

INTERVENTION TO ADDRESS HUMAN TRAGEDY in SOUTH AFRICA

INTRODUCTION

Spoornet, the main freight operator in South Africa raised certain safety concerns with their principle, the Department of Public Enterprises. These issues arose from rail related incidents which result in the unacceptably high loss of life, infrastructure damage and a disruption of service.

About the same time, the Railway Safety Regulator (their principle, the Department of Transport) also investigated level crossing incidents. Since these issues overlapped, and both entities being part of the government, it was agreed to combine efforts.

BACKGROUND

A project team was therefore established to look into all these common concerns, namely crime and security, level crossings, informal settlements and trespassing.

The mushrooming of human (informal) settlements adjacent and within the railway reserve are creating unsafe situations for both the railway operations and to the residents themselves. The integrity of the railway infrastructure is being severely compromised. Access for maintenance of the track, signalling equipment and the overhead power equipment is impaired. Fencing has been removed allowing free access to children and animals on to the track. Informal level crossings are created which pose a serious threat to train services.

Theft and vandalism of infrastructure components are major contributors to accidents and poor service delivery. The location of informal settlements adjacent to and within the railway reserve facilitates the quick getaway of criminal elements.

In the past each operator has considered their problems and possible solutions in isolation. This fragmented approach has meant that the seriousness of the problems is not fully appreciated by parties outside of the railway operators, who may be in a position to provide solutions, or at a minimum, contribute to finding lasting solutions.

THE PROJECT

A workshop was held on 5/6 April 2006 to consider the possible alternatives for addressing these serious concerns. The four mentioned areas of concern, namely level crossings, human (informal) settlements, trespassing on railway property, and crime, insofar as they have an impact on railway safety and security, were discussed in work groups under the following topics:

- Legal (identification of legislation and regulations that may contribute the problem)
- Technical (identification of standards that may need to be addressed);
- Operational (identification of operational processes that could be amended)
- Communication (integration of interventions to ensure common and aligned approaches).

The workshop decided that feedback would be given to railway operators, government departments and other stakeholders on the findings of the workshop and will propose a way forward to address these problems.

An Integrated Approach

Although four different working groups were formed, most of the concerns overlap and impact on each other. Common causes are inadequate legislation and standards; ineffective policing; inadequate housing; no fences around the rail reserve and so forth. Likewise stakeholders involved were also common to all the areas; therefore each stakeholder was represented in each working group.

A Human Tragedy

This project was named The Human Tragedy Project, because of the impact on the human being:

- 301 000 informal settlements housing approximately 2 million inhabitants, currently
- Over 2000 (past 3 years) reported incidents of cable theft resulting in a major inconvenience to commuters and business interruptions
- 134 people have been killed in the rail reserve including trespassing and suicide this past year
- 58 people have been killed at level crossings over the past 3 years

Working groups

Level Crossings:

- Analysis and amendment of legislation
- Analysis and amendment of standards
- Develop a risk assessment model
- Develop an integrated communication strategy

Trespassing:

- Identify shortcomings in legislation, judiciary, awareness and enforcement
- Explore legal principal of not fencing rail lines
- Develop standards to prevent access and/or improve signage (fencing and standards for warning boards etc)
- Audit current infrastructure preventing access to operational area
- Risk assessment model : Tolerate , treat, terminate , transfer
- Educate, communicate and enforce. Identified target audiences

Informal Settlements:

- Exemption from Prevention of Illegal Eviction Act in limited areas
- Analysis and amendment of relevant legislation
- Co-ordinate industry and government(provincial/municipal) policies regulating informal settlement processes
- Identification and alienation of vulnerable and unused land
- Re-look at signage & standards including private sidings
- Eradication of pedestrian crossings
- Securing the rail reserve and providing sufficient access across/underneath railway lines
- Re-look at rules e.g. blowing of train hooters in residential areas at night
- Yellow revolving lights on locos
- Identify and link into current housing projects (municipal/provincial)
- Co-ordinate industry and government/provincial/municipal policies regulating informal settlement processes
- Influence spatial development framework
- Develop integrated communication strategy

Crime and Security:

- Enforcement of existing legislation – empowerment of consequences of rail related crime
- Research possibility of Specialised Courts for rail crimes
- Infrastructure design – stations, coaches, ingress & access – all to be addressed in planning/design phase

- Crime Intelligence – sharing of data, processing and acting on information
- Disruptive stopping - i.e. cable/signalling etc- background checking, reaction time
- Interfacing with available agencies
- Personnel/contractor security clearances
- Improve security awareness on all levels for all types of crime/loss control/ risk management

DELIVERABLES:

Level Crossings:

- Integrated & non-conflicting legislation
- National standard for signage & protection
- Risk assessment model-uniformity in classification
- A national database of all public & private crossings
- Effective communication strategy
- Reduce level crossing incidents

Informal Settlements:

- Amended Legislation (PIE Act, Legal Succession Act etc)
- Improved communication and consultation between Transport industry, Municipalities, National & Provincial Housing Departments
- Co-ordinated Development Planning for Housing and Relocation of Human Settlements
- Improved Spatial Development Plans for Sustainable Human/Economic Nodes
- Integrated Disaster Management & Safety Plans, including Environmental Impact minimisation
- Improved Safety and decrease in Human/Train collisions

Trespassing:

- Legal framework established
- Signage addressed
- Informal settlement trespassing and illegal occupation of the railway facility addressed
- Integrated town planning and design of train lines and stations
- Ensure enforcement on passengers trespassing on restricted areas
- Rail service roads to be adequately marked
- Enforcement and education and awareness in communities next to rail done

Security & Crime:

- South African Police Force still has to inform the project leader.

ORGANISATION AND GOVERNANCE

The interventions to provide solutions to the identified problem areas will be addressed as an integrated project. In order to ensure appropriate management and guidance, the following governance structure should comprise three levels, as follows:

- **Steering Committee.**
This is the high level strategic group comprising of Chief Executive Officers and Director Generals of government departments and public entities (or their mandated representatives), who have a vested and direct interest in the solutions to the identified problems. The chairperson needs to be appointed.

- **Project Team**
The Project Team is responsible for the overall co-ordination and monitoring of the project. A Project Leader and secretariat needs to be appointed.
- **Task Teams**
Four Task Teams were envisaged for each of the four interventions to address Level Crossings, Human (Informal) Settlements, Trespassers and Crime and Security.

TERMS OF REFERENCE OF THE THREE LEVELS OF GOVERNANCE

The Terms of Reference of the Steering Committee, Project Team including the Project Leader, and Task Teams including Task Team Leaders, are described below.

STEERING COMMITTEE

The Steering Committee shall be responsible for the following:

- Appointment of the Project Team, including the Project Leader;
- Providing guidance and support to the Project Team;
- Resolving any disputes that may arise;
- Ensuring that the appropriate expertise is made available to the Project Team and the Task Teams;
- Approving the allocation of proposed expenditure to the different entities and departments;
- Monitoring progress and reporting to their superiors, including, where appropriate, the relevant Ministers;
- Appointment of a chairperson;
- Appointment of a secretary;
- Agreeing on what constitutes a quorum, which shall not be less than 50% of the agreed membership of the Steering Committee.

The Steering Committee has the powers to co-opt any expertise required to ensure successful conclusion of the Project.

The Steering Committee shall determine the frequency of meeting, which shall not be less than twice a year.

PROJECT TEAM

The Project Team shall be responsible for the following:

- Establishing Task Teams to undertake the various aspects of the Project;
- Co-ordination of the Projects undertaken by the Task Teams;
- Providing guidance and support to the Task Teams;
- Resolving any disputes that may arise in the Task Teams;
- Developing and overall Project Programme in co-operation with the Task Teams;
- Ensuring that the appropriate expertise is made available to the Task Teams;
- Development of budget requirements in liaison with the Task Teams;
- Making submissions to the Steering Committee including regular progress reports, budgetary requirements and allocations, logistical and other support as and when required;
- Appointment of a Deputy Project Leader;
- Appointment of a secretary;
- Agreeing on what constitutes a quorum, which shall not be less than 75% of the agreed membership of the Project Team.

The Project Team has the powers to co-opt any expertise required to ensure successful conclusion of the Project.

The Project Team shall determine the frequency of meeting, which shall not be less than four times a year.

PROJECT LEADER

Will Project Manage the Project by:

- Ensuring that Task Teams are established, with the powers to engage identified entities and departments to nominate persons with appropriate skills and experience to serve on Task Teams;
- Providing guidance and support to the Task Team Leaders;
- Co-ordinate the development of the Project Programme;
- Co-ordinating the development of budget requirements in liaison with the Task Teams;
- Ensuring submissions are made to the Steering Committee including regular progress reports, budgetary requirements and allocations, logistical and other support as and when required;
- Monitoring progress of the Task Teams and instituting interventions as and when required;

The Project Leader is answerable to the Steering Committee.

TASK TEAMS

Each Task Team shall be responsible for the following:

- Reviewing the findings and recommendations arising from the workshop held on 5/6 April 2006.
- Analysing the problems relating to the specific Task Team and developing solutions;
- Identifying potential areas of overlap with other Task Teams and recommend solutions;
- Identifying additional expertise that may be required;
- Proving inputs into the programme and budgetary requirements;

Task Teams shall meet as frequently as required, but shall not be less than monthly.

The task team leaders are answerable to the Project leader.

TASK TEAM LEADER

The Task Team shall be responsible for the following:

- Establishing Task Teams to undertake the various aspects of the Project;
- Providing guidance and support to the Task Teams;
- Resolving any disputes that may arise in the Task Teams;
- Developing Task Specific Projects as an input into the overall Project Programme; in co-operation with the Task Teams;
- Ensuring that the appropriate expertise is made available to the Task Teams;
- Development of budget requirements in liaison with the Task Teams;

Making submissions to the Project Team including regular progress reports, budgetary requirements and allocations, logistical and other support as and when.

CONCLUSION

From the above it is clear that a mammoth task is lying ahead of the project team. Not only are the issues overlapping but are also representative of the social fabric of South African society. The high rate of poverty and unemployment lead to urbanization and formation of informal settlements on any available land.

The project is still in the inception phase and it is foreseen that it will last for a couple of years.

List of Reference

Statistics provided by:

Spoornet Safety Office

Railway Safety Regulator: State of Safety Report