

UNREVISED HANSARD

NATIONAL ASSEMBLY

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PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House at 15:01

The Deputy speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.

The DEPUTY SPEAKER: Hon members, the only item on today's Order Paper is questions addressed to Ministers in the Peace and Security Cluster. Before we proceed, I would like members to join me in welcoming volunteers, professionals who are offering their skills to resolve the water crisis in Maluti-a-Phofung in the Free State... [Applause]... they are somewhere there in the gallery. Hon members, just ... take it easy we will draw your attention to them when they are here.

The members may press the talk button on their desks if they wish to ask a supplementary question. I wish to remind members that names requesting supplementary questions will be cleared as soon as the member of the executive starts answering the

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fourth supplementary question. The first question has been asked by hon N H Maseko-Jele to the Minister of Justice and Correctional Services. Hon Minister...

QUESTIONS TO MINISTERS

CLUSTER 1 - PEACE AND SECURITY

Question 36:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon Deputy Speaker and the House. As parts of our efforts to combat gender-based violence, GBV, and prevent sexual harassments includes strengthening of various legislations which includes the Domestic Violence Act, 1998 which is aimed to protect person against any physical form of abuse or sexual abuse, economic and various forms abuse and the process of review of this Act already underway.

Also in relation to the Protection from Harassment Act, 2011 which was passed to protect victims of harassment including sexual harassment and put into effect the right of people in South Africa to be free from all forms of violence from either public or private resources. There exists a Sexual harassment Policy in the Department of Justice and Constitutional

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Development and also at the Department of Correctional Services.

These policies have been in existence for many years and it is also currently being reviewed. The review of the existing policies seeks to address the protracted period it takes to investigate sexual harassment complaints, provide better protections of complainants, sexual harassment victims and address power relations in particular as between persons who are harassed by their supervisors.

The Department of Correctional Services developed and implemented the prevention and management sexual harassment policy and its procedures which were approved since May 2018. Some of the policy or implementation events include top leadership and women senior management service, SMS who were the first group to be inducted on the approved policy which started from October 2018 to December 2019 and is still continuing to date.

The induction was followed by the signing of a pledge by the same participants. There are sexual harassment designated persons responsible for assembling all sexual harassment complaints per region as required by the policy. To date, five

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reported incidents are investigated by an independent person at the level of senior managers or middle management from other regions, in conjunction with the Director- Gender and Employment Equity.

In addition, a sexual harassment committee has been established and its members have been appointed by the National Commissioner to monitor all reported cases of sexual harassment. In all reported cases, the department strives to complete them within 30 days. There has also been training in terms of this sexual harassment policy which has been conducted since 2019 in the various regions of the department. Thank you.

Ms N H MASEKO-JELE: Hon Chair, Minister ...

The DEPUTY SPEAKER: Deputy Speaker [Laughter.]

Ms N H MASEKO-JELE: Thank you for the correction, thank you Deputy Speaker. Minister, you have mentioned that the department has designed special empowerment programmes for employees, this may be commended. Is there any impact assessment being conducted on these programmes so as to assess whether or not they are yielding the desired outcomes?

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The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Deputy Speaker, the current review of the policy also includes the impact assessment to see whether the policy's objectives or its outcomes are being achieved. From the current engagements it does look like it has made a positive contribution but the clarity and the scientific outcome will be the biggest indicator in terms of that impact. Thank you.

The DEPUTY SPEAKER: Hon Mafanya.

Mr W T I MAFANYA: Hon Chair, I think there is a mistake here. Thanks.

The DEPUTY SPEAKER: Okay, I will take the ACDP, hon Swart.

Mr M Q NDLOZI: No, no, no Chair, I think there is a confusion of buttons there because we do have a follow up question to that hon member, she is still new so I beg your indulgence. Thank you.

The DEPUTY SPEAKER: Hon members, the buttons must where you are seated, please make sure that that is corrected. Go ahead.

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Ms N TAFENI: Deputy Speaker, I have a follow up Minister. A lot of actors get sexually harassed during production of movies, documentaries and other film productions. There are no policies in place to monitor sexual harassment. What is he going to do specifically on it? Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Deputy Speaker, I think this question might need me to interact with my counterpart from arts and culture because it relates to actors in the entertainment industry. I think it is an important question, an important consideration. I will liaise with the Minister of Arts and Culture to see if there is already a programme that is in place, that has been started to see and if there is none what should be done and so forth. I will liaise with my counterpart.

Mr S N SWART: Deputy Speaker, Minister arising from your response it is clear to us in the ACDP that there are a number of well written laws do deal with both gender-based violence and sexual harassment. However, the problem in our view lies with implementation of those laws from arrest to investigation and prosecution. We also see the secondary trauma that victims of sexual harassment in the workplace or rape survivors suffer from when then have to give evidence.

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In view of this Minister, how can the department deal more comprehensively with the secondary trauma that rape survivors and of course victims of sexual harassment suffer in the workplace? In the workplace one cannot leave ways intimidation as well. If you could address that for us, we would appreciate that. Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Deputy Speaker, it is true that there is a need to strengthen the implementation capability in any department, including ourselves when it comes to the issues of sexual harassments in the workplace.

On the issue of secondary victimisation, the policies as we spoke are victim centric but the current review process will make them more centric, so that there is no secondary victimisation, in terms of the reporters of this kind of misconduct and to find ways to ensure that the victims do not find themselves again being intimidated for whatever reason on the basis of what they have reported. The process will further be strengthened to ensure that it is a victim centric process. Thank you.

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Adv G BREYTENBACH: Hon Deputy Speaker, Mr Minister part of the problem in South Africa with gender-based violence is the failure to appreciate that sexual violence occurs on a continue, which stretches from sexual harassment at the one end to rape and murder at the other.

Ten years ago, the Centre for the Study of Violence and Reconciliation found that in South Africa, sexual violence often escalates along this continue, so that perpetrators begin with the acts of sexual harassment and escalate towards more serious crimes like sexual assault and worse. How will this be effective into the review of our sexual crime legislation that is being undertaken that is being undertaken as we speak?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Deputy Speaker, it is indeed an issue that we are looking into in terms of the escalation or graduation of the types of crimes that are being committed by the offenders who are particularly prone to this kind of sexual violence kind of crime, that they will start small and end up being big. That kind of a situation has to be arrested from the situation, the community, the police, National Prosecuting Authority, NPA, and the entire criminal justice system, so that whoever

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commits even the smallest type of crime knows that the chance of being apprehended is very high, so that there is no kind of repeat offending. That acts as deterrence because the biggest deterrent to any criminality is the fact that the offender knows that the chances of him or her being apprehended are very high. That is what we are working on in the entire cluster, Deputy Speaker.

Question 21:

The MINISTER OF POLICE: Thank you very much, Deputy Speaker, Sir.

The DEPUTY SPEAKER: Thank you, Sir.

The MINISTER OF POLICE: Based on the records of the SA Police Service, Integrity Management Service and since the reply to the Question 1298 on 17 December 2019, no SA Police Service, SAPS, members and immediate families of SAPS members have been found do be doing business with the SAPS. Thank you very much.

Mr A G WHITFIELD: Thank you, Deputy Speaker. Minister, between 2014 and 2019, a total of 101 family members of SAPS employees were found to be doing business with SAPS. Just 20 of those contracts associated with these family members totalling

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R7 million. During this period, not a single SAPS member made any disclosures and only five companies disclosed their relationships with SAPS employees.

It appears that a culture of close chronic corruption has become so well entrenched in the SA Police Service that one may be forgiven for seeing SAPS as a family-run business. Last year the global corruption barometer labelled SAPS as the most corrupt institution in South Africa. In a country literally riddled with corruption and captured by the infamous Gupta family. Being labelled as the most corrupt institution in the country is a remarkable achievement. What action has been taken against SAPS members who have failed to fully disclose their relationships with companies doing business with SAPS? What steps have been put in place by the Minister to ensure that SAPS is no longer treated like a family-run business? Thank you. [Applause.]

The MINISTER OF POLICE: Thank you, hon member. What you did not say is that what you are quoting is an answer that you found from me. Having given you that answer before in December, we have put mechanisms. The management of the SA Police Service has checked on the members if they have stopped but almost everybody that is within the system of the SA

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Police Service, the business was stopped that the person was doing with the police. However, there are further investigations that are done and make sure that in some people will have to be consequences when they are found, especially at the senior level. The people at the senior level know very well that they are not supposed to do that. For the fact that they did not disclose, it is because they know that they were not supposed to do that. Maybe when all the process is done and gone, it will be easy to give the report that what have we done with all those individuals that were all listed on the earlier reply you received in December. Thank you.

Mr H A SHEMBENI: Thank you, Deputy Speaker. Minister, there are police reservists who work as security guards in the SA Police Service headquarters and the department. How were these people employed? Under which employment conditions and who remunerates them? Thank you.

AN HON MEMBER: ... [Interjections.] ... Who are you?

The MINISTER OF POLICE: Well, Chairperson ...

The DEPUTY SPEAKER: ... order, hon members! Stop screaming. We must listen to the Minister replying.

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The MINISTER OF POLICE: I don't mind answering this complete new question. It is a complete new question. Indeed, it is an issue that when you go to the police stations you will find that there are people guarding these buildings including; the colleges of the SA Police Service and the academy areas. These people are not the private security companies and they are not employed by the private security companies. So, they don't fall under Security Industry Regulatory Authority, SIRA, as such. They are employed as security grouping within the SA Police Service, paid by the SA Police Service. What I would concede here, is that they don't get the benefits that are received by the members of the SA Police Service. Of which this has been raised with the national commissioner to say that we have to correct that. Either they are police or they are private security company. If they are private security company, they can't fall under the police because were reviewed by Private Security Industry Regulatory Authority, PSIRA. However, if they continue to be employed by the SA Police Service, they must be members and get full benefits. I would agree on that.

Ms N P PEACOCK: Thank you, Deputy Speaker. The Integrity Management Services was initiated to prevent corruption among

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other things. What is the assessment of each success to date in preventing corruption within the police?

The MINISTER OF POLICE: Well, definitely the systems that are put there they do have positive outcome. However, I would be lying to come and give the value and the percentage of that having not gone through the scientific assessment on how far have we gone with that. Nevertheless, at a phase value it looks like it does have an impact, but giving exactly the finer part of it on this has done this, there are no scientific outcomes. But, indeed the issue that this Integrity Management Services has been put does have a positive effect. Thank you.

Maj Gen O S TERBLANCHE: Thank you, Deputy Speaker. Hon Minister, in relation to the members of the SAPS and or their families that were found to be doing business with the SA police; that is, before your intervention, were investigations done to determine whether everything was about the board and not in conflict with the law or their official duties? If yes, Minister, what consequence management was instituted and what was the outcome of that? Thank you.

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The MINISTER OF POLICE: I thought that question was answered. That question has been answered. Thank you.

The DEPUTY SPEAKER: Hon members, before I move to Question number 32, if you ask more than one question, do not be surprised if all the seven questions you subsequently asked are not answered. It is because the arrangement - you know - is that you should limit how much and how many you ask.

Question 32:

The MINISTER OF STATE SECURITY: Deputy Speaker, our response is that section 199 of the Constitution dictates that security services must be structured and regulated by the national legislation. Section 209 contemplates that intelligence units may only be established by the President in terms of national legislation. Subsection 2 dictates that the President, as the Head of the Executive, must appoint the heads of each intelligence service established in terms of subsection 1. And, he must also appoint and designate a member of Cabinet to assume the political responsibility.

The establishment of intelligence units are neither sanctioned nor established by the President, unconstitutional, illegal and contrary to good government intelligence functioning. It

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is not within the purview of this Minister to oversee the activities of other institutions of state. The executive responsibility therefore rests with the President as the Head of State that I cannot investigate such actions if they do occur. Thank you.

Dr M Q NDLOZI: Thank you Deputy Speaker, Minister, the so-called rogue unit report, as the Minister; you are the custodian of it. It was sanctioned by the ministry that you are now heading. And in it, there are reports of clear actions that are against the law where members within that unit in Sars engaged in legal activities. According to the law, you are obliged to report crime and for the authorities concerned, particularly the Hawks, for follow up on those individuals that have broken the law, even if those people may be members of the executive.

In the rogue unit report there are names such as the name of Minister Pravin Gordon. It is your report. Will you be taking them up in relation to the obligation you have to report them to the relevant authorities for breaking the law by using intrusive equipment and establishing a unit without necessary legal frameworks and the oversight mechanisms as the law requires? Thank you very much. [Interjections.]

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The MINISTER OF STATE SECURITY: Thank you very much, hon Ndlozi, the National Strategic Intelligent Act of 1994 and as amended in 2013, defines a departmental intelligence as intelligence on any potential threat to national security which falls within the functions of a department of state and that includes intelligence needed by such departments in order to neutralise such threats.

The Act does go on in section 3 to very clearly say that any department that does gather information does not have the right to perform the gathering of information or intelligence in a covert manner. Now you will also remember that this matter is before the court and I am one of the responders. I would respectfully request that we stay this question until such time that the court has heard the matter. Thank you.

Inkosi R N CEBEKHULU: Thank you Deputy Speaker, hon Minister, it has been stated that when intelligence analysts are close to policy operators, there is grouse that assessments will be cut to suit the cloth of the policy which appears to be a frequent problem with most intelligence. Added to this is the ongoing perception that perhaps through that intelligence, resources are often deployed to provide government of the day

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with information they can use against political rivals which is often spoken about.

Hon Minister, how do you intend to ensure and can assure South Africans that intelligence resources are used solely to the defence of South Africa, her people and her interests? Thank you.

The DEPUTY SPEAKER: Hon Minister, and compliments to hon Cebekhulu in the way he genderizes his references to the country; absolutely progressive. [Laughter.] Go ahead, hon Minister.

The MINISTER OF STATE SECURITY: Thank you very much for the hon member's question. We are in a process of developing new legislation that will tighten any possibility that might arise for nefarious activities to be performed by intelligence offices. I am dealing with some of the issues in the department that interface between the political and the members of the organisation. As you would know, we have cases before us that we are dealing with and that are under investigation but all of that will be given to the Joint Standing Committee on Intelligence for further reporting. Thank you.

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Mr W M THRING: Thank you Deputy Speaker, hon Minister, the alleged SARS rogue intelligence unit has been in the news continuously over the last few years. And recently, the National Director of Public Prosecutions, NDPP, submitted the case to a review panel which unanimously agreed that there are no reasonable prospects of a successful prosecution. Does the Minister agree with this decision? And, can the Minister confidently declare that there was or is no rogue spy unit operating at Sars worthy of prosecuting? Thank you.

The MINISTER OF STATE SECURITY: I will not delve into the issue of the NDPP because I represent state security. There is a report before us that is now a subject of a court process and I would really request that we leave it at that. Thank you.

Ms M C DIKGALE: Thank you very much hon Deputy Speaker, does the law make any provision, hon Minister, for the other departments of state to have intelligence gathering capabilities? Thank you.

The MINISTER OF STATE SECURITY: Thank you very much, hon member. The law does allow for that. It is safe to say that

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they are not allowed to do covert gathering of information or intelligence. Thank you.

Question 37:

The MINISTER OF HOME AFFAIRS: Thank you hon Speaker, the Republic of South Africa...

The DEPUTY SPEAKER: ...Deputy ... [Laughter.]

The MINISTER OF HOME AFFAIRS: Deputy Speaker, the Republic of South Africa fully supports the vision espoused in agenda 2063, relating to free movement of persons and goods, as part of continental and regional integration. In this regard South Africa has signed the African Union Free Protocol. The Department of Home Affairs is also rationalising ports of entries, exploring the establishment of one-stop border-post with neighbouring countries to facilitate trade. The one-stop border-post is also for facilitating movements of a person having a one-stop for entry and departure procedures.

This will strengthen exit and entry procedures; however facilitation of movement of person should be conducted in a secure manner and through multilateral and bilateral engagements, South Africa at the African Union, AU, and

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Southern African Development Community, SADC, level continue to advocate for strengthening of civil registration systems and documentation of citizens to enable easy facilitation of movement.

I must report that in this regard, a regional body called IPAICRVS meaning Africa Programme on Accelerated Improvement of Civil Registration and Vital Statistics has been formed, the Ministers responsible for this are meeting annually, their last meeting was held in Zambia in October last year. Once this is done, that everybody gets a document of one form or the other, it will actually smoothened movement of the people and goods, to this end, the Department of Home Affairs has begun to include return arrangements in Visa exemptions and bilateral negotiations. Thank you.

Mr P M P MODISES: Deputy Speaker, I am not hon Nqola ...

[Interjection.] ...

Mr P M P MODISE: ...hon Minister...

The DEPUTY SPEAKER: ...hon member, do say who you are, you can't just say, you are not Nqola; tell us who you are, so that we have it recorded here.

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Mr P M P MODISE: The way I am so known, I did not know you have forgotten me too.

The DEPUTY SPEAKER: My deepest apologies for not knowing you sir, from where I am sitting.

Mr P M P MODISE: Your apology is accepted, Deputy Speaker I am hon Modise.

The DEPUTY SPEAKER: Thank you very much.

Mr P M P MODISE: Can I proceed now?

The DEPUTY SPEAKER: Proceed Ntate [Sir].

Mr P M P MODISE: Thank you very much Deputy Speaker.

The DEPUTY SPEAKER: Yes.

Mr P M P MODISE: Hon Minister, what impact and role will South Africa's Chairmanship of the African Union have in the speedy implementation of the Africa Trade Agreement? Thank you very much.

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The MINISTER OF HOME AFFAIRS: The impact is that our own President is now in the driving seat, he has committed to this and perhaps maybe I also need to add that remember the first Chairperson of this Free Trade Agreement is a South African, right here at home, so it have a huge impact on the movement forward. Thank you.

THE DEPUTY SPEAKER: Thank you very much, hon whips in the House, please tell us when people take other people's questions. It saves us a lot of issues that arise when we don't do that. So it's an important communication story, please don't take it for granted you must let us know what's happening here, please, hon members, I didn't ask for help, just take it easy.

Mr A C ROOS: Deputy Speaker, Minister the AU Protocol on Free Movement of Persons provides nationals of AU member states the rights to enter, stay and move freely for a maximum period of 90 days without a visa. In South Africa people overstaying visas has more than doubled since fines were scrapped in 2016-17. So how would you ensure that these persons leave South Africa before the end of the 90 days?

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The MINISTER OF HOME AFFAIRS: Hon member, it is true that South Africa has got an advance movement system to check whether people have overstayed or not, we do know that they have, what we don't have is to trace them and know where they are. We are using immigration inspectors but we are busy modernising our systems so that we should know that when a person comes here for 90 days, who are they, where are they staying, etc, etc. At the moment unfortunately we don't have that. Thank you.

Mrs L F TITO: Deputy Speaker, hon Minister why do any Africans in Diaspora need any documentation? Thank you.

The MINISTER OF HOME AFFAIRS: Because that is the law
[Laughter.] [Applause.]

Dr M Q NDLOZI: Point of order, point of order!

The DEPUTY SPEAKER: What's the point of order?

Dr M Q NDLOZI: Deputy Speaker, I think with the greatest respect, the Minister must partake in explaining the logic, because in the context ...

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The DEPUTY SPEAKER: ...hon member, you asking the Minister to elaborate, please take your seat, no! The answer is no, to you!

Dr M Q NDLOZI: ...but you have been cheating...

The DEPUTY SPEAKER: ...listen hon member, don't argue please...

Dr M Q NDLOZI: ...I am not arguing...

The DEPUTY SPEAKER: ...you are not meant to be arguing, you are, you are...

Dr M Q NDLOZI: ...Deputy Speaker, as the Whip responsible, I ... [Inaudible.] have a duty...

The DEPUTY SPEAKER: ...yes, hon member...

Dr M Q NDLOZI: ...I have got responsibility to engage you, otherwise how would I do my work?

The DEPUTY SPEAKER: ...no, hon member, please take your seat, we don't accept your story right now...

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Dr M Q NDLOZI: ...but I am not done, at least listen...

The DEPUTY SPEAKER: ...I have listened to you hon member, you have not [Interjection.] [Inaudible.]

Dr M Q NDLOZI: ...but I am not done; I must finish [Interjection.] [Inaudible.] how do you ...[Laughter.] ...

The DEPUTY SPEAKER: ...hon Thring, please ask your supplementary question.

Mr W M THRING: Deputy Chair...

The DEPUTY SPEAKER: ...Deputy Speaker.

Mr W M THRING: Deputy Speaker.

The DEPUTY SPEAKER: Thank you Sir.

Mr W M THRING: Hon Minister, the Declaration of Agenda 2063 has marked rather the rededication of Africa towards the attainment of the Pan-African vision of an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the international arena. What

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role if any has the Department of Home Affairs had towards the realisation of this vision of Africa for Africans irrespective of race, colour, creed or religion? Thank you.

The MINISTER OF HOME AFFAIRS: ...just explained that the role that the Department of Home Affairs is playing is to participate fully in the Africa programme on accelerated improvement of civil registration and vital statistics, to make sure that everybody in this continent is known, is documented, we know who they are and we can work with them and that is the role of the Department of Home Affairs, and attend these conferences on an annual basis. Thank you.

Question 1:

The MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:
Deputy Speaker, the matters of trade lie within the purview of the Department of Trade and Industry but since the question was directed to me Deputy Speaker, I'll reply as follows, we have as South Africa through the Department of Trade and Industry negotiated with the United Kingdom as members would have seen in the media, an agreement to regulate trade in the event of the United Kingdom leaving the European Union, EU.

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The agreement replicates the terms that currently apply to bilateral trade set out in the EU's economic partnership agreement with six SadeC countries in the form of a new economic partnership agreement between the United Kingdom, UK, South Africa, Namibia, Botswana, Lesotho, Eswatini and Mozambique.

The new SACU plus Mozambique, UK economic partnership agreement which was approved by Cabinet and announced in the public domain will preserve the preferential tariff regime, quotas, health and safety standards and other key terms and ensure that our trade with the UK continues without disruption.

With respect to be of the question, yes, the conclusion of the partnership agreement was undertaken as a result of our government's assessment of the impact on and implications for the republic arising out of the Brexit process.

We believe that we will again additional market access into the United Kingdom on those products that are currently subject to tariff and other quotas under the old EU arrangements. And that we may very well out of this new agreement gain preferential access. Thank you Deputy Speaker.

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Mr M HLENGWA: Minister thank you very much for your response. The agreement was of course concluded in September 2019 and after that the UK went to elections in December 2019 and so, did the assessment that you're referring to actually consider the changes which were made to the agreement of the UK to leave the EU because obviously there was quite a number of changes in that regard? But, hon Minister, one of the biggest challenges in so far as trade and investment is concerned and the movement of people particularly business people is the stringent visa requirements of the UK and therefore it bares the question whether the South African government to ensure the easy movement to business people and so on, have you engaged in ensuring that the vary stringent requirements which are hampering and hindering the flow of investment into the country and vice versa is actually addressed because that continues to be one of the perennial headaches?

The MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION: I think one of the things that we must admit is tat the Depart of Trade and Industry was proactive by initiating the deliberations that led to the agreement. However, as you would know following the election, the Parliament of the United Kingdom has not as yet concluded all the discussions that they need to have with the European Union. So, while there's been a

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vote for Brexit, there's been a vote for the Act giving the Prime Minister the go ahead with respect to a broad framework of criteria that would inform the discussions that are now underway.

There isn't as yet a comprehensive agreement between the UK and the EU which could be the basis for further deliberation. So, at the moment, we are with anticipation continuing our deliberations with the United Kingdom but we believe the agreement that was adopted is a very good basis for further trade activity.

We also participated recently in the United Kingdom Africa Investment Summit and it was again very clear that the United Kingdom is geared up to really engage with other regions of the world to determine trade agreements that would take advantage of the opportunities that will derive they believe from the agreements that will eventually be concluded. I think test will be the concrete outcomes of the deliberations currently underway between the UK Brexit Minister and the trade Minister as well as the European Union Commission. But, we think the proactive steps that we took were a very good action by South Africa.

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Mrs T P MSANE: Minister, the historic trade between South Africa, Europe including Britain is that we give them minerals and they give us finished products and that is reflected in trade agreements. These trade imbalances have deprived South Africa the opportunity to build industries, wages and job opportunities. We export mining and agricultural products and import phone systems, computers and medicine.

This is an opportunity to reverse trade imbalances. What steps are you taking to ensure that these trade imbalances are rectified in the trade agreement from these diplomatic discussions?

The DEPUTY SPEAKER: Thank you Minister for stepping on a matter that belongs elsewhere as you correctly identified.

The MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION: It really does. [Laughter]

The DEPUTY SPEAKER: No, no, I don't need your help, just keep quiet. And I'm not even talking to you in the first place, please! I'm talking to the Minister. [Laughter] Take it easy. Pull your heels. Go ahead hon Minister.

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The MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION: I was wondering whether I should sit down Deputy speaker. Thank you to the hon Mpsane for the follow up question. I am not sure that I would be able to answer it to the level of competence that I usually prefer. But, let me say that I fully agree with her that one of the things that we should improve on the continent is our ability to innovate, add value to our mineral resources and this is an enhancement of beneficiation in the country.

But, it's important to indicate that we are not a blank slate that produces nothing. There are agro processed goods and other goods that we are exporting to the UK, it's one of our most significant trade partners and is not merely a shipping out and by the way the mineral resources are bought, we don't give them away. But, it is not merely an exchange of mineral resources; there are many goods in South Africa that are processed in South Africa and are part of the export basket of this country to the United Kingdom. But, I cannot by any means disagree with you on the fact that we do need to develop the capacity not just as South Africa but the entire African continent to more effectively add value and to innovate with a range of mineral resources.

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We have had progress with respect to the pharmaceutical industry as I said in the domain of the agro processing, there has been some progress in chemicals and a number of other areas but on the value addition particularly in some of the steel and other metal industries there is a great deal of work that we need to do. Thank you very much Deputy Speaker.

Dr M Q NDLOZI: Deputy Speaker, I want to rise in terms of Rule 144 subsection 1. The Ministers have an opportunity through that rule to stand down questions they are not competent on way before, instead of coming to the House and pre ambling with the fact that they are not competent or that it's not their area of expertise. I would request with all of them that if that was the case particularly to the Minister concerned now, that's what she would have done, by accepting to answer the question, she has accepted a priory that she will be able to deal with the trade questions and the trade agreements. Therefore, she must do so competently without telling us things such as it's not my area of expertise. It's wrong. I would have hoped that you are going to protect us as we raised those questions as sharply as possible that they've accepted they are going to deal with them so they must deal with them. Instead you are even pre ambling for them that this is not your area but continue. That's not parliamentary.

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Afrikaans:

Die ADJUNKSPEAKER: Agb lid, jy vat nou baie groot kans. Dis 'n groot kans wat jy hier vat. [Tussenwerpsels.]

English:

Hon member the issue you are raising is mute. The Minister has responded that she chose to qualify it, it's correct.

Dr M Q NDLOZI: But you are taking chances with us, we are asking for your protection.

The DEPUTY SPEAKER: No, you don't need protection, it's already there.

Dr M Q NDLOZI: We do, what is your duty there?

The DEPUTY SPEAKER: My duty is to tell you now to sit down. That's my duty.

Mr D BERGMAN: Chair, I must say that, that answer is actually more coherent than some of the other answers that the Ministers give us. Minister, given that we've just had a taste of Brexit in a form of a goer that will soon hit the poor consumer in the grocery basket, as the Minister thought about

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a trauma defensive strategy to engage with our President and possibly remove our celebrity ambassador and improve the morale and our mission in London is that an all time no by replacing her with a career diplomat and bulking up our trade to ensure that our bilateral trade is not hurt by another super power like Britain 2 in this Brexit debate? Thank you.

The MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION: Thank you very much Deputy Speaker. I believe the hon Bergman is not correct in the way that he's characterised our High Commissioner. I have just been to the UK and I've seen the work that is being done and I think there is very good representation of our country by High Commissioner Tambo.

I also believe that on the matter of trade representatives, this is something we'd like to increase in a lot of missions throughout the world. But, given the strictures of resources, we are striving to ensure that those who are in our embassies do focus upon economic and trade matters.

I am happy with the work that is being done by the team in the UK. I was part of a business forum at the High Commission and I was very thrilled that the number of Chief Executive Officers, CEOs, and business leaders that were part of that

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forum. So, I really do not agree in with the manner in which the High Commissioner has been described and I believe it's just not a fair or appropriate comment. Thank you very much.

Mr B S NKOSI: Minister, in the light of Brexit, will you and your department continue to lead South Africa in a diplomatic and political relations with the UK in particular and continue to keep us in the Commonwealth? Thank you.

The MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION: Thank you very much hon Nkosi. Yes, we will continue to engage with the United Kingdom. You don't hon Deputy Speaker, hon members drop your fourth largest trading partner easily, you just don't. It does not make rational sense.

So, clearly the relationship will continue and we will seek to strengthen it, which is why we participated in the Africa Investment Summit. We are members of the Commonwealth, we will be attending the Commonwealth meeting Kigali and Rwanda in the middle part of this year and we continue with that relationship as well.

What we have to do is ensure we address the matters, the hon member from the EFF raised and by the way, I said may not be

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competent, I did not say not competent. I believe that the matters that were raised by hon Mpsane remain as critical issues as that we should address and they will form part of the substance of the relationships that we establish. Thank you.

The DEPUTY SPEAKER: Hon members [Laughter] I have to say this. Now and then we have to remind you to target your questions appropriately. When they are accepted with absolute generosity of spirit, there is no problem and I like it when Ministers go and answer those questions even if they are conscious that they are not from there. It's appropriate, they're Ministers. I just want to register that, that let's aim and target better and things will work out better.

Question 6:

The MINISTER OF POLICE: Hon Deputy Speaker, the Minister of Police remarked that he would prefer the situation where only SA Police Service members and the SA National Defence Force members should be in possession of firearms. The Minister made his opinion on the matter but that does not mean that the Bill will not be subjected to the processes and scrutiny. It is only the outcome of those processes that will become the law and Act. For now, the members of the public are allowed

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through the laws of the country to have private firearms.

Thanks.

Afrikaans:

Dr P J GROENEWALD: Agb Adjunkspeaker, ...

English: 16:03

With great respect, hon Minister, you did not answer the question. I didn't ask you a question about the Bill. You said that you would like that only members of the SA Police Service and SA National Defence Force will have the right to own firearms; not the public. That was the question.

The fact of the matter is that in your own answer, last year, on a question from me, you admitted here that more people in South Africa are murdered by sharp objects and knives than by firearms. Furthermore, the proliferation of illegal firearms lies in the police themselves. We saw that a police officer sold more than 4 000 firearms to the gangs in the Western Cape after those firearms were handed in because of amnesty. We say it is unfair to legal firearms owners.

My follow-up question: Hon Minister, are you prepared to take part in an experiment that from tomorrow all your bodyguards -

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your protectors - will not carry any firearms until the end of the year to see whether you feel safe? Thank you.

The DEPUTY SPEAKER: Hon Minister! Hon members, don't answer on behalf of the Minister, please. Let the Minister answer the question.

The MINISTER OF POLICE: Thank you very much to the hon member, Mr Groenewald, the general. To start with, there were no 4 000 guns that were sold; they were 2 000. [Interjections.]

Definitely, the man - the colonel - that we arrested sold 2 000 and not 4 000 firearms. So, let us agree on that. We found that guy. He was a member of the SA Police Service. We have arrested him. He is doing 15 years in prison. [Applause.]

The question you asked and the comment I made was asked in the relationship of the development of the Bill. What is my opinion? My opinion was and my opinion is that it will be better when the ordinary citizens of South Africa are not armed. As you would find in other countries, like South Korea and Japan, only the armed forces carry those firearms.

But also, I said the Bill will be subjected to the processes.

It cannot be the outcome of this Minister speaking that

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declares what kind of the law we will have. However, this is my opinion and it doesn't change my opinion that it will be good to be in a country where private citizens are not armed. [Interjections.]

Having said that, the Bill is on the process and the law of South Africa at the present moment allows individual citizens to carry their firearms, but let me tell you more. More of the illegal firearms came out of shops as legal firearms. That is why there are break-ins. They steal those guns and all that. There will be no chance of stealing those legal firearms if private individuals did not have those guns, but now, there are laws and we respect them. This remains my opinion and I will stick with my opinion. Thanks. [Interjections.]

Bodyguards ... Sorry ... [Interjections.]

The DEPUTY SPEAKER: Minister, unfortunately your time is gone. You can use your other time to come back. No, no, no, no! No, no, I am running the House now. You take it easy. The Minister's time is over. Hon Hlengwa!

IsiZulu:

Mnu M HLENGWA: Sekela Somlomo, ngiyothokoza Magaye uma ungaqala kuleli lonogada.

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English: 16:08

Hon Minister, what you are saying of course is very ideal. The practical reality is that guns are in the streets. Guns are in homes and so forth. Whilst you have got the amnesty period, people in good faith - yes - will bring the guns. The problems is that criminals have got no intention of actually bringing those guns back because they know that bringing them back will lead to you tracing them after your ballistics and so on.

So, the question then becomes parallel to cleaning up the streets to the noble ideals of the amnesty period and to what you are saying. I am not sure whether I agree with you or not, but that's for another day. However, the fact is that guns are there. What process is in place then to clean up the streets beyond your noble intentions - idealistic ones, I dare say?

Thanks,

The MINISTER OF POLICE: Well, I agree with you that it is ideal, but it there is nothing incorrect to live on the ideal intentions and creating that idea to practice. The crux of the matter, as we speak, is that the question has been extended to amnesty. We have received more than 8 000 guns that have been surrendered now. Indeed, hardcore criminals would not do that. But also, from July 2019 up to this point, we have found guns

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which were not handed through amnesty: Illegal firearms that are more than 5 000 in the Western Cape alone.

So, we do have mechanisms and we do have structures. We have put conditions on the amnesty to say that when May 2020 comes and the amnesty period is over, we will be ready to kick doors and find those guns that would not have been brought in voluntarily. If they don't bring the guns to us; we will go where the guns are and take the guns back to us. [Applause.]

I have only had bodyguards half of my life. I had bodyguards since I became a Deputy Minister and a Minister. I never had bodyguards all my life, when all that time they had bodyguards. So, I don't have a problem of not having bodyguards. It is something very new and young. I have lived without them and I don't care about them. If he thinks they can be taken and go, and I won't live, that is a dreamland. [Interjections.] We are very fine, but I don't know what he wants to do when I don't have bodyguards. [Interjections.] However, I don't mind not having them. Thank you.

Afrikaans:

Dr P J GROENEWALD: Agb Adjunkspeaker, ...

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English:

... just on a point of order, and I ask you to rule on it: Whether it is proper for the hon Minister to say that I had bodyguards? I never had bodyguards in my life. Whether it is correct ... [Interjections.] No, I am my own bodyguard, don't worry. Is it permissible that the hon Minister can make such a statement which is not true?

The DEPUTY SPEAKER: Okay! No, hon member, that is not a point of order.

The MINISTER IN THE PRESIDENCY: Deputy Speaker!

The DEPUTY SPEAKER: Yes, sir?

The MINISTER IN THE PRESIDENCY: On a point of order!

The DEPUTY SPEAKER: What's the point of order?

The MINISTER IN THE PRESIDENCY: The hon member was a bodyguard himself! [Laughter.]

Afrikaans:

Dr P J GROENEWALD: Agb Adjunkspeaker, ...

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English:

... just to see how confused the ANC is: I am Groenewald; I am not Mulder!

The DEPUTY SPEAKER: Hon member, please take your seat. That is not a point of order. Hon Shembeni, go ahead!

Mr H A SHEMBENI: Deputy Speaker, Minister, the proliferation of the firearms in society is based only on two things: Police officers and police stations that are robbed; and police officers who hire out their firearms to criminals to go and kill our people. Now, what steps are you taking internally to combat and to ensure that the police firearms are not used by criminals? Thank you.

The MINISTER OF POLICE: Well, the premise is not very correct in saying that the proliferation of these firearms is based on the stealing from the police and them selling/hiring them out. Yes, police - especially corrupt police, like this Prinsloo - is their source. There are those that are stolen from the police stations; then those that are stolen from individual households where there are breaking; and those that are stolen from the farms- and there are quite many of them.

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However, there are those that are stolen from the gun dealers. For instance, in Port Elizabeth, a gun dealer whose is legally trading felt sick and went to hospital. When he was in hospital, his domestic helper sold all the guns. He sold the guns like bread in the township. There were 2187 of those guns that moved from being legal to illegal firearms.

So, it can't be correct that the only source of illegal firearms would be police. There are other sources. We lose a lot of guns individually; we lose a lot of guns from the shops themselves; we lose a lot of guns from private security companies. That is the reason that we need to tighten the laws. That is the reason that we want to make to make it very difficult for people to have these firearms, especially if they can't take care of them. Thanks.

Ms S PATREIN: Deputy Speaker, Minister, with what has been said about guns in the country: In your view, what has been the response by South Africans to the firearms amnesty? Thank you.

The MINISTER OF POLICE: Well, in fact, this is the third period of this firearm amnesty. The response has been good all the time, but I will agree, especially with the hon member

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Hlengwa in saying that the hardcore criminals don't bring back these guns. [Interjections.] Hardcore criminals don't bring back these guns but more than anything, millions and millions of ammunitions are brought back by South Africans. Remember that every bullet has a capacity to kill one person. Now, if you bring them back, that is fine.

However, I went on to say we have thousands and thousands of firearms and millions of bullets that we find on our operations. So, it is both those that volunteer and those that we find ourselves. If they can't bring the guns; we will go to the criminals and find them. So, we will forever do both so that we limit. Our aim is to limit the circulation of firearms amongst and between the South African citizens. Thanks.

Question: 38

The MINISTER OF DEFENCE AND MILITARY VETERANS: Deputy Speaker, hon members, in its original design, the Military Skills Development System, MSDS, was developed to be a feeder system for the SA National Defence Force, SANDF, regulars and reserves. However, due to the reduction of funding levels the recruitment has been reviewed with a reduced number of the annual intakes, but still sufficient to feed the regulars and reserves.

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Hon member, in our military defence strategy the concept of rejuvenation within the context of our military strategy includes but not limited to: prime mission equipment, technological advancement and human resources. I thank you.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): The question is posed by hon Modise but the hon Mmutle will take charge of the question according to Rule 137 (10). Hon Mmutle!

Mr T N MMUTLE: House Chair, the follow up question to the Minister is in this fashion: Minister, what plans does your department have to ensure the implementation of force rejuvenation? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon House Chairperson, rejuvenation must be understood to speak to more than the matter of human resources of SANDF. It has to be looked at in its totality such as defence capabilities, and not just boots on the ground.

As of end of January 2020 the strength of the MSDS stood at 2 903 the Army at 1 901, Air Force 623, Navy 237 and the SA Military Health Services, SAMHS, 142.

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The rate of apparition over the years has on average been 33 000 per annum due to reasons such as termination of service, retirement, contract expiry, death and dismissals.

House Chairperson, what plans? The plans that we have are that of constant engagement - as I've indicated earlier on that the biggest challenge is budget reduction - with National Treasury and the Commander-In-Chief of the Armed Forces of the Republic.

But also to say, Chair, that we have been reprioritising within the programmes that we have; we have been using money allocated within the baseline, sometimes money which is not necessarily allocated for rejuvenation but it has been moved from programme to programme in order for us to keep the defence force alive. Thank you.

Dr M Q NDLOZI: Minister, is there in the military the skills for construction? And if indeed they are there, which I think they are, shouldn't we immediately deploy these skills into the Eastern Cape to eradicate mud skills and pit toilets, seeing that the departments concerned have failed? In the same way we did with regard to the Vaal River Project. These are

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urgent matters for the safety of children in schools. What is your opinion or reaction to that?

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Ndlozi, there is an entity within the defence force which is called the Defence Works Formation. The Defence Works Formation was established solely to look into issues of renovations of different infrastructure within the defence force, which has problems. However, we do have skills which we can impart on young people; it doesn't have to be construction, but I do believe that if a request were to be made that we should do that, particularly because our focus now is also on development, that as the government departments through the Department of Co-operative Governance and Traditional Affairs, CoGTA, move around launching the district model, we too in the defence force are part of that process just to understand but also to identify areas where we believe we can impact our skills on young people. We've been responsible for building some of the bridges in deep rural areas; we've also been assisting in areas where there have been infrastructure challenges such as sanitation, if you look at Ditsobotla, for instance, in the North West, when there was a problem with their sanitation infrastructure we moved in, assisted and we

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are still there, we're probably there for over a year, like in the Vaal.

So, there are skills in the SANDF which can be used to advance and make the lives of our people better in the areas where they live. However, obviously, that would have to be ... like in the area of agriculture we've started a project called Koba-Tlala, where our people are helping [Time expired.] communities to learn how to farm. Thank you, Chair. Same applies to pit toilets.

Inkosi R N CEBEKHULU: House Chairperson, my question might sound as though the same as that which has been asked by hon Ndlozi but let me phrase the way I wanted to.

Hon Minister, SA Chief Brigadier-General, Gerald Camphor, recently stated that the part-time or reserve force component of the SANDF is being "South Africanised" to contribute to one force SA Army approach that will deliver a sustainable capability on a par with the regular defence force personnel. Elements of Mzansi home guard are intended to contribute to intelligence-driven operations, disaster response, humanitarian relief and water and sanitation intervention as has been mentioned.

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But if I may continue asking my question, Minister, is that how far is the process and when South Africa [Time expired.] can expect it to be operational. Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: No, Gerald Camphor was referring to something which is already in existence. But what we're trying to do is to firstly, overhaul the entire structure of the reserve force so that the reserve force can do what we require of it to do; secondly, there are some issues which have been identified within the reserve force such as corruption in the process of call-up. So, when he talks about making it Mzansi kind of reserve force, it is about doing those things where our communities require our assistance. As I was finishing earlier on I was talking about Koba-Tlala, which is an area where we train our people in farming and assist them in whatever way.

The other day Minister Didiza mentioned that you do have a programme called National Rural Youth Service Corps, Narysec, which is young people from the rural areas who are given life skills by the SANDF but go on to learn more about farming and other things, rural development etc. So, it's a programme which is there, all that is required is to strengthen that

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programme, to attract more young people and give more skills to the group that is out of school. Thank you.

Mr S J F MARAIS: Minister, we know that spending on our ageing staff which now on average over 40 years old, are now 6% of the budget and as reported you have too many generals and not enough foot soldiers to comply with your constitutional requirements and obligations. Are you prepared to negotiate the termination of at least 10 000 ageing, obsolete, medically unfit and over quota of staff and replace them with young people via an aggressive rejuvenation programme which will make us much more responsive and a responsive defence force? If not, please explain that to us. Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: No, hon Marais. As a member of the portfolio committee I'm sure you're aware even of the exact figures that you're referring to; total number of troops that we have, total number of generals we have including breakdown between males and females, and I'm sure any other person would make that kind of statement from ... would raise that question, but somebody who's in the committee, who's very much aware that there's no truth in the fact that we have a structure which has more generals than your ordinary troops, it is not true and you know it.

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Now, if you look ... in fact if you look at the numbers of the members of the SANDF you will see that in fact we have very few generals as compared to what other countries have.

Now, the issue about age. I think this is a matter that requires an engagement amongst ourselves as society because there too there's no truth to it. This thing that some of them are not deployable ... no, you are saying ages of 42, how can you say a person who is 42 you can't deploy that person? Are we suggesting that our members of the SANDF should be retired at the age of 40? There are other things they do other than being deployed to combat, there are other things they do other than going into peace keeping. If you look at Op Prosper itself, you had quite a number of members of the reserve force there. If you look at Op Corona you will see that the borderline is guarded by exactly those kinds of people; they are fit for deployment, they are still capable of shooting and do whatever is necessary for them to do. But there is this perception that our armed forces are aged, yes we do have people who are slightly older, but we can't say the majority of members of the [Time expired.] SANDF are older than what we should be having in the defence force, hon member.

Question 19:

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The MINISTER OF POLICE: Hon Chairperson, well, to start with, I would like to correct the number that was suggested by the member that there are 946 escapees. There are 473 escapees, not 946. Having said that and corrected that figure, the prevention of escapees from police custody is a key performance area of police stations, and has been identified as a risk within the SA Police Service, SAPS.

Therefore, any escape from the SAPS custody is a serious concern, and the immediate response to the escape is monitored closely. In order to ensure that everything possible is done to trace and rearrest escapees and implement preventative measures. The National Detention Management Plan and the Provincial Detention Management Plan are being developed and implemented annually to prevent escapees from SAPS custody.

These plans reinforce the application of organisational control that is reflected in the following instruction related to detention management in the SAPS national instruction 11 of 2019. The arrest treatment in transporting the arrested people and 1(12) of 2019 in addition to police stations where more than one incidents on the escapees has happened or SAPS custody has occurred during the period mentioned above, or where multiple persons has escaped during one incident.

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They should be identified and visited by subject matters experts from head office to assess the circumstances of the escapees. Ensure the application of the consequences management and to determine trends or tendencies in order to implement preventative measures. A total of 15 members were found guilty between 1 April and December 2019. One of them has been dismissed and three of them their salaries were suspended for a month and 11 of them were given verbal or written warnings. Thanks.

Major-Gen O S TERBLANCHE: Through you hon Chairperson, Minister, I would recommend that you go check the figures that you and the police presented to us. That is the very figure that I got. So your answer is wrong, sir. Minister, would you agree that the lack of maintenance of the holding cells at police stations are part of the problem? If no, why not, Minister, and if yes, how many holding cells have been upgraded during the current financial year, and what is the total number that will be upgraded during the current financial year? Thank you, Minister.

The MINISTER OF POLICE: Well, I will check that because I don't know where you got the number. You heard me. So, I will go and check the number. Hon Terblanche, you are a former

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General in the SA Police and you were responsible for the structures, the upgrading and building of police stations.

Major-Gen O S TERBLANCHE: Ten years ago.

The MINISTER OF POLICE: The other one that you were supposed to build at Nsuze has not been built. Having said so, you know very well that the upgrades you are talking about jointly you do them with the Department of Public Works; it's not done by the police per se. You did try to create that element of building yourself but you failed. Instead, you wasted a lot of money during that phase, especially, as you tried to build the police station of Inanda, you budgeted R15 million but you ended up using R47 million. So, your plan did not work. As we are here now, we are working and we are meeting the Public Works to say that those stations must be upgraded so that they are safe, our police are safe and there are no escapes. But if you had done your job properly before you left, we would not have been here. Thank you. [Applause.]

Dr M Q NDLOZI: Hon House Chairperson, I am standing on a point of order.

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The HOUSE CHAIRPERSON (Mr M L D Ntombela): Yes, what is your point of order, hon member?

Dr M Q NDLOZI: The Minister is asking apartheid General to build our police stations. How's that a democratic thing to do? Twenty-five years later police stations are under-used, they are in a dire state, but you are telling apartheid Minister to build them for you. This is irresponsible.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Ndlozi, don't. Hon member, are you rising on a point of order?

Mr G G HILL-LEWIS: Yes, I am.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): What is your point of order, sir?

Mr G G HILL-LEWIS: The hon Terblanche left the police service 10 years ago ... [Interjections.] Excuse me, Chairperson, excuse me. He has just referred to him as apartheid General, he must withdraw that. He must withdraw that.

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The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon member, please. You have posed a question to the Minister and he has replied to your question.

Mr G G HILL-LEWIS: Sorry, excuse me, Chairperson.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Yes hon member, what's your point?

Mr G G HILL-LEWIS: I am asking you to rule on what Dr Ndlozi has just said referring to him as apartheid General. That is not honourable, it is not parliamentary and he must withdraw it.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): I am not aware of apartheid being unparliamentary, but I will find out about it and come back to you. [Applause.] Can we continue?

Mr W M THRING: Hon Minister, it has been reported that the number of prison escapees or number of prison escapes is down from 1,244 in 2014-15 to around 50 in 2016-17 and now by your own admission, is just over 400 in 2019-20. Understanding that one prison escape is one too many. How many of these escapees have been rearrested, and is there a figure, hon Minister as

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to how many additional crimes were committed by these escapees? Thank you.

The MINISTER OF POLICE: As the people who put the figures, we are trying to reduce these escapees, and it would be a better day when there is no single escape. We are really working towards that. Out of the 400 escapees, I would not exactly give the exact figure as to how many have done so. But, it's quite big percentage of them. Also, I can say that they have been rearrested and put back to jail. I can work on the exact figures in the next 24 hours and give them to you. Indeed, some of them commit terrible crimes after they have escaped or sometimes given bail to go out. I would remember that there is one of them that went back and killed the people that gave evidence against him before he was sentenced. So, it's important that we work towards zero tolerance of any form of justice of peace, JP. As I've said, the actual numbers will be given to you before the 24 hours.

Ms J M MOFOKENG: Through you Chairperson, Minister, is there any study conducted to analyse any modus operandi of the escapees from the police custody? If yes, what have been the findings as pattern of escaping?

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The MINISTER OF POLICE: Yes, the analysis has been made to find the modus operandi of these criminals. One major thing here is corruption, in that the members of the service will collaborate with these criminals and allow them to escape from the custody, either from the police cells themselves or en-route. That would be the other one.

The second one would be the hardcore criminals planning against the police. However, there are honest members of the SA Police that have lost their lives through these processes when they are attacked by the criminals that plot and plan against the police going forward. Thirdly, it will be the question of the structure itself, how it is made and how safe it is safe the police? As you would remember about what happened at Engcobo Police Station, the police were attacked, which could have been some other people that were in custody that could have been taken them on, though specifically it did not happen, they just stole guns.

Our structures sometimes are not up to the scratch; hence we need to fix them. So, modus operandi will be on those three areas which are structural, corruption and the planning and plotting of the hardcore people that they do against our police. Thanks.

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The HOUSE CHAIRPERSON (Mr M L D Ntombela): Over to you, hon T M Joemat-Pettersen.

Ms T M JOEMAT-PETTERSON: I am responding on the next Question 46.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Okay, noted. I will give the opportunity to - that was the next question. It appears on the screen. - I will give it to hon Mafanya.

Mr W T MAFANYA: Through you, Chair, Minister, were the DNA sample taken on the 473 persons who escaped police custody during that period? Thanks.

The MINISTER OF POLICE: Well, I believe that the member will understand that is happening or it has been done to the sentenced and convicted prisoners. The question here is about the waiting trialists, and I have given an answer to that. But taking you on board on that, all the prisoners that have been released through the remission at the present moment, there is not a single one of them that leaves the walls of prison having not taken the sample of the DNA through the buccal kits. That's what we are doing at the present moment. Thanks, member.

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Question 46:

The MINISTER OF POLICE: Thank you, hon Chair. The SA Police Service will enhance safety at prioritised tourism attraction areas by deploying the reservists who will be recruited from the current tourists' safety monitors and the deployment date will be determined by the finalisation of the processes such as recruitment and training, enhancement and finalisation of memorandum of understanding, MOU, between the police and the Department of Tourism. Thank you.

Ms T M JOEMAT-PETTERSON: Thank you, hon Chair. Hon Minister, what actions have you identified as necessary to ensure the realisation of this objective? Thank you, hon Minister.

The MINISTER OF POLICE: Thank you very much, Chairperson. The SA Police Service is responsible for the safety of all the people who live in South Africa; that includes our visitors, our guests and the tourists. Therefore, having identified tourism as one area of growth economically the emphasis have made that their safety will have to be enhanced. We have identified those places of interest especially some provinces that we have identified and Mpumalanga being one of those provinces specially the Kruger National Park and other natural lodges out there.

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Therefore, we have created the safer passages going there. We have also created reaction units so that whenever these things happen we are able to arrest these people, as it has happened at the Mount Nelson Hotel, in Cape Town, where those criminals raided the hotel. Fortunately, we have arrested all of those people. What doesn't usually happen is that the incident is highly reported by the response of the police. When we arrest, those things don't get the space on the media but most of these people are arrested and such other things are prevented before they happen. Thank you.

Dr M Q NDLOZI: Sorry, hon Speaker, it is hon Shembeni. I had pressed there for him - with the greatest respect, Chair. That is the member in the portfolio committee.

The HOUSE CHAIRPERSON (Mr M L D NTOMBELA): [Laughter.] Hon Shembeni ... hon Shembeni.

Mr H A SHEMBENI: Thank you. Minister, taking the consistent and high level of crime in schools and universities, shouldn't your department establish schools and universities safety monitors? If not, do you not care about the safety of the learners in these institutions? I thank you.

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The MINISTER OF POLICE: Thank you very much. This member specialises on the new questions. He really specialises on the new questions. However, the member as the member of the portfolio committee will understand that we care so much about the school violence. Here in the Western Cape and Gauteng we are working very close with the Department of Education.

We have created what is known as "adopt a cop" We have said that there will have to be a police that is attached to a specific school for easy and quick response when those things happen to schools. Those schools are visited by those members of the SA Police Service; they check, sign the register that they have been there, that they have seen the student and learners and that they have spoken to everybody. We do that because we care. As I have said, we are working very close with the premier here and the member of the executive council, MEC, of education in Gauteng to make sure that SA schools especially those in the Department of Basic Education are safe. Thank you.

Maj. Gen O S TERBLANCHE: Thank you, Chairperson. Minister, the Democratic Alliance supports any measures that will enhance the safety of tourists visiting our country. Minister, you touched briefly on that but can you please, explain in more

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detail where these tourists' safety monitors will be deployed and exactly what their responsibilities will be with regard to the safeguarding of the tourists? Thank you.

The MINISTER OF POLICE: Hon member, this stems from the MOU between the Department of Tourism and the Department of Police. There is an MOU that has already been signed by the director-general from tourism and the Commissioner of the SA Police Service, General Khehla Sithole. That identifies the hotspots where there are problems especially en route to these places. One of those areas is Delmas, as you are moving from Gauteng to Mpumalanga, visiting especially the Kruger National Park. The other one is the mountain, here, that has been infiltrated by the criminals in the Western Cape. There are other areas.

So, the memorandum of understanding works with tourism that has recruited these monitors, ours is to train them. Also from our side, we train the reservists specifically to work with the tourists. The reservists and monitors will then work together to make the routes and tourists safe. Having spoken with the bodies that are dealing with tourism here in South Africa - getting the understanding on how we can work together - we are very sure. Actually, if you look at the report of the

Minister Tourism the past December, they said that it was the most quiet and safest tourism month because of these efforts of working together. We believe that when they are fully implemented, life will be much better for all of us including our tourists. Thank you.

Question 34:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: We note the assertion that a large percentage of crimes are committed by parolees or repeat offenders. This is not informed by any analytical data. Having said this, we understand that the recent incidents, particularly in the Western Cape, fuel a perception that parolees are major offenders.

With the assistance of the SAPS, we will enhance our monitoring mechanism on parolees as part of the monitoring system. This will further enhance our data in so far as reoffending by the parolees is concerned.

I must also say that parole is not a means of addressing overcrowding. The parole is the first phase of reintegration into the community. It is a universally accepted instrument for reintegration because we don't want offenders to only go back to the community when their sentences have expired or

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ended because this will shock the system and the community. There is a need for a gradual reintegration, and parole is used for that purpose. Put differently; overcrowding is not a factor of consideration when recommending granting or denying a parole is presented either me, the head of centres through the National Council for Correctional Services or a Correctional Services Parole Board, in particular at a local level.

Parole as I have said, is an international recognised instrument. The Correctional Services Act of 1998 prescribes the minimum detention period that must be served before an offender may be considered for parole. It's not automatic, but also part of a consideration.

Parole forms part of the total rehabilitation programme in correcting offending behaviour and may include continuation of programmes aimed at reintegration whilst in the system of community corrections.

A person who is released on parole is not free from the Correctional Services Act. He is still an inmate or a prisoner; hence, he must still be monitored and be part of our

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whole system. It's regarded as an aid to the social reintegration of offenders.

The factors which are considered when granting or denying parole include but are not limited to the following: Any remarks made by the court if made available to the Department of Correctional Services through the SAPS 62 and also the previous convictions through SAPS 69; the conduct of the offender; the likelihood of relapse into crime; the risk posed to the community and the manner in which this risk can be reduced; and proof of a monitorable and an appropriate system. A decision to grant parole is rigorous process. It's not taken lightly.

There are also various challenges which inmates face when they are released on parole, such as stigmatisation, including struggling to find employment on the basis of a criminal record and including issues that relates to the proper monitoring system.

In spite of all the issues I have raised, the Department of Correctional Services will embark on a process to review the parole as directed by His Excellency, the President of the Republic. This will form part of the justice and crime

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prevention security cluster review process of legislations, namely; the Criminal Procedure Act and the Correctional Services Act. Thank you.

Ms N TAFENI: House Chairperson, hon Minister, in light of the fact that overcrowding in correctional facilities is caused by the backlog of people who are awaiting trial; to deal with this backlog, shouldn't your government implement ... The EFF proposes that our courts must operate seven days a week. Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: There is an integrated plan dealing with the issue of overcrowding and this plan includes the National Prosecuting Authority, NPA, the various judges of the various courts and Correctional Services officials. This plan also looks at the awaiting-trial prisoners with the SAPS. This includes looking at the issues of bail and the various forms of where bail has been granted. This is to ensure that people who have been given bail are released. So, from where we are sitting at this stage, the mechanisms that we put in place are able to manage the issue of overcrowding. I think the issue of people working seven days a week; it's an issue that Cabinet is seized with with regard to the issues of working hours and so forth, but that

affects many other things that relates to the public service and the salaries. It's a more detailed process that needs further interrogation by Cabinet. Thank you.

Adv G BREYTENBACH: Mr Minister, the internal evaluation system for parole ... and you said that the Department of Correctional Services ... is currently dysfunctional. It fails to intercept or prevent the release of those inmates to comply with few or none of the requirements to be released on parole; directly creating the horrific incidents of reoffending we have witnessed lately on a daily basis.

What urgent steps have you put in place to address these shortcomings in the parole system? If none, why not?

[Applause.]

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: I must state upfront that the current parole system does have flaws but it is not broken altogether that it's not functioning.

We have about 45 000 parolees as we speak in society. They do comply with the parole conditions. But there are those rotten potatoes that commit horrendous crimes. Some of the crimes

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that they commit sometimes becomes worst than the first crime that they have been arrested for initially.

So, it also points to the issues of rehabilitation. We are looking into whether our rehabilitation programme does respond to the individual risk assessment of the offenders. Hon Breytenbach is aware that there is a process to look into those rehabilitation programmes to respond to each and every offender and also to look into the current parole processes that we are undertaking, which must enable the parole board to have access to the relevant data from the SAPS in terms of a comprehensive police information, like the victims and the profile of the offender in totality, instead of only looking at the SAPS 62 and the SAPS 69.

So, there is a discussion within us, including the SAPS. As from tomorrow morning, the Department of Correctional Services and the SAPS will start to look into the various profiles of those that might eligible for parole in the next six months and a year to ensure that comprehensive data is put on the table and in front of Correctional Services Parole Board. So, the issues that hon Breytenbach is raising of those that may not be benefiting ... Oh, thank you.

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Mr S M SWART: Minister, I think it's important to that we just put some names to those that have been killed by parolees. 12-year-old Michaela Williams; eight-year-old Tazne Van Wyk; seven-year-old Reagan Gertse; and last year, University of Western Cape, UWC, student, Jesse Hess. I fully appreciate that you have admitted that there are flows. According to the media statement this morning, you indicated that this is giving you sleepless nights. I welcome the fact that you are trying to urgently address these issues.

My question is: Why would comprehensive data be made available as from tomorrow? Why was this not done before? Reason being, you see, Minister, we must appreciate your best endeavours, its cold comfort to the families of those who have been murdered by parolees. I think Chair, if we could get an indication of greater urgency and why ... firstly you have indicated that this is urgent but why it hasn't been done? Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: I think we need to appreciate that the system is maturing. Before 2005, the people who were responsible for granting parole were Correctional Services officials. Soon after that, the Correctional Services Act was amended to enable members of the

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public to participate in the granting of parole process, including various experts.

So, you can see the system is developing. When it was developed at the time, the SAPS 69 and the SAPS 62 were enough information to put one in front of the parole board. But with the various developments that have happened, it has necessitated us to acknowledge that 25 years into democracy, you need to broaden the data that you place in front of the parole board. The information that we have been putting 15 or 20 years ago is no longer enough today. That is the reason why the information will now be broadened, including looking at open source information that is available in the public.

In 2005, it might not have been necessary at the time to look at the all the comprehensive data because what was before the parole board at the time was sufficient. But the recent incidents and the various developments and the technology have now proven that the information needs be broadened and needs to be expanded. So, the system of correctional services including the parole is maturing with time. Thank you, Chairperson.

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The MINISTER OF HOME AFFAIRS: The Republic of South Africa's International Migration approach is focused towards prioritising development in Africa and its development orientated. Actually, throughout the whole world, migration without development won't be successful. South Africa's approach is consistent with the White Paper on International Migration which recognises the nexus between migration and development and migration and security. Although South Africa is not a signatory to the African Union, AU, Convention, on Cross-Border Co-operation, the Niamey Convention, which seeks, among others, to ensure demarcation and reaffirmation of interstate borders. South Africa will continue to ensure national security and promote economic development, and continue to strengthen co-operation with its neighbours in border management.

South Africa is a signatory to the AU's Free Trade Area and is an active participant. We have also formed task teams with our neighbouring states to implement one-stop border post in six busiest ports of entry to facilitate smooth, but legitimate movement of goods and persons. Yesterday, this Parliament passed Border Management Authority Bill which will enable us to prevent and persecute transnational organised crime, child and women trafficking, transportation of counterfeit goods and

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prevention of hijacked and stolen vehicles went through our borders or even prevents cross-border drugs trafficking. All these misdemeanours are an impediment of economic development. Thank you.

Ms T I LEGWASE: Thank you, Chair. Hon Minister, the implementation strategy of the AU border programme is based on three pillars which include co-operation, co-ordination and community involvement. Therefore, Minister, with regard to the Border Management Authority, is our sister countries with whom we share borders clear on the route we are taking as a country when it comes to securing our borders?

The MINISTER OF HOME AFFAIRS: As I was undertaking trips to our neighbouring countries at the borders to meet my counterparts, the Ministers of Home Affairs, in the six countries where we are going to have one-stop border post, I also briefed them on this issue of the Border Management Authority, BMA. They understand it and they appreciate it. I don't remember anyone of them complaining about it because we are giving to them a sort of a package towards the development of our countries. Thank you.

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Ms L F TITO: Thank you, Chairperson. Minister, in line with a Pan Africanism in consideration of the free movement, why should our Africans be submitted to applying for jobs and work permits in their own continent? Thank you.

The MINISTER OF HOME AFFAIRS: I think I have answered this question before. The laws of these individual countries and the laws of South Africa are providing for that and are saying that, and these laws were passed by Parliament. Thank you.

Ms T A KHANYILE: Thank you, Chairperson. Hon Minister, your inability to manage illegal immigration in the country has created pressure on our informal trade where people come in and abuse the system. We see undocumented foreigners compete with our local trades. How are you going to make sure that people on a nonbusiness visa are also not competing with local traders? Thank you.

The MINISTER OF HOME AFFAIRS: Hon member, the reason that what you are saying is happening was because of our poorest borders. We have just passed the Border Management Authority Bill here yesterday which your party opposed. I'm not sure exactly what you want us to do, complaining here but opposing

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all the solutions that are being proposed. Please, go and think again. [Applause.]

Dr M Q NDLOZI: On a point of order, Chair. If Ministers don't want to answer us they must just quit being Ministers. Why don't you hand in your resignation if you don't want to be accountable to the House? This is what you are supposed to do.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Ndlozi, you know when you stood up I thought I was recognising you according to the list that I have here, then you went astray. No, no, wait ... [Interjections.]

Dr M Q NDLOZI: Mere attack, Chair.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): No, hon Ndlozi, kahle [hold on].

An HON MEMBER: Point of order.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Ndlozi, are you going to ... [Interjections.] ... jaa, don't repeat what you have just said now.

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Dr M Q NDLOZI: How many Europeans are in South Africa that are undocumented and when are you taking them back to Europe?

An HON MEMBER: Point of order.

The MINISTER OF HOME AFFAIRS: We don't know the number of undocumented people in the country because if a person is undocumented, then they don't want to be known, whether European or what, as long as they are undocumented we won't know until they get arrested. [Applause.]

Question 14:

The MINISTER OF DEFENCE AND MILITARY VETERANS: House Chairperson, hon Marais steps are already being taken to ensure that the strategic capital projects are funded accordingly. In this regards engagements have already been held and continue with the Minister of Finance and the Commander-in-Chief, because realised that there is danger that with underfunding and gradual elimination of the Special Defence Account, these projects may not be completed. The results will be the further haemorrhage of the jobs in the defence and related industries, as well as the demise of the companies in the sector. We will also examine the possible

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reprioritisation of the projects to be in line with reality of the budget cuts being experienced. Hon members, I wish to express strongly, especially as we have assumed the Chair of the African Union that peace is an expensive exercise, but the dividend is even more greater, because: one it attracts investments, it provides for economic growth and stability, but also ensures that there's prosperity in the country. Thank you.

Mr S J F MARAIS: House Chair, Minister we know that the Special Defence Account, balance of R5 billion will be depleted very, very shortly. We also know that on projects Bairro Hotel, Hoefster, there is already a shortfall of R10,9 billion and on the midlife refurbishment of the three-figured in the submarines a further R3,3 billion, we know that we have got no air force maritime patrol capability, very limited air cargo capability and even very limited navy capabilities. Given that the National Treasury has confirmed that they will not approve more money, to what extend are you prepared to reprioritise...you have given the indication that you will reprioritise but what extend are you prepared to do that and are you prepared to liquidate, dormant assets and underutilised assets, specifically to fund this projects - because what is the alternative given those enormous deficits

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and shortfall over the medium term that has been reported?

Thank you very much.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon member, you are correct that the budget cuts are impacting negatively on the South African National Defence Force and its ability to produce its capabilities. One of the entities which are likely to be affected by this is Armscor, as we know that Armscor is an acquisition agency of the South African National Defence Force. Now, one of things which we have started doing is to engage the very defence industry because we also realised that the budget cuts are likely to impact negatively on the defence industry in our country. Now, obviously with those projects where we have already committed funding, it's going to be very difficult for us to say- for instance you have mentioned Bairro Hotel and Hoefster - to say defence industry therefore should stop and we can't continue with those projects, particularly because these are projects which will have a positive impact on the defence industry once they are ready.

But the challenges of the fiscus in South Africa, it's a challenge of the national fiscus. The budget cuts are across all government departments; it is our wish that we that we wouldn't be affected by this, but the reality is that, it does

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affect us. As a country we simple need to engage and find other ways of ensuring that we find the necessary resources. You've mentioned leveraging on some of the assets which we have, yes I do agree with you and it's one of things that we are looking into. If you look at some of the assets we have, they are assets which we are not using and we believe that we don't even have to sell but you may want to lease some of the assets of the Department of Military and Veterans in order for us to make up for what we do not have. So I do agree...

[Interjection.] [Inaudible.] Thank you.

Mr W M THRING: House Chair, hon Minister noting that many government departments will be impacted by the reduced budget allocations including the Department of Defence and Military Veterans, how will this impact your department in terms of keeping South Africans safe as well as our peacekeeping efforts in the rest of Africa? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: I think peacekeeping is not a responsibility which a country simple assumes without engaging in discussions with other countries. In the first instance in all peacekeeping missions where we are deployed, we are deployed under the flag of the United Nations. So, obviously once such decision have taken in a

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multilateral structure, we would have to look, evaluate, look at what we have and look at what it is that we can do as part of our own contribution. It doesn't have to be deployment of boots on the ground; it could be we move into some of the areas when required as mediators, as participants in peace and post conflict reconstruction and development. We can go in as part of exchange of information, we can go in as military observers, so you do not necessarily require a big unit, let's say a battalion to move into area. We may actually provide other services, due to versatile skills which we have within the South African National Defence Force. Thank you.

IsiZulu:

Inkosi R N CEBEKHULU: Sihlalo weNdlu, mhlonishwa, kuliqiniso elingephikwa ukuthi imali eningi emnyangweni iya kwezokuphatha ekuholeleni abakhona ngaphakathi emnyangweni. Kungeke yini kube ubulungiswa uma kungancishiswa inani lalabo bese emalini ehleshulwe lapho ikwazi ukwelekelela ukubona ukuthi ziyafezwa lezi zidingo zombutho ngoba ngaphandle kwawo izwe lakithi alikho ndawo uma liqhathaniswa namanye amazwe. Ngiyathokoza.

IsiXhosa:

UMPHATHISWA WEZOKHUSELO NAMAGQALA OMKHOSI: Ndiqinisekile ukuba ilingu elihloniphekileyo liyitsho le nto kuba liyazi ukuba

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enye yezinto ezingwenelwa yi-National Treasury neziye zathethwa kuMkhosi weSizwedefence force kukuba masicuthe sibe nabantu esibakhuphayo kumkhosi wesizwe abali-12 000 kwixesha leminyaka emithathu.

Thina sithi oko akungekhe kulunge. Ngowe-1998 i

English:

...defence review

... eyayikhona ayizange icinge ukuba loMkhosi woKhuselo esinawo ngoku nalo Mzantsi Afrika wesininzi sikuwo ngoku izakuhamba ibeyinxalelenye ye...

English:

...peace keeping,

IsiXhosa:

ibenayo nenye inxaxheba eyidlalayo kwamanye amazwe. Ngela xesha sasicinga ukuba kokne esikwenzayo sizakukwenza apha ekhaya, silungisa apha ngaphakathi ekhaya.

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Uze ukuhumbule ukuba ngeloo xesha sasisuka kwixesha elibi kakhulu sisaziwa njenelizwe elimoshayo kwezinye iindawo. Kwi...

English:

... defence review of 2015 ...

IsiXhosa:

... iyayitsho nje ngokucacileyo ukuba ngoku kufanele ukuba silungise singajongi kumanani esasithetha ngawo ngowe-1998. Masithethe ngamanani ka-2015 kuba uxanduva lwethu njengesizwe lukhulile.

English:

Of course it makes it even more.

Isixhosa:

Sinoxanduva olukhulu njengokuba uMoNgameli engu ...

English:

...Chair of the African Union.

IsiXhosa:

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Siqinisekile ukuba abantu balindele lukhulu kuMzantsi Afrika.
Ngoko ke sizakuzama ngako konke ...

English:

...in spite of the fact that we have no resources ...

IsiXhosa:

... ukuba oko sinako ukukwenza njengesizwe sikwenze.
Esingakwaziyo ukukwenza ...

English:

...we will be honest about it. We will to the House ...

IsiXhosa:

... sichaze ukuba oku asingekhe sikwazi ukukwenza

Ms E N NTLANGWINI: House Chair, Minister in light with the decreasing budget in your department, how much of your capital expenditure procurement is locally produced, shouldn't you move to ensure that all of your goods and capital are produced within South Africa? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: House
Chairperson, true, fortunately South Africa has one of the

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well organised machinery of defence industry. So whatever we it is that we need really, we procure here in South Africa, however during the course of that, defence industry itself then sometimes gets suppliers from outside of the Republic of South Africa, but as for us as a country as the South African National Defence Force we believe in empowering our own defence industry. Just to indicate as well that we have what is called a Defence Industry Charter, which we adopted in 2018. The reason why we have that charter it is to enforce that defence industry complies with some of the requirements which we have as a country amongst others, set asides for military, set asides for black women, so that the defence industry stops being male-white and male dominated. So we are trying our best of course what we have to do now is to appoint a council which will monitor compliance with the charter. Thank you.

Question 33:

The HOUSE CHAIRPERSON (Mr C T Frolick): We will proceed to the next question. Question 33 has been asked by the hon Ndlozi to the Minister of State Security. I have been informed that the Minister of State Security has requested that due to the sensitive nature of the reply to this question that the question is deferred to the Joint Standing Committee on

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Intelligence. This correspondence was directed to the Speaker, and the Speaker has agreed to this request.

Dr M Q NDLOZI: Hon House Chairperson, we have not received official correspondence ourselves. As per the Rules we are supposed to be informed that our question is standing over so that we have an opportunity to resubmit because the Ministers ought to be held accountable. It is our opportunity which comes once in a while to ask the Minister a question. Now I am being shocked here that I can't ask a question which is of national importance. As you can see in the Question Paper, it has to do with the torching of schools. This is a matter of national interest. The people of South Africa want to know whether there is any role that this department is playing about that situation. So, I don't know how we handle this. I want an opportunity to resubmit a new question before the end of this session.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you hon member for your intervention. Hon members, prior to this question I asked the official from the questions office exactly that question. Had the member been informed? And I was told, yes, the member has been informed. So, we will get the letter or

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whatever form of communication that was sent to you, hon Ndlozi and we will deal with the matter in that light.

Unfortunately, in terms of the sequence of questions we are using now, it would have been preferable if that decision was communicated timeously so we could have dealt with the matter in a way that you are suggesting. Unfortunately, that is not possible now and we will have to proceed to Question 45.

Dr M Q NDLOZI: House Chair, you have acknowledged the shortfall. Can I ask a new question? It is not my fault. It is not my fault; I have a constitutional right to raise questions to the Minister and if she is going to not answer the questions, I should have been informed on time so that an opportunity for a more nonsensitive question could be asked and I have it here. Can I ask the question so we deal with this and Members of Parliament can do follow-ups? Because it is not our fault, it is the fault of the Table staff and herself; I don't know.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. Hon members, in terms of Rule 137 (6) a question is submitted for oral reply and must be placed on the Question Paper for reply at least six working days prior to the question day on

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which it is to be replied to. Unfortunately, the Rules do not allow me for you to submit a new question now and expect the Minister to reply repeatedly to that and that is my ruling on this matter. [Interjections.] Are you rising on the same point of order hon member? Yes?

Ms E N NTLANGWINI: House Chair, on a point of order: If we are going to allow Ministers to this House sitting and just state that they won't be able to answer a question based on the sensitivity of the matter, after how long? And the member didn't get the correspondence. We are going to have a new fashion now and this is going to take precedence. Your ruling is going to take precedence in future House sittings, that these Ministers will use this now and say, no it is sensitive, we can't answer it. Can we please allow hon Ndlozi also to do his mandate and his work to ask a new question?

The HOUSE CHAIRPERSON (Mr C T Frolick): No! I have ruled on the matter and I am not going to change my ruling. Hon members, I just wish to remind that there is precedence. The Joint Standing Committee on Intelligence was established in accordance with Section 199 (8) of the Constitution of 1996 and section 2 of the Intelligence Services Oversight Act 40 of 1994.

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In the High-Level Review Panel Report on the State Security Agency dated December 2018 it recognises that the Joint Standing Committee on Intelligence:

Was designed as a mechanism for our intelligence services to be accountable to Parliament while taking into account the sensitive nature of intelligence work.

It has been the practice that Ministers will refer questions of a sensitive nature to the Joint Standing Committee on Intelligence as the appropriate body where such sensitive information may be canvassed and the appropriate forum to exercise oversight on sensitive matters see Rule 2(h) and replies to Questions 638 and 673 on the 29 October 2019 and Question 393 on 8 March 2017 and Question 739 on 23 March 2015.

In line with this established practice, the matter which requested information on the work of the intelligence services was then deferred by the Speaker to the Joint Standing Committee on Intelligence as the appropriate forum for this matter this matter to be discussed and thus, unfortunately, the Rules do not allow me to allow impromptu questions from the floor.

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Dr M Q NDLOZI: That is fine House Chairperson. All we are saying is an equal reprimand must be sent to Ministers because we send this question over a week ago. So, if the question was sensitive, why wait until today? I am saying; recognise the injustice in incapacitating Parliament to hold Ministers accountable. We agree there are sensitive issues and all of that but she has literally sabotaged us and there must be a direct reprimand in that regard as a separate arm of the state that we can't accept such a practice. The reason these questions are sent on time, way before, is precisely to provide for such eventualities.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. We will deal with the matter and we will follow up in terms of the correspondence that was sent to the Speaker and the reply from the Speaker and we will also see from the Table staff if they have done what they were supposed to do and we will revert to you on this matter.

Question 45:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon House Chair, fighting crime requires a collaborative approach and no single department can do it on its own. Each department has a very specific role to play in this regard. That is why the

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Peace and Security Cluster comprises of Ministers of Defence and Military Veterans, Home Affairs, International Relations and Co-operation, Justice and Correctional Services, Police, and State Security. These Ministries, together with all departments and law-enforcement agencies that form the Justice Crime Prevention and Security, JCPS, continue to work together in their collective endeavours to fight crime.

The integrated justice programme was adopted by the JCPS Cluster as a vehicle to modernise the criminal justice system through the development of the transversal technology solutions to leverage the fight against crime.

The primary objective of the Integrated Justice System, IJS, is to transform the criminal justice system into a modern, efficient, effective and integrated system by electronically enabling an integrating the end to end criminal justice business process, from the report of a crime to the release of a convicted person. It has integration into society.

Through technology solutions and managing the related interdepartmental information exchanges across the criminal justice value chain, this programme has been in existence for more than a decade. Government has made substantial investment

through the deployments of technology solutions both in terms of systems and information technology, IT, hardware to the various JCPS departments.

Among the IT solutions developed through the IJS, we count the Police Integrated Case Docket Management System and Police Automated Fingerprint Identification System, the prosecutions Electronic Case Management System, the Integrated Courts Management System, the correctional services Integrated Inmate Management System and the Department of Home Affairs system such as the National Identity System, supported by a multimodal Automated Biometric Identification System which will replace the current home affairs national identification system.

As from 30 August 2019, more than 1 850 000 cases have been electronically processed via the IJS Transversal Hub using IJS system integrations between the SA Police Service, SAPS, National Prosecuting Authority, NPA, and the Department of Justice and Correctional Services. This electronic information exchanges include associated docket ready notifications, docket requests, electronic charge sheet and electronic case outcome and integration.

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The implementation of the IJS has not been without challenges. Key to these challenges has been the inability to optimally integrate programmes of the various actors in the criminal justice value chain which is attributed mainly to various issues of leadership. We are in the process of addressing the challenges. Importantly, we will soon be embarking on a comprehensive assessment of the projects implemented under the IJS programme with the view to harness those that have yielded positive outcomes and incorporate into the programmes of the line function departments, whilst at the same time we discuss those that have not yielded the desired outcomes. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Mohamed you have a follow-up question. Where is the hon member?

Adv H MOHAMED: Hon Chairperson, there is a follow-up question by the hon Mofokeng. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, you may take it sir. Hon Mofokeng, do you want to take the follow-up question?

Ms J M MOFOKENG: Hon Chairperson and hon Minister, hon Minister you acknowledged that the Integrated Justice System has not been without challenges. Over the past few weeks the

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country was made aware of the murder of an innocent eight-year-old girl by a parolee. This is a serious indication that the system within the justice system needs to be speaking to one another.

How is the department planning to work with other departments in ensuring that such atrocities never happen again? Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Indeed, as I have said that there is a need for an interlinking of the system from home affairs to the Police, to the NPA, to the correctional services and to the court administration process. It needs to have a real effect so that anyone who is arrested on real-time the Police can be able to see the fact that this person was once in our correctional centres. Same when the person arrives at the NPA, they must be able in real-time, to detect comprehensively the previous criminal records and the involvement of that person in any kind of a criminal activity. Also, same when it goes to the correctional services, when a person arrives with the information, they must be able with a click of a button to access all the information of that person who has arrived.

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So, because of this challenge of the failure to interlink the systems, sometimes inmates change their names and various challenges that we have. So, the interlinking of the system is a priority for the cluster and it is being addressed. We believe that as an issue it is almost like an engine of the entire criminal justice system.

If these could be - as we speak there is a process that is aimed to ensure that this system function optimally and all departments are able to talk to each other through this integrated system. Thank you.

Adv G BREYTENBACH: Hon House Chair and Mr Minister, when you describe the integrated criminal justice system like that it sounds quite wonderful. However the fact is that over the past 18 years an amount of not less than R6 billion across all the participating departments have been poured down the drain that is the integrated criminal justice system. The results thereof could scarcely fill the bottom of a thimble.

What explanation can you offer for this abject failure and why should we continue to spend money on such an obviously failed system?

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The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: As I have said there have been successes and I have mentioned them. I have also acknowledged that there have been indeed challenges. However the fact that there have been challenges does not mean that we must abandon our quest to modernise the criminal justice system even government for that matter because we will be overtaken by the whole world in terms of modernisation. Not only by the whole world will we also be overtaken by the criminals themselves who will be afforded the most recent and up to date technology which the system of government must be able to be at the forefront on the cutting edge of technology.

So for that reason, it is important that we do not abandon on the basis of faltering and of the faults of the system, we must proceed and soldier on. Where there have been mistakes let us soldier on and correct the system. Where there have been challenges in terms of some kind of leakages in terms of finances those are being dealt with by the various relevant investigations and law-enforcement agencies. However ours is important that we soldier on and modernise the system of the criminal justice system, but also of the government as a whole so that we are up to date and we keep up with the rest of the world. We are also a leader in these issues of technology.

Thank you.

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Ms N TAFENI: Hon Chairperson and hon Minister, when are you publishing the National Register for Sex Offenders and what is the website? Will there be an application for a mobile smart phone with a powerful search engine by location, surname, name and pictures? Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: As you are well aware that this is the National Register for Sex Offenders it relates at this stage only for minors and it is still not yet made public. The publishing of the register requires a legislative review which the President has undertaken. We are in the process of ensuring that there is such kind of publication which will be in line with the laws of the country.

It is important that it is done through proper processes of legislation and so forth because if it is not done through proper checks and balances, we will open ourselves to various risks as a country. So, that is why we have to do all due diligence processes to enable the system to function in a manner that is compliant with the Constitution. Thank you.

Mr S N SWART: House Chair and Minister, we appreciate the endeavours to modernise the criminal justice system and what

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you have indicated obviously it is most desirable from the ACDP's side that if a person is arrested you would be able to immediately ascertain both from the criminal record section as well as from home affairs and their data as to what the background is of that person. Now you have indicated the challenges and we appreciate that, but of course you know and this is the question - the budgetary challenges facing the department now: What impact will that have on integrating your Information and Communications Technology, ICT, systems across the departments? Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you hon Swart for acknowledging that there has been some kind of progress and there is the will from all of us in the departments to see this modernisation project succeed. The budget constrains obviously affect the whole of government. The Minister of Finance spoke about the challenges that we have. However we believe that with the little resources that are there a foundation has been laid and we can enhance from that foundation to build this integrated system that will enable us to modernise the entire system. We are of the view that this resources albeit not enough can enable us to lay a foundation to build from when heydays comes back again. Thank you.

Question 39:

The MINISTER OF HOME AFFAIRS: House Chair, the African Development Bank indicated in its African Economic Outlook 2017 report that trade between African countries has the greatest potential for building sustainable economic development and integration. This report noted that trade amongst African countries improved from 10% in 2000 to about 16% in 2014. By global standard, this is very low for trade within a single continent. This challenge was directly confronted by President Cyril Ramaphosa when he assumed the Chair of the African Union 2020 at the 33rd session of the African Union Assembly, when he stated that:

“The African Continental Free Trade Agreement that we adopted last year will enable us to work together through Intra-Africa trade, as it will reignite industrialisation and pave the way for Africa’s integration into the global economy as a player of considerable scale. It is the realization of the dream of our forebears, to see the rich resources of Africa being marshalled for the collective benefit of Africans.

We must all ensure that the African Continental Free Trade Agreement does not become a conduit for products

with minimal African value addition to enter and penetrate our local markets under the guise of continental integration. There must be a reasonable standard set for what constitutes a product that is proudly made in Africa.

We have to level the playing field for African businesses, so they are able to operate in a large-scale market unfettered by regulatory fragmentation. This is an integral part of rebalancing global trade relations.

The era of economic colonialism and imperialism, under which Africa is a pit stop in the global assembly line, has passed. The success of the African Continental Free Trade Agreement depends on infrastructure development. We must all drive the implementation of the Presidential Infrastructure Champion Initiative, so that priority and high-impact projects act as catalysts for the African Continental Free Trade Agreement”

Efficient trade facilitation and secure boarder management are inseparable. In South Africa we took a decision in 2013 to formally, establish a Boarder Management Authority which the Bill was passed. This organ of state will be responsible for

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boarder law enforcement at all ports of entry and within the land and maritime boarder law enforcement areas.

In summary, the net effect of the Boarder Management Authority and the redevelopment of the six busiest land ports of entry as one stop boarder post, is that the conditions will be created from promoting greater, more efficient and secure movement of people and goods in support of inter alia boosting inter African trade under African Continental Free Trade Agreement. Thank you.

Mr M S CHABANE: Thank you Minister for the accurate detailed response. Noting that yesterday we passed the Boarder Management Authority, what is your response to those opposing and sighting that it will constrain the free movement of persons and trade agreements? Thank you.

The MINISTER OF HOME AFFAIRS: Well, you are aware that it was just opposition. We have explained thoroughly even in the Bill itself that the aim of the Boarder Management Authority is not to impede but to enable movement of goods and services and movement of people. But, do away with illegalities like human trafficking, like stolen goods going across the border, counterfeit goods, drugs, all those are not good for trade and

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they won't be good for Africa free trade. So it is not true that the Boarder Management Authority will impede. Actually, it will facilitate. Thank you.

Dr M Q NDLOZI: Hon House Chairperson, the obvious security breaches in relation to boarder management relates to goods and services that are avoiding custom duties for an example. I understand also with illegal products. My question is, obviously this is a very tough job and this is organised crime in most cases. Has the State Security Agency ever provided you with an intelligence product that has ever assisted your work in boarder management in relation to illegal goods? You don't have to tell me the details. You are under oath Minister. Have they ever provided you with an intelligence product that assists because they are involved in the boarder management? So, please be honest ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you hon member. Your time has expired.

Dr M Q NDLOZI: No one is going to fire you ... [Inaudible.]
[Interjections.]

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The MINISTER OF HOME AFFAIRS: Hon House Chair, the function of the State Security Agency is to provide intelligence to all government departments, all of them, including the Department of Home Affairs. When they notice something that will threaten state security in your department they inform you. They actually give reports and regular intervals for you to watch out. So every government department receives intelligence that is important for the work they are doing.

Mr A C ROOS: House Chair, Minister, the African Continental Free Trade Agreement requires the facilitation of the movement of persons between member states. So you mentioned that steps have been taken to finalise bilateral return agreements which will include the return of illegal immigrants from those countries. So with Department of Home Affairs, with the deportation budget having being halved in the last three years, do these bilateral agreements includes the cost of deportation being paid by those countries?

The MINISTER OF HOME AFFAIRS: Yes in the discussion we are having with them, we are putting that as a proposal and we know at least one country has shown that they might accept that. That is Kenya with which we have also piloted the e-

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Visa. So yes, in our negotiations we are actually putting that on the table. Thank you.

Mr W M THRING: Hon Minister, recently the President of the United State trade representative, Robert E. Lighthizer, approached Kenya with regards to a free trade agreement that would be the first in sub Sahara in Africa. Nothing that South Africa and Kenya are signatories to the Africa free trade agreement, are there negotiations with your department and your counterpart in Kenya to look at what the ramification in terms of these so called agreements and how would that impact on the African Continental Free Trade Agreement that our countries have? Thank you.

The MINISTER OF HOME AFFAIRS: We haven't engaged ourselves, unfortunately, hon member. Thank you.

Question 48:

The MINISTER OF POLICE: Thank you, hon House Chair. No memorandum of agreement has been signed between the Minister of Police and the Premier of the Western Cape regarding the proposals by the Western Cape government to recruit additional law enforcement officers. Well, the question talks about the police, there are no police officers by the local government.

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However, our understanding is that the applicable term in this case is the law enforcement officers. The Minister of Police and the Premier of the Western Cape are currently negotiating a draft implementation protocol for the implementation of programme in support of violence prevention and safety initiatives in the Western Cape.

It is envisaged that the co-operation and collaboration framework to be provided for in the draft protocol shall encompass the provision by respective parties to this draft protocol of oversight accountability, operational and funding support of the specific crime prevention programmes in the Western Cape. The draft protocol is not limited to the issue of recruitment of additional law enforcement officers only. It is important to note that the parties to the draft protocol are still in the process of negotiating the nature and extent thereof and no agreement on the contents thereof including the issue of recruitment had been reached yet.

Discussion on the composition structure and command and control of the law enforcement officers are also part of the ongoing negotiation. Issues of oversight and accountability are of a major concern in the negotiation of the protocol as well as ensuring that functions of law enforcement officers

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are within the mandate and not unduly encroaching on the mandate and function of the SA Police Service. Thank you very much, Chairperson.

Ms N P PEACOCK: Thank you, hon House Chair. Hon Minister, how would you ensure that the Western Cape safety plan advances good governance and adhere to the President's state of the nation address' priorities? I thank you.

The MINISTER OF POLICE: Thank you very much, hon member, through you Chair, that is why we are discussing protocols. One other thing is that the law enforcers and the police themselves are established and work within the legislative framework. The problem that we have encountered and that we are trying to sort out is that, indeed, there are elements that tell us that if they are not watched, and if we are not working closed to it people might encroach and don't respect the legal framework that they are supposed to work. We are hopeful that we will ... and as I have said before that I find it very reasonable to work with the Premier of the Western Cape more than any people and anybody in this House. I hope that we will find the better outcomes with the premier.

[Applause.]

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Mr O S TERBLANCHE: Thank you, Chairperson. Hon Minister, you know that the additional thousand SAPS members deployed are really not enough to alleviate the high crime rates in the Western Cape. Now, during the state of the nation address debate, Minister, in Parliament you stated that the efforts of the Western Cape provincial government and the City of Cape Town to appoint new law enforcement officers is unlawful; and that these officers are, therefore, criminals and should be in prison. Minister, is that still your position that you are holding at the moment? If not, why not, Minister? If yes, what have you done to rectify the situation and have you registered a criminal case if that is unlawful? Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, you are reminded that in terms of the rules you are supposed only to ask one follow-up question ... [Interjections.] ... No, I'm the presiding officer and I rule that the hon member has asked more than one questions. Hon member!

The MINISTER OF POLICE: Well, fortunately this is a repeated question that I was not given an opportunity to answer it one day. Hon member, there are laws in this country, it doesn't matter what part of the country, and there is no independent state out of the Republic of South Africa. For that reason,

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here in the Western Cape, the police was shot and killed - the member of SA Police Service - by the law enforcement member. For that reason, we wanted all legal papers that are supposed to be used by these law enforcement members. One of that is from the Criminal Procedure Act Regulation signed by the Minister of Justice and indicates that all certificates for them will be signed by the National Commissioner of the SA Police Service. For four times or five times we have wanted those certificates and they are not forthcoming, which means that they are operating illegally. If you are operating illegally you are part of criminal elements. Therefore, we need to deal with it as such, simple put. We have said that give us certificates, if no certificates we must take the guns because they are not certificated in your hands. That is an only thing we have said. We are standing here, and we can't find these certificates. Please ask them to give us certificates. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon Minister. Order, hon members!

Mr H A SHEMBENI: Thank you, House Chair. Minister, are you involved in the training of the law enforcement officers in the Cape Metro and Johannesburg Metro? If not, is it in line

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with the SAPS standard or and how credible is it. Thank you very much.

The MINISTER OF POLICE: Hon member, there is a Bible in this country called the Constitution and there are other pieces of legislation. The Constitution talks about two levels of policing: that is your SA Police Service and metro police. That is in the legislation and the Constitution. However, one important thing those documents create the oversight of those two structures. Unfortunately, there is no structural oversight on the law enforcement. Therefore, they carry guns, they do thing and we can't have an oversight. The mechanism of looking after them is that we sign certificates and those certificates as we speak are not there. We have asked to find these certificates and we are told that there are more than 100 of these members, but we have been given only 10. We have even made it easy and tell them to give us on the piecemeal if they can't bring them all, but they are not forthcoming. Therefore, the question is that they have no blessing and there is no legal legislative framework that has allowed this law enforcement to be happening. That's what we are working with the premier of the province, to put some legal legislative on the matter so that they ... for now they are not. Thank you.

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Question 18:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Chairperson, unfortunately the response to this question will entail disclosing full security details of a SA National Defence Force project. Due to the sensitive nature of the question, I would like to recommend that this matter be dealt with in a closed session of the Joint Standing Committee on Defence or the Joint Standing Committee on Intelligence. I thank you, Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon Minister. Hon Minister, while I agree with what you are saying, it would be helpful to the House if that can be communicated prior to the sitting so that we can convey it to the member who asked the question, and also, then make the necessary arrangements for such a session to be arranged for the discussion to ensue. Why are you rising, hon member?

Mr G G HILL-LEWIS: On a point of order, Chair. I just want to underscore the point made by Mr Ndlozi earlier. This question paper was published more than six days ago. The Minister could have written to us or to the Table to inform us that this was going to be her response and we could have tabled a different question. So, I would like to ask that the Speaker's Chair

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take action against both Ministers who have abused the Rules in this way today. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, this is now the second question of this nature and I think what we would do is to request the Rules Subcommittee to look into this matter and see how we can make it more explicit to avoid an occurrence of this nature. Hon Ndlozi, why do you want to rise?

Dr M Q NDLOZI: Chair, thank you very much! It is not a matter of our Rules. It is the ill discipline of the Ministers. Chairperson, you have to therefore redirect the effort to correct them, from either the leader of government or you must speak directly to them as you did now. They knew that the question of Project Fluid is a sensitive matter. Then why agree that it must come here?

So, it is them - it is very clear now that it is them who are sabotaging Parliament from holding them accountable. If a question must go to the Joint Standing Committee on Intelligence, you should have said that six days ago so that we resubmit a new question because now we want to know about the new project.

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The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member.

I want to proceed to Question 22. The hon Minister Pandor!

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION:

Chairperson, I would assume that when you do reflect on this matter as requested by the hon Ndlozi, you would also look at the Rules related to membership of the committees referred to and the expected conduct in terms of the codes associated with those committees so that we take the appropriate guidance from yourselves. Thanks.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon Minister. Hon members, I now want to proceed to Question 22 asked by the hon Mafanya. [Interjections.]

Dr M Q NDLOZI: Chair! Chair! Sorry, Chairperson!

The HOUSE CHAIRPERSON (Mr C T Frolick): Why are you rising, hon member?

Dr M Q NDLOZI: My greatest apologies. It is really futile, hon Chairperson. It starts with: You got the question six days ago; you should have told us six days ago. There is nothing that ... [Interjections.] We don't disagree with the wisdom

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that some of these matters, in deliberating their details, can be referred to that committee. There is no excuse whatsoever that these Ministers did not tell us six days ago.

[Interjections.] They must not stand and defend anything.

[Interjections.] Just take it; you are wrong!

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you. Take your seat now. The hon Minister of Police will respond to Question 22 that has been asked by the hon Mafanya.

Question 22:

The MINISTER OF POLICE: The total of 18 fraud cases dockets relating to the Life Esidimeni tragedy is currently under investigation. These cases were reported by the Special Investigation Unit in terms of the Presidential proclamation No 23 of 2017 issued on 24 July 2017. No arrest has yet been affected. Five of the 18 cases dockets have been fully investigated and are currently pending a decision from the Director of Public Prosecution. The remaining 13 cases dockets are still under investigations. Thank you very much.

Dr M Q NLOZI: Point of order, Chairperson.

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The HOUSE CHAIRPERSON (Mr C T Frolick): What is the point of order, hon member?

Dr M Q NLOZI: Some laughter of hon members are unparliamentary there. We can't hear what the Minister said.

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon members ...

Dr M Q NLOZI: They are overwhelming the Minister with their laughter there. I don't know what they are laughing at.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. Hon member?

Dr M Q NLOZI: Because we are talking about life Esidimeni, you are laughing.

Mr P M P MODISE: Chair, can I call order?

The HOUSE CHAIRPERSON (Mr C T Frolick): Order! Order, hon members.

Mr P M P MODISE: Can I call order, Chair?

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The HOUSE CHAIRPERSON (Mr C T Frolick): Order! Order! Before I come to you, hon Modise, you can take your seat, hon member. No, order. You see, when the Minister was busy responding to that question, I was also distracted by laughter. Really hon members, when we deal with sensitive issues and we have a Minister on the floor to respond to this type of question, we expect members that even if they converse with one another to do in such a way it does not interrupt or disturb the decorum of the House. I really want it to apply to all members to desist from doing so, so that we can deal with these matters in a responsible way. The hon Modise, why are you rising?

Mr P M P MODISE: Thank you very much. I want to plea for consistency that every time a speaker rises to a podium, you call for us to mention which Rule we are rising on. But there are those who wear different colours than others who are perpetually rising and they are never asked which Rule according to the Rule Book they are rising for.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you. Order, hon members. Order! Hon members, if you ... [Interjections.]
Order! Hon members? Hon Modise, take your seat now! No, hon member you raise a point of order but you must read the Rule further. The Rule does not stop there. The Rule says that if a

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member can indicate exactly what it is that he or she is rising on then they may proceed with the point of order. Just read the point a little bit further and you will see what I am talking about. [Interjections.] Order, hon members.

[Interjections.] Order, hon members.

Mr W M THRING: Point of order, Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Order! Order!

Mr W M THRING: Point of order, Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, hon member.

Mr W M THRING: Chair, I want to agree with the hon Dr Ndlozi. I think that when members are actually speaking, the decorum of the House has to be kept.

The HOUSE CHAIRPERSON (Mr C T Frolick): But hon member, I have just ruled on it.

Mr W M THRING: No, here is my point. Yesterday when I was speaking, hon Ndlozi was interrupting me. So, I think there must be consistency, Chair. Thank you.

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, take your seat. No, hon member. Hon member, that was yesterday, you should have raised your point of order then. I am going to ask hon Mafanya to ask a follow up question. [Interjections.]
Order, hon members.

Mr W T I MAFANYA: Thank you, Chair. Minister, the Life Esidimeni commission of enquiry also exposed offences that were committed by political office bearers like the MEC and the premier. Has there been any legal step taken to hold them accountable? Thanks. [Interjections.]

An HON MEMBER: Wait, wait, wait, it's not you.
[interjections.]

The MINISTER OF POLICE: Thank you very much, Chairperson.
[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members.

The MINISTER OF POLICE: Thank you very much, Chairperson.
Maybe the question was about judicial commission. There was a Moseneke Commission not Judicial Commission at the Life Esidimemi. Maybe, you could put that one in order first.

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The investigation is for everybody that was and is involved in Life Esidimeni without names. We are not investigating names. We are investigating people that were involved. At the present moment, they are 18. Broadly, people that are being investigated there are 118. But this question is specific on fraud and corruption. Those are 18 and then we have taken the information that is ready to the public prosecution. Then the names will be coming from there without labelling them whether they are Ministers or what. But we are investigating the people that were involved. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon Minister. Members, the time allocated for questions have now expired. An outstanding replies received will be printed in Hansard. That concludes the business for the day and the House is adjourned.

The House adjourned at 18:03