



Welcome to our April issue of UMBIKO

(Zulu noun: report / pronunciation: úmbí-go)

In this month's edition, we address the City of Johannesburg's (CoJ) billing challenges and share key findings from our systemic report, which has led to the implementation of the electronic capturing of water and electricity meter readings as a countermeasure.

Our second story puts a glaring spotlight on a particular human rights violation case that was brought to our attention and subsequently led to an investigation that resulted in the dismissal of a CoJ employee for alleged negligence after denying a heavily pregnant woman access to healthcare services by refusing to administer emergency medical treatment.

Lastly, we look at how interdepartmental efforts and a collaboration with a social change group led to an own-instance investigation into the dilapidated state of the city's cemeteries which, as a repository of information i.e., historic events, and genealogy, requires increased preservation efforts.

The Office of the Ombudsman is #atyourreach!

THE OMBUDSMAN'S SYSTEMIC REPORT SHEDS LIGHT ON THE CITY'S CONTENTIOUS BILLING CHALLENGES

Despite a recent decline in the number of billing complaints received by the Office of the Ombudsman, billing issues remain in the top three common complaints received by our office, followed by valuations and developmental planning complaints.

This then begs the question, *what has been done to effectively address the billing predicament in the City of Johannesburg?* Since its inception in 2015, the Office of the Ombudsman continues to receive a high volume of billing-related complaints every year, a trend that prompted the need to conduct an own-instance systemic investigation into the matter.

In 2019, our office submitted its findings and recommendations in the form of a systemic report to the City's administration to help mitigate the influx of complaints received.

Among other issues, the investigation team found that what was essentially contributing to the city's billing issues was its lack of success when it came to capturing actual evaluations rather than relying on estimated readings, particularly beyond the prescribed period. As a result, our investigations team established that there were indeed discrepancies from the moment a reading is taken leading to data capturing of the information on the system.



Our office recommended that CoJ (1) align with the turnaround times as far as readings are concerned and (2) test meters to ensure they are not faulty, which caused erroneous billing.

We are pleased to report that we have seen the implementation of some of the recommendations contained within the report and that CoJ has since introduced an option for residents to make online submissions of their own (actual) meter readings through the City's various communications platforms together with supporting information i.e., their account number, meter number, meter readings, reading date, and a picture of the reading.

For more information, please visit the CoJ website at www.eservices.joburg.org.za and/or City Power at www.citypower.co.za, respectively.

OMBUDSMAN HOLDS EMS OFFICIAL ACCOUNTABLE AFTER A WOMAN GIVES BIRTH IN A NEARBY BUSH



In 2021, *Karabo Simelane a heavily pregnant woman was forced to give birth by herself in a near-





by bush in Cosmo City, North of Johannesburg, after allegedly being denied entry to a local EMS station by a CoJ emergency medical technician.

According to witnesses, an emergency medical technician allegedly refused to open the gate, citing that no ambulances were available to transfer her to the nearest hospital for emergency medical care.

Our office identified the violation of Section 10 and Section 27 of the Constitution, which stipulate that (1) everyone has the right to have their inherent dignity respected and protected (2) everyone has the right to have access to health care services including reproductive health care. Immediately the incident was taken as an own instance investigation primarily because of the accused's refusal to minister basic emergency medical treatment.

Although Karabo refused to be part of the investigative process, our investigations team was able to gather enough evidence from multiple interviews conducted, forcing EMS Management to institute an internal investigation. Their findings were in support of the report from our office and the accused was subsequently served with a notice to appear in a disciplinary hearing in September 2021.

After more than 18 months of several requests by the accused and his representative to postpone the hearing, the accused finally appeared in front of the disciplinary committee and though he pleaded not guilty, the insurmountable evidence resulted in the presiding officer issuing a guilty finding against him on the 30th of November 2022 and pronouncing a sanction of dismissal: closing and finalising the matter in January 2023 **#residentsrightsmatter**

* Not her real name

THE JOBURG OMBUDSMAN TEAMS UP WITH 'GOOD CEMETERIANS' TO PRESERVE HERITAGE SITES

Our office recently collaborated with the Friends of Johannesburg Cemeteries (FOJC) and embarked on a cleaning drive at the Brixton Cemetery, as part of their weekly clean-up campaign.

Cemeteries carry a rich past and as with many cities, Johannesburg's history can be traced across thirty-five of its burial sites, dating back as far as the

Witwatersrand Goldrush in 1888. Managed by the Johannesburg City Parks and Zoo, many of these heritage cemeteries are home to several struggle heroes who have been laid to rest in various sites across the City of Johannesburg.

In 2021, several issues ranging from water leaks and the maintenance of ablution facilities to security concerns and the general upkeep of the Braamfontein and Brixton heritage cemeteries were brought to the attention of the Ombudsman, Advocate S'du Gumede by the Friends of Johannesburg Cemeteries, leading to an own-instance investigation into the structural integrity and security of all the cemeteries within the City of Johannesburg, conducted by the Office of the Ombudsman.



This required discussions with the relevant municipal-owned entities namely., Johannesburg City Parks and Zoo, City of Johannesburg's Health and Development Department as well as Johannesburg Water to agree and honour the recommendation brought forward.

With so much history, we hope that through our ongoing engagement with the respective entities and FOJC partnership with Johannesburg City Parks and Zoo, we will work together to not only restore the integrity of all the cemetery sites but also honour the memory of state heroes and thousands of loved ones lost by many families, who have made these burial sites their final resting place.

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