**ANNUAL REPORT ON THE ACTIVITIES OF THE SELECT COMMITTEE ON SECURITY AND JUSTICE**

**1 APRIL 2015 TO 31 MARCH 2016**

1. **OVERVIEW OF THE CHAIRPERSON**

During the period under review, the Select Committee managed to gain a broad understanding of the issues affecting the security and justice sector through budget reviews, annual report reviews, oversight visits and a successful hosting of the Child Justice Dialogue on the history and international obligations on Child Justice in South Africa. It has gained a greater understanding of the task ahead for South Africa.

The task of the Committee, clustered with other committees, present its own challenges to achieving the targets set by the Committee but we express great appreciation to the members and staff for their dedication to achieving Parliament’s mandate of being an activist and responsive people’s parliament that improves the quality of life for all South Africans.

1. **MEMBERSHIP OF THE COMMITTEE:**

**Select Committee on Security and Justice** *(Police, Justice and Correctional Services, Defence and Military Veterans)*

|  |  |  |  |
| --- | --- | --- | --- |
| **Member** | **Province** | **Party** | **Period of Appointment** |
| 1. Hon. Ms T. Wana | Eastern Cape | ANC | 2014 – to date |
| 1. Hon. Mr. M. J. Mohapi | Free State | ANC | 2014 – to date |
| 1. Hon. Mr. G. Michalakis | Free State | DA | 2014 – to date |
| 1. Hon. Mr. J. W. W. Julius | Gauteng | DA | 2014 – February 2016 |
| 1. Hon. Mrs. B. Engelbrecht | Gauteng | DA | February 2016 – to date |
| 1. Hon. Mr. L. P. M. Nzimande | KwaZulu-Natal | ANC (Whip) | 2014 – November 2015 |
| 1. Hon. Mr. J.M. Mthethwa | KwaZulu-Natal | ANC (Whip) | November 2015 – to date |
| 1. Hon. Mr. M. Chetty | KwaZulu-Natal | DA | 2014 – to date |
| 1. Hon. Mr. S. J. Thobejane | Limpopo | ANC | 2014 – to date |
| 1. Hon. Mr. M. T. Mhlanga | Mpumalanga | ANC | 2014 – to date |
| 1. Hon. Mrs T. J. Mokwele | North West | EFF | 2014 – to date |
| 1. Hon. Ms G. M. Manopole | Northern Cape | ANC | 2014 – to date |
| 1. Hon. Mr. D. L. Ximbi | Western Cape | ANC (Chairperson) | 2014 – to date |

**Alternates:**

|  |  |  |
| --- | --- | --- |
| **Member** | **Province** | **Party** |
| 1. Hon. Mr. L. B. Gaehler | Eastern Cape | UDM |
| 1. Hon. Mr. L. Suka | Eastern Cape | ANC |
| 1. Hon. Mr. M. Khawula | KwaZulu-Natal | IFP |
| 1. Hon. Ms T. K. Mampuru | Limpopo | ANC |
| 1. Hon. Mr. J. J. Londt | Western Cape | DA |

**3. VISION OF PARLIAMENT:**

The vision aims to create an open, democratic and equal society. The proposed vision incorporates the additional element of an activist Parliament to broaden the intended impact on society so that equality can be achieved.

*An activist and responsive people's parliament that improves the quality of life of South Africans and ensures enduring equality in our society.*

**4. MISSION STATEMENT OF THE COMMITTEE:**

The 5th democratic Parliament adopted the following as its mission:

Parliament aims to provide a service to the people of South Africa by providing the following:

* A vibrant people's assembly that intervenes and transforms society and addresses the development challenges of our people;
* Effective oversight over the Executive by strengthening its scrutiny of actions against the needs of South Africans;
* Participation of South Africans in the decision-making processes that affect their lives;
* A healthy relationship between the three arms of the State, that promotes efficient co-operative governance between the spheres of government and ensures appropriate links with our region and the world; and

An innovative, transformative, effective and efficient parliamentary service and administration that enables Members of Parliament to fulfil their constitutional responsibilities.

**5. MANDATE AND STRATEGIC PRIORITIES OF THE COMMITTEE:**

The Select Committee on Security and Justice derives its mandate from the Constitution of the Republic of South Africa, Joint Rules of Parliament and the Rules of the National Council of Provinces (NCOP). It oversees the Departments of Correctional Services, Police, Justice and Constitutional Development and Defence and Military Veterans, and their respective entities. It also interacts with civil society and stakeholders of the respective departments reporting to it.

The Committee exercises its oversight function over the above departments in accordance with the Rules of Parliament and the powers given to the National Council of Provinces and its Committees in terms of Chapter 4 of the Constitution.

The Committee’s role and responsibilities are also informed by the broader strategic objectives and strategic priorities of the National Council of Provinces contained in the draft Strategic Framework Plan which is aligned with the Medium Term Strategic Framework of Government. In addition Government’s priorities as spelt out in the State of the Nation Address and the National Development Plan also impacts on the Committee’s priorities.

This mandate of Parliament determines its reason for existence. It is the origin of the institution, and is based on the provisions of the Constitution of the Republic of South Africa (Act 108 of 1996) establishing Parliament and setting out the functions it performs. Parliament therefore fulfils this mandate by performing the following functions:

Function 1: Pass legislation (laws)

Function 2: Scrutinise and oversee executive action (keep oversight of the executive and organs of state)

Function 3: Facilitate public participation and involvement in the legislative and other processes

Function 4: To participate in, promote and oversee co-operative government

Function 5: To engage in, participate in, and oversee international relations

The mandate of Parliament provides direction to set the mission, indicating the purpose of Parliament and describing its main business. In carrying out its manifold mandate in this regard Parliament is continually informed and guided by an extensive policy framework aimed at ensuring the socio-economic development and growth of the country. This policy framework includes amongst others the National Development Plan, the Medium-Term Strategic Framework 2014 – 2019 and the President’s State of the Nation Address.

1. **Strategic Objectives of the National Council of Provinces**

The strategic outcomes, as put forward by the National Assembly and the National Council of Provinces, include:

1. Enhance Parliament's oversight and accountability over the work of the Executive to ensure implementation of the objectives of the Medium Term Strategic Framework (MTSF) 2014 - 2019

2. Co-operate and collaborate with other spheres of government on matters of common interest and ensure co-operative and sound intergovernmental relations

3. Enhanced public involvement in the processes of Parliament to realise participatory democracy through the implementation of the public involvement model by 2019

4. Enhanced parliamentary international engagement and co-operation

5. Enhanced ability of Parliament to exercise its legislative power through consolidation and implementation of integrated legislative processes by 2019 in order to fulfil its constitutional responsibility

6. Build a capable and productive parliamentary service that delivers enhanced support to Members of Parliament in order that they may efficiently fulfil their constitutional functions

1. **NCOP Strategic Priorities Applicable to the Mandate of the Select Committee on Security and Justice**

The core objectives of Parliament are to pass legislation (laws), to scrutinise and oversee executive action (keep oversight of the executive and organs of state), to facilitate public participation and involvement in the legislative and other processes, to participate in, promote and oversee co-operative government and to engage in, participate in, and oversee international relations.

The outputs for the core objectives include Bills passed, questions put to the executive, annual reports tabled and scrutinised, public participation facilitated, participation in international forums and organisations, approved international agreements, appointed public office bearers, and discharged statutory functions. The core objectives of Parliament indicate our main business. They are:

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**Core Objective 1: To pass laws (legislation)**

Bills are introduced in Parliament by the executive or initiated by Parliament itself. Bills are classified in terms of the Constitution as section 74 Bills (constitutional amendments), section 75 Bills (ordinary Bills not affecting provinces), section 76 Bills (ordinary Bills affecting provinces), and section 77 Bills (money Bills).

**Core Objective 2: To oversee and scrutinise executive action (oversight)**

As part of the oversight function of Parliament, members put questions to the executive for oral or written reply. Questions may be put to the President, Deputy President or Ministers. In addition to questions and replies, the oversight function includes the tabling of reports in Parliament by institutions accounting to it.

Annual reports are tabled by national departments, state institutions supporting constitutional democracy, public entities, and sector education and training authorities. In this parliamentary committees require government officials to appear before them. Further oversight activities include site visits, reports and briefings to committees, and the budget process.

**Core Objective 3: To facilitate public participation and involvement**

The participation of the public in the processes of Parliament, their access to the institution and its members, and information provided to the public remain a vital focus of Parliament. Public participation activities include public hearings, outreach programmes, radio programmes and broadcasts, television broadcasts, publications, newsletters, promotional material, the website, the People’s Assembly, and Taking Parliament to the People campaign.

**Core Objective 4: To participate in, promote and oversee co-operative Government**

Parliament plays a major part in facilitating co-operative government by working with the other arms of government in the discharge of certain statutory functions as prescribed in legislation, the appointment of public office bearers, and approving instruments such as international agreements.

**Core Objective 5: To engage in, participate in, and oversee international relations**

Parliament facilitates and participates in several international relations activities including multilaterals, bilateral, international forums and organisations. These include the African, Caribbean, Pacific-European Union forum, the Inter- Parliamentary Union, the Commonwealth Parliamentary Association, the Pan-African Parliament and the SADC Parliamentary Forum. Several incoming visits and outgoing delegations are facilitated annually.**6. BILLS REFERRED TO THE COMMITTEE:**

| **Title of Bill** | **Objectives of the Bill** | **Analysis of the Bill in terms of government priorities and outcomes** | **Referral Date** | **Consideration date/s** | **Adoption date**  **(with or without amendments)** | **Publication date of report in the ATC** | **Debate date in the House** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Criminal Law (Sexual Offences) A/B [B 18 B-14 (s75)] | The Criminal Law (Sexual Offences and Related Matters) Amendment Amendment Bill, 2014 ("the Bill"), aims to give effect to two separate judgments of the Constitutional Court in the case of *Teddy Bear Clinic for Abused Children v the Minister of Justice and Constitutional Development and Others [2013] ZACC 35* ("the Teddy Bear case") and the case of *J v the National Director of Public Prosecutions and Others [2014] ZACC 13* | The Bill seeks to create safer communities and improves the Rule of law. | 17 June 2015 | 17 June 2015 | 18 June 2015 | 18 June 2015 | 23 June 2015 |
| Maintenance A/B [B 16 B-14 (s75)] | The aim of the Maintenance Amendment Bill, 2014 (the "Bill"), is to amend the Maintenance Act, 1998 (Act No. 99 of 1998) (the "Act"), in order to improve the maintenance system pending the finalisation by the South African Law Reform Commission of the review of the Act. | The Bill seeks to ensure that maintenance is paid in respect of children and that the maintenance payers are held responsible. | 24 June 2015 | 17 June 2015 | 24 June 2015 | 24 June 2015 | 4 August 2015 |
| Defence Laws Repeal and Amendment Bill [B 7 – 2015] (sec 75). | The South African Law Reform Commission (SALRC) has been mandated with the task of revising the South African statute book with a view to identifying and recommending the repeal or amendment of laws that are inconsistent with the Constitution of the Republic of South Africa, 1996 (the Constitution), or redundant and obsolete. | The Bill seeks to improve the Rule of law. | 8 September 2015 | 25 November 2015 | 25 November 2015 | 25 November 2015 | 26 November 2015 |
| Criminal Matters A/B [B 20B-15 (s75)] | The amendments intend providing for changes to the law pertaining to infrastructure-related offences by providing stricter provisions for the granting of bail, the sentencing of offenders and creating a new offence to criminalise damage to, tampering with or destruction of essential infrastructure which may interfere with the provision of basic services, to the public. | The Bill seeks to create legislation for infrastructure- related offences. | 29 October 2015 | 25 November 2015 | 25 November 2015 | 25 November 2015 | 26 November 2015 |
| Judicial Matters Amendment Bill [B 2B-15 (s75)] | To amend the Magistrates’ Courts Act, 1944, so as to further regulate the period of acting appointment of judicial officers; to amend the Criminal Procedure Act, 1955, so as to repeal an obsolete provision; to amend the Prescribed Rate of Interest Act 1975, so as to further regulate the calculation of interest on certain debts; to amend the Magistrates Act, 1993, so as to further regulate the pension benefits of a magistrate who is appointed to the office of judge; to amend the Judicial Service Commission Act, 1994, so as to amend the position regarding accountability for the receipt and payment of money in respect of the administration and functioning of  the Judicial Service Commission; to amend the Promotion of Access to Information Act, 2000, the Promotion of Administrative Justice Act, 2000, and the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000, so as to further provide for the training and designation of presiding officers for purposes of court proceedings as contemplated in these Acts; to amend the Judges’ Remuneration and Conditions of Employment Act, 2001, so as to substitute references to the  Director-General: Justice and Constitutional Development with references to the Secretary-General of the Office of the Chief Justice; to amend the Criminal Law  (Sexual Offences and Related Matters) Amendment Act, 2007, so as to further  regulate reporting on the implementation and training programmes of the said Act; to amend the South African Judicial Education Institute Act, 2008, so as to amend the position regarding accountability for the receipt and payment of money in respect of the administration and functioning of the South African Judicial  Education Institute; to amend the Child Justice Act, 2008, so as to further regulate reporting on the implementation of the said Act and to further regulate the expungement of records of certain convictions and diversion orders in respect of  children; to amend the Prevention and Combating of Trafficking in Persons Act, 2013, so as to further regulate protective measures for foreign victims of trafficking, and to further regulate matters in respect of which regulations can be made; and to provide for matters connected therewith. | The Bill seeks to regulate the period of acting appointments of judicial officers. | 29 October 2015 | 25 November 2015 | 25 November 2015 | 25 November 2015 | 26 November 2015 |

**7. OTHER PAPERS REFERRED TO THE COMMITTEE (OTHER THAN BILLS) FOR CONSIDERATION AND REPORT:**

| **Title of international agreement (IA)** | **Brief description of what IA seeks to achieve** | **Referral date** | **Consideration date** | **Adoption date** | **ATC date** |
| --- | --- | --- | --- | --- | --- |
| 1. Briefing on Proclamations in respect of entities involved in terrorist and related activities identified by the United Nations Security Council, made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No 33 of 2004), and tabled in terms of section 26 of the Act. | The IA is a UN directive from the Security Council which identifies businesses or individuals that are affiliated to known terrorist organisations. South Africa as a UN signatory agrees to the UN terms of sanctioning these businesses or individuals identified by the UN Security Council. | 9 July 2015 | 2 September 2015 | 28 October 2015 | 28 October 2015 |

| **Title of the paper** | **Referral date** | **Consideration date** | **Adoption date** | **Publication date of report in the ATC** | **Consideration date by the House** |
| --- | --- | --- | --- | --- | --- |
| Revised Draft Rules, 2015, made in terms of section 7(3) of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000). | 30 March 2015 | 2 September 2015 | 23 September 2015 | 23 September 2015 | 3 November 2015 |
| Provisionally suspended magistrate Mr L Zantsi. | 6 August 2015 | 2 September 2015 | 23 September 2015 | 23 September 2015 | 3 November 2015 |

**8. Papers referred –For consideration**

|  |  |
| --- | --- |
| **Papers referred** | **Date of Referral** |
| Inter-Departmental Annual Report for 2013-14 on the Implementation of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No 32 of 2007) | 14 October 2014 (Meeting held 18 February 2015) |
| (a) Proclamation No R.5, published in Government Gazette No 37303, dated 6 February 2014: Referral of matters to existing Special Investigating Unit and Special Tribunal in terms of the Special Investigating Units and Special Tribunals Act, 1996 (Act No 74 of 1996).  (b) Proclamation No R.6, published in Government Gazette No 37304, dated 6 February 2014: Referral of matters to existing Special Investigating Unit and Special Tribunal in terms of the Special Investigating Units and Special Tribunals Act, 1996 (Act No 74 of 1996). | 26 February 2015 |
| (a) Appointment of the National Forensic Oversight and Ethics Board in terms of section 15V of the Criminal Law (Forensic Procedures) Amendment Act, 2013 (Act No. 37 of 2013). | 3 March 2015 |
| Progress report dated 22 January 2015 on the conditional upliftment of the provisional suspension from office of Mr P S Hole, a regional magistrate at Kimberly, in terms of a resolution of the Assembly on 20 June 2014.  (b) Progress report dated 29 December 2014 on the provisional suspension from office of Mrs R M Malahlela, aspirant additional magistrate at Delmas, in terms of section 13(3)(f) of the Magistrates Act, 1993 (No 90 of 1993).  (c) Progress report dated 29 December 2014 on the provisional suspension from office of Mr M J Kgomo, an additional magistrate at Randburg, in terms of section 13(3)(f) of the Magistrates Act, 1993 (No 90 of 1993).  (d) Progress report dated 29 December 2014 on the provisional suspension from office of Ms Van Schalkwyk, chief magistrate at Kempton Park, in terms of section 13(3)(f) of the Magistrates Act, 1993 (No 90 of 1993).  (e) Progress report dated 29 December 2014 on the provisional suspension from office of Mr I W O M Morake, a magistrate at Lichtenburg, in terms of section 13(3)(f) of the Magistrates Act, 1993 (No 90 of 1993).  (f) Progress report dated 29 December 2014 on the provisional suspension from office of Mr T R Rambau, a regional magistrate at Makhado, Limpopo Province, in terms of section 13(3)(f) of the Magistrates Act, 1993 (No 90 of 1993). | 30 March 2015 |
| Proclamation No R.84 published in Government Gazette No 38307, dated 11 December 2014: Commencement of sections 7, 8 and 9 of the Sheriffs Amendment Act, 2012 (Act No 14 of 2012) in terms of section 17 of the Act.  (b) Government Notice No R. 920, published in Government Gazette No 38238, dated 24 November 2014: Determination of amounts for purposes of sections 18(3), 80(2)(a) and (b) and 90(1) of the Administration of Estates Act, 1965 (Act No 66 of 1965).  (c) Government Notice No R. 921, published in Government Gazette No 38238, dated 24 November 2014: Fixing of amount for purposes of section 1(1)(c)(i) of the Intestate Succession Act, 1987 (Act No 81 of 1987).  (d) Proclamation No R. 2, published in Government Gazette No 38412, dated 23 January 2015: Commencement of Parts 1 and 2 of Chapter 10 of the Legal Practice Act, 2014 (Act No 28 of 2014) on 1 February 2015 in terms of section 120(2) of the Act.  (e) Government Notice No 56, published in Government Gazette No 38432, dated 30 January 2015: Declaration of inspectors appointed in terms of section 81(1) of the Limpopo Gambling Act, 2013 as peace officers in terms of section 334 of the Criminal Procedure Act, 1977 (Act No 51 of 1977). | 30 March 2015 |

**8. COMMITTEE STRATEGIC PLAN:**

| **Date of strategic planning workshop** | **Analysis of the Strategic Plan in terms of government priorities and outcomes** | **Venue** | **Date adopted by the Committee** | **Date published in the ATC** | **Estimated Costs** |
| --- | --- | --- | --- | --- | --- |
| 24-27 March 2015 |  |  | Not adopted. | Not published. | NCOP arranged workshop. |

**9. OVERSIGHT VISITS:**

| **Date** | **Objectives** | **Country or Province visited** | **Consideration date/s** | **Adoption date** | **Publication date of report in the ATC** | **Estimated Costs** | **Consideration date by the House** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 20 August 2015 | Oversight visit to North West, Matlosana One Stop Child Justice Centre | North West | 23 September 2015 | 23 September 2015 | 23 September 2015 | R106 984.00 | 3 November 2015 |
| 9 September 2015 | Oversight visit to DCS Maximum Correctional Centre | Eastern Cape | 11 May 2016 | 11 May 2016 | 11 May 2016 | R211 255.00 | To be determined. |

**10. MEETINGS HELD BY THE COMMITTEE AND STATUS OF MINUTES:**

| **Date of meeting** | **Agenda** | **Summary of meeting** | **Adoption date of minutes** | **Estimated Costs** |
| --- | --- | --- | --- | --- |
| 6 May 2015 | 1. Briefing by Department of Police on the Department Strategic Plan, Annual Performance Plan and Budget allocation. 2. Briefing by IPID on the IPID Strategic Plan, Annual Performance Plan and Budget allocation. | The Committee received the presentations and raised questions for clarity. | Adopted 25 June 2015 | R4 346.00 |
| 13 May 2015 | 1. Briefing by Department of Correctional Services on the Department’s Strategic Plan, Annual Performance Plan and Budget allocation. | The Committee received the presentations and raised questions for clarity. | Adopted 25 June 2015 | R4458.00 |
| 20 May 2015 | 1. Briefing by Department of Justice and Constitutional Development on the Department’s Strategic Plan, Annual Performance Plan and Budget allocation. | The Committee received the presentations and raised questions for clarity. | Adopted 25 June 2015 | R4458.00 |
| 27 May 2015 | WORKSHOP: Child Justice Dialogue Overview, history and international obligations on child justice in South Africa | Included the involvement of external stakeholders and other PC and Select Committee members. | Adopted 25 June 2015 | R1500 |
| 17 June 2015 | 1. Briefing by Department of Justice and Constitutional Development and Consideration by the Committee on the Criminal Law (Sexual Offences) A/B [B 18 B-14 (s75)] (PROVISIONAL) 2. Briefing by Department of Justice and Constitutional Development and Consideration by the Committee on the Maintenance A/B [B 16 B-14 (s75)] (PROVISIONAL) | The Committee received the presentations and raised questions for clarity. | Adopted 25 June 2015 | R1500 |
| 18 June 2015 | Consideration by the Committee on the Criminal Law (Sexual Offences) A/B [B 18 B-14 (s75)] | The Committee adopted the Bill without proposed amendments. | Adopted 25 June 2015 | R1500 |
| 25 June 2015 | 1. Official opening of meeting: Welcome by Chairperson, adoption of agenda and apologies. 2. Adoption of Maintenance A/B [B 16 B-14 (s75)] 3. Adoption of Minutes 4. Presentation of Third Term programme. | The Committee adopted the Maintenance Bill without proposed amendments.  The Committee adopted seven sets of minutes. | Adopted 25 June 2015 | R1500 |
| 2 September 2015 | 1. Briefing by the Magistrates Commission on progress reports and provisionally suspended magistrate Mr L Zantsi. 2. Briefing from the Department of Justice on the Revised Draft Rules, 2015, made in terms of section 7(3) of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000). 3. Briefing on Proclamations in respect of entities involved in terrorist and related activities identified by the United Nations Security Council, made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No 33 of 2004), and tabled in terms of section 26 of the Act. | The Committee received the briefings and will consider the reports for adoption on 23 September 2015. | Adopted 23 September 2015 | R1500 |
| 23 September 2015 | 1. Briefing by the Department of Defence on the Defence Laws Repeal Amendment Bill [B 7– 2015] (National Assembly – sec 75) 2. Adoption of Draft report on provisionally suspended magistrate Mr L Zantsi. 3. Adoption of Draft report on the Revised Draft Rules, 2015, made in terms of section 7(3) of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000). 4. Adoption of Draft report on Proclamations in respect of entities involved in terrorist and related activities identified by the United Nations Security Council, made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No 33 of 2004), and tabled in terms of section 26 of the Act. 5. Adoption of Draft report on the Child Justice Workshop. 6. Adoption of Draft report on Matlosana One Stop Child Justice Centre 7. Consideration of Minutes: 25 June 2015; 2 September 2015. 8. Tabling of Fourth Term Programme | The Committee received the presentation on the Bill and adopted the reports as tabled. | Adopted 23 September 2015 | R1500 |
| 28 October 2015 | 1. Official opening of meeting: Welcome by Chairperson, adoption of agenda and apologies. 2. Briefing by the Department of Justice on the Criminal Matters A/B [B 20B-15 (s75)] 3. Briefing by the Department of Justice on the Judicial Matters Amendment Bill [B 2B-15 (s75)] 4. Consideration and adoption of the Proclamations in respect of entities involved in terrorist and related activities identified by the United Nations Security Council, made in terms of section 25 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004. 5. Consideration and adoption of Defence Laws Repeal Amendment Bill | The Department of Justice briefed the Committee on the Bills. The Bills were still before the NA for consideration and were not for consideration by the Committee.  The Committee adopted the Proclamations.  The Committee intended adopting the Defence Laws Repeal and Amendment Bill but was advised by Adv Gordon that the Committee needed to facilitate public involvement to comply with Section 72(1)(a) of the Constitution. The Committee disputed this assertion arguing that the Committee could use its discretion to determine the level of public participation required on the Bill. The Committee however agreed to err on the side of caution and facilitate public involvement. | Adopted 4 November 2015 | R1500 |
| 4 November 2015 | 1. Official opening of meeting: Welcome by Chairperson, adoption of agenda and apologies. 2. SAPS and IPID briefing on Oudtshoorn and surrounding areas complaints of police brutality. (NCOP requested Committee follow-up on police related issues raised during the Taking Parliament to the People public hearing session in Oudtshoorn, Eden District) 3. Adoption of minutes. | The Committee received a briefing from the SAPS and IPID on the issues raised at the Eden District TPTTP report back session.  The Committee adopted the minutes. | Adopted 16 March 2016. | R1500 |
| 25 November 2015 | 1. Consideration of Criminal Matters Amendment Bill.  2. Consideration of the Judicial Matters Amendment Bill.  3. Consideration of the Defence Laws and Repeal Amendment Bill. | The Committee discussed the written submissions on the bills and determined that it could apply its mind to the written submissions. The Committee adopted the Bills without proposed amendments. | Adopted 16 March 2016. | R1500 |
| 24 February 2016 | 1. Official opening of meeting: Welcome by Chairperson, adoption of agenda and apologies. 2. Briefing by the Department of Defence on the South African National Defence Force 2015 Review. | The Department briefed the Committee on the 2015 Defence Review. | Adopted 16 March 2016. | R1500 |
| 2 March 2016 | Venue: V227   1. Official opening of meeting: Welcome by Chairpersons PC on Justice and Correctional Services and SC on Security and Justice, adoption of agenda and apologies. 2. Briefing by Parliament’s Legal Advisor on the Appointment of the National Council for Correctional Services. 3. Discussion and way forward.   Joint meeting adjourns.  SC Security meeting continues after lunch  Venue: S12A   1. Official opening of meeting: Welcome by Chairperson, adoption of agenda and apologies. 2. Briefing by Department of Justice on the Draft notice and schedule determining the rate, with effect from 1 April 2015, at which salaries, allowances and benefits are payable to Constitutional Court Judges and Judges annually, for approval by Parliament in terms of section 2(4) of the Judges’ Remuneration and Conditions of Employment Act, 2001 (Act No 47 of 2001); and 3. Briefing by the Department of Justice on the Draft notice and schedule determining the rate, with effect from 1 April 2015, at which salaries, allowances and benefits are payable to magistrates annually, for approval by Parliament in terms of section 12(3) of the Magistrates Act, 1993 (Act No 90 of 1993). 4. Discussion and possible adoption. | The Committee met jointly with the PC Justice to receive a briefing by the Parliamentary Legal Advisor on the National Council for Correctional Services irregular appointments and Parliaments legal options.  The Committee received a briefing on the remuneration increases and adopted the reports recommending approval of the remuneration increases to the NCOP. | Adopted 16 March 2016. | R1500 |

**11. PUBLIC HEARINGS OR WORKSHOPS:**

| **Date** | **Agenda/ matter on which hearings were held** | **Place** | **Presenters**  **(oral and/or written submissions)** | **Analysis of Public Hearings in terms of government priorities and outcomes** | **Adoption date of report** | **Publication date of report in the ATC** | **Estimated costs** | **Debate date in the House** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 27 May 2015 | WORKSHOP: Child Justice Dialogue Overview, history and international obligations on child justice in South Africa | Parliament of the Republic of South Africa | Bennita Moolman: Facilitator. Welcome and Introductions: Chairperson Select Committee on Security and Justice, Honourable D Ximbi  Opening Address by Deputy Minister of Justice and Constitutional Development: Deputy Minister John Jeffery  Overview, history and international obligations on child justice in South Africa  Lorenzo Wakefield: Child Justice Alliance  Shadowing the Child through the Child Justice System  Zita Hansungule: Centre for Child Law, University of Pretoria  Systemic Implementation Challenges experienced in the application of the Child Justice Act  Lorenzo Wakefield: Child Justice Alliance  Issues arising from the Child Justice Act Implementation reports: Patricia Whittle: Parliament Research Unit  Summary of Oversight Guidelines towards the development of oversight tool  Bennita Moolman: Facilitator | The Dialogue spoke to the government priority of **“All people in South Africa are and feel safe”. The NCOP provides a national forum for the public consideration of issues affecting provinces. The Dialogue focusing on the issue of Child Justice in South Africa drew the public’s attention to the reforms implemented by government and highlighted the issues that still needs addressing.** | 23 September 2015 | 23 September 2015 | R20 489.00 | No debate. |

**12. STATUS OF REPORTS**

| **Name of Report** | **Last Date of activity for a report** | **Date report submitted to the Content Advisor/Unit Manager** | **Status quo of report**  **(if adopted, include adoption date)** |
| --- | --- | --- | --- |
| Report of the Select Committee on Security and Justice on Budget Vote 18 and Annual Performance Plan 2015/2016 of the Department of Correctional Services, dated 26 May 2015 | 26 May 2015 | 26 May 2015 | Adopted 26 May 2015 |
| Report of the Select Committee on Security and Justice on Budget Vote 23 and Annual Performance Plan 2015/2016 of the Department of Police for 2015/16, dated 26 May 2015 | 26 May 2015 | 26 May 2015 | Adopted 26 May 2015 |
| Report of the Select Committee on Security and Justice on Budget Vote 20 and Annual Performance Plan 2015/2016 of the Independent Police Investigative Directorate for 2015/16, dated 26 May 2015 | 26 May 2015 | 26 May 2015 | Adopted 26 May 2015 |
| Report of the Select Committee on Security and Justice on Budget Vote 21 and Annual Performance Plan 2015/2016 of the Department of Justice and Constitutional Development for 2015/16, dated 26 May 2015 | 26 May 2015 | 26 May 2015 | Adopted 26 May 2015 |
| Report of the Select Committee on Security and Justice on the Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill [B 18 B-2014 (s75) (Reprint)], dated 18 June 2015 | 18 June 2015 | 18 June 2016 | Adopted 18 June 2016 |
| Report of the Select Committee on Security and Justice on the Maintenance Amendment Bill [B 16B – 2014] (National Assembly – sec 75), dated 24 June 2015 | 24 June 2015 | 24 June 2015 | Adopted 24 June 2015 |
| Oversight visit to North West, Matlosana One Stop Child Justice Centre | 20 August 2015 | 1 September 2015 | Adopted 23 September 2015. |
| Oversight visit to DCS Maximum Correctional Centre | 9 September 2015 | 8 October 2015 | Pending adoption. |
| Report of the Select Committee on Security and Justice on the Revised Draft Rules, 2015, made in terms of section 7(3) of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), dated 23 September 2015 | 23 September 2015 | 23 September 2015 | 23 September 2015 |
| Report of the Select Committee on Security and Justice on the Provisional Suspension from Office of Magistrate L Zantsi, dated 23 September 2015 | 23 September 2015 | 23 September 2015 | 23 September 2015 |
| Report of the Select Committee on Security and Justice on Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004), dated 28 October 2015. | 28 October 2015 | 28 October 2015 | Adopted 28 October 2015 |
| Report of the Select Committee on Security and Justice on the Defence Laws Repeal and Amendment Bill [B 7– 2015] (National Assembly – sec 75), dated 25 November 2015: | 25 November 2015 | 25 November 2015 | 25 November 2015 |
| Report of the Select Committee on Security and Justice on the Criminal Matters Amendment Bill [B 20B – 2015] (National Assembly – sec 75), dated 24 November 2015 | 25 November 2015 | 25 November 2015 | 25 November 2015 |
| Report of the Select Committee on Security and Justice on the Judicial Matters Amendment Bill [B 2B – 2015] (National Assembly – sec 75), dated 25 November 2015 | 25 November 2015 | 25 November 2015 | 25 November 2015 |

**13. SUPPORT STAFF:**

| **Position** | **Name of Staff** |
| --- | --- |
| Unit Manager | Dr T Ganyaza-Twalo |
| Content Advisor | Ms A Van Der Burg |
| Committee Secretary | Mr G Dixon |
| Researcher | Ms P Whittle |
| Executive Secretary | Ms N Stemele |
| Committee Assistant | Mr N Mangweni |