



# South African Council of Churches

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*Reference: SACCPPLU/B7-2009*

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**The Hon. Butana Khompela**  
**Chairperson**  
**Portfolio Committee on Sport and Recreation**  
**20<sup>th</sup> August 2009**

## **COMMENTS ON THE SAFETY AT SPORTS AND RECREATIONAL EVENTS BILL [B7- 2009]**

### **1. INTRODUCTION**

The South African Council of Churches (SACC) is the facilitating body for a fellowship of 26 Christian churches and associated para-church organisations. Founded in 1968, the SACC includes among its members Protestant, Catholic, African Independent, Pentecostal and Orthodox churches with a combined constituency of roughly 15 million members and adherents. SACC members are committed to expressing jointly, through proclamation and programmes, the united witness of the church in South Africa, especially in matters of national debate. The SACC welcomes the request from the Portfolio Chair of the Sports and Recreation Committee – The Hon. Butana Khompela – to make submission on this Bill.

### **2. BACKGROUND**

The Ellis Park soccer disaster of 2001 and the subsequent findings and recommendations of the Commission of Enquiry into the Ellis Park Soccer Disaster chaired by Justice Ngoepe have necessitated the development of the Safety at Sports and Recreational Events Bill, 2009 [B7-2009] (the Bill).

### **3. OBJECTS OF BILL**

In order to address the findings and recommendations of the said Commission of Enquiry, the Bill seeks to address the following, amongst others:

- The promotion of safety and the protection of the physical well-being of both persons attending sports and recreational events and their property at stadiums, other venues and, in the case of a race, tour or procession, along a route of such race, tour or procession;
- The protection of the rights of persons who attend sports and recreational events; ensuring that the planning, management and enforcement of safety and security at sports and recreational events held at stadiums, other venues and at events in the form of a race, tour or procession along a route, are handled by people experienced in the field of safety and security;
- Ensuring that the controlling bodies of all sports and recreational events, event organizers and stadium and venue owners and their managements have proper safety and security measures in place;
- Requiring the controlling bodies of all sports and recreational events, event organizers and stadium and venue owners and their managements to place the broader sport and recreational

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interests above their own by the promotion and maintenance of the safety, security and convenience of persons who attend sports and recreational events;

- Minimum safety and security standards at sports and recreational events;
- The promotion of spectator friendly, secure sports and recreational events; and
- Safeguarding the interests of the Republic as a desirous destination for the hosting of major international sports and recreational events.

#### **4. CHURCHES AND SAFETY IN PUBLIC GATHERINGS**

- 4.1 The broad sentiment of the Churches is that human safety and security – in so far as it pertains to people at sports and recreational events – is the concern and responsibility of all – from government to the public to the ordinary citizen. The catastrophe at Ellis Park in 2001 was an event that will remain with the nation for a long time and – for those relatives, friends and families caught up in that disaster – those memories will last for a lifetime.
- 4.2 In the spirit of humility and gratitude, therefore, the South African Council of Churches welcomes this opportunity to comment on this Bill and thank the Chair of the Portfolio Committee for the invitation to do so. In the aftermath of the disaster and in the light of the recommendations made by Judge Ngoepe’s Commission of Enquiry, we believe that this “stand alone” piece of legislation is the right thing to do for the nation. It is right because the legacy of the death of these fans will forever be a contribution to every sporting event that will take place on South African soil – now and in the endless future.
- 4.3 Of course, the Churches of the SACC are unanimous in such support since we also hope it will add to the desirable effect of hosting a successful World Cup in 2010. Moreover, we desire that the true ethos of this piece of legislation will be to create a culture of care for the safety of sport spectators now and in the future. This ethos begins, however, with our saying that “never again” must South Africans suffer the trauma and tragedy of an Ellis Park 2001 in order to beget the assurance of the nation’s safety, care and protection at any sports and/or recreation event. In the aftermath of that disaster, however, legislation that seeks to promote such safety and protection of all who attend a recreational and/or sports event becomes of itself a humble yet timely legacy. We want to believe that this legacy will become evident in this Bill as and when the need for our venues becomes designed with appropriate safety features and when legally enforceable sports-event management principles are recognized and upheld.
- 4.4 The SACC, therefore, endorses further objects of the Bill that seek to address, amongst others:
- 4.4.1 The protection of the rights of persons who attend sports and recreational events;
  - 4.4.2 Ensuring ... the planning, management and enforcement of safety and security at sports and recreational events ...;
  - 4.4.3 Ensuring that the controlling bodies of all sports and recreational events, event organizers and stadium and venue owners have proper ... measures in place;
  - 4.4.4 Requiring ... controlling bodies ... and their managements to ... promote the maintenance of the safety, security and convenience of persons above their own interests;
  - 4.4.5 Promoting spectator friendly, secure sports and recreational events; and safeguard the interests of the Republic as a desirous destination for the hosting of major international sports and recreational events.
- 4.5 The SACC – despite acknowledging that our prior area of expertise does not lie in sport and event organization - is unanimous in our support for legislation that especially seeks “the promotion of

safety and the protection of the physical well being of .. persons attending sports and recreational events ...” And, notwithstanding the aforementioned, the SACC provides the following three areas of comment in order to strengthen the impact of the Bill. These are:

- 4.5.1 The need to ensure that these principles of legislation are enshrined as prerequisites for safety within the building regulations of sporting facilities and venues;
- 4.5.2 The needs of people with disability - whose safety may be doubly jeopardized by virtue of their disability at these events – be given due priority; and
- 4.5.3 Broad promotion of a culture of attitudes and behaviors that enhance a common desire for the safety and protection of the one for the other – namely the spirit of Ubuntu - be intentionally cultivated .

## **5. COMMENTS FOR THE BILL’S FURTHER CONSIDERATION**

- 5.1 The design and structure of a specific sports-venue/facility holds the key to the safety features that may or may not be prevalent therein. South Africa has now enjoyed several opportunities to host international gatherings all of which have been lauded globally. The WSSD in Durban in 2001, for example, has produced a blueprint of event security that is now the model for the United Nations. Prior to that, the hosting of the Rugby World Cup in 1995 and the ICC Cricket World Cup in 2003 as well as this year’s hosting of the Confederations Cup is proof that SA has amassed skill and knowledge from the best national and international role players to ensure significant spectator safety results at sports events. Despite the fact that South Africa’s National Building Regulations contains comprehensive details for safety standards and fire and emergency evacuation we are now cognizant of the facts – revealed by the Ngoepe Commission of Enquiry - that led to and compounded the tragedy of Elis Park 2001. In order to strike a new sense of consciousness about safety and security into the minds and lives of the nation, therefore, the Departments of Safety and Security as well as Sports and Recreation have crafted the Safety at Sports and Recreational Events Bill [B7-2009]. It is clear that there is no need to reinvent the wheel of related legislation but merely we call for an emphasis on the tightening of related regulations – regulations related, for instance, to tendering for, construction and certification of the safety features of these venues and facilities - to the provisions of this Bill. Building on the strengths of past major event management – rather than ignoring or downplaying them – we add two further comments in order to strengthen the path and role of the ... Bill for the ordinary citizen as a participant and/or spectator at a local sports and/or recreational event.
- 5.2 The safety and protection of the most vulnerable – especially children and people with disability – are the nation’s and faith communities’ most common sectors of care. The level of a nation’s ethic of care is discernable not only in its ability to protect spectators at a major international event but – more significantly – to ensure its prevalence at the ordinary, everyday local event. The extent to which the care and protection of the child and the person with disability is upheld or denied is surest measure as to whether or not adequate and real protection is available to the ordinary citizen. Such protection is more than the provision of safety and access-enabling features at a venue. The “spill-over” of unruly, boisterous elements evident in major overseas sporting events is something that must be curtailed in local matches at all costs. That is not to say that the enthusiasm and jubilation associated with sport and recreation must be curbed. Unruly adult behavior – such as that witnessed recently, amongst others, at the Kaiser Chiefs-Ajax match at Newlands in Cape Town – together with the use of foul language prevents many parents from enabling parents allowing their children and families to enjoy their right to sport and recreation events in public. Furthermore, the abuse of alcohol, liquor and drugs at these public events is a concern for those who wish to assist families and people with disability – in fact all South Africans – to enjoy their rights as spectators

or participants in the sport or recreation of their choice. We could legislate for access to advanced visual technology that “spies on” the spectator thereby leading to a severe sanction on abusive and unacceptable public behaviour. On the other hand, the best form of safety and protection is mutual enforcement through a public that is aware of and educated on their rights and responsibilities toward their fellow spectators and citizens. The recognition of the right to enjoyment of, participation in and/or spectatorship at any sport should take precedence over one’s partial support of one team or another. In brief, we should look out for the other’s safety even if we are on opposing sides of teams that engage one another. Therefore, when it comes to a matter of one’s safety and protection in a sports and/or recreation venue, everyone is responsible for the well being and safety of the other. This should be especially so with regard to the care and protection of the vulnerable such as children and people with disability. The question we must answer is how do we transfer our enthusiasm and successes at major event management through to our events at a local level?

5.3 While the Bill is essentially a Section 75 piece of legislation – i.e. it fits the roles of National Assembly competency – the findings of the Ngoepe Commission need to filter through to the local level. For this to happen, much needs to be done to create an overall awareness and education of the kind of care and protection envisaged for safety, security and protection at a local stadium or venue. The Churches are of the opinion that for greater awareness, understanding and education on the principles of safety and protection at public/sports and recreation events, this Bill should be discussed more fully at provincial and/or local level. Furthermore, we commend the Departments of Sport and Recreation for working together with the Department of Safety and Security in bringing this legislation into effect. We humbly suggest that serious consideration also be given to bringing the Department of Education – Basic and Tertiary – on board. We believe that ongoing education with regard the various aspects – including implementation - of safety and security should be inculcated at an early age and throughout life. The Bill would provide for content for a curriculum of lessons for students and the broader populace, especially for those might seek careers in event organization and/or building and/or event safety management. In this way, the Bill would not only be a cultural and ideological tool but also a practical instrument for integrating those – from school - skilled in these areas into SA’s economy and labour market.

## **6 CONCLUSION**

In conclusion, The SACC commends the Departments of Sports and Recreation as well as Safety and Security – in the wake of the Ngoepe Commission of Enquiry Report – for providing legislation that seeks to promote a culture of safety and security at sport and recreation events organized at the local level. This is timely in that – while not aimed specifically at the World Cup 2010 – it is a useful attempt at developing the kind of culture of care, safety and protection that South Africans should expect to impart at major international events. Hooliganism, unruliness, unacceptable attitudes and misbehaviour – the kind of behaviour which we witness through the media at international spectator sports abroad - should not be allowed to frustrate South Africa’s attempts at the promotion of appropriate safety and security nationally. The SACC, hereby, extends its deepest gratitude and appreciation to the Departments (a) for the invitation to comment and (b) for the vision to create this significant piece of legislation.

Submitted:

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