CPF street Committees, CPF Neighbourhood-Watches and Patrol Groups, faith-based organization, none governmental organization, formal and informal business organization, and other social organizations which serve the community and interested individuals with a good standing.
- 6.2 Organizations mentioned in 6.1 and individuals shall register for membership of the forum in writing with the Station commander. All elected CPF Sub Forums, Street Committees, CPF Neighbourhood Watches, CPF Patrol Groups shall automatically be

- registered by the Station commander within seven days after their establishment.
- 6.3 The CPF may cancel membership, disestablish, disband any CPF Sub Forum and any of its structures upon realizing that such a structure is functioning contrary to the directives.
  - 6.4 The Area Board may cancel membership, disestablish, disband any CPF, CPF Sub Forum and any of its structures upon realizing that such a structure is functioning contrary to the directives. The Area Board may overturn or reverse the decision of the CPF.
  - 6.5 The Provincial Board may cancel membership, disestablish, disband any Area Board CPF, CPF Sub Forum and any of its structures upon realizing that such a structure is functioning contrary to the directives. The Provincial Board may overturn or reverse the decision of the Area Board and or CPF.
  - 6.6 The Department of Community Safety in consultation with the Provincial Board reserves the right to deregister or register any member referred to in this section, (5.2) and disestablish, disband any Board or CPF Structure. The Department may overturn or reverse the decision of the Area Board or CPF after consultation with the Provincial Board.
  - 6.7 Members must endeavour to attend all forums as directed by the CPF or as prescribed in the CPF constitution meeting.
  - 6.8 The CPF forum may as far as practically possible be representative of the sub-forms.
  - 6.9 Elected office bearers should be residents in the affected policing Area. The Area Board may condone participation of some individuals who might not be residents of the affected local police station area but have business within the area of the affected police station.
  - 6.10 No membership fee shall be payable.

## **7. MANAGEMENT**

- 7.1 The forum shall be managed by an Executive Committee which shall be elected, and in the case of **ex officio** members, co-opted, at the every third Annual General Meeting.
- 7.2 Elected members of the Executive Committee shall serve for three year. They may be re-elected or co-opted.
- 7.3 The Executive Committee shall comprise of
  - (a) A Chairperson,
  - (b) A Deputy Chairperson,

- (c) A Secretary,
- (d) A Deputy Secretary,
- (e) A Treasurer,
- (f) An Administrator, who may be a member of SAPS at the Station,
- (g) Six additional members. Each one of the six members will be allocated one of the following portfolios:- Youth Desk Coordinator, Public Relation Officer, Victim Empowerment Affairs, Project Coordinator, Criminal Justice System Coordinator, School Safety Coordinator.
- (h) The Station commander, Head of Crime Prevention, Head of Detectives, Head of Communications, Head of Crime Intelligence, Head of Client Service Centre, shall be **ex officio** members.

7.4 The Executive Committee has the right to establish an ad-hoc committee to perform specific duties for a period to be determined by the Executive. If an office bearer of the Executive is absent without a valid apology for three consecutive meetings, the seat will automatically become vacant, and filled by following the usual election procedure.

7.5 The executive committee has the right to co-opt persons to:

- (a) serve on a committee for such a period as the committee may determine;
- (b) attend a particular meeting of a committee , or
- (c) take part in the consideration by a committee of a particular issue.

7.6 A person co-opted in terms of the above clause shall serve on the committee in question or attend meeting in an advisory capacity and shall not be entitled to vote.

7.7 The Executive Committee shall ensure that proper minutes and records of all meeting are kept.

7.8 The Executive Committee shall be responsible for the day to day running of the forum.

## **8. ELECTION OF A CPF EXECUTIVE COMMITTEE**

8.1 The Executive of a CPF shall be elected at its third annual general meeting.

8.2 Nominations of candidates who stand for elections shall be requested in the election meeting and only all elected members of the CPF sub forums shall qualify to stand for nominations and to be elected into the CPF Executive.

8.3 Members attending the election meeting may also nominate from the floor by a show of hand on the day of the elections.

8.4 The elections shall be held on or before the 30 April of every third year.

- 8.5 Nominees shall be members of the CPF sub-forums and persons with good standing in the community.
- 8.6 The Station commander shall be the Election Officer.
- 8.7 The relevant Area Community Police Board shall monitor the election process.

## **9. VOTING RIGHTS**

- 9.1 Each CPF member shall have one vote at all meetings.
- 9.2 In the event of a deadlock, the Chairperson will have a casting vote.

## **10. VOTING PROCEDURE**

- 10.1 Voting in the general forum meetings shall be by a show of hands.
- 10.2 Voting during the election of the Executive Committee of the CPF and Boards shall be through secret ballot. There shall be three nominees for each top five executive members. Each nominee must at least be seconded by one hand in order to qualify as a candidate.

Votes shall be counted and results be announced during the AGM. There shall be ten nominees for Six additional executive positions and each nominee must be seconded by one hand in order to qualify as a candidate. The Candidates with the highest votes will be voted into office.

In case of CPF sub Forums there shall be three nominees for each top four executive position. Each nominee must be seconded by one hand in order to qualify as a candidate. Each of the Six additional members shall after being nominated, be seconded by a show of at least ten hands in order to qualify as a member of the sub forum executive.

The Station, Area and Province shall keep election process record and send the election results to the MEC.

- 10.3 Voting in the Executive Committee shall be by show of hands.
- 10.4 Voting during the election of the Sub-forum and Sub-sub Forums shall be by a show of hands.

## **11. MEETINGS**

### **11.1 ANNUAL GENERAL MEETING (AGM)**

- 11.1.1 An Annual General Meeting shall be called on or before the 31<sup>st</sup> of April of every year to, amongst other business:

- (a) Discuss the Annual Report presented by the Executive Committee.
- (b) Discuss and draft resolutions on matters pertaining to the objectives of community.
- (c) Every third year, elect an Executive Committee.

11.1.2 The community shall be notified of the date, time, venue and agenda of an AGM by public notice at the Police Station and / or Community Centre (and by other means where available) at least one month prior to the meeting.

11.1.3 The election meeting shall be attended by elected executives of each CPF sub-forum, current CPF Executive who shall all qualify to stand for elections.

11.1.4 Each sub-forum will by the end of each month submit a report consisting of the chairman's report, minutes of meetings and a financial report (including bank statements if applicable) respective for that particular month.

## **11.2 SPECIAL CPF BROADER FORUM MEETINGS**

11.2.1 The Executive Committee may instruct the Secretary to convene a special CPF Broader forum meeting to discuss and rule on special matters.

11.2.2 The Secretary shall on written request from at least two thirds of the membership, call a special broader forum meeting to discuss and rule on issues stated clearly in writing by the members concerned. Notice of such a meeting shall be given to members at least fourteen days in advance.

## **11.3 CPF BROADER FORUM AND PUBLIC MEETINGS**

11.3.1 The Executive committee shall convene CPF broader forum meetings at least on a monthly basis.

11.3.2 The Executive Committee shall apart from its ordinary broader forum meetings convene CPF mass meetings on a half yearly basis open to the general public. These meetings may as well be organized as when it is required by the Executive but not less than twice a year.

## **11.4 EXECUTIVE COMMITTEE MEETINGS**

11.4.1 The Executive Committee of the Station CPF sub forums shall convene monthly meetings. In addition, they may convene meetings as and when they deem it necessary.

## **12. QUORUM**

### **12.1 Annual CPF general Meetings and Broader Forums**

- 12.1.1 At least 50% plus (1) of all sub forums of the forum shall be present at an annual general meeting of broader forum meeting to constitute a quorum.
- 12.1.2 If a quorum is not attained at the convening of a scheduled annual general meeting or broader forum, the meeting shall adjourn for at least thirty minutes, where after if the quorum is still not attained, the meeting shall be re-scheduled to a date not exceeding fourteen (14) days later.
- 12.1.3 The notice of the re-scheduled meeting shall be issued by the Secretary of the Executive Committee within five (5) days from the date of the adjourned meeting.
- 12.1.4 At the re-scheduled meeting, if no quorum is present, the meeting shall continue provided a record of the Notice is presented by the Secretary and confirmed by the members present.

## **12.2 EXECUTIVE COMMITTEE MEETINGS**

- 12.2.1 At least 50% plus one (1) of the Executive Committee members present at an Executive Committee meeting of the CPF and Sub forum shall constitute a quorum.
- 12.2.2 If quorum is not attained at the convening of a scheduled Executive Committee meeting, the meeting shall adjourn for at least thirty minutes. Where after if the quorum is still not attained the meeting shall be re-scheduled to a date not exceeding fourteen (14) days later.
- 12.2.3 The Notice of the re-scheduled meeting shall be issued by the Secretary of the Executive Committee within five (5) days from the date of the adjourned meeting.
- 12.2.4 At the re-scheduled meeting, if no quorum is present the meeting shall continue provided a record of the Notice is presented by the Secretary and confirmed by the members present.

## **13. FINANCIAL ADMINISTRATION**

- 13.1 The forum shall open and maintain a bank account in its name at a registered bank in which all funds received by the forum shall be deposited.
- 13.2 No person may keep funds received by the forum in his or her personal control.
- 13.3 Prior approval must be obtained from the Executive Committee for all expenditure.
- 13.4 Receipts must be obtained from the expenditure and timeously submitted to the treasurer.

- 13.5 The Station commander shall at all times be a signatory to any financial transaction.
- 13.6 An acceptable set of financial records shall be maintained by the designated person and shall be available to any member on request.
- 13.7 The Treasures shall table a financial report at each monthly Executive Committee meeting and at the CPF broader forum meetings.
- 13.8 The year end financial statements of the forum shall be independently audited and shall form part of the annual report.
- 13.9 Each sub-forum shall submit, at least ten days before the monthly meeting of the forum, a financial report on behalf of the sub-forum for that particular month.

#### **14. DUTIES OF THE EXECUTIVE COMMITTEE**

- 14.1 To play a leading role in the promotion, development and implementation of community policing in the stations area.
- 14.2 To maintain efficient control over the forum and its members.
- 14.3 To appoint at its own discretion sub-committees, co-opt members to serve on these sub-committees, direct issues and allocate tasks to these sub-committees.
- 14.4 To ensure that the CPF and its substructures adheres to policy.

#### **15. DUTIES OF OFFICE BEARERS.**

##### **15.1 Duties of the Chairperson**

- 15.1.1 Ensure execution of all decisions of the Executive Committee
- 15.1.2 Preside over meeting of the forum
- 15.1.3 Serve as a member of the Area Board and attend the SCCF.
- 15.1.4 Report regularly on the functioning of the CPF to the Area Board and provide feedback from the Area Board to the CPF.
- 15.1.5 Present reports on the work of the forum at all meetings.
- 15.1.6 Supervise all work of the forum in conformity with this constitution, the relevant legislation and procedures agreed upon by the forum.
- 15.1.7 Coordinate Civilian oversight programmes.
- 15.1.8 Be responsible for communication.

##### **15.2 Duties of the Deputy Chairperson**

- 15.2.1 In the Chairperson's absence, the Deputy Chairperson shall assume all functions of the Chairperson.
- 15.2.2 In the absence of both the Chairperson and the Deputy Chairperson the Executive Committee shall nominate one of their members to preside at such a meeting.
- 15.2.3 The Deputy Chairperson shall be responsible for the coordination of the training and capacity building of building matters for CPF members.
- 15.2.4 Coordinate civilian oversight programmes.

### **15.3 Duties of the Secretary**

- 15.3.1 Take minutes in accordance with the provisions of this constitution.
- 15.3.2 Receive and dispatch correspondence to and from the forum.
- 15.3.3 Arrange all meetings.
- 15.3.4 Ensure the safekeeping of all official documents of the forum other than financial records, unless the post of Secretary is combined with that of Administrator.
- 15.3.5 Perform all other duties usually associated with the office of Secretary.
- 15.3.6 Further the interest of the forum as instructed by the Executive Committee.

### **15.4 Duties of the Deputy Secretary**

- 15.4.1 Be responsible for the finances of the forum and ensure strict compliance with the relevant financial policies.
- 15.5.2 Together with another designated member of the forum and the Station Commissioner, operate a banking account on behalf of the forum.
- 15.5.3 Keep books of account and other records necessary to clearly reflect the financial position of the forum, which should include assets belonging to the forum.
- 15.5.4 Table a financial report at every CPF general meeting, and an annual financial report and budget at every annual general meeting.

### **15.6 Administrator**

- 15.6.1 Assist the secretary in the execution of his / her duties.
- 15.6.2 Receive and dispatch information and correspondence to and from the CPF
- 15.6.3 Arrange all meetings as required by the Secretary.
- 15.6.4 Ensure the safekeeping of all official documents, financial records and assets of the CPF.

15.6.5 Perform such administrative functions as may be determined by the Executive Committee.

## **15.7 Additional Members**

15.7.1 The additional members shall perform such functions as directed by their portfolios, policy and as the Executive Committee may decide.

## **CODE OF CONDUCT**

- 1.1 All members of the FORUM, including all registered organizations, must conduct themselves in an ethical and proper manner.
- 1.2 All members must exhibit mutual understanding on a cross-cultural level and act maturely, diplomatically and in a civilized way
- 1.3 Members must refrain from promoting party politics, any business concerns or religious views when dealing with FORUM matters.
- 1.4 Members of the FORUM must address members of the South African Police Service, Metro Police Service and Law Enforcement Agencies by their ranks.
- 1.5 Members must refrain from using abusive, racist or sexist remarks.
- 1.6 No member shall misuse the resources of the FORUM
- 1.7 No member shall participate in the activities of the FORUM if found to be under the influence of any illegal substance, drugs or alcohol.
- 1.8 All members of the FORUM must declare any conflict of interest and must excuse themselves from any decision or vote on a matter in which there is a conflict of interest, financially or otherwise;
- 1.9 No member shall engage in any conduct which may bring the FORUM into disrepute.
- 1.10 The Chairman and all the other members of the executive committee of the FORUM must report on their activities related to the FORUM since the date of the last meeting;
- 1.11 No member of the FORUM should allow himself to be recruited or be registered as an informer for the Service or any other party.
- 1.12 Sector Form and Neighbourhood Watches may adopt their own Codes of Conduct, but these should not be in conflict with the determinations of this Constitution;