



Metrobus Issues an Apology to Injured Commuter

In November 2014, *Ms. Radebe boarded a Metrobus as per her daily commute to work. However, on this morning, she experienced an unpleasant encounter with the bus operating entity when one of its bus operators allegedly closed the door on her while she was disembarking from the bus, causing her both physical injury and emotional distress.

According to a complaint that she lodged in 2020 with the Office of the Ombudsman; this was unfortunately not her first bad experience with the entity. She further alleged to have suffered a gross violation of her human rights after she had received an irregular ticket and was subsequently dropped off at a random stop, after challenging the bus operator.



Image: Metrobus Passengers

After exhausting all available avenues to address and resolve both of her concerns amicably with the entity, her complaints remained unaddressed by the municipal-owned entity, prompting her to approach our office as the point of last resort and one of hope in her desperate search for recourse.

As a result of the investigation carried out by the office, the following corrective action(s) in terms of section 11(2)(d) of the Ombudsman By-Law, viz., (1) issuing of an apology letter to complainant (2) assist the complainant with the lodging of a claim with the respective insurance company and (3) provide the necessary counseling at Metrobus's own cost, were partly implemented by Metrobus with the exception of insurance payout due to undue delays, resulting in the prescription of the claim by the insurance company.

Catch our next issue when we chat to Ms. Radebe

**Not her real name*

As an advocate of residents' basic human rights with respect to service delivery within the City of Johannesburg and being an office of last instance, the Office of the Ombudsman encourages residents to lodge complaints of this nature because "everyone has inherent dignity and the right to have their dignity respected and protected".

In Conversation with the Ombudsman: Seeking Interventions to the Illegal Mining Crisis

The small community of Riverlea in southwestern Johannesburg boasts the first gold discovery in Johannesburg, which saw the beginning of the gold rush in 1886 and the establishment of the "City of Gold". Yet, despite this historical occurrence, the community now finds itself grappling with a myriad of socio-economic challenges varying from infrastructural collapse and environmental health hazards to the rampant increase of criminal activities emanating from the illegal mining in the area.

It's against this backdrop that the Chair of Chairs Office for the City of Johannesburg together with the Office of the Ombudsman and Section 79 Committees, embarked on an oversight visit in March 2023 to ascertain the devastating impact illegal mining has had on the residents of Riverlea.

This visit was followed by a multi-stakeholder engagement meeting in August which included representation from the Riverlea Mining Forum, the Public Protector, GFIS, JMPD and Pikitup held by the Chair of Chairs, Cllr. Lloyd Phillips with the aim of finding sustainable interventions to help alleviate some of the challenges posed by the residents of Riverlea.



Image: Chair of Chairs, Cllr. Lloyd Phillips, Ombudsman of the City of Johannesburg Advocate Siduzuzo Gumedze, JMPD.

The discussion yielded much fruit, noting the launch of an own-instance investigation by our office and the Office of the Mayor's commitment to acquire some of the **land back** with the intention to regain control of the community and protect the residents from exploitation, environmental health hazards and nefarious activities within these unrehabilitated mines.

While these activities cannot be policed due to a lack of resources and manpower needed to stop the growth of this phenomenon, as an office of last instance, we acknow-





ledge that some of these challenges will require collaboration from all three tiers of government including various law enforcement agencies, with a fresh approach that speaks to the regulation and commercialisation.

Putting the Spotlight on the Ellis Park Precinct

To address mounting concerns surrounding the safety and security of tertiary students, staff, and local businesses in the Ellis Park precinct, the Office of the Ombudsman spearheaded an oversight visit to the Central Johannesburg TVET College, Ellis Park Campus in June 2023.

Through this visit, our office sought to engage in crucial discussions regarding prevalent issues affecting the Doornfontein community such as muggings, theft, and assault. This presented us with an opportunity to explore the role of the City of Johannesburg in mitigating these challenges.



Images: Regional Director, Ms. Irene Mafune, and Ombuds of the City of Johannesburg, Advocate Siduduzo Gumede doing a walkabout around the Ellis Park Precinct with various key stakeholders.

The objective of the oversight visit to the precinct was threefold; firstly, it sought to provide a timely response to the myriad of issues that currently encroach upon the human rights of the broader community, particularly in relation to fostering a safer city environment. Secondly, the visit endeavoured to gather evidence pertaining to the identified security risks. And lastly, the intention was to formulate an action plan that would effectively address the safety and security concerns within the precinct.

The Ombudsman, Advocate Siduduzo Gumede extended an invitation to various stakeholders viz., PRASA, SAPS, JMPD and CRUM Region F, urging them to directly engage with both the management and students as they recounted the challenges they faced. This visit also assisted in facilitating a comprehensive understanding of the City's responsibilities in safeguarding the human rights of its residents.

The participation of these key stakeholders not only contributed to the ongoing dialogue surrounding these critical issues but also demonstrated their commitment to championing the rights and welfare of the residents of the City of Johannesburg.

In response to specific security concerns i.e., pickpocketing and assault of students, malfunctioning traffic lights, and homeless people/hawkers harbouring outside the campus, the regional CRUM office committed to engaging with the respective entities to implement various remedial programmes ranging from the visibility of law enforcement, and urgent repair of streetlights for effective traffic control to regular tree trimming and placement of the homeless in shelters around the City.

A lot of ground has since been covered across the various work streams following this stakeholder engagement, with the Regional Director of CRUM Region F, Ms. Irene Mafune reporting the successful redressing of the illegal dumping, street sweeping, road markings, and fixing of non-functional traffic lights, by the respective City departments and entities within Region F.



Images (left to right): Traffic lights-Currey & Siemert (fixed), Traffic lights & Paving bricks-Currey & Siemert (fixed), and Trench & Road marking Currey & Siemert (fixed).

While strides have been made, as an office of last instance, we acknowledge that continuous engagement and monitoring of issues related to criminal activities in the area will be required to ensure a safer Joburg for all.

The Importance of Oversight Visits as an Ombudsman

One of the objectives listed within the Ombudsman By-Law in Section 4, requires the office to assist in preserving and promoting compliance with all resolutions, policies and by-laws that govern the municipality, and which detail the direct or indirect services as rendered to members of the public and therefore ensuring that the rights of the public are protected.

It is therefore imperative to note that such oversight visits conducted by our office are to essentially deepen awareness and advocacy of the basic human rights of the residents of the city through the promotion of efficient and effective delivery of municipal services.

To provide feedback, please email the editorial team at editor@joburgombudsman.org.za or call 010 288 2800.

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