

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 1

THURSDAY, 25 MAY 2017

PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES

The House met at 14:11.

The Chairperson took the Chair and requested members to observe a moment of silence for prayer or meditation.

RESIGNATION OF HON HE MATEME AS THE CHIEF WHIP OF THE NCOP

(Announcement)

The CHAIRPERSON OF THE NCOP: Hon members, before I proceed, I would like to announce that I have received a letter of resignation from the hon Dr H E Mateme as Chief Whip of the Council. I want to suggest that as the item for the election of the new Chief Whip is not on the Order Paper that we insert it after the item number 4 - and that we proceed then to elect the new Chief Whip of the Council today still. Thank you, hon members.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 2

PROTECTED DISCLOSURES AMENDMENT BILL

(Consideration of a Bill and of Report thereon)

Question put: That the Bill, subject to proposed amendments, be agreed to.

[TAKEN FROM MINUTES.]

Bill, subject to proposed amendments, accordingly agreed to in accordance with section 75 of the Constitution.

THE SECOND ORDER

THE FIRST ORDER

FINANCIAL SECTOR REGULATION BILL

(Consideration of a Bill and of Report thereon)

Question put: That the Bill, subject to proposed amendments, be agreed to.

[TAKEN FROM MINUTES.]

Bill, subject to proposed amendments, accordingly agreed to in accordance with section 75 of the Constitution.

**CONSIDERATION OF REPORT ON JOINT STANDING COMMITTEE ON THE FINANCIAL
MANAGEMENT OF PARLIAMENT - PARLIAMENT OF THE REPUBLIC OF SOUTH
AFRICA'S 2015/2016 ANNUAL REPORT.**

Mr S J MOHAI: Hon Chairperson, hon members, I am honoured to table the Report of the Joint Standing Committee on Financial Management of Parliament before this august House today. As hon members would recall, in 2009 Parliament passed the legislation; Financial Management of Parliament and Provincial Legislatures Act (Act No. 10 of 2009).

Amongst the key objectives of this legislation is to, ensure transparency, accountability and sound management of the revenue, expenditure, assets and liabilities of Parliament; ensure consultative relationship between Parliament and the National Treasury at the highest level; and also to provide the National Treasury with the opportunity to make comments on the proposed

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 4

annual budget and adjustment budget for Parliament; information on the proposed annual budget and adjustment of Parliament for inclusion in the national budget and adjustment budget, and regular information on expenditure of Parliament.

In exercising this oversight, the legislation further provide that this committee must amongst others; consider instructions issued by the executive authority in terms of section 37, consider the annual report submitted to Parliament in terms of section 60; as well as consider instructions issued by the executive authority in terms of relevant sections.

It is my submission that this oversight mechanism provides for transparency and accountability of political and financial governance of Parliament as opposed to supervision of the accounting authority of Parliament as this is clearly the powers and functions of the executive authority. It oversees the implementation of policy and the costs associated therewith, not at a co-policy making body as this resides with the Joint Rules of Parliament.

Against this background and context, the joint standing committee has considered Parliament's 2015/16 annual reports and the 2016/17 midyear report. We are pleased to announce that Parliament has

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 5

sustained the unqualified audit outcome for two successive years. The commitment by the accounting authority of Parliament to maintain this clean audit and further improve on some of the internal control and risk management are welcome by the committee.

The support of members of Parliament compared to other national legislatures is a shared concern of this committee and the presiding officers. We have unanimously agreed that this matter must receive urgent attention.

We would all recall how the toxic labour relations environment has nearly brought Parliament to a standstill in the recent past. This is amongst critical issues that the committee have considered through the petition by the organised labour.

We should however hasten to point out that; it is ideally not the mandate of this committee to grapple with labour relations issues as relevant platforms are provided for through other legislative instruments and platforms. There is consensus that the accounting authority should give more attention to this matter and report to the joint standing committee. I refer to the full report as tabled in the ATC. Thank you.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 6

Debate concluded.

Declaration of vote:

Ms T G MPAMBO-SIBHUKWANA: Hon Chairperson, by the standards Parliament set themselves, the institution has failed dismally. With regard to Parliament's performance of its 2015/2016 programmes, 37,5% of target were not met on Programme 01 which is administration and 62,5% of target were not met on Programme 02 which is Legislation and oversight, 40% of target were not met on Programme 03 which is Public Participation and International Engagement and 50% of target were not met on Programme 04 which is Members Facilities and 100% of targets were not met on Programme 05 which is Associated Services.

Perhaps, some of these failures can be linked to Parliament vacancy rate which stood at 20% or one in five, over the period in review. Programme 02 which you might recall missed more than 60% of its target suffered 13,4% vacancy rate while this might not sound dramatic. It is a serious problem if you consider that it affects the highly specialised Legal Advisory and Drafting Services, the Parliamentary Budget Office, the Questions Office and other similarly skilled units.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 7

The effective functioning of Parliament demands that these crucial and overburden units are adequately staffed and operating maximally.

There has also been astonishing amount of irregular expenditure amounting to a sum of 15 million over the period in review, and fruitless and wasteful expenditure increased almost 50% on the year. Furthermore, Parliament has increased its advertising cost 28,8% to almost 30 million, spending on consultants, contractors and special services increased to almost 24 million and consulting and professional fees related to legal cost increased by a mammoth of 104,3% to almost 15 million.

Based on the poor performance across all programmes, obvious mismanagement of the Parliamentary Budget combined with the intolerable irregular, fruitless, and wasteful expenditure, the Western Cape can't support this Report. I thank you, Chairperson.

Question put: That the Report be adopted.

In favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West.

Against: Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

**CONSIDERATION OF REPORT OF THE JOINT STANDING COMMITTEE ON FINANCIAL
MANAGEMENT OF PARLIAMENT - ON THE 2016/17 MID-YEAR REPORT OF
PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA**

Debate concluded.

Declaration of vote

Ms T G MPAMBO-SIBHUKWANA: Hon Chairperson, it seems that there are no institutions in South Africa that are impervious to state capture and sadly, the contagion are spreading to Parliament itself.

This was self evident on a series of suspected appointments of senior management level in late 2016 and early 2017, including the appointment of the long serving spokes person or spin doctor for the ANC caucus, Mr Moloto Mothapo to the position of Division Manager at Parliamentary Communication Services.

We also saw the appointment of a former ANC MP Dumisani Sithole to the position of a Division Manager on International Relations and

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 9

Protocol. Mr Sithole is said to have beaten 96 other applicants despite having been fired as a Director of the Alexander Renewal Project for insubordination.

And then there was an appointment of Vusimusi Mavuso to the position Division Manager to Support Services. Mr Mavuso famously resigned in half from the SABC Board during the portfolio committee meeting at Parliament in October.

Are these honestly the best candidates for senior management position at multi party institution like Parliament, hardly?

Then you have the Secretary to Parliament, Mr Gengezi Mgidlana, who is currently under investigation by the Public Protector for abuse of power and the claims against him relates to overseas jaunts with his spouse amounting to sum of 2 million, instructing Parliamentary Protection Services to chauffer his wife and making use of state vehicles fitted with blue lights. It was also revealed in committee that the Secretary awards himself a 30 000 study bursary whilst rejecting applications by junior staffers.

Despite all these extravagances Parliament have been told that there will be no salary increases this year, further exasperating labour

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 10

relations at the legislature which previously resulted in crippling strikes and, in September 2016, culminated in a Commission for Conciliation, Mediation and Arbitration, CCMA, ruling against the Secretary which could cost this Parliament as much 38 million. This is the cost of deploying the wrong people at Parliament. And let us not forget that Mr Mgidlana's role in the totally unwarranted securitisation for the state of the nation address 2017 which saw soldiers carrying assault rifles entering the precinct despite explicit assurances to the contrary.

Ultimately, the responsibility for this dysfunction at Parliament lies with Mr Mgidlana's superiors, namely the Speaker of the NA and the Chairperson of the NCOP. The Western Cape opposes this report. I thank you.

Question put: That the Report be adopted.

In favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West.

Against: Western Cape.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 11

Report accordingly adopted in accordance with section 65 of the Constitution.

ELECTION OF CHIEF WHIP OF NATIONAL COUNCIL OF PROVINCES

(Announcement)

The CHAIRPERSON OF THE NCOP: Hon members, earlier on I proposed that we consider an item for the election of Chief Whip of the Council to be inserted after the Fourth Order. Can I proceed? Hon members, I call for the nomination. Hon Dikgale?

Ms M C DIKGALE: Thank you Chairperson. I, Masefako Clarah Dikgale, hereby nominate hon S J Mohai as the Chief Whip of the National Council of Provinces. Thank you.

The CHAIRPERSON OF THE NCOP: Is there any member seconding? Hon Samka?

IsiXhosa:

Nksk P C SAMKA: Sihlaho, ndilixhasa igama lohloniphekileyo, uBawo uMohai ukuba abe nguMbhhexeshi wale Ndlu. Enkosi Sihlalo.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 12

English:

The CHAIRPERSON OF THE NCOP: Hon members, I'm coming back to you again and again. Is there anybody in the House who is against the nomination and secondment of the hon Mohai? No-one?

If there is nobody who is against the name of the hon Mohai and there is no proposal for any other person, I will therefore proceed to announce the hon Mohai duly elected as the Chief Whip of the National Council of Provinces. [Applause.]

Hon members, thank you very much. First of all I wish to say thank you to Dr Mateme for the services that you have rendered to this House. In life you sometimes meet up with issues which take you to the left, issues which keep you dead centre and others that take you elsewhere. Whichever it is and whatever life throws at us, as adults we always accept, deal with it, fix, but proceed with living. Thank you very much ma'am. [Applause.]

I also wish to congratulate the hon Mohai on becoming the new Chief Whip. The work is not easy but we hope that you will carry the load of serving all the members of this House equally as the Chief Whip of the NCOP. You are welcome sir.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 13

Hon members, I am also aware that we have an American delegation in our gallery. It is led by the chairperson of an organisation called GoPEO, Mr Thomas Abrahams. You are welcome sir. [Applause.]

I wish to proceed to the next item on the agenda. Secretary, will you read the next item?

APPROPRIATION BILL

Debate on Budget Vote no 23: Police and Vote No 20: Independent Investigative Directorate:

The MINISTER OF POLICE: Hon Chairperson and hon members of the House, Deputy Minister of Police, Hon B Mkongi, Members of the Executive Council for Police, for Safety and Security, entities of policing in the republic, the Independent Police Investigative Directorate, IPID, Civilians Secretariat, Private Security Industry Regulatory Authority, PSIRA, Directorate for Priority Crimes and Investigation, DPCI, and the South African Police Management, all our important organs, Members of Parliament and the media, I rise before you today to table the police debate on Budget Vote 23 for.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 14

As I hereby do, we should also reaffirm our pledge to Agenda 2063, which makes a commitment to silence the guns in Africa by 2020. This clarion call is made in celebration of Africa Day. In the same context, we continue to be inspired by the words of Oliver Tambo when he said: "The only way to bring about peace and prosperity is to liquidate all forms of crime and criminality. Crime can never be amended or reformed but it should be fought against and be defeated"

Chairperson, on this occasion, we recall the great words of former Minister of Police, Steve Tshwete and today he speaks to us from the grave when he said: "We will fight criminality with ferocity of a cornered bull and agility of a cat" We are not going to do short cuts, no short term planning, no short term solutions. It is not going to be business as usual. We need warriors in this battle and not cowards and corrupt elements. We need men and women of honour in the police service.

We salute all police who passed away. We dip our banner in their name today. We say rest in peace. We will soldier on with the struggle against criminality in the republic and keep South Africans safe.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 15

Gender based violence should be fought with all arsenal at our disposal. All our 1144 police stations nationwide are going to ensure that no women are turned back from reporting acts of crime against them. We call upon all women to come forward and report all cases of abuse against them. Soon we will be taking the launch to every police station.

Our approach to fighting crime is going to be intelligence - led and bold. Resources will be redirected towards crime intelligence. The Hawks must bring crime and corruption to its knees. The days of only concentrating on cosmetic crimes and turning blind eye on individuals committing serious white collar crimes are over. There are many individuals in the society who are known to be committing serious commercial crimes under the protection of few police officials. Their days are numbered including those police officials providing them protection. We are not going to tolerate the practice of recycling criminals in our police stations. This is our social contract with the people of South Africa. You can hold us to that!

In the past few days, our country had been engulfed by a new scourge and wave of lawlessness. Criminals are running amok in this country terrorising our people. We must declare war against crime. We must declare crime as domestic terrorism. Criminals are brutalising our

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 16

society with impunity. In the few weeks that we have been in police, we have seen amongst others, the Nyanga hostage scene, Mandla Hlatshwayo, Elsie River killings, two police officers shot, brutal killing of Karabo Mokoena, and the missing Flora Moetshe. The situation is unacceptable.

It calls on all of us to respond equally to the fight that criminals are muting on us. As the Ministry of Police, we want the country and the world to know that we are declaring war against criminals and criminality.

As we move forward, we want to disarm South Africa. Parallel to this programme is the recovery of the stolen and robbed vehicles of the police, including the brutal killing of the police. This will not be successful if we lack necessary skills in detective services. We are determined more than ever before to look acutely in the areas of detection rate, counter intelligence and the reinforcement of informers. We hope this will limit serious crimes against our people, especially crimes like the contact crimes, crimes against women and crimes against our children.

The budget allocations of the IPID increased from R197,9 million in the financial year 2012-13 to R255,5 million in 2017-18 at a growth

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 17

rate of 29%, a significant increase due to implementation of Independent Police Investigative Directorate Act 1 of 2011. The independence of the IPID have been reconfirmed by the rulings of both the North Gauteng High Court and the Constitutional Court in their judgements on the 6th of September and the 4th of December respectively.

As the Ministry, we are committed to maintaining and upholding the decisions of our courts. In this financial year, the Firearms License Appeal Board intends to forward proposals that will better manage the spread of firearms and reduce the proliferation of the firearms. In line with the Africa Agenda 2063 to reduce the flow of guns in Africa and ultimately silence the guns in Africa by 2020, the process of the Firearms' Appeal Board will be fully supported.

The Private Security Industry Regulation Authority is one organ that serves as an oversight on this crucial industry. The current growth in the number of the actively employed security officers from 488 666 during the financial year 31 March 2017 bares testament to the pivotal role the industry continues to play in creating entry level employment for the majority of South Africans especially young people and women who are employed in the industry.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 18

However, the growth of the industry also brings along with it challenges of non-compliance and unfair labour practices. In light of the challenges, the authority is continuously strengthening its stakeholder engagement network.

As we look back we identified the following as key anchors of our road - map to transform policing in South Africa: Establishment of a single police service, improvement of the conditions of service of members of the South African Police Services, SAPS, establish street committees to assist in the fight against crime, increase the human capacity to fight and combat rhino poaching, implementation of the resolutions of the National Security Structures, and implementation of the process of protecting national key points by the National Security Agencies.

Hon Chairperson, in order to achieve this, the SAPS has been allocated a budget of R87 billion for the 2017-18 financial year which includes a transfer to the Civilian Secretariat for Police Service of R124.7 Million. The back-to-basics approach to policing is primarily benefiting the visible policing and detective services programmes, which are the department's core service delivery programmes. These two programmes constitute of R62 billion, or 71,3 percent, of the total budget for this financial year with a combined

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 19

personnel count of R140 657 in 2016-17.

In enhancing police visibility, entails optimising spending on personnel, vehicles and infrastructure to ensure that the police service is accessible to communities and can make its presence felt. A significant proportion of the department's budget, approximately 76,4% over the medium term, is allocated to spending on compensation of employees.

The department is developing a plan to expand public order policing to support the implementation of the recommendations of the Marikana Commission of Inquiry. Allocation of R242 million in 2017-18 and R355,8 million in 2018-19 were approved by Cabinet in the 2016 budget for this purpose. This explains the projected increase of 7,9% over the medium term in expenditure in the Specialised intervention, sub-programme in the visible policing programme.

Towards the end of 2017-18 financial year and emanating from staffing priorities defined within the department's annual performance plan for 2017-18. Adequate human resource capacity will be established at local level with specific focus on the visible policing.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 20

In terms of the planned post allocation criteria of the department for the 2017-18 financial year, 81% of all replacement posts will be prioritised towards the recruitment of South African Police Service Act 68 Of 1995. This will ensure an improved frontline capability of the department. In addition, the department has prioritised the recruitment of reservists, as a force multiplier at local level, during the 2017-18 financial year. It is envisaged that a total of 2610 reservists will be appointed.

A total of R2,5 billion is allocated over the Medium-Term Expenditure Framework, MTEF, period to the Administration programme to build, upgrade and maintain police stations. The department plans to build 63 additional police stations over the period at an estimated cost of R588,3 million. An amount of R5,7 billion is allocated over the medium term for transportation equipment, including vehicles, and R4,5 billion is budgeted for fleet maintenance.

Hon Chairperson, the current biggest challenge faced by the SAPS is the trio crimes or the three most serious crimes in our country, namely; car-hijacking, robbery-residential and robbery-non-residential. A task team in this regard was mandated to develop a

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 21

National Action Plan to address trio crimes in the top 20 trio crime clusters and the plan will be implemented with effect from 1st April 2017.

The key drivers of broad public discontent persisted during 2016-17 and included issues of inadequate access to housing, the provision of basic services, lack of employment opportunities, corruption associated with the allocation of tenders, dissatisfaction with the restructuring of municipal boundaries and economic disparity, including #FeesMustFall campaign which manifested in peaceful and violent community protests. The violent protest increased by 87,9% as opposed to peaceful protests which increased by 25,1%. The new Public Order Policing Policy provides direction for a human rights-based approach to dealing with public protection and is supported by the Dangerous Weapons Act 15 of 2013.

In the state of the nation address, President Jacob Zuma directed the Justice Crime Prevention and Security Cluster, to put measures in place to ensure that any incidents of violent protest are acted upon, investigated and the perpetrators prosecuted. The SAPS will ensure that dedicated capacity exists to manage public disorder and will integrate with all relevant capabilities in the public and

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 22

private sectors to ensure that the President's requirements in this regard, are met.

The department plans to develop a plan to expand public order policing, re-establish units in Cape Town, Durban and Nelspruit, re-establish 15 dormant units, establish eight new units and expand public order policing personnel to 8 820 members by 2019-20.

Inspired by the words of Comrade Steve our message to the criminal elements are unequivocally loud and clear: "Operation Washa Tsotsi"

I thank you [Applause.]

Mr D L XIMBI: Chairperson, hon Minister of Police, Mr Mbalula, Deputy Minister of Police, Mr Mkhongi, members of the SA Police Service, SAPS, senior members of the Independent Police Investigative Directorate Ipid, VIPs in the gallery members from different provinces who are here today, Chairperson thank you very much for presenting this Vote no 20 and 23. The National Development Plan, NDP, states that by 2030 all people in South Africa should feel safe and not fear crime. This is the NDP goal for both the SAPS and IPD.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 23

One of the Medium-Term Fiscal Framework targets is to ensure the SA Police reduces the levels of contact crime. In respect of contact crimes at provincial levels, three provinces contact crimes decreased in the last financial year. These provinces are the Free State, Eastern Cape and KwaZulu-Natal; however, the remaining six provinces recorded increases ranging from 6,4% in Limpopo, 3,3% in Gauteng to the lowest increase of 0,4% in North West Province. Gauteng remains the highest crime contributor with 27,7% followed by the Western Cape with 18,8%. It is clear that much work still have to be done, in Gauteng and the Western Cape to ensure a reduction in conduct crimes and the SAPS has to work more closely with communities in the provinces to ensure overall decrease in conduct crime.

During the state of the nation address of 2017, the President stated that government was working with society to fight the social ills that are tearing communities apart such as drugs and substance abuse. The police will increase visible policing, building on the successful pattern of deployments utilised during the Safer Festive Season campaign. They will also utilise certain specialised capabilities, such as the Tactical Response Teams and National Intervention Units, to assist in addressing problematic high crime areas. In the communities experiencing the highest crime, there is a

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 24

need to build stronger partnerships with the police to ensure that criminals do not prey on residents.

It is clear that ensuring a decrease in crime statistics is based on SAPS forming strategic partnerships with communities and building trust with those communities through the establishment of successful community policing forums. In respect of the Budget, Police services account for R87 billion as mentioned by the Minister. Over the medium-term, the SA Police Service will intensify its implementation of Back to Basics strategy to improve police performance and conduct.

A total of R2,5 billion will be allocated to the department to upgrade and maintain police stations, with a further R10,2 billion to procure and maintain transport equipments. We are pleased with the focus of the budget on equipment as the select committee noted last year that many police stations were experiencing difficulties in respect of insufficient vehicles allocated per province, which had a direct impact on SA Police Service being able to fulfil their mandate effectively.

The SAPS spending focus over the medium-term will be focused on the following: Professionalising the SAPS through skills development;

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 25

strengthening of the criminal justice system, CJS, revamp and modernisation programme; provision of equipment and training for detectives; purchasing of critical equipment such as bulletproof resistant vests, firearms, ammunition, clothing, mobile police stations; strengthening the resource capacity of Public Order Policing units as mentioned by the Minister.

In the select committee's interaction with the SAPS on their budget and Annual Performance Plans, APPs, the following were raised as key issues for SAPS to focus on going forward: With regard to the Community Policing Forums, CPF, the department explained that the CPF functionality exists after an election of an executive committee. The programme must be established in a meeting to engage the community. When the CPF has issues impacting the community, they must mobilise the community to address the issues; regarding the active community participation within crime prevention programmes, the school involvement in terms of Back to Basics relates to foot patrols that were implemented. Horse patrols were also implemented in rural areas; small mobile stations were established in rural areas; the problematic schools receive more visits and police presentations; department's collaboration with other crime prevention structures and municipalities, the SAPS interact with municipal managers and mayors to establish partnerships. The metro

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 26

police bring their plans for approval and form part of the SAPS operations.

In respect of IPID which has a vote of 20 in front of us today the Independent Police Investigative Directorate is responsible for ensuring a system of internal and external checks and balances aimed at ensuring that police carry out their duties properly and are held responsible if they fail to do so. Independent Police Investigative Directorate is exercising its role by trying to instil a culture of human rights in policing to ensure that police officials are held accountable. The Independent Police Investigative Directorate Act gives effect to the provision of section 206(6) of the Constitution, ensuring independent oversight of the SAPS and municipal police.

The Independent Police Investigative Directorate budget is 255,5 million. Over the medium-term, IPID will focus on reviewing and amending the Independent Police Investigative Directorate Act, 2011, following a Constitutional Court ruling in September 2016, mentioned by the Minister, in which several sections of the Act were declared inconsistent with section 206(6) of the Constitution. The directorate will focus on strengthening its existing investigative capacity to improve the quality of investigations and

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 27

recommendations, and holding outreach and training events to raise awareness of its mandate and act.

Due to the limited budget, Ipid is experiencing a severe capacity constraint which is impacting on the following: Integrity strengthening and protection; legal services and contract management; service delivery coverage and accessibility; accounting, compliance and reporting responsibilities; strategy and performance monitoring; monitoring the quality of recommendations. As a result of budget cuts, IPID is unable to conduct full implementation of the Marikana Commissions report recommendations. Further, the current Estimates of National Expenditure, ENE, excludes legal services as a budget programme. This is very concerning given that Ipid requires legal services in order to fulfil its mandate effectively.

Despite IPID's capacity and budgetary constraints, it has highlighted the following achievements on a provincial level: Northern Cape policemen have been sentenced to 5 years imprisonment and 5 years suspended in service for the rape of two teenagers aged 16 and 14 years old. Gauteng police constable sentenced to 18 years for Bedfordview murder. Constables sentenced to 18 years imprisonment for 3 counts of Rape in Macassar here in the Western Cape. A constable was convicted for murder in KwaZulu-Natal and

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 28

sentenced to 5 years imprisonment. A warrant officer in North West was convicted for murder and sentenced to 20 years imprisonment. These examples provide a good sense of the work which Ipid is doing on a provincial basis.

However, challenges still remain in respect to compliance of the SAPS and the National Prosecution Authority, NPA, with Ipid recommendations. In this respect, IPID has reported that the Department referred a total of 969 recommendations to SAPS and there are still 707 recommendations which SAPS has to respond to. In respect of the NPA, Ipid forwarded a total of 1048 referrals to the NPA of which Ipid is awaiting a response to 1 013 of the referrals. To address the noncompliance, Ipid is considering entering into a memorandum of understanding with each department respectively.

The implementation of Ipid's recommendations is integral to inculcating a culture of accountability and to fight corruption within SAPS. This culture will in turn ensure that the confidence of citizens in South Africa is instilled in the SAPS. This will then go a long way in strengthening relationships between SAPS and the citizens of South Africa in terms of forging good partnerships in fighting crime going forward.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 29

It is important for Ipid to ensure that its investigative capacity remains intact in order that it may fulfil its mandate. The establishment of the national specialised investigative team in 2015-16 has strengthened the directorate's capacity to investigate cases of systematic corruption. Further, Ipid needs to continue to ensure that awareness raising is conducted in order that citizens understand the role of Ipid in ensuring oversight over SAPS. In this regard, Ipid is intending to conduct 108 community outreach events in each year over the medium-term and provide training to officials in 180 out of 1 140 police stations. Hopefully, these community interventions will ensure that citizens who feel dissatisfied with police officials will come forward to report corrupt officials.

Despite the serious budgetary constraints under which the Ipid is implementing its programmes, it is important to note that the Ipid is taking steps to ensure that it is still able to fulfil its mandate in the following ways: One, regular monitoring of expenditure of ex-members; two, continuous reprioritisation of core activities such as investigations; lastly, implementation of cost containment measures. However, Ipid requires assistance and support to implement the following effectively: Full implementation of the ConCourt judgement concerning the amendment of the Ipid Act; full

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 30

implementation of the Farlam Commission and Auditor-General of SA recommendations.

In Conclusion, Chairperson, both the SAPS and the Ipid have an important role to play in ensuring that people are and feel safe in South Africa. It is therefore with this in mind that we trust the two organisations will find common ground to work together to fulfil their mandates and the NDP goals, most importantly, to ensure a reduction in crime and the rooting out of corruption amongst SAPS officials to restore public confidence and co-operation.

IsiXhosa:

Umahluko mkhulu phakathi kwamapolisa awayekho phambi kowe-1994 kunamapolisa esinawo namhlanje, nokuba iimeko zithini zona. Ndiyabulela. Kwaqhwyatywa.

Mr G MICHALAKIS: Hon Chairperson, for the last three years I have returned to this podium to criticise the Minister of Police for being the President's caporegime and for turning our police service into a mob. He denied all allegations and laughed off all constructive suggestions with ignorance. Having served his purpose, he reached his end point of usefulness; albeit a bit later for the President than for the country, and was sent on his way. And

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 31

although I would be the first to say that it was a case of good riddance to see the back of Minister Nhleko in this department, the problem with Cabinet reshuffles is that he is no longer accountable for the mess that he oversaw. It would be very unfair of me to hold the new Minister accountable for his predecessor's lack of vision. On the tombstone of his tenure as Police Minister simply stands, accurately; here lies a simple man, with simple ideas. He did as he was told and he defended it vacuously which, in this case means - with his whole mind. I sincerely hope, hon Minister, that you will not be more of the same.

So, allow me to take the liberty to propose a few areas in which the South African Police Service has failed to make advances, but which are vital in order to ensure that it functions in such a way that it will actually deal with the issue that is closest to the hearts of our people - their safety.

There are three important things that need to be done in order to improve the Police Service in South Africa. We need to ask what it is that we are policing; we need to build capacity to be able to police these matters; and finally, we need to consider a decentralised approach where provinces have more authority in matters of policing. In the first instance, we need to be honest

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 32

about the strain the criminal justice system is under. For many years the system has not kept up to date with changes in social dynamics to such an extent that police are being kept busy with actions that should not constitute crimes whilst other crimes go unpunished due to the fact that the process of criminalising these crimes takes too long.

Our country sits with a situation where people who commit petty crimes are being jailed with murderers and rapists, over crowding our prisons without any efforts being made to rehabilitate them; instances where alternative punishment measures would suffice rather. In other instances people are being jailed for committing crimes that should in the first instance not be considered a crime.

Minister, I know that the entire criminal justice system does not fall within your department's jurisdiction, but it might be time for yourself and the Minister of Justice to consider the de-criminalisation of certain offenses as well as the way in which the police deals with these individuals in such a way that would take unnecessary strain off our criminal justice system and open up opportunities for the South African Police Service to focus on more serious crimes.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 33

Furthermore, we need to build the necessary capacity for the police to do their jobs not only to protect VIPs. At the present and I'm sure the Minister is aware of this, the police in some parts of our country lack even the most basic of tools such as vehicles. However, there is another facet of capacity building that needs just as much attention. In order for us to keep up with sophisticated crimes targeting specific groups of individuals, the police needs to move quicker with establishing specialised units. Some efforts have been made in the past, but unfortunately, not in all the vital areas. In this instance, the department should consider establishing units that will deal with rural safety and gangsterism in specific parts of the country such farming communities in the case of the former and the Cape Flats for the latter, and of course training.

Minister, we can be proud of those South African Police Service members who do their job outstandingly, but I have sadly too often come across many police officers who don't even know how to do something as basic as to officiate an affidavit. South African Police Service's training model is not working as it should.

I have also in the past expressed concern about the breakdown of the trust relationship between the service and the public. Too many individuals with criminal records are still linked to the South

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 34

African Police Service and decisive action needs to be taken against such criminals. It is no use to say that you will take on the tsotsis if you do not take on the tsotsis in uniform.

Having said that, the lack of resources and stereotyping of the South African Police Service members as all being criminal, trigger happy and ill disciplined completely breaks down the morale of those South African Police Service members that do their job. It is those members that we should go the extra mile in retaining before we lose all our vital expertise.

Finally, Chairperson, it is perhaps time to look at the possibility of giving more power in terms of police to honest and effective provincial commissions and station commanders. More resources and the freedom to adapt their system to what each region needs, can only lead to better policing. In this instance I by no means profess a complete decentralisation of the South African Police Service, but where cities across the country have been allowed to establish their own metro police networks, it has proven to bring down the rate of crime where used effectively. This will enable provinces to establish units that can focus on core challenges unique to specific regions, such as border control in the Free State and northern provinces, rural policing in northern and central South Africa,

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 35

gangsterism in the Western and Northern Cape and sophisticated commercial crimes in our bigger cities in places like Gauteng. It will also open the door to bringing closer co-operation between the political authority of policing, the police itself and local civilian policing forums.

There is no reason, other than political reasons and one does not play politics with the lives of citizens; not to give provinces a bigger stake in the policing of their jurisdictions without diminishing the authority of the national service.

In order to make the police work for our people, we cannot follow a one size fits all model. We cannot continue equipping them poorly with resources and skills and we cannot lose focus on what the real threats to society's safety is. Once we grasp this; once we are willing to think outside the box and fundamentally reform the old and tired model of policing that has been failing our country over the last few years, can we start building a model that will be able to address the still much too high crime statistics in our country. I might not be as kind in the future and I wish you well. I thank you.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 36

Ms B T MATHEVULA: Ndza khensa, Mutshamaxitulu. (Thank you, Chairperson). The EFF rejects both Budgets Vote 23 and Vote 20, on Police and the Independent Police investigative Directorate, respectively. South Africa is a country gripped in a crime crisis that the ANC seems not to know how to deal with it.

Between 2006 and 2016, there has been a 20% increase in murder rate in this country, and as per the last crime statistics, about 51 people were being murdered in South Africa every day.

The Statistics SA showed that, at least, 142 women were getting sexually violated in this country every single day, and that this may also be an understatement of the problem, because most cases of sexual violation do not get reported.

Most recently, we have all witnessed with horror various incidents of crimes against children, young women and the elderly, who are raped and murdered in this country.

In this vein, we call on all members of the EFF, and all men in society to stand up and say, 'No, not in our name.' The criminal acts of a few men must be thoroughly condemned by all in society.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 37

We further call upon churches, civil society organisations, and all social structures to lead programmes that seek to educate men about the pain they are subjecting society to.

We call on all EFF branches, across the length and breadth of this country, to be visible activists against the abuse of women and children.

While all this is happening, the South African Police Service has no permanent National Commissioner, and the one who is acting is embroiled ... [Interjection.]

Mr M T MHLANGA: Chairperson, I am rising on a point of order; I want to ask the member if it is possible for her to take a question.

The CHAIRPERSON OF THE NCOP: Hon Mathevula, will you take a question?

Xitsonga:

Man B T MATHEVULA: Ndzi ta teka xivutiso xa n'wina vhiki leritaka. Ndza khensa. [I will take the question next week. Thank you.]

The CHAIRPERSON OF THE NCOP: She won't Sir, please continue.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 38

Xitsonga:

XIRHO: U ta teka xivutiso xa mina.

English:

Ms B T MATHEVULA: Chairperson, the result is that criminals are reigning supreme in this country, knowing fully well that chances of being caught are almost zero. The origin of all these problems can be traced down to one man, and his name is Jacob Zuma.

It is public knowledge that Richard Mdluli wrote to Zuma and told him he will ensure he wins the Mangaung conference if Mdluli could be secured the position of national head of crime intelligence.

It is a well-known fact that Zuma used Ntlemeza to harass Pravin Gorhan. His main interest has been on marginalizing the security of the state, so that they can fight his own sinister battles and protect him from accounting.

It was for this reason that Nathi Nhleko harassed McBride at every opportunity, because he refused to do their dirty tricks. Mr Zuma has now captured all institutions tasked with securing the country, and he has ensured that their daily activities have nothing to do

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 39

with securing the country, and everything to do with securing Zuma the individual.

Mr Mbalula is just an attention seeking person who has neither the capacity nor the intellectual strength needed to turn SAPS around. We reject these Budget Votes.

Mr E MAKUE: Chairperson, I rise on the point of order. It is the general Rule of Parliament that Members of Parliament are appropriately addressed in the House. The speaker has mentioned, at least, three Members of Parliament without using the appropriate way of addressing them Chair.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Thank you sir. Hon Mathevula, hon Members of Parliament, all of them in both Houses will be referred to in this House, as honourable.

Xitsonga:

Man B T MATHEVULA: Ndzi hetile, Mutshamaxitulu. Ndza khensa. [I'm done, Chairperson. Thank you.]

Ms N NDALANE (Limpopo): Chairperson, hon Minister, Mr Mbalula, Deputy Minister, hon Bongani Mkongi, hon members, entities of

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 40

policing in the Republic, executive director of IPID, members of the SAPS, esteemed guests, the rising incidents of domestic violence in our country is the disturbing reality. No part of the country is immune from this madness. As Limpopo we have also had our fair share of this with some young girls being killed, perpetrators have been arrested and other cases are getting investigated.

We have not folded our arms with regard to domestic violence cases. While we agree that this is one of those difficult crimes to monitor since it occurs behind closed doors, we are raising awareness to those affected. We are visiting communities throughout the province to raise awareness and reach-out to communities with regard to what they must do when experiencing such treatment. We are liaising with the Criminal Justice System to ensure that when prosecuting on such cases sentences must send the strong message to would be abusers as a deterrent.

Chairperson, until such time that we have all suspects behind bars, Vuwani incidence will always become a concern. However, the fact that court cases are continuing gives us hope that those behind the burning of schools and destruction of public property will face the full might of the law.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 41

Within the context of addressing community protests in the province, our Premier, hon Stanley Mathabatha, established a Priority Committee on Stability in the province. The committee comprises of the following: the Department of Safety and Security and Liaison as the co-ordinator, the Department of Education, the Department of Cooperative Governance, Human Settlement and Traditional Affairs, the South African Local Government Association, Salga, the SAPS, the Department of Rural Development and Land Reform; the Department of Home Affairs, the State Security Agency and both the district and the provincial Houses of Traditional Leaders.

The main purpose of this committee is to empower all the stakeholders dealing with protests through information sharing on how best to deal with protests of these natures. The focus is how to curb such protests turning into violence as well as opening a dialogue with aggrieved parties.

Chairperson, as the Limpopo province, we will have a high percentage of youth making up our population. This high young population is active in shaping the socioeconomic status of the provincial economy. In that regard, we have in the last quarter successfully held a seminar on safety.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 42

Some of the issues highlighted at the summit were a need for an ongoing consultative session with the youth in the five Limpopo districts. The importance of demarcation as a planning tool for service delivery and elections was also highlighted. These and others are all aimed at ensuring a safe and secure the social order in Limpopo.

Hon Minister, I fully agree that easy access to alcohol and drugs contribute to high social crimes. To attest to that we are continuing to patrol problematic areas and ensure that all liquor outlets comply with stipulated trading hours.

It is disturbing to note that in all these operations, young people who find themselves on the wrong side of the law are leading the pack. It is just unfortunate that when the law take its course, our youth takes the rap. This leaves thousands of young people with criminal records that bar them from securing meaningful opportunities in the job market.

Chairperson, however as a measure of engaging our youth to be part of their safer and secure communities, we have successfully incorporated them into our community policing forums, CPFs, as well as community safety forums, CSFs.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 43

With regard to the CPFs and CSFs, let it be noted that we are currently busy with the re-launch aimed at maximizing safety in their localities. During 2016-17 our CPFs and CSFs were receiving stipends and sitting allowances as per crime prevention through environmental design and the provincial CPF policy. The hon Minister will be invited to the province to formally launch the community safety forums from all local and district municipalities on a date to be confirmed between the office of the MEC and the Minister.

This we did in support of Limpopo development plans the responsibility to ensure the levels of serious and violent crimes are drastically reduced. That is not a payment but an appreciation for volunteering to spend time and own resources to ensure that your communities feel safe and secured at all times. We are basically reimbursing volunteers the costs incurred during their crime prevention operations.

As an additional incentive, an amount of R4,5 million has been secured to resource CPFs and CSFs operations. The end product continues to be better safety and security through improved police, community relations, that has proved to be effective in managing crime.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 44

We fully agree with the Minister of Police for having identified one police station per province for the pilot implementation of the frontline service delivery project. We believe this will bring back the trust that our people were beginning to lose in our police. It will also assist us to check areas that need more emphasis in terms of human relations.

Last financial year, we launched a programme called young civilians on patrol as a volunteer programme. The programme was operationalized through the Mid-Term Expenditure Framework period. Young people linked to the CPFs in all police stations and the CSFs in all the local municipalities will take part in this project. We wanted to remove young people away from the streets.

Chairperson, the intention of the programme in the main is to equip young people with necessary skills for patrolling our streets with the police. We believe that the initiative will be building safer communities in line with the NDP vision 2030. We also aim to ensure that implementation of integrated approach towards fighting crime utilizing all the available crime fighting agencies within our communities.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 45

We have increased and squeezed crime and criminal elements at problematic areas in the City of Polokwane and our public now enjoy peace and stability in their own city.

In conclusion, the terrain of our policing areas is at times not friendly to the vehicles we get allocated. However, we are glad to have heard that a total of 3 379 vehicles is getting procured to address the shortage in the provinces. We can only believe Limpopo will also benefit out of this exercise. That will go a long way in addressing the challenge of shortage of vehicles. I thank you.

[Applause.]

Mr M PETER: Hon Chairperson, members, Minister, Deputy Minister and guests in the gallery, it is always a privilege to participate in the debates of the NCOP.

Under the ANC-led government, South Africa has a long-term vision of an equitable society which is clearly defined by the National Development Plan, NDP. Our 2030 vision seeks to address the ills of our colonial past in a programmatic way, where government will be working in partnership with organs of civil society so as to strike a deal that seeks to build a future of our country.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 46

In essence, the NDP seeks to deepen the people's contract between government and citizens as we continue to build a developmental state. As Eastern Cape, we have a reason to support the people's budget because our province needs adequate deployment of both human and material resources.

In the province we need an accelerated infrastructure delivery initiative that will create a conducive environment for police to work. We have vibrant community policing forum which promotes good working and friendly relationship between police and communities. This refers to CPS, street committees and village committees.

Chairperson, it is only under the ANC-led government that a budget is used as a tool to build a better life for all - unlike under apartheid government where a budget was used as a tool of destruction to communities.

Under apartheid, large sums of money were directed to security forces, the then South African Defence Force, SANDF, and hit squads to follow and eliminate those who were in the forefront of liberation movements.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 47

I hope the conservatives and right wing elements within the ranks of the DA still remember these destructions. Eastern Cape communities were not exempted from this form of destruction by virtue that the province was also a base of political activism.

In 2016, Eastern Cape South African Police Services, Saps, embarked in a process of realigning 27 clusters which were reduced to 22. This was a strategy to reorganise its strength of police operations so that they render an effective and efficient service.

The recent quarterly crime statistics released by Eastern Cape Saps show a downwards trend with other criminal activities, but murder and car hijacking remain stubborn. Murder in most cases is attributed to gangsterism and taxi violence in Port Elizabeth and Mthatha respectively.

Eastern Cape Saps introduced a strategy to fight gangsterism and drug trafficking in the northern areas of Port Elizabeth because there is a toxic combination between these two. We hope that this budget will reinforce the roll out of this strategy which takes a form of a multiparty disciplinary team as it involves many departments.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 48

Chairperson, through the Intergovernmental Relations and collaboration within government departments the security cluster must deal with St Albans Correctional Centre... can somebody give me water?

... St Albans Correctional Centre in Port Elizabeth and Wellington in Mthatha whereby both centres have become headquarters of gangsterism and taxi violence respectively. Prisoners in these two centres appear to have a freeway of communicating with the outside world and this result to the elimination of witnesses against some of the gangs in prisons.

The NDP is emphatic that people must feel safe at home and at work, they must enjoy a community life freely in their streets where children play safe outside.

Hon Chairperson, as we continue to professionalise the police service, every police officer must undergo training on Domestic Violence Act because violence against women and children appear to be the most prevalent scourge within our communities.

In conclusion, ANC remains a home to a variety of different ideological currents hence we continue to enjoy support and the

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 49

hegemony of nationalists, traditionalists and socialists. As a result ANC remains a broad church within society.

No amount of threat will ever distract us from our development trajectory. The theory of development is explicit that any development path is not an instant exercise, but it is rather an ongoing programme which needs to be sustained.

Even in the first world countries, development trajectories have never been an event in any case. Therefore, this budget must ensure that police are well resourced and act professionally, value their work, serve communities, safe guard lives and property. Thank you Chair.

Mr J M MTHETHWA: Chairperson, hon Minister Mbalula, hon Deputy Minister Mkhong, hon members, MEC of Limpopo for police, members of the SA Police Service, crime has always been an area of concern for the ANC. In the ANC's 2014 election manifesto, it committed itself to promoting safer communities and giving special attention to fighting crime. The ANC noted in its 2012 strategy and tactics document that there should be promotion of social cohesion and that there should also be deliberate collective action to promote a positive role by the institution of the family.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 50

The ANC-led government has consolidated partnerships across society to strengthen social cohesion and ensure that our country achieves its values of a caring society.

In the two decades since the transition of democracy and the establishment of a democratic Police Service, South Africa continues to experience an alarmingly high rate of crime, particularly violent crime. This is evident, for instance, by the successive increases in contact crime especially murder, with a year-on-year comparison highlighting a 4,9% increase in the 2015-16 financial year.

Violence against vulnerable and marginalised groups remains stubbornly high, compromising the ability of these individuals to play an active role in their communities and society at large. The SA Police Service continues to ensure that the barriers to the reporting of cases of rape, sexual abuse and domestic violence are sufficiently addressed in order to report and minimise secondary victimisation.

Seemingly intractable challenges, such as gangsterism, drugs and alcohol abuse, underpinned by increasingly sophisticated and violent

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 51

organised criminal enterprises, have resulted in our communities being mired in a cycle of violence and trauma.

Despite these challenges, the SAPS has made significant strides in dealing with serious and violent crime. This includes continued emphasis on reducing the number of firearms through focused operations, and the more stringent application of the legislative framework on firearms management control.

The 2015 study on firearms control and management recognised the need for a multipronged approach in dealing with the demand for and use of the Firearms Control Act and other means of self-defence. Inherent to addressing the challenges is the need for ongoing research into the issues of crime and violence to identify the root cause and find solutions, as well as a concise strategy to tackle crime and the restructuring of the Central Firearms Registry.

It is, however, accepted that building safe and resilient communities requires a broader focus that extends beyond the purview of the police. This requires addressing risk factors at all levels of society through deliberate co-operation and collaboration among state and nonstate actors.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 52

The 2016 White Paper on Policing and 2016 White Paper on Safety and Security provide appropriate policy frameworks for achieving these goals. The White Paper on Policing provides a focused emphasis on areas of responsibility of the SAPS and deals with a professional, modern and demilitarised Police Service that is community centred, accountable and human-rights based.

The premise of the White Paper on Safety and Security is that deliberate co-operation and collaboration between departments would enhance policy coherence, providing the basis for building safe and resilient communities through embedding systems and processes that would advance the goal of ensuring the safety of all as the basis for human development, improved quality of life and enhanced productivity. The role and responsibility of all key role-players are clarified to ensure that departments assume responsibility for safety within their areas of competence. The White Paper also draws on the NDP by advocating the development of an active citizenry to support the co-creation of solutions from the ground. The National Development Plan, NDP, denotes building safer communities as a key objective.

Recent news events about the killing of our women and children have made headlines. As a society, we should be ashamed that women and

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 53

children are murdered at an alarming rate in postapartheid South Africa. The SA Police Service plays a critical role in protecting and serving the citizens of the Republic. However, the manner in which the investigation over the disappearance of Courtney Peters was conducted was really an abomination. The SA Police Service must be well resourced and equipped to tackle this abuse against women and children and it must conduct investigations in the delicate and required manner.

South Africa has taken steps to ensure that there is integrated and effective management of the border environment. The pressure to do so comes from the rapid increase in the number of people and goods that cross the border and from the need to manage the resulting risks and exploit the opportunities. The risks are multiplied by the rise in transnational crime, conflict and food insecurity.

The SA National Defence Force, SANDF, has been mandated to secure the border line. The Department of Home Affairs has an inspectorate that is specifically charged with enforcing the Immigration Act and works closely with the SAPS, the State Security Agency, the SANDF and the SA Revenue Service.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 54

The Independent Investigate Directorate exercises its functions in accordance with the Independent Police Investigative Directorate Act, or Ipid Act, independently from the SAPS and the Municipal Police Service, or the MPS. The thrust of the work of the directorate is to investigate serious and priority crimes allegedly committed by members of the SAPS and MPS. This includes a greater focus on systemic corruption.

The Ipid Act enhances the directorate's investigative capacity and creates an opportunity for a strong, independent oversight body which will, in consequence, contribute towards the achievement of a Police Service that operates in line with the spirit of the Constitution.

The Ipid's ultimate goal is to contribute towards the achievement of Vision 2030, as outlined in the NDP, which is that people living in South Africa feel safe and enjoy a community life free of fear. A Police Service that is trusted by the community means the building of a Police Service that is professional, serves the community, safeguards lives and property without discrimination and respects the right to equality and justice.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 55

The Ipid's strong management and skilled investigators contribute towards the realisation of the Ipid's strategic outcome-oriented goals identified for the 2013 to 2018 strategic plan period. The other factors that will contribute positively towards the realisation of these goals are powers bestowed upon Ipid investigators as peace officers provided for in the Criminal Procedure Act, Act 51 of 1997.

The work of Ipid takes place within an environment of increased incidents of public protests. These incidents led to an increase in SAPS-MPS involvement in crowd-control management, which, in most cases, results in unintended consequences. Given the recent public protests, it is clear that these actions influence significantly the overall picture of death as a result of police action, complaints relating to the discharge of official firearms by police officers and complaints of torture or assault against police officers in the execution of their duties. These developments are likely to further increase pressure on Ipid and its core business, as outlined in the Ipid Act.

The current lack of human resource capacity and the high staff turnover pose a significant threat to the fulfilment of the directorate's legislative mandate and, consequently, to the

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 56

achievement of its strategic outcomes and goals. The mandatory reporting and investigating of serious and priority crimes allegedly committed by members of the SAPS and the MPS have resulted in an increased workload for the directorate.

In order to address the aforesaid pressure and to ensure that Ipoid complies fully with its legislative mandate and added reporting responsibilities, additional resources will have to be found over the 2013 to 2018 period. The current economic climate and the allocation of funding might bring about additional challenges in this regard. Nevertheless, the directorate is committed to delivering on its legislative mandate in order to contribute towards the achievement of the ultimate outcome, namely a Police Service that is trusted by the community. The ANC supports this Budget Vote.

[Applause.]

Ms B A ENGELBRECHT: Hon Chair, we should a crime-free country. We have got the police and the hawks to fights and prevent crime. Yet, a disease of violence has been unleashed against our women and children while we have a President accused of 783 crimes and failing to uphold and protect the constitution. So rife has state capture become that it is synonymous with the current ANC-led government ...

[Interjections.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 57

Mr S G MTHIMUNYE: Chair, I rise on a point of order: The speaker makes an assertion that suggests that the President was convicted. There are no charges against the President before any court of law. There are no charges as we speak for the President before any court of law. So, that is misleading!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Engelbrecht, refrain from presenting something that is not factual.

Ms B A ENGELBRECHT: Thank you, Mr Chair. Yet even more disturbing is when the state organs created to fight crime, are fighting each other. SA Police Service and Independent Police Investigative Directorate, Ipid, are like dogs fighting over a single bone: A bone of position and power, where police Commissioner Phahlane is a suspect, doing everything possible to prevent Ipid from continuing its investigation against him.

So it's no wonder we need Ipid – an independent organisation, responsible for investigating complaints against the SA Police and municipal police services. In spite of this critical mandate, Ipid faces serious budget constraints which will negatively affects its

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 58

ability to fulfil its primary mandate of overseeing systemic corruption in fighting police criminality.

Ipid, as ultimate watchdog, should be free from interference from SA Police Service. Yet, while women and children are being murdered and raped, SA Police Service is interfering with Ipid's mandate. The unwarranted attack against Ipid, with a mandate to fight criminality and abuse of power in the police, puts Ipid in crossfire. Ipid appears to be a lone rider against the corruption, abuse of power and rape of our resources.

It appears that this is about positions that relate to power, money and control over other people. It is imperative that the people of South Africa trust and believe in the police and their leadership is beyond reproach. As head of the SA Police Service, Phahlane should be an example of a model citizen and allow IPID to conduct a full investigation without interference into, amongst others, circumspect payment like an R80 000 stereo system.

Phahlane's continued refusal to co-operate with Ipid is therefore deeply concerning. The DA reiterates its call for Acting National Police Commissioner, Khomotso Phahlane, to be suspended by the Police Minister. As always, it is the South African public that

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 59

suffer while there are police officers involved in underhand dealings that continue to escalate crime.

We need to ensure that Ipid does not only have an operational but also a financial mandate. However, the sustainability of Ipid has been put into question with the current funding at a bare minimum. Ipid has been requesting additional funding to complete the critical part of the Farlam commission. Yet, in a most unfortunate move, R4 million has been moved from its the budget baseline to pay for other unfunded expenditures.

We must ensure the sustainability and independence of Ipid with a sufficient budget to ensure that they remain the super watchdog, winning the war against crime in the ranks of the police and rooting out crooked cops. I thank you. [Applause.]

Mr M KHAWULA: Hon Chairperson, hon Minister, hon Deputy Minister, hon members, the Department of Police is one of the most important pillars of our state in ensuring that our hard-earned democracy is efficiently guided. The application and practical implementation of the rule of law rests heavily in the hands of this department, of course, in co-operation with other sister departments in the security cluster.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 60

Therefore, the safeguarding of the principles of fairness, impartiality and protection from abuse of state resources within this department is of utmost importance. It is for this, and other reasons, that the IFP strongly condemns the cooked arrests in the Nquthu Local Municipality. The IFP views these arrests as abuse of state power by those who were inclined to make the IFP look bad, and to intimidate the people of Nquthu so that they could vote in a particular direction.

This was a ploy in futility as the IFP scored a resounding victory of winning 14 wards out of 17 wards. [Applause.] The IFP moved from 15 seats, obtained on 3 August 2016, to 19 seats in 2017; giving the IFP an outright majority in the municipality. We do wish to applaud the members of the Police who were deployed to the Nquthu by-elections yesterday who actually performed their duties fairly, without fear or favour.

Hon Minister, you have actually inherited from your predecessor a department that is fraught with insurmountable challenges of a legacy of managerial instability. This department has moved from one scandal to the other, in a litany of criminal and fraudulent activities and allegations by the top echelons of the department.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 61

The late former National Commissioner Selebi - may his soul rest in peace - exited unceremoniously after a criminal charge. The former National Commissioner, hon Bheki Cele - now Deputy Minister - exited unceremoniously after a corruption scandal. The current Commissioner Riah Phiyega is on suspension pending final outcomes of the investigations into her ability or inability to hold office.

As we speak, the provincial commissioner for KwaZulu-Natal, Commissioner Mamumnye Ngobeni is on suspension and has actually been on suspension for close to a year or more on the allegations of corruption. The current Acting National Commissioner is involved in an ugly spat with the Director of Ipid. This prevailing public spat between the Acting National Commissioner and the Director of IPID does not augur well for safety and security, and justice activities, in the country.

The allegations by Ipid that the Acting National Commissioner is interfering and tampering with investigations pertaining to his own alleged corruption charges, to the extent of threatening witnesses and investigators are matters of serious concern for safety, security and justice in the country.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 62

These matters, Hon Minister, must be attended to and be resolved speedily. The activities of the department must be seen to be operating in a manner which shows that no one is above the law in the country. In the same vein, the public spat between then hon Minister and the former Director of the Hawks is another matter of serious concern which requires a speedy and logical conclusion.

This is the picture of the department you have inherited, hon Minister. One cannot tell whether these happenings have had a direct impact to crime activities increasing so much in our country or not, especially the abuse of children and women, the murders of children and women, the escalating hijackings involving cash-in-transit heists and other criminal activities.

Under the circumstances, the IFP wishes you and the hon Deputy Minister well in your new portfolios. The fight against crime in South Africa needs all hands on deck by all relevant stakeholders in order for South Africans and our visitors to feel safe and to be safe.

When also considering that the consequences of increased crime levels leave behind devastating effects to the economy of the country, and the efforts to grow the economy and decrease

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 63

unemployment, this department has a crucial role to play. Therefore, hon Minister let us not walk into the negative effects of crime blindfolded but we need you to pull all the punches in order to add value to the positive programmes of the country.

We need to have a police service personnel that will be focussed more into reducing and eliminating crime in our country, and not a police top management that most its time fighting over departmental internal issues or spends time in court instead of the criminals they should be bringing to book.

The IFP has previously engaged your predecessor, hon Minister, over the lack of visible and effective policing in townships and rural areas of South Africa. It is a pity that 23 years into our freedom and democracy, policing has still not transformed to move quickly to visible policing in these areas.

Another area of concern to the IFP is the not-so professional public order policing in our country in dealing with protest actions that turn violent. The country has experienced an increase in the unnecessary loss of life at the hands of the police due to this professional inadequacy in the country. With the number of public

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 64

protests increasing in our country, it is important that function of policing be perfected in the department.

It is also equally important that the department comes out to clearly clarify as to: Who qualifies for what protection in the country. Recently, the country has seen increasing instances of complains about some individuals and private citizens receiving the benefit of state security for which it is claimed they do not qualify.

The IFP does wish to applaud our sons and daughters, fathers and mothers, the women and men in blue, especially those who are wholeheartedly dedicated to the service they provide for our country. While there will always be complains here and there about some issues, as IFP we note that the majority of our police personnel are people who are dedicated to the call of their duty. For this, we say bravo!

But to those who get involved in criminal activities whilst they are supposed to be stopping them, we call on the department to be swift in removing such potatoes from the pack. I thank you.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 65

Mr M T MHLANGA: Hon Chairperson, hon Minister and the Deputy Minister, hon members of the legislature, hon members of the NCOP guests in the gallery and all protocols observed I greet you. Hon Chairperson, the ANC supports this Budget Vote. South Africans state of peace and stability since 1994, our departure point as the ANC is that South Africa is relevantly stable compared to many countries of the African Continent and the world. Despite our relative stability our security assessment identifies economic weaknesses as one of the key threats to the national security and it is a threat because it is at the centre of the triple challenges of poverty, unemployment and inequality. South African economy performance continues to weaken in 2016/17.

The situation was aggravated by the continued sluggish economic growth in major economics. The global economic is facing major headwinds and is struggling to attain higher growth path. The growth trend in the emerging economy is recovering in countries such as China, Brazil and Russia. Hon members peace and stability is maintained within an cute economic environment owing to the country's sluggish GDP, gross domestic product, growth and persistent contradiction this is exacerbated by the long standing triple challenges of poverty, unemployment and inequality. Central

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 66

to those challenges is the slow economic transformation which continues to undermine the political transformation as realised.

The back-to-basics approach is but one part of the strategic objective of the SAPS, South African Police Service, which identified nine dimensions to improve Saps performance with regard to the prevention, detecting and investigation of crime, and the key dimensions are; one, the transformation of the police services; two, compliance with the fundamental principles of policing; three, a culture of performance management and accountability; four, enhanced police visibility; five, thorough and responsible investigation; six, efficient use of resource in support of crime investigation; seven, optimal use of crime intelligence in support of protective and reactive policing; eight, targeted and informed deployment of operations resource; and finally, collaborative and consultative approach to policing. Those members will make the Saps we need in South Africa and it will make our police services more efficient and responsive.

Hon Chair, activities of the foreign forces seeking to undermine our revolutionary advancement and foreign intelligence services, there is a concerted effort many foreign state and non-state actors who have launched an aggressive onslaught to the former liberation

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 67

movements in our region and the ANC as a ruling party is not an exemption. In addition to the economic weaknesses, our security assessment identified the activities of the foreign intelligence services as an overarching threat undermining our national security interest. During the past year they continued their efforts in close collaboration with negative domestic forces to undermine our democratic and constitutional development.

The modus operandi of the FIS, Fidelity Information Services, is through penetration, infiltration, manipulation and to ultimately subversion in the quest to advance and promote their national interests. Those attacks may result in the diversion of governance and there is a possibility that the broader purpose of government will be hijacked by those with ulterior agenda motives. Hon members, the above mentioned situation bring threats to the authority of the state. In terms of the threat, our security assessment identifies seven of them and those are: violent community protest, violent industrial action, instability in the education sector, instability in the transport sector, cyber security challenges, undue activities of private security industry and inability to secure information and critical infrastructure.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 68

Although community protests are provided for in the country's legislative framework, of national security concern is the planned violence accompanying the protests. However, since 1994, the triggers of community protests have not changed and these include demand for water, electricity, housing and employment opportunities. Emerging triggers include demarcation issues and the demand for free quality higher education for all. To this end a national security concern only arise when people plan to be violent during such protest.

Chair, we must emphasise that some of us participated in liberating the country. We fought against the oppressive regime. We will remember the days when the ANC Youth League was banned. We had YCO, Youth Council Organisation, SAYCO, South African Youth Congress - you name them - and all those youth formations. We never burnt any schools or libraries because we knew that those infrastructure facilities were there for our children and for the future of South Africa. On that note, we are really cautioning our society, our community and the youth not to misuse the Regulation of Gatherings Act wrongly. They must use it correctly.

In terms of threats to the well being and safety of South Africans our assessment identifies four of them and those are: the non

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 69

traditional security threats; water, food and energy. No empty stomach knows politics. An empty stomach can do anything even to kill or be a mercenary. So, where there is no work, no development and food security there would be crime. The second threat to the well being and safety of South Africans is international terrorism. You will understand when we speak of international terrorism. Today, we have all formations of riots so-called MDM, Mass Democratic Movement, structures or foundations that are marching to destabilise the stability of the states. They are all of course funded by foreign intelligence forces. The last threat is transnational organised crime narcotics. These are the key objectives. I heard one member saying the Saps doesn't know their duties and work. We as the ANC define unto them what they should do.

In terms of the organized crimes, a worrying trend is the unprecedented growth of gangs and their activities. They are now fully operational in all the provinces, though they are prevalent in Western Cape, Eastern Cape, Free State, Gauteng and Kwazulu-Natal. In the transnational crime acts issues of human trafficking, people smuggling, illegal trafficking in and consumption of narcotics remain prevalent in these provinces. In these threats, foreign nationals remain central in the perpetration of these criminal acts. We know that people from other countries are not given political

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 70

asylum in our country it is easy for them to do and orchestrate crime because they are not documented. We really need to pick up and bring some measures in your Population Registration Act.

Chairperson, out of the dimensions above, dimensions 1 and 9 bring me closer to the functions of the civilian secretarial and request the Minister to speed up the full funding model, a well resource infrastructure and the issue of CPF, community policing forum and CSF, community safety forum, to be functional. We call on the local municipality and provinces to priorities the public safety matter in their Budgets. Hon Minister, our focus should be to put measures and more focus on the collaborative consultative approach to policing these systems and comprehensive involvement of all relevant stockholders in all aspect of policing. The metro police and municipal law enforcement or municipal policing - as outline in Government-Gazette, notice R209 of part 5 of the schedule - law enforcement officers are integrated into all interventions in respect of the protection of person and property generally and particularly in the context of land invasion and protest action. Conferring of full power on them will definitely enhance the state ability to deal effectively with the current spate of such unlawful activities.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 71

We must put more target focus on speeding up the process of finalising legislative matters which are; Animal Movement Control Bill; which must also be speeded up, Critical Infrastructure Bill, Fire Arms Control Amendment Bill, South African Police Amendment Bill and the Protection of Constitutional Democracy against terrorist and related activities Amendment Bill. Minister, we believe that very soon we will be dealing with these Bills and that your department will be able to speed up the above mentioned Bills. Hon Chairperson, in conclusion, revolutionary cadres should be quotation in regard to the theory of liberal, curious bunch of nonconformist, who explain their participation in negative terms such as; do-gooders that goes under all sorts of names; liberals and leftists who argue that they are not responsible for white racism and the country inhumanity to the society in particular the black people, working class and the peasants, our masses.

Those are the people who claim that they too feel the oppression just acutely as black people. Therefore, they should be joining and involving themselves in the black man's struggle. In short, those are the people who say that they have black souls wrapped up in white skins. History in South Africa is a curious one, the role of the white liberal in the black man's revolutions. This question often crosses my mind, it deals with the problem faced by our black

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 72

leaders whether they are Africans, Indian or coloured in working within the system being the holly white racist apartheid structure build up by the national ... Thank you, Chair. We support the Budget. [Time expired.]

Ms M WENGER (Western Cape): Good afternoon Chairperson. Minister Mbalula has recently taken office and we wish him well in his new portfolio. Safety is something that underpins almost everything that we do and the police are an integral part of ensuring the safety for our citizens.

The Minister mentioned some key anchors in his budget speech, some of which are to be encouraged and some of which to be discouraged. In the first instance, we have seen several policy failures which do need to be addressed. It is then good news that the Community Police Forum, CPF, policy is going to be reviewed, it is long overdue. The CPF currently operates under the interim regulations of 2001, regulations which have remained interim for almost two decades. So, it is time that the CPFs be given proper attention and policy guidance. We thank the Minister for giving this the appropriate attention.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 73

We also welcome the reservist recruitment drive, but here again there has been a policy failure in that the reservist policy is too restrictive and it excludes large portions of our population. I believe that by excluding the unemployed citizens from volunteering to be reservists, it is unethical and likely unconstitutional. We would be able to recruit far more police reservists than the Minister's target, if we were simply to amend the policy.

The Civilian Secretariat for Police, which is largely responsible for this kind of policy development, receives a 12% budget increase. Now, considering that the Secretariat relies on the provinces to do much of its monitoring and which, as it stands, is an unfunded mandate, we hope that the Minister will commit part of this budget to provinces as well.

We also welcome the Minister's announcement of the R558 million for the building of new police stations. The problem however is that there will be no new posts allocated for manpower to go to these new stations. You will have to rob Peter to pay Paul and take officers away from existing stations to fill these new ones. So, when people ask for more police stations, what they actually asking for are more policing personnel closer to them. They are not asking for buildings that are half capacitated.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 74

My colleague spoke about the need for decentralising policing. Because to centralise policing is to alienate people from local communities and the reason why the single Police Service is a bad idea and would be a mistake.

The drafters of our Constitution intended for a single nationally run Police Service and locally run Municipal Police Services. The National Development Plan, NDP, tells us that South Africa requires a multiplicity of anticorruption agencies. A multiplicity of agencies provides crucial checks and balances and a system of resilience against interference. The same is true for policing. A variety of agencies is required to provide checks and balances in policing and create the systemic resilience to interference or corruption. Municipal and traffic police should therefore receive greater autonomy and not less.

Chairperson, I do not think that the Minister has been entirely upfront with South Africans about this budget. He just said, and I quote, "Adequate human resource capacity will be established at local level with specific focus on the Visible Policing and the Detective environment."

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 75

He also said earlier in the week that "Visible Policing and Detective Services programmes... are the department's core service delivery programmes."

This would lead us to believe that visible policing and the detective services are a priority. But why then are we cutting police personnel in Visible Police, Vispol and in detectives? Over the next two years our police numbers will shrink from 194 000 to 191 000 and all of those posts that are being done away with on levels one to 10 and the bulk come exactly from the so-called priority programmes: Visible Police, Vispol and detectives. But not to worry, the senior managers, the generals, will all keep their jobs and so will the VIP Protection Services that guard the Minister. The average South African however will enjoy less police presence and more crimes to be investigated by fewer detectives.

My counterpart from the Eastern Cape said we need the police to be properly resourced, but unfortunately this budget does not do that. Chairperson, we simply cannot cut police numbers. Already 75% of Cape Town's police stations have less number of officers serving their communities than the national average. Twenty one of our stations in this city have less than one officer for every 500 citizens and all of these areas are crime-ridden communities.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 76

However Chairperson, numbers aside, the plan to reduce police numbers will be devastating for the real and lived experiences of residents of South Africa. Policing is a national government function, how will the national government explain: To residents in rural towns such as Touws River or Albertinia where the police are so thinly spread that there is only one officer on duty at the station?

Under-resourcing means the CPFs are unable to perform their basic oversight duties and check that detained persons in cells are being treated properly. Why do you ask? it is because there is no officers to accompany them to their cells and short of closing the police station completely to assist the CPF members, the CPF is simply cannot do their important and legislative work.

In Klapmuts, the solitary police officer on duty was a sitting duck for criminals that robbed the station. He lost his life because his station was under-resourced.

What are we going to say to the residents of Lavender Hill where the Steenberg Police Station has insufficient personnel to patrol all of its sectors and the results is that Lavender Hill is the sector that

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 77

gets neglected and is where gangsters are reaping havoc? What will the government tell the residents of Manenberg where the police station as I stand here today, has 50 less officers than what it did a decade ago? What are we going to tell the residents of Khayelitsha that already has the one of the worst police population ratios in our province? How will the national government explain to the people of the Western Cape that they can expect fewer officers in the coming years? At least Minister Nhleko was going to give us 20 additional posts in the Medium Term Expenditure Framework, MTEF, not reduce posts.

The United Nations has guideline for 220 police officers per 100 000 of the population. Research shows that anything less than this number of officers serving a community means that the police have no tangible impact on crime whatsoever, because there is not enough manpower. In the Western Cape alone, we have at least 29 areas that have below this 220 thresh-hold and these are predominantly black township areas. Why is the Police Department neglecting these areas that need policing the most?

In Nyanga, Harare, Gugulethu, Khayelitsha and Mfuleni there are two or less officers per murder per year. These areas combined make up a third of all the murders in our province. Are you telling us that

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 78

the National Police Department, which has to this point perpetuated apartheid style deprivation for poor coloured and black areas is now ramping up its programme to ensure that these communities have even less police resources? It is a disgrace! Police in some cases are so poorly resourced that what is being done to them borders on negligence.

The Western Cape has only has one flying squad to serve our entire province. The number of officers assigned to this unit has been halved since 2011. We then had 200 officers. We are now down to just 90 which is a 55% reduction.

Even our Canine Unit has half the number of dogs it out to have. And when we look at the detectives the situation is just as dire. We note that 10 stations in the Western Cape that have the highest proportion of gang-related murders, also have detectives that have more than quadruple the detective to case dog norm. In Nyanga, detectives work with preposterous case loads of between 100 and 150 cases per detective when they should be working with 20 that are per norm. How can we then be proposing to reduce detective numbers in the MTEF?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 79

The national government is essentially taking money and manpower away from detectives and investigations yet keeps an already intact force for VIP protection to protect politicians instead of prioritising resources to benefit the vulnerable. There is simply no justifiable reason for this. We cannot prioritise the personnel and post a VIP security over detectives who will find and prosecute the real and devastating crimes in our communities.

What does this budget say about the national government's priorities for citizens who have been a victim of crime and whose matter was not properly investigated because their detective was overburdened with cases?

What does it say to families whose loved ones were murdered, where no one was convicted in eight out of 10 cases? What does it say about the dismal 3% conviction rate for gang-related murders? What does it say to women that have been raped; and what does it say to South Africans about the ANC government's priorities for families that live in fear because their homes have been violated? Thank you.
[Applause.]

The DEPUTY MINISTER OF POLICE: Thank you very much. Chairperson, members of the NCOP, our guests I want to greet you this morning.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 80

Today marks 55 days since we were appointed into office by the President of the Republic of South Africa, His Excellency, Mr Jacob Zuma. Immediately after our appointment on the 31 March 2017, the President gave us the following clear marching orders; these are the following marching orders; Firstly, make the people of South Africa feel safe at all times - Secondly; make South Africa a safer place to be and to live in - Thirdly, boost the moral of the police for the better - Fourthly, inspire hope amongst our people and fifth, declare war against criminals and criminality in the Republic of South Africa.

As we celebrate the centenary of the birth of Oliver Reginald Tambo, we are called upon to intensify our war against crime and criminality. We would contribute meaningful towards the building of a better South Africa, Africa and a better world that is free from crime, corruption and violence against women, children, elderly people and people living with disabilities. As we mark Africa day today, we must bring hope to our people.

We realise that this command calls for the speedily implementation of the National Development Plan, the Back-to-Basics approach and the resolutions of the ANC - our glorious movement. To this end, we took our fight to the doorsteps of criminals. We did this through

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 81

various means which includes the scanning of the crime environment, statistical analysis, stakeholder engagement and actual invading of criminal hotspots across the country especially in the Western Cape Province.

In the last few days, we invaded their comfort zones on the streets of Elsies River, Bella, Nyanga, Soshanguve, East London, Fort Beaufort, Umqanduli, Umtata and Umlazi. We did this by undertaking roadblocks, unannounced visits and other methods. Hon members our energies are very high - Our oomph is growing - Our zest is unstoppable and our exuberance is unimaginable. We are moving at the pace of a cheetah whilst using the wisdom and tactics of the fish eagle. We will invade all the crime hotspots in our country without neither a search warrant nor permission from criminals. We must take the lives of criminals and make it unbearable.

Hon Michalakis, as we have pointed out in the NA on Tuesday 23 May 2017, that figure presented by Statistics SA on crime confirmed that significant progress has been made to push back the frontier of crimes and criminality in South Africa during 2011 and 2016 Statistics SA. Amongst others, this Statistics SA notes that the main challenge is to address the negative perceptions of our

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 82

people in crime as they believe that crime situation has deteriorated over the years.

Household crime rate has dropped from 12,1% in 2011 to 7% in 2016 for male-headed households. Home robbery in particular dropped from 2,4% in 2010 to 1,1% in 2015. However, the rate of reporting home robbery to the police increased from 57,1% in 2010 to 64,8% in 2015-16. Police data also shows that the total number of home robberies reported has a proportion population increase between 2011 and 2016. This is not rumour-mongering, it is hard facts. We need to intensify our fights against stock theft in order to address to stock theft.

We have also ordered a review and roll-out of the stock theft projects which was once implemented in the *inTsolo* area in the Eastern Cape. The implementation of this stock theft project follows an integrated and multidisciplinary approach. At the same time we need to focus on violence. In order to focus on violence, the department will intensify the crime combating strategy through the Back-to-Basics approach. The traditional leaders also raised their concerns with us especially about the issues relating to their own securities. A special task team is also looking amongst other things at the physical resource allocation for kingdoms and other areas that are crime thorn like Samora Machel in Nyanga and Khayelitsha.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 83

We therefore appeal to other sister departments, private sector and other spheres of government to assist on these strategic initiatives. The national unrest that we see on campuses, universities and in our schools is a cause for concern and need to be attended to immediately. We have begun a process of visiting these institutions of higher learning through the visit to Walter Sisulu University in Umtata where last year medicine students have been stabbed and brutally killed. I will be conveying my suggestions and interventions to the Deputy Minister of Higher Education, Mr Manana to find a way of intervening in these institutions in bringing law and order to allow conducive conditions for learning to happen. As part of its response to ... at institutions of learning, the Ministry of Police will convene a national school and campus safety summit to be held on the 12 and 14 July 2017 at the University of the Western Cape in Bellville. The summit is aimed towards creating safe and crime free learning spaces in our communities. We intend to convene a national youth crime prevention summit ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Michalakis why are you standing?

Mr G MICHALAKIS: Thank you hon House Chair ...

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 84

The DEPUTY MINISTER OF POLICE: My time please.

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, I am going to attend to the time. Don't worry hon Deputy Minister.

Mr G MICHALAKIS: May I make my point?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Can you take your seat hon Deputy Minister? Yes you can make your point.

Mr G MICHALAKIS: Thank you hon House Chairperson. Is the Deputy Minister prepared to take a question on these statistics?

[Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, Order! Members. Deputy Minister are you ready to take a question?

The DEPUTY MINISTER OF POLICE: I am prepared to talk. Let me ...
What would ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Deputy Minister, are you ready to take a question?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 85

The DEPUTY MINISTER OF POLICE: No, Next week when we are in the NCOP
[Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, he is not ready. Take
your seat. [Interjections.] [Laughter.] Continue hon Deputy
Minister.

The DEPUTY MINISTER OF POLICE: What would the people of the Western
Cape say? Especially people of Nyanga when the city police does not
respond to their cries? When the city police only response to the
cries of white people in the city of Cape Town? What will the dying
youth in Khayelitsha will say when the provincial government of the
Western Cape distributes ... the resources into Sea Point and not to
Khayelitsha?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Deputy Minister can you
take your seat? Hon Engelbrecht why are you standing?
[Interjections.] Hon Deputy Minister why are you standing?

Ms B A ENGELBRECHT: Hon Chair thank you. I am standing on a point of
order that the Deputy Minister is lying to this House.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 86

The HOUSE CHAIRPERSON (Mr A J Nyambi): No ...

Ms B A ENGELBRECHT: Can I just explain why because the Metro Police to enforce bylaws they don't enforce the criminal act.

[Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members order! Hon member can you take your seat? Hon members, no! I don't need any assistance. Hon Engelbrecht you are out of order. You are debating with the speaker at the podium. We have given you an opportunity. Please continue hon Deputy Minister.

The DEPUTY MINISTER OF POLICE: I think I must teach the DA MPs the bylaws of the Western Cape. I was born here - I know them - I read them everyday. So if you don't know them it is not my problem. You must read. You don't read that is your problem. What will the youth of Umfuleni say when you go around and not ... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Deputy Minister, can you take your seat?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 87

The DEPUTY MINISTER OF POLICE: No Chairperson, he is not going to tell me to sit down. He is not the Chairperson of this House. You are the Chairperson.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon member you are out of order. Allow me to run the meeting. It's not your responsibility to tell him to take his seat. I have been consistent ...
[Interjections.] Hon Deputy Minister can you take your seat so that I can address him first? I am not recognising you. I want to address you first. I have been consistently making it a point that he is taking a seat whenever a member is raising a point of order. It's not your responsibility to tell him to sit down. You are out of order. So can you raise your point of order?

Mr C HATTINGH: Thank you hon chair. The hon member is speaking directly to the members and not through the Chair. And secondly, he goes and point fingers like he has just done to me. He is not allowed to point his fingers. I know apparently he was brought up somewhere but this is certainly not the education he got in the Western Cape. [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Deputy Minister can you continue with your speech?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 88

The DEPUTY MINISTER OF POLICE: Yes, we have different postures when we speak. [Interjections.] But in conclusion Deputy Chairperson, ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Deputy Minister can you take your seat?

Ms L C DLAMINI: Thank you very much hon Chair. I am rising on a point of order. Is it parliamentary for a member to say to a speaker, sit down and shut up and nonsense? That was hon Hattingh.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Hattingh, I am addressing you? Have you said what is said by the hon Dlamini?

Mr C HATTINGH: I did not say what she said. What I did say is sit down and shut up, that's what I said and I withdraw the shut.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Hattingh, can you withdraw without conditions?

Mr C HATTINGH: I withdraw that I said ...

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 89

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Hattingh, hon members [Interjections.] Hon Hattingh, can you withdraw without explanations or conditions?

Mr C HATTINGH: I withdraw what I said.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Thank you. Take your seat. Continue hon Deputy Minister.

The DEPUTY MINISTER OF POLICE: In conclusion Chairperson, as we mover forward to do our work I would like to take this opportunity to thank the Minister of Police, Comrade Fikile Mbalula ... My support staff and the people of the Republic of South Africa for giving me this opportunity to present our policy statement to this House.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Deputy Minister can you take your seat?

Mr C HATTINGH: Thank you hon Chair. Earlier today this Chairperson ruled that members should be addressed as honourable and not as anything else, specifically not as comrade. [Interjections.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 90

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Hattingh there is nothing inappropriate that was said by the Deputy Minister. Can you continue Deputy Minister?

The DEPUTY MINISTER OF POLICE: Comrade Vutha, we must collectively say to this House, siyabulela, thank you and baie dankie. Thank you very much comrades. [Applause.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, before hon Magwebu takes the podium, let me remind you that heckling is allowed but you can't drown the speaker. You are protected hon Magwebu.

Mr L V MAGWEBU: Thank you for the protection Chairperson. I really appreciate that and I think I need it. Hon Chairperson, hon members, hon Minister and Deputy Minister, Executive Director, Mr R McBride and our men and women in blue, this afternoon I appreciate the opportunity.

Something that unites us as South Africans of all races is the fear of crime. Hon Minister, just a quick recap. From April to December 2016 - this is the crime statistics. Just over 9 months, 960 000 serious crimes have been committed in this country. Therefore, on average it means, 3550 serious crimes are committed in this country

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 91

per day. Break it down again, it means that 148 serious crimes are committed per hour. We have a situation - We have a serious problem. We need to be sober about this and we need to reflect and see how we deal with this scourge of serious crimes.

These are not just contact crimes, but they are serious crimes that are accompanied by aggravating circumstances, you robbery and hijackings. We have got a situation.

Minister, I heard you saying, that ... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Magwebu, hold on! Hon Mthimunye, why are you standing?

Mr S G MTHIMUNYE: I needed to request to pose a question to the member Chair?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Magwebu, are you ready to take a question?

Mr L V MAGWEBU: I always meet up with him. I'll take the question tomorrow.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 92

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, he is not ready.
Continue hon Magwebu.

Mr L V MAGWEBU: Hon Minister and Deputy Minister, here is my question, you said you have declared war against crime - I respect that. But to declare war is one thing - what we need is to take that war to the criminals and gain an upper hand. With due respect Minister, the talk that you are talking is tough talk, but with due respect, the talk is cheap.

We need to challenge you Minister as we welcome you to this difficult terrain of running our police services. That you need to make difficult decisions. Right now, we have got a situation where the Independent Police Investigative Directorate, IPID, and the South African Police Services, SAPS, are at logger heads. The IPID alleges interference against the investigation that is conducted against the acting National Commissioner, General Phahlane.

Be that as it may, the investigation must take its course, there should be no interference. We challenge you to look into that matter and make difficult decisions and call Phahlane to order even if it means to suspend him.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 93

It is unacceptable that two institutions law enforcement institutions are at loggerheads and that on its own is a symptom of a chaos. Therefore, as South Africans, we need to ask ourselves this question, how can South Africans be safe when men and women that are supposed to support and protect them are at loggerheads, toe to toe and are fighting? We have a Minister that needs to take that difficult decision.

Deputy Minister, you have spoken about taking orders from the President. With due respect again, if there are orders to be taken, they are founded in our Constitution not from the President. Our Constitution enjoins you and other state institutions to make sure that South Africans are safe. The supreme law is the Constitution not Mr Zuma. Actually, I'm worried that you taking instructions and orders from Zuma because, Zuma is the President who is compromised, who has corrupt relationships. Somebody must challenge me today.

There is a court case where Schabir Shaik was the accused and the sitting Judge - is a decided case - where Zuma has been said to have corrupt relationships. I'm saying this in this House with confidence. We cannot take orders from a man who has got corrupt relationships. We will take orders, if we have to take orders from the Constitution of this land.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 94

Hon Ximbi, Ximba kaSxolothi, you have raised serious matters. And I agree with you sir that SAPS must be capacitated. It must be given resources and the vehicles, I accept that. But you speak like an outsider, this is an ANC-led government. This problem you have created. Let me remind you, I have written a question to the former Minister of Police, N Nhleko, not you Mr Mbalula - you were not there. Here is what I have received, 8000 vehicles nationally are lying somewhere in the garages and not operational.

How do these men and women in blue able to combat and fight crime? In the Eastern Cape alone 1500 cars have been lying there for more than three months, how do you explain that ... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Zwane, why are standing?

Ms L L ZWANE: I am standing on a point of order, Chairperson.

The HOUSE CHAIRPERSON (Mr A J Nyambi): You can raise your point of order.

Ms L L ZWANE: I just want to know if hon Magwebu would take a glass of water to decrease the temperature. It's is too high.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 95

The HOUSE CHAIRPERSON (Mr A J Nyambi): That is not a point of order.

Mr L V MAGWEBU: ... I respect you hon Zwane, I will not descend to your chaos, with due respect.

In Gauteng, more than 2000 vehicles as we speak are in the government garage. Minister and Deputy Minister, you need to do something about this. There have been there for more than three months. Frankly speaking, how do our men and women who are supposed to fight crime and prevent crime in the occurring are able to do that and discharge their constitutional obligations. They need your support. Therefore, these are the issues you have to deal with and I wish you good luck.

I want to come to the hon Peter from home. Is he still here? You have also raised an issue where you said, only under ANC-led government that our lives have been better. I want to tell you something, the ANC that we have today is not the ANC that we grew up and learn to respect. The ANC that we have today is not the ANC that we once looked up to.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 96

You need to look at the areas that are run by the DA, the Johannesburg Metro, Nelson Mandela Bay Metro and Tshwane Metro and see the mess that the DA is cleaning. It is therefore incorrect to mislead South Africans. The DA is the government that is strong in good governance. [Time Expired.]

Ms G M MANOPOLE: Chairperson and our brand new Chief Whip; Minister and Deputy Minister; NCOP members and special delegates; men in uniform and ladies and gentlemen.

Setswana:

Ke a leboga Modulasetilo o o tlotlegang. Le Maaforika a mantle fa re keteka letsatsi la rona jaaka Maaforika, re tlotlomatsa go nna Maaforika.

English:

As we celebrate the centenary of our strategist and visionary leader of our glorious movement, the ANC, I speak of none but Oliver Reginald Tambo. Paying tribute to his sacrifice and hard work; it is prudent to recall his words when he said: "The fight for freedom must go on until it is done, until our country is free, happy and peaceful as part of the community of man, we cannot rest."

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 97

For these wise words to resonate and make meaning to the current epoch while we wage relentless war against crime in our country, in defence of vulnerable groups which are women and children, by ensuring secure environment for them we have to root the demons of gender based violence in our society.

Let me paraphrase the words of our leader, O R Tambo, to make it relevant to this era: "The fight for safety in our society must go on until it is no more, until our women and children are free, happy and peaceful as part of the community of man, we cannot rest".

We will be doing that in pursued towards achieving National Development Plan, NDP, objectives of building safer communities. While we seek to build the developmental state that cannot be released without peace and stability, we should keep that in back of our mind.

The issue of crime has always been on our agenda and our priority. In our document, ready to govern, of the ANC states that the first priority in our strategy to combat crime is to understand and address the crime producing conditions that will prevail in our society.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 98

South African Police Service, SAPS, [Interjection.]

Mr F ESSACK: Chairperson, I rise on a point of order. Perhaps, if you can ask hon Manopole if she can expand on what she just said, in the absence of peace and law and order.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Essack, you know very well that you are out of order. Can you take your seat? Refrain from doing that. This is your final warning. Continue hon Manopole.

Ms G M MANOPOLE: The vision of the SAPS is to create a safe and secure environment for all people in South Africa. SAPS are the first point of entry in the Security Cluster's contact crime and criminals; therefore, they should be well-resourced and capacitated in order for them to be able to be effective and efficient in securing that there are safer communities, which the ANC government has envisaged.

A total of R87 billion has been allocated to the Police; and a total of R2.5 billion will be allocated to upgrade and maintain police stations; with a further R10.2 billion to procure and maintain transport equipment, which has been outcry from our community and it has been seen as hindrance of combating crime and attending to crime

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 99

scene timeously. In the same breath as we welcome the budget and intention thereof, it is pivotal to make this appeal to the Minister, to ensure that the measures and mechanism, like policy of the assets management are implemented to the latter, pertaining the maintenance of those vehicles and should be fully implemented. We don't want hear that after a month or two that there are some vehicles standing and been involved in accidents.

Under the Civilian Secretariat and Community Policing Forums, CPFs, as I focus on the Community Policing Forums, the orientation of the police in South Africa must be underpinned by a firm commitment in giving effect to the values and principles of democratic policing. Central to this is creating an environment that facilitates building sustainable community support and participation. The posture of the service oriented SAPS is one that embraces a community-centred approach to policing underpinned by integrity and accountability. Key to this is the implementation of community education and outreach programmes to enhance community safety, all this is encapsulated in the White Paper on Policing; this White Paper on Policing seeks to integrate National Crime Presentation Strategy.

Building an active citizenry engaged in long-term coordinated partnerships between the police and communities is an integral part

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 100

of sustainable safety delivery. Hence community-oriented policing remains the operating paradigm of SAPS. Delivering on this requires SAPS and CPFs to forge cooperative partnerships to facilitate regular communication and information sharing.

In pursuing the ideal of a safe and secure environment and developing long-term solutions that are tailored-made to the unique safety needs and challenges of disparate communities; the police must continue to build strong working relations with other key sectors such as organised business, civil society organisations and academia. In addition to structures such as CPFs, other forms of volunteerism such as the establishment of Street Committees should be widely encouraged in the various localities as part of a crime fighting strategy as well as build safe and healthy communities.

I would like to say that the community of Kimberley has already heeded to this call of volunteerism. #wanyatsotsi in Kimberley can be seen as one of the models of volunteerism of fighting crime; notwithstanding the challenges which were brought to the attention of the select committee by #wanyatsotsi and SAPS in the province; the select committee has visited the province and met with the organization together with SAPS and the MEC. We believe the report of the committee will be of a great assistance to the Minister and

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 101

SAPS, in monitoring the model of partnership with CPFs which is key in ensuring that the sense and volunteerism and crime fighting is at hand and at play.

The Civilian Secretariat is mandated to perform, inter-alia the following: Providing civilian oversight of the Police Service through monitoring and evaluating overall police performance; and, Mobilising role-players, stakeholders and partners outside the department through engagements on crime prevention and other policing matters.

It is important to for us to understand to what extent the Civilian Secretariat is making sure that community participation and partnerships were at the centre of its work?

Furthermore, it is also important to note that very little progress on the policies for CPFs has been made and it has become critical for the Secretariat to finalise the matter of funding to CPFs and Community Safety Forums, CSFs. This is particularly important given high levels of drug usage, gangsterism particularly in relation to our youth and domestic violence. A key issue may be that when communities lose faith in the police, they act on their own to address crime within their communities and are then referred to as

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 102

vigilantes. That's why they wanted to label #wanyatsotsi as vigilante whereas they're poorly acting on the issues of volunteerism. This, however, is as a direct result of the lack of confidence in the police and the failure of building community relationships via the CPFs.

The Budget for Independent Police Investigative Directorate, IPID, is R225.5 million. The Directorate will focus on strengthening its existing investigative capacity to improve the quality of investigations and recommendations.

As a result of budget cuts, IPID is unable to conduct full implementation of the Marikana Commissions report recommendations. This is what I want to emphasize, I know that the Chairperson of the committee has highlighted it but I think it's prudent for me to reiterate on this matter. And also to put to rest the issue of Marikana, where other political parties like to make it their issue of playing political football.

This is a critical concern, as a result of the budget constraints to IPID.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 103

An urgent matter for IPID is their building which they occupy and the fact that the lease has expired. IPID requested that the Department of Public Works assist in this regard to ensure that IPID has suitable office space. I believe that the select committee will step in and assist IPID in this regard.

IPID has severe capacity constraints, particularly in respect of legal services, including investigative staff and the number of offices per province.

Without adequate financial and human resources IPID is concerned that it will not be able to effectively fulfil its mandate and the budget of IPID therefore requires serious consideration in order to ensure that it can exercise its oversight role.

The select committee should also request the Treasury to look into this matter and how best can it assist IPID during the upcoming budget adjustments, for them to be able to contribute and ensuring that all people in South Africa are and feel safe.

Chair, let me take this opportunity to raise and address - unfortunately the member of EFF is not here. When you speak about the issues of sexual violence, it is important to acknowledge and

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 104

understand it because unreported cases of sexual violence are multifaceted aspects at play; others are because community members or victims are afraid to report due to being judged by the society as there's always a notion of 'she was asking for it'; the other matter is that we do acknowledge and even SAPS has previously acknowledged that there are challenges in which some rotten apples are painting the whole police service as if all of them belong to one bag, saying that cases will not be attended to; but this matter of sexual offences will be addressed adequately if all of us, including all political parties, raise an awareness, educate the community so that when they find themselves in the same sexual violence situation they should go to the police station and ensure that they don't temper with the evidence so that the case can have more grounds for the police to arrest the perpetrators as well as them being convicted.

The EFF says they're making a call to EFF members to go out to the society, it clearly says to this House that they don't have confidence and they admitted that they're not representing the community at large, hence they're only requesting their constituencies to make a call and represent their members with regard to the issues of sexual offences and gender-based violence.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 105

Hon Engelbrecht, as usual, she always comes with rhetoric and inane statements but I'm not surprised because that's what she normally does in the committee meetings. Anyway, because of her political bankrupt political party, which always fails to deal with their internal racism tendencies; currently there's a hearing against hon Hellen Zille's tweet & they're dealing with it in a snail-pace while the other member who is an African and liked the tweet was dealt with quickly, whereas the superior member has not been dealt with. Always, when we deal with important issues of crime and budget they swing the debate because they have nothing to do nor contribute to this budget; they always come with inane statements [Interjection.]

Mr F ESSACK: Chairperson, on a point of order and with absolute due respect towards your leadership as the Chairperson. The member on the podium is misleading this House and fellow South Africans that are listening and watching because what she's quoting, with due respect Chairperson, are not the facts and the matter is subjudice, I would ask you as Chairperson to rule that the member withdraws what she has said.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Are you done? Hon members, you have had an opportunity some of you to come and participate on the debate. You know what will be out of order. So, let's refrain

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 106

from anything that will compromise the decorum and we know that - of course - making a statement in the House that you know is false is out of order. But, can you continue hon Manopole?

Ms G M MANOPOLE: Chair, the fact is this [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): NO, there was nothing, you're debating.

Ms G M MANOPOLE: We're being updated by their own leader of the party on the progress of the [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Manopole, can you take your seat. I'm not going to subject it to a debate, I've made a ruling. If you have a problem with my ruling, there's a procedure to deal with a wrong ruling. Can you continue hon Manopole?

Mr F ESSACK: [Inaudible.]

Ms G M MANOPOLE: The fact is that we're being updated with the snail-pace of their hearing on addressing this issue. Hence when they always have nothing to contribute to the budget they always

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 107

talk about our leader and the case that has nothing with the contribution to the budget.

I would like to tell our Minister to remain resolute and to ensure that he will deliver.

Hon Magwebu, please remain cool. Your excitement when you were here [Interjection.]

Mr L V MAGWEBU: Hon Chair, I'm standing on a point of order. Hon Manopole is mispronouncing my surname, I take offence because I'm not Magube or Magabe, if she wants to know who I am [Applause.] I am Vusumzi Magwebu, IsiXhosa, Magwebu, get that in our thick skull.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Your point of order is sustained. Hon Manopole, it's hon Magwebu.

Setswana:

Moh G M MANOPOLE: Magwebu. Re Batswana, mo Setswananeng ga go na qha le qhwa. Ke kopa maitshwarelo.

English:

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 108

Like I said, we are having confidence in our Minister to be able to deal with this, please chill and relax. The issue of IPID and SAPS will be dealt with by the Minister with ease. It is premature of you to make a call to the Minister to suspend without applying his mind nor without facts in front of him. The Minister will be able to act and we call him *vutha*, always, he will never fail us as the ANC.

With that, hon Chair, as according to the Minister the priorities that were articulated in the APPs reflects radical transformation and also ensure that they're going to combat crime in the year of O R Tambo while we deepen unity amongst our ranks.

ANC supports the Budget Vote in order for us to take South Africa forward.

Setswana:

Matlo go sha a mabapi. Fa re ntse re semeletse go aga setšhaba sa rona re netefatsa gore bana, basadi le bagolo ba rona ba tlhokomelwa mo loagong la rona. Gore tshotlakako ya bong e nne selo sa maloba ka gone re a itse gore banna le baagi ba rona batla netefatsa seo.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 109

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Khawula, you are in order, I've referred it to the relevant people to attend to it, the issue of interpretation. Hopefully they'll attend to it quickly.

The MINISTER OF POLICE: Chair, first, it is very unfortunate that the hon member of the EFF has left. She knows the crime she has committed. Those are grievous crimes that must lead to serious arrest. One first such crime is the crime of rumour mongering and gossip. When people sit in a beer hall they say you know Umsholozzi and they speak as if they know him.

IsiXhosa:

Uyayazi ukuba uMsholozzi ebehleli noMdluli izolo bavumelana ngaloo nto.

English:

...and you take that thing and bring it to Parliament. That is gossip and rumour mongering. You bring it here as if we are running a rogue state.

When the President deals with issues he doesn't need you. The President controls by virtue of his position, the state security in this country. You treat the President as though when he has to meet

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 110

with anybody within the security arrangement he must go at night and plot to do certain things. He can do anything. He is the state President and we account to him. He is the commander-in-chief. You must never deal with the President as if you are dealing with a rogue state. Actually, you have nicely coined this concept to define the ideological discourse like state capture. And you have made it a buzz word and your poem - people are captured. How can a president who is a state president capture the state? Actually, he is leading the state.

The second thing is that we need to understand why we are taking particular decisions. We are not going to be in a crisis of taking any decisions. We will take decisions, but we take decisions informed by empirical evidence and informed by information before us. There are no holly cows. You must be rest assured; our interest is to bring stability and honour to the Police Service and to fill up all the vacancies. There is no issue about that. The fact is that when people are called to Parliament they defend themselves. They did it. The Police and the Independent Police Investigative Directorate, Ipid, did not rock up here in Parliament, but they were called by you.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 111

Ms T G MPAMBO-SIBHUKWANA: Chair, I have a question for the Minister. Would the Minister be kind to... [Interjections.]

The HOUSE CHAIRPERSON (Mr.A J Nyambi): Hon Mpambo, hon Mpambo, you can't do that. You have to first ascertain if the Minister is ready to take a question. Hon Minister, are you ready to take a question?

The MINISTER OF POLICE: What is your question, hon member?

Ms T G MPAMBO-SIBHUKWANA: Thank you very much, Minister, for giving me this opportunity. Hon Minister, in your quest with all the changes that you are bringing into your Police Ministry, I would like to know: would you commit that you will [Interjections.] Can I be protected, Chairperson.

The HOUSE CHAIRPERSON (Mr.A J Nyambi): Hon Dlamini and hon Manopole, you are out of order.

Ms T G MPAMBO-SIBHUKWANA: Minister, would you commit to capacitate the police in your Ministry with sign language so that they are able to protect the vulnerable deaf society and communicate with them in sign language when they are raped. The reports are saying that when

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 112

they get to the police to report rape crisis, the police cannot communicate with them in sign language. Would you, Minister, commit to this House and say you will capacitate your police in this regard?

The MINISTER OF POLICE: Yes, we will capacitate the police. I allowed your question, but it is frivolous. Yes, we are committed to that and everything. The question of single policing is a constitutional mandate. It is a constitutional mandate because our Constitution directs that there will be one Minister appointed by Cabinet, there will be one commissioner appointed by the President and there should be single policing that includes local government. The problem is that you want to create a state in the Western Cape. You don't want to subject the local police to command and control because you want your own state. That is why you argue for more powers for provinces. You are not guanine, but you are disingenuous.

Our Constitution enhances unitarism. You want a federal state. Go to America if want that. We don't have that. We are talking about co-operative governance. When we talk about police and intervention in the Western Cape, we service the people of the Western Cape whether the ANC has won elections in the Western Cape or not, it doesn't

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 113

mater. This thing that you are doing of service people in the Western Cape that have voted for the DA and turn a blind eye to those who have not voted for you, that is racism and utter backwardness when it comes to government. Governments don't work like that.

IsiXhosa:

Nksz P C SAMKA: Uxolo Sihlalo, ndicela ukubuza ukuba ingaba lulwimi olusetyenziswa ePalamente na ukuthi: "It is nonsense"?

The HOUSE CHAIRPERSON (Mr.A J Nyambi): Hon Magwebu, can you withdraw that part.

Mr L V MAGWEBU: Chairperson, I don't know, but, I studied English. Where there is no sense, then there is no sense.

The HOUSE CHAIRPERSON (Mr.A J Nyambi): Hon Magwebu, withdraw the part nosense.

Mr L V MAGWEBU: It is simple English. It is not offensive, Chairperson.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 114

The HOUSE CHAIRPERSON (Mr.A J Nyambi): I am not debating with you, but I am requesting you to withdraw.

Mr L V MAGWEBU: What is wrong with the word, Chairperson, Help me?

The HOUSE CHAIRPERSON (Mr.A J Nyambi): I am giving you the last opportunity to withdraw. Hon Magwebu, can you withdraw.

Mr L V MAGWEBU: I withdraw, Chairperson. I do.

The HOUSE CHAIRPERSON (Mr.A J Nyambi): Thank you. Continue, hon Minister.

The MINISTER OF POLICE: Hon members, I think you must be aware that some of the things are diversions. Don't just respond to everything which is a diversion. The question of a single policing is a constitutional mandate. We are going to implement it and we will allow society to debate it.

Mr G MICHALAKIS: House Chair, would the hon Minister be willing to take a question on that subject, please?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 115

The HOUSE CHAIRPERSON (Mr.A J Nyambi): No, he is not willing. Continue, hon Minister.

The MINISTER OF POLICE: We are not fallacious in our approach to fight crime. We are clear about the challenges that we face and we understand the crime situation in the country. This overexaggeration as though we don't have statistics record at our disposal to understand our approach, I think is fallacious on the part of those who seek to promote that kind of a sentiment.

Hon member of the IFP, I just want to say that there is no altercation between the Minister and the former head of the Hawks. It is the implementation of the law. Unfortunately, it is in the context of litigation. People have rights. I can't stop General Ntlemenza if wants to go to court and basically think that the courts have not done what is right. He has all the rights to do that.

From the point of view as the Minister I take decisions. Parliament has called the Ipud and the General to Parliament. What I see is that you call people to Parliament, but you don't know what to do. When people come here you turn Parliament into a court of law. Phahlane had rights, same with the Ipud which has rights. The Minister does not take side. He applies the law. When the Ipud

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 116

writes to me and say I must suspend Phahlane, I can't just do it on my bed at night - to suspend the national Acting National Commissioner of Police. Actually, I must be informed by the law. If I don't do what the law requires you will be first to say that who advises this Minister. I am running a litigation-prune department. That is why we have vacancies. Even if in your dream you think that you can run this country, you will still be faced with those challenges when it come to the police. Of course, to dream you can be in slumberland and everywhere else, but it is important to dream. That is the approach we are taking.

Lastly on the issue of resources, we don't have resources and this is our approach, let us use what is at our disposal because there will never be enough resources. We cannot say, yes, we need more police on the ground. That is the policy of other political parties. Who does not need more police on the ground? We have competing priorities. For what we have we can mitigate and push back crime in the country, and that is what we are doing.

Let me tell you about the people that you refereed to. I don't have generals in the Police who are sitting in their offices and not understand the grounds. Probably, you are talking about the generals of during the apartheid - your forefathers. The generals I have know

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 117

the ground. Today, before I came here I delivered the police station at Elsie's River and I am going back there. [Applause.] Yesterday, I was in Nyanga. [Applause.] I am going to be everywhere else. I understand fighting crime, not as a theory or philosophy or an act of intellect, but I understand it from the concrete material condition of our people. I know what our people are faced with and we cannot do it alone as the police. We need other departments to intervene. We need a multidisciplinary approach.

We did not create Cape Flats. They were created by apartheid. It is the democratic state that must destroy Cape Flats so that we can put our people in decent human settlements. When you have Marabastad in Pretoria under your watch and your collusion and you have everything that is an infestation of crime, what do you want us to do? We must do away with informal settlements; we must do away with Cape Flats so that we are able to fight crime. I am supposed to deliver a police station at Samora Machel, but in that area you can't even move with a police vehicle. It is not a place for people to live in. For people to taste democracy, we must change their lives and put them in good human settlements. This police will not be spared where they are wrong. Don't spare them. You are not making us a favour. In fact, you have made very concrete proposals in terms of what we need to do and what our weaknesses are in terms of our policing strategy.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 118

We have listened to that and we will take that, and we will take that to kind, from all our Members of Parliament and we will infuse that in our plans going forward.

We are not going to look at people politically when they make constructive suggestions. But surely, we can't take beer hall gossips as our plan going forward - we can't. People gossip everyday. They even lie about Orlando Pirates and Kaizer Chiefs and all of that. From what people have said I can deduce what is constructive that will take our country forward. We must equally deduce political expediency from the reality of guiding us in terms of what needs to be done.

We thank you for that, hon members. The task of fighting back crime is not an easy one, but I can guarantee you that today on this day we are going to win, and we are winning everyday. Thank you very much. [Applause.]

The HOUSE CHAIRPERSON (Mr.A J Nyambi): Let me take this opportunity to thank our special delegates, our Deputy Minister of the Police, hon Mkongi and our Minister hon Mbalula, for availing themselves for this very interesting and informative debate. Hon members, you are

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2017

Page: 119

requested to remain standing until the procession has left the House.

Debate concluded.

The Council adjourned at 17:26.

UNREVISED HANSARD