



**PRESS STATEMENT**  
**29 September 2021**

**City of Cape Town approves by-laws on the same day court proceedings for District 6 evictions begin in respect of the legality of the Streets By-Law**

Today, Wednesday 29 September 2021, the City of Cape Town City Council approved the new Unlawful Occupation By-law, as well as amendments to the Streets, Public Places and Prevention of Noise Nuisances By-law.

Buhle Boozi, head of the Political Organising, Ndifuna Ukwazi said:

*Both these by-laws seek to criminalise poor people & criminalise homelessness. The new Unlawful Occupation By-law seeks to bypass the PIE ACT which speaks directly to issues of evictions, that no one may be evicted without a court order. We see the passing of these two by-laws as a regression in history, as oppressive enforcement policies and the people have a right to disobey unlawful laws and that's what will be challenged legally, the constitutionality of these by-laws.*

Ndifuna Ukwazi is considering a legal challenge to the Unlawful Occupation By-law and holds instructions from its clients in the Gelderbloem matter to interdict and challenge the Amended Streets-law. Ndifuna Ukwazi has previously raised issues with both of these by-laws to the City.

The Ndifuna Ukwazi Law Centre is currently representing several clients in three cases wherein the Streets By-law is being challenged. They are:

- the illegal eviction of 46 occupiers at District 6;
- the illegal eviction of 21 occupiers from Green Point Tennis Club, and
- the repeated raids on 11 Homeless people in the City Bowl (the *Gelderbloem* case).

While the City of Cape Town's Council voted on the by-laws in a special sitting, the District 6 matter (R DAVIDS & OTHERS v CITY OF CAPE TOWN) was heard as an urgent matter in court today. The City of Cape Town has submitted a substantive recusal of Judge R Allie from the case. The matter is ongoing at time of publication.

- Read the Ndifuna Ukwazi statement on 27 September 2021: <https://jumpshare.com/v/ZgLZIQEKyFtrSO6YjIZX>
- Read the civil society and faith based organisations submission on the Draft Amendments to the Streets, Public Places and Prevention of Noise Nuisances By-law here: <https://jmp.sh/1ETKEN7>

- Read the Ndifuna Ukwazi submission on the Draft Unlawful By-law here: <https://jmp.sh/ThHmyzu>
- Read The Shift submission from three former United Nations Special Rapporteurs on the right to housing here: <https://jmp.sh/L7LxSZf>

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**ENDS**

**ISSUED BY NDIFUNA UKWAZI**