

Blazing a trail.

A pilot project on community prosecutions now under way in the point area has made a difference to how petty offenders are dealt with, writes Cheryl Goodenough



The concept of community prosecutions, which is new to South Africa, appears to be making some difference in Durban's Point area.

For one thing, community prosecutor Val Melis, who was appointed in February, has been instrumental in changing the way petty offenders are dealt with there.

Picture: The point area's community prosecutor, Val Melis

She was inspired by the "broken window" theory which drastically reduced the crime rate in New York under the mayorship of Rudy Giuliani.

So, when 10 men were arrested recently for illegal car washing, the normal procedure would have been to fill in a form and send them to court. Full dockets are not usually opened for petty offences, and so offenders are not fingerprinted. However, when she insisted that these 10 be fingerprinted, two were found to be wanted by the police. Ladysmith police had been searching for one of the men in connection with rape and robbery charges.

The concept of community prosecutions is new to South Africa. A pilot project that was started in April last year has seen the establishment of nine sites throughout the country where a senior prosecutor has been appointed with the title of community prosecutor. The pilot project is expected to end towards the end of this year and the future of the concept depends on the outcome of the present pilot project.

Melis's office in Point Road is located at the police station, which is also the locality of the Point Community Court.

Not to be confused with community prosecutions, the court deals specifically with crimes committed in the Point and beachfront areas.

Many of those who appear in the court have been charged with minor offences and the aim is that the bigger courts can be relieved of these cases to spend more time on the more serious offences. The court also focuses on restorative justice, and often sentences minor offenders to community service or to participate in other programs.

The Point area has significant challenges. It is a densely populated area with a large number of hotels and tourist facilities. It is also a major site for drug dealers, prostitutes and homeless children.

While development such as Ushaka Marine World and other properties has occurred in the area, derelict buildings continue to provide hiding places and easy escape routes for criminals and they often shelter illegal activities and crimes.

The Point policing area is also home to a relatively large elderly population as well as students.

At one community police forum meeting elderly residents of a block of flats complained about the noise emanating from a bar that was frequented by drunken patrons and from which drugs were believed to be sold.

Melis liaised with various stakeholders and, much to the appreciation of the residents, was instrumental in having the bar closed down before the next meeting.

Melis was also involved in liaising with the city's bed buildings committee about a corner café allegedly run by gang members and from which drugs and stolen property were sold.



Picture: Just one example of the many walls which are covered in graffiti that abound in the Point area

Hiding Place

This activity took place via a side entrance that had been created as an alternative to the legitimate front doorway.

The committee found reason to block the side entrance, ending the illegal activity or forcing the criminals to move elsewhere.

She is also liaising with the committee in an effort to deal with a disused tavern that is used as a hiding place for street children after they have robbed people.

Melis said the tavern was in a disgusting condition, with faeces on the floor in an effort to discourage the police from entering the premises.

This is just one of the challenges that Melis faces as a community prosecutor.

As this initiative is new, the prosecutors are not appointed full time and instead perform these tasks in addition to other prosecutorial responsibilities.

In addition, the office infrastructure is somewhat lacking. Melis operates out of a container that has been converted into an office and she has no landline telephone.

With community prosecutions being a new concept in South Africa, there is also a general lack of understanding of what it entails.

Nevertheless, she is determined to make a difference. Although limited by the amount of time left in the project – future of community prosecutions will be decided the basis of evaluations to be conducting in the coming months – Melis hopes to put a project in place that will see people arrested for minor offences being able to do work for authorities such as the city's Parks and Recreation Department in return for food and accommodation at a shelter.

"If you can help people to develop a sense of worth and I believe it will go a long way to changing behavior," Melis said.