

To: Lungelo Mbandazayo  
City Manager, City of Cape Town  
6<sup>th</sup> Floor, Podium Block  
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12 Hertzog Blvd  
Cape Town, 8001  
Email: [Lungelo.Mbandazayo@capetown.gov.za](mailto:Lungelo.Mbandazayo@capetown.gov.za)

Copied to: Ms Lucinda Carstens  
Email : [Lucinda.Carstens@capetown.gov.za](mailto:Lucinda.Carstens@capetown.gov.za)  
**Per email and by hand**

And to: Patricia De Lille  
Executive Mayor, City of Cape Town  
Mayoral Suite  
6<sup>th</sup> Floor, Podium Block  
Civic Centre  
Email: [mayor.mayor@capetown.gov.za](mailto:mayor.mayor@capetown.gov.za)  
**Per email and by hand**

And to: Alderman Ian Neilson  
Executive Deputy Mayor  
6<sup>th</sup> Floor, Podium Block  
Civic Centre  
Email: [ian.Neilson@capetown.gov.za](mailto:ian.Neilson@capetown.gov.za)

Copied to: Ms Karen Haskell  
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**Per email and by hand**

15 October 2018

**URGENT**

**THE NINE FAMILIES FROM BLIKKIESDORP PRESENTLY TAKING REFUGE AT  
THE CENTRAL METHODIST MISSION, GREENMARKET SQUARE, CAPE TOWN**

Dear Mr Mbandazayo

We are instructed by our clients, who are the members of nine families who were, from 2009 until Wednesday, 10 October 2018, resident at the temporary housing estate known as Blikkiesdorp. Their names appear on a list annexed to this letter, and include 9 women, one of whom is a pensioner and sixteen children, two of whom

are infants of five and six months old. We shall refer herein to our clients as 'the families'.

We proceed to set out briefly the events that led to this letter, and the relief urgently sought by the families from the City of Cape Town:

1. The families formed part of the group of (1 500) families that were evicted from the N2 Gateway houses in February 2008. They were subsequently evicted from their informal settlement on Symphony Way **in terms of a Court Order** (our emphasis) granted by the Western Cape High Court, and moved to the Temporary Relocation Area known as Blikkiesdorp.
2. During the nine years that the families, have lived in Blikkiesdorp, they have witnessed countless acts of extreme violence that includes murder. They have been repeatedly threatened by violent elements, that have moved into Blikkiesdorp and live in constant fear for their safety. We are instructed that members of the SAPS are ineffective, and indifferent to the crime and lawlessness that pervades daily life in Blikkiesdorp.
3. We emphasise the fact that the families were relocated to Blikkiesdorp in terms of a court order obtained by the City of Cape Town in the '*Pavement Dwellers*' case, heard in the Western Cape High Court. The families were reluctant to move to Blikkiesdorp, but have persisted in their struggle to live there for the past nine years on the promise of better housing in the Symphony Way development, which projects' completion appears to be some three to five years away.
4. The families therefore wished to remain at Blikkiesdorp so that they did not lose their entitlement to the housing at Symphony Way that they have been promised.
5. There has been a recent escalation in the unlawful violence and strife at Blikkiesdorp. On Tuesday, 9 October 2018, for reasons that were not explained

to the families, they were threatened with certain death if they did not leave their homes in Blikkiesdorp by 10h00 the following morning (that is, on Wednesday, 10 October 2018). A number of killings in the very recent past indicated to the families that this was unlikely an idle threat.

6. The perimeter fence around Blikkiesdorp is broken and ineffective at keeping criminals out, and protecting the residents within. In the face of inaction on the part of SAPS, Blikkiesdorp is now patrolled instead by vigilantes, gangs and we are advised that unlawful 'summary executions' are meted out to perceived wrongdoers on a whim.
7. The families believe that one of the triggers for the recent violence and their unlawful eviction, is that on 20<sup>th</sup> October 2018 the beneficiaries to the proposed housing at Symphony Way, identified in a City census in 2016, are required to complete subsidy forms. As beneficiaries, the families are anxious to complete this form-filling exercise, as they are entitled to.
8. On Wednesday, 10 October 2018, following threats to their lives, the families were given safe passage to the Central Methodist Mission in Greenmarket Square, where its Minister, Alan Storey had agreed to temporarily provide refuge to the families for 48 hours only. The families are still sheltering at the Church, although the agreed period for their shelter expired on Friday, 12 October 2018. Alan Storey has agreed to extend the period for which the Church will accommodate the families, but they are expecting to have to leave by the very latest, Wednesday, 17 October 2018.
9. It is self-evident that a church is not a suitable solution in any event.
10. We are further advised that of their nine homes in Blikkiesdorp left by the families, four have subsequently been destroyed by criminals, known as 'boeties', and the remaining five have been unlawfully occupied. The families have been in possession of their homes for nine years since their relocation to Blikkiesdorp in 2009.

**Entitlement to housing at the proposed Symphony Way development**

11. The families are enlisted beneficiaries of houses in the proposed Symphony Way development. Our clients indicate that there are other people living at Blikkiesdorp, and from communities nearby, who are not enlisted beneficiaries, but who have driven, by violent means, the enlisted beneficiaries from their homes.
12. At or about the beginning of 2018 (March/April) project steering committee was set up by beneficiaries to consolidate some of the Blikkiesdorp sub-groups and represent two other areas, Malawi Camp and Freedom Farm, in the rehousing process. This appeared to be an effective mechanism by which the beneficiaries could discuss and resolve some of their various views and interests. The violence has split this committee, which will no longer be able to operate effectively.

**Relief sought by the families from the City**

13. The families were removed to Blikkiesdorp under an Order of the Court. The families have now been unlawfully displaced from the homes to which they were moved at the behest of the City. The families fled their homes under the very real threat that they would be killed if they did not leave. They are consequently presently homeless, albeit temporarily sheltered by the Central Methodist Mission.
14. In the premises, the families urgently require the City to:
  - a. Reinstate the homes in which they lived until they were dispossessed or, *alternatively*, provide the families with alternative safe accommodation by Wednesday, 17 October 2018;
  - b. Ensure that the families are able to access and complete the subsidy forms that are going to be distributed in Blikkiesdorp on 20<sup>th</sup> October 2018;

- c. Bring eviction proceedings against the unlawful occupiers of the families' homes;
  - d. Secure the area known as Blikkiesdorp and ensure the safety and security of all of its lawful residents;
  - e. Take such steps as may be necessary to ensure that Blikkiesdorp is effectively policed against criminal acts of violence and vigilantism; and
  - f. Take the measures necessary to remove the conflict of interests within the steering committee and restore the steering committee to a meaningful and effective tool for the benefit of all of the listed beneficiaries of the Symphony Way Scheme.
15. The City is requested to respond to this letter by the close of business today, 15 October 2018. In particular, the City is requested to give a written undertaking that it will provide the relief set out above in paragraph 14.
16. A failure by the City to respond as requested will result in the families bringing an urgent application to the Western Cape High Court to compel the City to comply with their requests.


The contents of this letter requires the **urgent attention** of the City of Cape Town for reasons that are set out above.

The events that are the subject of this letter should already have reached the notice of the City, as they have been widely reported in the news during the past few days and we are advised various concerned persons have brought it to the attention to the City via, inter alia, emails to Councillor Brett Herron, emails to Executive Mayor De Lille, and SMS messages to Mr Dan Plato. The events appear to be a culmination of ongoing violent strife that includes alleged unlawful killings and homes being petrol-bombed in Blikkiesdorp. Neither the City nor the SAPS appear to have taken effective

measures to prevent or relieve this untenable situation, and protect the lawful residents of Blikkiesdorp.

We require an **urgent response to this letter by the midday (12:00pm) on Tuesday, 16 October 2018**, failing which our instructions are to bring an urgent application in the Cape High Court, for an interdict in the above terms.

Yours sincerely



**Sally Hurt**

**Attorney**  
**Sally Hurt & Associates**  
[sallyhurt@riseup.net](mailto:sallyhurt@riseup.net)  
**079 171 8558**

**ANNEXURE A**

<b>LIST OF NAMES OF BLIKKIESDORP RESIDENTS SHELTERING AT CENTRAL METHODIST MISSION 15 OCTOBER 2018</b>			
<b>Nr.</b>	<b>First Name(s)</b>	<b>Surname</b>	<b>Adult or child</b>
1.	BADROENESA	MORRIS	Adult
2.	EBRAHIM	MORRIS	Adult
3.	WAFEEDAH	MORRIS	Child
4.	IBTISHAAN	MORRIS	Child
5.	JANE	ROBERTS	Adult
6.	LEONIE	ROBERTS	Adult
7.	TASNEEM	NEFDT	Adult
8.	ZIYAAD	NEFDT	Child
9.	TASRIEFA	NEFDT	Child
10.	THEODORE	VISSER	Adult
11.	UZIAR	VISSER	Child
12.	ETTIENNE	CLAASEN	Adult
13.	LORENZO	BARADIEN	Child (18 years old)
14.	CALEB	ABRAHAMS	Child
15.	RUGSHANNA	NEFDT	Adult
16.	NAEEM	NEFDT	Child
17.	ZUBAID	WOOD	Child
18.	ANEEES	HARTLEY	Adult
19.	NAEEFA	HARTLEY	Child
20.	ZULELGA	DYERS	Adult
21.	NAZEEM	DYERS	Adult
22.	NAZEER	DYERS	Child
23.	ZURAYDA	DYERS	Child
24.	WANITA	BOWERS	Adult
25.	FUAD	JULIUS	Adult
26.	WALEED	BOWERS	Child (18 years old)
27.	FUAD	BOWERS	Child
28.	TAURIQ	BOWERS	Child
29.	RAFIEK	BOWERS	Child
30.	FADLIN	BOWERS	Child
31.	WASEEM	BOWERS	Child
32.	JO-ANN	CUPIDO	Adult
33.	DILLON	ABRAHAMS	Adult
34.	JULIA	NGOMA	Child
35.	ROCHELLE	NEFDT	Adult
36.	MELVENA	VAN NIEKERK	Adult