



**Show:** 702 Show "REDI DIREKO"

**Date and time:** 23 July 2009 11:05 AM

**Interviewer:** Redi Direko

**Topic:** WHAT CONSTITUTES LOITERING AND IS IT ILLEGAL.

*Loitering is a by law which seeks to regulate our behaviour and how we use our city and to promote a safe, healthy and peaceful environment for the benefit of the public residing within the municipal boundaries and to provide for practices and procedures to regulate the prevention of nuisances.*

**Guest:** Inspector Edna Mamonyane

**Organisation:** Johannesburg Metro Police Department

**Position:** Spokesperson

Introduction to discussion not recorded, recording only started from here:

*"Verbatim – Folder B – 01"*

EDNA - ..... Because sometimes, you know, a lot of people like on their lunch hour to go to the park and just meet with friends for that hour and chat and then go back to work. Some people, you know, go and look for jobs then when they can't find it, they go and wait and lie at the park and stuff like that. But loitering is when you are standing in or at place the whole day or you're laying down. We have people who will actually even nap at the park.

REDI – But they are basking in the sun.

EDNA – I know, but, you know, it is against the by-laws of the city. As the city, I must be honest with you, it has been very difficult for us, especially to enforce loitering. But I would like to say to people, you know, there are other issues. For arguments sake, we had people that were sleeping and literally staying

in front of the High Court. And those, they stayed there for days on end. We tried. We went. We warned them and the people still stayed. In that instance, Redi, we had to enforce, and actually enforce the by-laws on loitering to them because we had warned them. The worst was the people didn't even have facilities to use for relieving themselves. And the Judges were going through a very difficult time trying to enter the Court. People would use the stairs to relieve themselves, they'd use the pavement . . .

*"Verbatim – Folder B – 02"*

EDNA – . . . to relieve . . . . Had you gone there Redi. And you have the security at the Court saying "Judges needs to come in – it's nine o'clock – it's difficult for them to come through. There are so many people." So, as a city, we had to try and enforce the by-laws of the City of Jo'burg because its our responsibility as well. And you have businesses that are near, that were there on Pritchard Street, as well, you know. The McDonald's has difficulties. They were even, I mean, robbed because . . . it might not have been, you know, your illegal immigrants that did that. It might have been the opportunity that so many people . . . . We can get away with murder, you know? So, we had to enforce that. But enforcing just on a daily basis for us, as a Department, going around and checking who is loitering or not . . . it is a very difficult case.

REDI – But I would imagine there are areas where it is okay to just hang around. You mentioned a park, for example. That's fine. But there are areas where people can get a . . . . Unfortunately, they get around the hive of activity where they can get maybe some job or some food or so on.

EDNA – Exactly. But I'm trying to explain that . . . You know, sometimes we might not even try and arrest these people for loitering because you would have to issue them with a fine. But then that person has got to have a valid ID so you can be able to trace them. And a residential address. So these people who don't have anything, you have to take them in to the Police Station so that they can pay the spot fine and then be released.

REDI – Do they actually pay the fine? I mean, if they are unemployed and you have just arrested them for loitering, do they actually pay?

EDNA – I know that sometime back where I know that, you know, SAPS in the CBD, do the loitering and then people were arrested. Some of them called in their friends or relatives to say or try to go in the morning, "But I've stayed in the park because I was tired and whatever, and I stood there and we got arrested – and you know – so I need 300 bucks. You guys got to come in."

REDI – But, has it solved the problem, Edna? I mean, you went on a drive 2 weeks ago as Metro Cops and what I see is that people just come back the next day. It seems you as Metro Cops are not consistent in applying the law. And most important, people don't realize that they are actually breaking the law.

EDNA – In the operation we did about 3 weeks ago, you know, it was like 700 plus people that were in front of the High Court. On that they come back, Redi. But, at this stage I can tell you that we managed. As I speak to you, there is not even a single soul in front of the High Court. The place is clean because we had to bring in, you know, Pick-it-Up to come and help us so that we can clean up the place. The Roads Agency as well. We needed to clean up. It's the High Court, you know, people are using it every day the Court's in action.

REDI – Don't you get accused of discriminating against the poor? Cause it seems depending on who you are then you will get arrested for loitering.

EDNA – No, definitely we do. But, Redi, I just want to maybe say to the listeners and the public out there. You know what? We are the law enforcement agency of the City of Jo'burg and our core functions are road policing, crime prevention as well as the by-laws of the city. So we cannot sit and say when we see the problem escalating, and then saying, "We are not going to do anything about it . . . you know these are the poor people." We have been accused of being . . .

REDI – . . . being anti-poor and anti-foreigner . . .

EDNA – . . . and insensitive. And you know, "How can you do this? People don't have jobs! These people are, you know, . . . in their country they have problems and they came to us. They need help." But we can't fold our hands and say we are going to be selective on what we enforce in. We have to enforce the law. Yes, we do get attacked. Yes, we do get people saying that, "You should be dealing with these issues in other areas. Go and enforce the law or the by-laws in Sandton. Go and enforce the by-laws, you know,

in Randburg. Why are you doing it where there are black people?" But that's not how it is. It is a break in the law and we are law enforcers and we have to enforce the by-laws.

REDI – Alright. That's it then. To loiter is to stand about without any aim or purpose. To stand about idly and to linger. It is a by-law, or there is a by-law, which seeks to regulate our behavior and how we use our city and to promote a safe, healthy and peaceful environment. How do you feel about this? Or any questions that you have, Edna is here to answer them. In South Africa, for example, you could get a R500 fine for loitering for the purpose of begging or soliciting. So, how do we deal with this one?

*"Verbatim – Folder B - 04"*

REDI – We have Edna Mamonyane, the Metro Police Spokesperson, and we are trying to understand what constitutes "loitering" and what are the consequences if you are caught loitering. Let's go to Sharon in Midrand. Hi.

SHARON – Hi, Redi. How are you?

REDI – Fine, thank you.

SHARON – Okay. My name is Sharon. Redi, I was arrested in June, luckily I still have the receipt, in Johannesburg CBD. I was doing my shopping and they called . . . the SAPS . . . stopped me and asked me for my passport or my ID. I had no ID cause I was doing shopping. I told them that I left it at home and then they caught me. And they took me to Hillbrow Police Station. My sister came with my ID. And then, after that, I was charged for loitering. And they said I must pay a R300 fine. But I was still with my groceries. So, my question is, when they stopped me, they asked for my passport or my ID. And then, when I gave them my ID they charged me with loitering.

REDI – You know what I suspect, Sharon? They suspected you to be an illegal immigrant. That is why they asked for your passport first and not your ID. And they ran out . . . they could find no justification for arresting you and they made this one up. I think that's what happened in your situation. When you got

proof that you are a SA citizen, they thought, "Oh, ok. What are we going to say? How are they going to explain the arrest? Let's charge you with loitering". I think that is what happened.

SHARON – and . . . the other thing is . . . is loitering just for South Africans? I mean, is it only for illegal immigrants?

EDNA – No. it's not for illegal immigrants. It's for every person who is in the city. Anybody can be arrested for loitering. But that's why I explained to Redi when we started, that it is very difficult to enforce it because, you know, you have to check and find out who is loitering here and who is not. And, in this instance, I don't know, I cannot say why, because you had your shopping, you were doing shopping and you were not just standing in one area. I don't know why they decided that you were loitering.

REDI – It shouldn't have been, but I suspect that it had a lot to do that them thinking you were an illegal immigrant and then upon finding out that your documents were in order, they charged you with this. But, anyway, an SMS from Bianca says, "Please ask your guest if beggars at traffic lights are classified as loiterers."

EDNA – You can't say that they are classified as loiterers but they are begging – so they are illegal beggars. They're doing it illegally. That is why, I think, some time back, you know, we did it and we did it right through, even the blind beggars and whatever. But that is difficult because some of them are illegal immigrants and when you take them from there . . . They're blind. You can't go and lock them up.

REDI – But there was a time when they were locked up. In 2005, I remember, even the blind ones were put in police vehicles, but that didn't stop the problem.

EDNA – Yeah, but we had to work with Social Development and everybody had to bring in a lot of people on board. Home Affairs . . . So that these people, if they get to be taken away, they have to be kept at a safe place first and then be sent back to their different countries.

REDI – We have Alison van der Mollen who is a counselor in Randburg. Hi.

ALISON – Hello Redi. Thank you for taking my call. Redi, loitering is a very complex issue. We have informal recyclers who can't just commute, who sleep in open areas and then parks. It's R17 a day to commute from Diepsloot to Randburg. If you are an informal recycler, possibly earning R80 – R100 a day, if you're lucky. We also have people sleeping in parks that break into sub-stations and actually make fires inside sub-stations. Personally, I think community developments, churches, NGOs, need to get on board. Currently, we have a church feeding people on a Saturday morning in a park. It is illegal to conduct community work in a park. I've asked various churches to get on board and to come up with longer term solutions because they'll tell me that they've fed the same people for 16 years in and around the Randburg area. And to me that is not a constructive solution, and I think we really need to engage on a higher level with community development, with NGOs, with churches, to address the knock-on effect of homelessness which results in loitering.

REDI – That's Alison van der Mollen. And let's add a bigger picture at a more complex level. And Alison is absolutely right, because you can't look at loitering in isolation. You have to analyse it in terms of the unemployment that is here . . . the poverty. People think they're trying to make living instead of sitting at home. They think it is a good thing to be standing somewhere to be visible. Meanwhile, they are breaking the law.

EDNA – As the counselor said, Redi. In other parks, people go there because they don't have food at home, so whatever they can get for them to reach town. There are parks where people go there, there were soup kitchens where people feed them. So that he knows when he is home he has no meal. But at least in town he can go and queue because there are people coming with soup kitchens who . . . they'll give them soup, they'll give them food so he's got breakfast, he's got lunch, and he's got dinner, then he goes home and sleep. It must seem that he is loitering around that park. But to him it is a way of getting food every day.

REDI – Alright, let's go to Mike in Johannesburg. Hi.

MIKE – Hi Redi, thanks for taking my call. My point might be a little bit away from what you are talking about, but I am referring here to the people standing alongside the freeway. For instance, I can give you an example of N12, right next to Eldorado Park, you see people are walking on the freeway. I can give

you another example, N14 into Diepsloot, people walking on the freeway. Is there anything they can do? Do they know? What is their point in regard to that? That is my question. I'll listen on the radio.

REDI – Okay. Pedestrians on the freeway, there are so many of them and it's very dangerous as well.

EDNA – On those Redi, we have tried to do a lot of operations, especially on the freeway, your November 1, your M3, your Mike 1 and the N12. We have a lot of pedestrians walking on the freeway. We've done operations where we've picked up all these people. But people keep on coming because some of them actually are hitch-hiking because a person is going to Cape Town or is going to Bloemfontein. It's not allowed. You can't hitch-hike on the freeway, but people do it. Because sometimes, Redi, you know he might be walking on the yellow line and another car, you know, gets involved in an accident. And then what happens is that other vehicles try to avoid this accident, go to the yellow line and hits the pedestrian and they get killed. And most of them, you know what? They stay at the Government mortuary unknown because no one knows who they are.

REDI – Let's go to Masobate Yeta in Athol.

MASOBATE – Yeah, Redi. My point here is, does this not infringe on my constitutional right for freedom of movement? And, at the same time, is this not a tactic to harass blacks because whites will never never be told as loiterers.

REDI – I see your point. Masobate. I'll tell you why I am saying that, Masobate. I think, as much as we want Edna to respect the law, let's be honest, people hang around street corners, because they're unemployed, they're poor and they're begging. Of course we have poor white people, we've seen them begging, but let's not be PC about it. The majority of people who are begging and are loitering are black and how do you protect yourselves from criticism that you are targeting poor people? You can't wish them away.

EDNA – Redi, I would like just to say to our listener. Masobate, I understand what you mean when you say "freedom of movement". But, at the same time, you must understand as a law enforcement agency as well, I have a responsibility here because some of the people that would be loitering around . . . You know, that is why when we look at people on CC television in the CBD, we look at a pattern and we find

the same people in the same spot because they saw an opportunity, that, you know, "this might be a good spot for us to smash-and-grab!", "this might be a good spot for us to hijack!" So, we have to try and be proactive and say, "we will look at this area." But loitering, yes, you know, in parts it becomes difficult for us to go and pick up these people. But, In some areas, unfortunately, we have to pick up people for loitering because we try as well to make sure that the public out there is safe because these people might be the potential smash-and-grab and hijackers.

REDI – Well, Edna, I know we have to let you go right now, but that doesn't mean we have exhausted the topic. If you still want to comment on this interesting debate that are coming through. Is it an elitist law? Is it anti-poor? Or, the metro cops are doing a great job in cleaning up our cities? And what is exactly does that mean? And also given the complexities of the poverty issue – how do you deal with the presence of poor people in your city? Because you can't wish them away. You can't wish away the unemployed. And not all of them are criminals, but we have some who are "smash-and-grabbers". So what do you do? How should be tackle this one? I'd love to hear your views. And the others are arguing the right of freedom of movement, this is what the new South Africa is about, the "Right of People to get together and move freely". But when does it become a problem? 021 446 0567 – 011 883 0702. Thank you to Edna for chatting to us this morning. Let's get the latest eye-witness news.

*"Verbatim – Folder B – 05"*

REDI - ..... freedom of movement, the laws that need to be enforced, cleaning up the streets, but . . . but people are unemployed. You decide, "I'm not going to find a job sitting here at home – I've applied for job for a long time, maybe I should go to the centre of things, the hive of activity and market myself." Think about those ladies and gentlemen who are standing at corners and every time there's a truck stopping there they run hoping that they will get a job for the day. Is that not being proactive? And if they all get arrested for loitering and fined R300/R500. They don't have it! Is this a practical law to have or is it elitist? Do we say, in a country such as ours, that has not provided the right conditions for people to get skills and to be absorbed into the economy, "maybe we need to ease up on the loitering or anti-loitering laws"? Or, you think its good and must be consistent, "we can't have people hanging around for nothing" and are they hanging around for nothing? Give us a call on 021 446 0567 – 011 883 0702. I'm taking your calls right after this.

*"Verbatim – Folder B – 06"*

REDI - ..... we are not having the discussion with the SANDF any more. We will reschedule because the telephone line was bad and we they were on a cell phone and we never do interviews on cell phones because anything can happen and then it just defeats the purpose. Either our guests come here, or they give us a reliable line so that we can answer all your questions. So we'll defer that. In the meantime, I'm taking your calls on loitering and the enforcement of by-laws. Taking into account the kind of country we live in, the levels of unemployment and poverty, would you say we still need to enforce these laws and why? Or, are you one who says it is discriminatory and we must stop it? Let's go to the line, Sarah in Bloenburg. Hi.

SARAH – Hi. Redi? I'm here, I'm actually from Jo'burg. I wanted to make a comment about this because . . . the word "loitering" to me is such a throw-back to sort of past regimes of control and it makes me feel sick. My opinion really is that the city suburbs . . . in the way we build our cities and they way we inhabit our cities have a huge effect on people who are then perceived as loitering. If we persist in building developments such as, for example, Melrose Arch, which is entirely exclusive. Then essentially we . . . we leave places like the inner-city to be inhabited on levels which are not balanced between societal makup, then you end up reinforcing the perception always that street corners are not public domain, that the street is not public domain. I do not understand how the city as a public main can even have a definition of a loiterer. How do we live in our cities. These are public lands. If we could start building and living in our cities in a different way, perceptions would start to change.

Redi – You're an architect are you not, Sarah?

SARAH – I'm an architect. Yeah.

REDI – Okay, alright. Lovely. Interesting idea and a great call. Thanks indeed. Derek in Kalk Bay

DEREK – Hi, how you doing, Redi?

REDI – Fine, thank you.

DEREK – I have to ask you a question. If I'm parking on a corner, as a white person, a white male and about 50 years old, can I be picked up for loitering if I'm just parking and waiting for somebody? Because this sounds to me like a totally racist action. The other thing I wanted to mention. You know, often I pick up a guy at a robot or at a highway, or wherever it is, and he is giving me a good day's valuable service for the money that he earns. I have so often picked up a guy, put him in my bakkie and take him home and he could help me with painting or whatever the case may be.

REDI – I've done that too, Derek, when I was moving house. I just didn't have any male hands around and I needed about 5 people to come and pack my furniture and all of that. And they did. I paid them and we all lived happily ever after. Moving heavy furniture into the . . . I'm not going to do it myself. So, I'm asking, are we really looking at the problem in all its entirety? Isn't there a level of discrimination?

DEREK – Well, I think this is a totally racist issue this and you know what I'd like to see? I'd like to see the police department addressing those thousands and thousands of deaths relating to child abuse or women abuse in a way and get those cases open and closed and not worry so much who is parking off on the corner.

REDI – Alright! And you may say, "why not ask a movers company"? That's fine. You are taking money where there is money . . . What about the guys that needs to survive today?" I don't know. I think it's a complex one. We can't just say they must stop hanging around corners. It's not that simple. That's all that I'm saying.

REDI – Some emails: "These are soft targets. Get them to catch real criminals. Just as we as motorists are soft targets. They probably caught the lady doing her shopping in Johannesburg because they thought she had money for a bribe." That is an email from Gavin. Bongi in Midrand. Hi.

BONGI – Hi, Redi. My comment is, I think the officers . . . there are better things they can do. Why don't they arrest people who are littering the town? And secondly, can't I do my window shopping in town? Can't I take a walk to the park and just sit there and chill? Am I not allowed to do that, is that loitering?

REDI – Okay thanks Bongi. Thank you very much. At the same time, I want you to imagine what Edna was saying. You see that's why both sides of the debate have valid points. Edna said, when they were



loitering they don't have ablution facilities so they would relieve themselves on the stairs of the High Court. I hope that's not an expression of what they think about the law and the Judges. So, the businesses there were being affected and all sorts of things. So, how do we deal with that? Do you then, as a city provide the ablution facilities? But then if you do, you are encouraging more loitering. You are saying, "We recognize you, we are providing you with facilities". The Judges and the businesses around that area have legitimate concerns. I wouldn't want to go and work in an area where people can just – you know – dump there "goods" there. It wouldn't work! It's easy for me to say because I'm in the studio. So, how do we balance all of that? Let's go to Ahmed in Rustenburg. Hi

AHMED – Hi, Redi? Redi, I am just wondering why the Metro Police and the Department of Social Services don't work together and get social workers to join them when they are busy policing these loitering issues. Because a lot of it has to do with begging and I would imagine that if they can, you know, . . . met these people that are begging and be able to \_\_\_\_\_ a better place, instead of staying in the middle of the road. I assume you would be alleviating a lot of the loitering.

REDI – Come on guys, we don't have to agree. What do you think? Generally, what is in your heart when you see people at street corners? Let's go to Mathilda in Lyndhurst.

MATHILDA – You know what Redi? I'm actually disappointed in us as South Africans because its start with morally from home. You know? As to keep your house clean, keep everywhere . . . and there has to be boundaries here. I haven't been working for 5 years, but there was never a time when I go out from where I live to Johannesburg and sit by the corners loitering. And do her . . . in the street corners, pavements and everywhere.

REDI – What if you don't have a place, my darling?

MATHILDA – It's not about a place. It's about taking pride into your own town and teach others that are coming from anywhere. That this lady was asking, "is it only the illegal?", because once you start saying "illegal" he's saying he's not suppose to be here. And look what he's doing to our beautiful country. I mean, beauty is not about building infrastructure. It's about cleanness. You know, and you find that they're loitering, they're sitting on the street corner you find that there's a dustbin next to them. Why don't you put that . . . take everything that you just . . . maybe you just had something and put it in the

dustbin? You understand. We have to take pride. I mean, people built this country. Beauty is clean. Johannesburg was clean. Why when we take over, everything has to go . . . Look what is happening. Every morning, I'm using Louis Botha street. People are sitting next to other people that are doing hair. Right in the street! And hair is health hazard, not only for them, but they're making money . . .

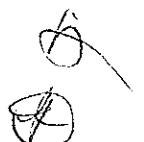
REDI – What if, Mathilda, you live in a little room in a building where you are not allowed to have a business? You don't have a shop. You don't have money for renting. What do you do?

MATHILDA – We have to have business. But we also have to take account of our country. We cannot just sit anywhere, anyhow and claim that it's freedom. It's not freedom. There have to be boundaries here. We have to take pride. That's what we voted for. We never voted for what we are seeing today. I go past Harrow Road when I come to work. It's one of the worst places! It's depressing me. I come every morning, I'm depressed. Just seeing people with ... running around everywhere by the corner, the water there. It's not South Africa. It's not South Africa. We have to teach our children to be proud of our country and to look after it. I'm disappointed really. Okay, that's what I want to say.

REDI – Thank you, Mathilda. Lovely call. Mikai, a Police Officer, called from Meadowlands saying he has been arresting people for loitering for a very long time. He feels that the municipalities need to redefine the loitering offence.

REDI - An email from Bill says, "Cast your mind back to that famous conference of Sustainability and some such crap. The streets were tidied up, street signs, miraculously, were replaced, the whole of painting going on and the streets were . . . of beggars." And I can't pronounce that word! "No country that stages these jamborees allows the streets to be cluttered up with it's poor and their outstretched palms. Whether it be Athens or Johannesburg, the streets are ..... off with those you don't want to exhibit to the world. As soon as the caravan had moved on, back they came and normal life resumed."

REDI - An email: "Just on loitering. Let me tell you this, I don't blame the police for what they're doing. However, I do feel that they are actually being a little pathetic in what they do regarding the loitering. Let me tell you. I have a husband and he isn't working right now. I know he would not go out and stand on the street looking for work. He will buy the paper." Well, he still has money to buy the paper. "Only



because he has a wife who does work. But let me tell you, those people standing around waiting for cars to come around and pick them up to do jobs, I admire those guys very much because work is scarce and this Government doesn't do anything to help those people. In England, if you are out of work the Government has a plan in order that if you are out of work you can claim some money, if you are from that country."

REDI – And whoever sent this email, you've really communicated what I am trying to say. This email is from Odette. Thanks Odette. "We have a country whose welfare system is not adequate or well developed. If we had a shelter and people could get food – say at 12h00 midday and the Government provided for that – or, stimulating the economy worked for all of us, then you can arrest people because you could say, 'look we have places for you guys to go sit there and have your soup and if people need labour for the day, then they know where to go. So, you have no business being here.' But we don't have that." So, what do you do with all these people? You can't wish them away. Let's go to George in Groenkloof. Hi.

GEORGE – Hello, Redi?

REDI – Hi.

GEORGE – Yes, I would like to echo firstly the previous caller – I couldn't have put it better myself. I would just like to add 2 points to it. Why is it that so many people always play the "race card"? Why is it called the "white ploy" when the numbers of loiterers are mainly black? Does that mean that black people tolerate loitering or do they not get offended by loitering? I mean, how can we even, in this day and age, argue like that? That is surely against our strive towards a national identity – where we don't have to distinguish between white and black or whatever colour.

REDI – Is it a class thing though, George? Because I can tell you right now, black and white, in terms of which class. I am not saying that if you're middle-class you all have the same opinions – No! But I'm saying, you find that they "haves" generally would not want the "have-nots" encroaching on their space.

GEORGE – You know it's human nature, Redi. The very wealthy and those that can afford to live in luxury, etc., can afford to have certain dislikes. But if you have to go into locations – as I have been many times

and see, what can those people complain about? There is nothing – nothing around there! The point is simply that instead of trying to analyse, if somebody really wants to know the reason for a law or a by-law, there are documents available, which document the entire discussion leading up to laws, whether it's in Parliament or by-laws. And to see that there is value behind that. But to hide behind the fact that the Government is not coming up to deliver its responsibility, we're not concentrating on the cause. Rather we just say, "well, look, anytime the police pick up somebody, it's either an illegal immigrant or it is a local person. But look, the common denominator is that they are both black. Therefore this is a white ploy." That's absolute nonsense. Surely we must not be talking in that fashion.

REDI – I agree with you on that one, George.

GEORGE – Just my last point. I cannot emphasise enough that Government simply does not do enough. You cannot, with the BEE legislation, with the affirmative action, with everything that's done to redress the wrongs of the past, you cannot do that if Government does not throw money at the problem.

REDI – That's George in Groenkloof. So what do we do guys? Do we just accept that there will always be poor people in our societies? Homeless people? And we contend with them and we accommodate them? Or do we want to prescribe to the poor how they must beg? How they must get jobs? How they must feed their children? How they must feed themselves? How do we tackle this one? We don't have shelter, we don't have food, we are not providing for them. Because it is survival of the fittest. Everyone must see how he or she survives. But if you've been looking for a job for a very long time . . . you have a certain skill, but you don't have money to advertise your skill . . . then the best way to do it is to just stand at a corner somewhere and offer to wash someone's car, or offer to carry someone's groceries. How do we become enterprising and proactive? I don't know. Let's go to Edgar in Pretoria East. Hi.

EDGAR – Yes. Hi, Redi.

REDI – Hi there.

EDGAR – You know what? I just want to discuss something. I live in Faerie Glen, it's a suburb, and I take a walk around there sometimes. I don't know how many times in my life, I have had to explain myself to a policeman, to a security guard, that, "You know what? I just like to walk when I come back from work."



And I think the angle you are taking is more on the waiting for work kind of thing, but, I mean, also loitering . . . they can give it to you for walking around on a pavement.

REDI – Don't they know that it is healthy to do that?

EDGAR – The funny thing is that actually, on CNN yesterday, if you look at the CNN website, I'm not even sure where I saw it there, where an old professor was arrested in his house . . . . I'm not even going to go into that. My whole point is this. You see it seems police or law-enforcement people, they have a profile of what a criminal should look like. If I \_\_\_\_\_, with my cane when I take a walk I am already, I fit the profile of someone who could be dangerous. You can, I mean, I was listening to Edna Mamonyane, they are looking at CCTV cameras and they are seeing people who are about to do a crime. You know what? A crime is not a crime until it's committed. I can think all I want about a crime. You cannot say, "Because chances are you are the type of person who is going to make a crime you are going to inhibit on my freedom." That is going against the Constitution of this country, going against my right. The other thing that I wanted to say. In 1994, and I suppose in the run-up to us having political power, I think we kind of inherited in a sense in our laws, the "decency" in the Eurocentric view of what "decency" is. Like you said the other time, we are very sociable people in Africa. We like to go, even if you have a house, go to the shop, fool around, reading newspapers, talk to the people there. If people can define that as loitering and we enforce those laws when we've got the political power to change it . . . that's very worrying for me.

REDI – Thank you, Edgar. Thank you. If we are going to start arresting people for walking, I imagine 702 Walk-the-Talk is not the place you want to go to on a Sunday. Of course, we got permission for that. Susan, oh we lost Susan, I think she grew weary of holding on. That's what happens when the lines are going crazy. Sorry about that.

REDI – Some SMS's. "Mathilda is my hero! All that she said is true. What is a bird watcher in a public area? You might be sitting for hours in the same place." That is from Mustafa. It gets more and more ridiculous, isn't it? "Hi. Back then it was call 'loaferskap'." In fact, that is what my darling says when I can't get up and go to work - "Loagerskap" - to get up and come to work. "My friend was once arrested outside his front gate and charged with 'loaferskap'. I think it is racist." That is from Andrew. "We stay in flat. Is it wrong to spend time at the park with my kids? We don't have a playground."



REDI – No. That’s an area that is designated for that. You can go and enjoy the fresh air, if it’s still fresh, and the grass and the trees and all of that. Obakeng, oh I love your name. “Redi, I have just driven by a park in Joe Slovo Road and a group of police are arresting loiterers.” That is Obakeng.

“Redi, rich people window shop, poor people loiter.”

“Where do traffic officials relieve themselves when they are trapping motorists on roads with no ablution facilities in the vicinity. Double standards?”

More E-mails: “I was parked on the side of the road reading a book as I was running early for a meeting. ADT stopped to see what I was doing and the police stopped to do the same.”

I love that SMS about a bird watcher staying in the same spot for a long time.

“Loitering provides an information portal for criminals. OK, they can loiter but not next to my estate? Elitist?” Khabelo.

“I am driving around not knowing where to go? Am I loitering?”

Khubani says, “Edna, you are not arresting criminals but innocent easy targets.”

And there was another SMS talking about, I think Edna mentioned a safe place . . . taking them to a safe place. And the SMS says, “Safe place? Does that mean prison?”

An e-mail: “Redi, the problem with people just hanging around is that they make you feel unsafe. I personally always wonder why are they are just standing around what are they up to and I often come to the conclusion that it can’t be anything good.” That’s an e-mail from Siphon Ghazi.

And then Paul says, “One reads horror stories from the 70s, 80s and 90s about police arresting foreigners or non-whites in the Johannesburg CBD on the grounds of loitering. Are streets and parks now not meant to be used by the public?” That is from Paul.



"People standing on street corners looking for jobs should not be viewed as loiterers but as an opportunity to formalise employment." That is an e-mail from Richard.

"All host cities for FIFA and the Olympics are subject to this elitist cleansing of the streets." That's an e-mail coming through as well from Nicky.

I can't read all of it and all your SMSs. Thank you so much, guys, for airing your views. Do have a great day. Staying listening to 702.