**UNREVISED HANSARD
 NATIONAL ASSEMBLY**

***WEDNESDAY, 3 MARCH 2021***

# PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met 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 and the Chief Whip, please wear your masks. You should generally sit where you are allocated a seat, unless there is an emergency then you can run out. Thank you very much. The only item on today’s Order Paper is questions addressed to Ministers in Cluster 1: Peace and Security. Therefore, with regard to supplementary questions on each question that is asked, we have given an indication of which questions members can pose supplementary question to. Adequate notice was given to parties for this purpose. It was done to facilitate the participation of members who are connected to the sitting through the virtual platform.

Members who will pose supplementary questions will be recognised by the Chair. In allocating opportunities for supplementary questions, the principle of fairness, among others, will be applied all the time. If a member who is supposed to ask a supplementary question through the virtual platform is unable to do so due to technological difficulties, the party Whip on duty will be allowed to ask the question on behalf of their member, whether he or she is on the virtual platform or in the House.

When all the supplementary questions have been aswered by the executive, we will proceed to the next question on the Question Paper. The first question has been asked by the hon A J Beukes to the Minister of Defence and Military Veterans. I have been informed that the Minister will be answering questions from the Chamber. Hon Minister?

# QUESTIONS FOR ORAL REPLY PEACE AND SECURITY CLUSTER 1

Question 38:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you

Chairperson.

The DEPUTY SPEAKER: Deputy Speaker! [Laughter.] Welcome Minister in the House.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Deputy Speaker,

my sincere apologies. Thank you very much, Deputy Speaker. The answer to the question from the hon member Beukes is the following. The findings of the Auditor-General had been a concern to my department as articulated by the hon Beukes. In this regard, there is the establishment of the cross- functional teams to conduct investigations that will address previous irregularities and inform consequence management to serve as a deterrent continues. The e-procurement system is currently used for price quotations and units that are not using e-procurement shall be compelled to use the system.

Units that do not have the system shall be visited as from the month of March to ensure that the system is in place for price quotation. The roll-out of electronic document management systems for all procurement units is on ... [Inaudible.] The audit improvements here ...

The DEPUTY SPEAKER: Hon member, please switch off your microphone. All members, please make sure that your microphones are switched off. Go ahead, Minister.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you

Deputy Speaker, the audit improvement plan is in the process of being finalised. Meanwhile, there will be continuous engagement between government’s risk complaince and accountability committee and all units that are responsible for procurement to enhance proper and efficient manner of doing things to mitigate against the Auditor-General findings. To enhance the above, we have also established an oversight committee to monitor procurement and the functioning of bid and evaluation committees which I would talk about later when I respond to the second question raised by the hon Beukes.

Thank you, Deputy Speaker.

Ms A J BEUKES: I understand and appreciate the efforts made by the department to address the findings. But Minister, how sure are you that monitoring systems are effective? Can you task specific officials to track the progress and report in spirit of transparency and accountable government. Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you

Deputy Speaker, one of the themes which we are seriously looking into is that procurement is not centralised, but rather decentralised within the units across the width and breadth of our country. Oversights visits to procurement units

are done by a compliance committee across the country, focusing on high risk areas and findings and instituting corrective measures such as record management. Currently, we fully depend on manual interventions. The challenge we have as a department is that procurement is not a mustering - rotation of members in and out of the procurement environment has its own pros and cons.

To minimise the risk of flows emanating from the rotation process, the department is working on a procurement function that is composed of a combination of civilians and uniformed members to ensure continuity. The absence of an integrated system is one of the root causes why the department is not having an adequate system to identify, detect or even record irregularities. Therefore the department is researching an automated procurement process which is aligned to the planning and reporting instrument. Thank you.

Mr S J F MARAIS: Thank you Deputy Speaker. Minister, there was an Auditor-General’s findings of gross misconduct and misrepresentation with regard to illegal and unauthorised transport of unregistered and unauthorised Cuban medicine. It was found that medicine was not declared as medicines at the port of entry, SA Health Products Regulatory Authority,

Sahpra, was not informed and the Auditor-General reported the documents contained false or misleading information. What are you doing about this? Are you holding people responsible and accountable for violating laws, including the Public Finance Management Act? Will you act against the chief of the SA National Defence Force, SANDF, given the fact that he is leaving the service at the end of May this year? I thank you, Deputy Speaker.

The MINISTER OF DEFENCE AND MILITARY VETERANS: I welcome the

opportunity to respond to this matter raised by the hon Marais, particularly because in the past few weeks, this is a matter we have been seized with. Irrespective of whether I appear before the portfolio committee or not, the matter has arisen in the public domain.

Hon Marais and hon members, this issue has been well discussed. And yes, we have identified areas which require an investigation to be conducted. Just to indicate to the hon members - as I have said in the meeting of the portfolio committee - I have put together a team of three people which is investigating not just the matter of interferons, but a whole range of issues which have come out in the environment of the defending territories as well. I cannot act on the

matter of interferons before I have received a comprehensive report which identifies what exactly may have happened, how it happened, and who is responsible. Thank you very much, Deputy Speaker.

Dr P J GROENEWALD: Deputy Speaker, through you to the hon Minister, to be a good soldier one need to have certain features. One thing is that you should respect authority. The second one is that you are well disciplined and the third one is that you should comply to the rules. If you don’t have those features and if you don’t comply to the rules, you are not a good soldier - in fact, you are a danger to other soldiers. Now, you as the political head, hon Minister, you just now referred to consequential management, how do you declare the fact that the general comes to the portfolio committee in Parliament and says that he is not accountable to us, and that he will not account to us. He does not have one single feature of a soldier. You said they must comply, my question to you is, “What steps have you taken against this general who is supposed to set an example to his subordinates?” Thank you.

The DEPUTY SPEAKER: You have used 18 seconds to the time you were allocated.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you very

much hon Groenewald, you are correct. Any soldier is expected to respect authority and to be a soldier is to be disciplined and to also comply to instructions. Sometimes even if instructions are unfair, one still have to comply, nonetheless. Now, I am not aware of the name of the person you are referring to. I am aware of many issues which we are currently dealing with. But if there is a soldier or an officer who appeared before the portfolio committee and said that he is not accountable to you, obviously there is a problem with that. Because he must have given you the reason to say so.

When we were drafting the legislation and the Constitution, we decided that there will be a civilian oversight, and that we will not have soldiers who will act on their own and in the process become rogue elements. So, if we get that report about that person who appeared before the portfolio committee and said that he is not accountable to Parliament, obviously we have to act against that person. The reality is that in the past we had the defence force, as you would know, which was a law unto itself.

But now the reason we have a secretariat and a civilian component and men and women in uniform is precisely to deal with those issues. And of course above all, the reason we have this portfolio committee is to ensure that Members of Parliament, on behalf of South Africans, should exercise oversight. So, that is the matter I would want to be seized with. Thank you hon member for drawing my attention to that.

Mr W M THRING: Hon Deputy Speaker, through you to the hon Minister, the Auditor-General also raised concerns in his report of fraud and misconduct in the supply chain management. With the portfolio committee noting that half of these cases – the cases of fraud and misconduct with regard to supply chain management - are not investigated, along with insufficiently investigated risk areas, what progress, if any, has been made to investigate and prosecute, if necessary, each case of fraud and misconduct thereby insuring that consequence management is carried out? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon member, I

agree that consequence management need to be enhanced within that Department of Defence - and I dare say that in all government departments. Of course you do find serial offenders who must be removed from their procurement positions. Another

control which we have implemented is where there are transgressors. The procurement delegation which has been given to the specific officer is then revoked and the respective chief of services and divisions are held liable.

Procurement officers are also being educated now on the interpretation of procurement prescripts and policies applying to them. I want to go back to what I have said earlier on which is that one of the biggest challenges we have is that we have a procurement system which is decentralised – a procurement system where there are no musterings. So, you can serve and gain your experience for two years in a particular environment, and after that two years, you can be moved to another environment. We are saying that we should mix both men and women in uniform with civilians to make sure that there is institutional memory as the men and women in uniform move and we keep the civilians. Thank you very much.

Question 22:

The MINISTER OF HOME AFFAIRS: Deputy Speaker, let me start by clarifying one fact, the Department of Home Affairs does not have people specifically employed as queue marshals. This is due to severe budgetary constraints, especially the budget for the compensation of employees.

What the department is doing to fill this gap is to utilise front-office staff as floor walkers to deal with the queues. This staff is trained on a programme called Professionalization of the Department of Home Affairs Staff Programme. The programme is aimed at ensuring that officials are capable or professionally address all clients. Some of the key modules within the programme are client relations, diversity management and ethics; however, in time to mobilise queue marshals from elsewhere within the state.

We are working with the Premier of the Eastern Cape, hon Oscar Mabuyane, and the MEC for Co-operative Governance and Traditional Affairs, CoGTA, in the same province to provide us with Extended Public Works Programme, EPWP, staff and Community Development Workers, CDWs, to assist as queue marshals. This programme is being implemented in our East London offices as a pilot, which, if successful, will be rolled out to other offices.

Our learning academy has gone down to train them and as I’m speaking now there is on-the-job training going on. Thank you very much.

Ms T A KHANYILE: Hon Minister, why have Home Affairs been closed during adjusted lockdown level 3, to reduce the risk on home affairs front offices, when it in fact completely takes away traffic from Home Affairs front office? Thank you.

The MINISTER OF HOME AFFAIRS: Deputy Speaker, I just held a press conference at 13:00 this afternoon to announce that the issue of e-Home Affairs is going to start as from next week. It was stopped because of technical problems and those have been fixed. Thank you very much.

Ms L L VAN DER MERWE: Minister, despite the department’s war on queues, a visit to any Home Affairs office is still often a nightmarish experience.

The pressure on Home Affairs offices could have long been alleviated had other service avenues been available to citizens. Two such additional avenues are your mobile unit, which are currently nowhere to be seen because many struggle with Information Technology, IT, connectivity and mechanical breakdowns, and rolling out Department of Home Affairs, DHA, services to banks. Only 26 bank branches, most of them in Gauteng, currently offer these services, yet banks have been

very eager to work with your department but the delay in

rolling out this project has been on the department’s side.

So my question, therefore, will you ensure without further delay that all your mobile units are up and running and in communities providing services? And can you give us the assurance that services will be rolled out to all banks that are willing to assist you? And please can you provide us with some timeframes and interventions in this regard. Thank you.

The MINISTER OF HOME AFFAIRS: Hon member, you are right. The Department of Home Affairs tried its best to diversify service provisioning from many platforms. And you’re right, one such platform was mobile units, and you are aware that we have 100 of them around the country.

We have reported many times to the portfolio committee that the problem we encountered with our mobile units is that when you park them in the centre of big cities they work very well, but when you send them to rural areas or areas where they are needed there are problems of connectivity, because they’re connected to either MTN or Vodacom or Telkom. We then agreed that we’ll connect them to all the networks so that they can pick one network or the other but the problem was not

resolved. And we’re busy installing them with satellite units, which have proved to be working.

On the issue of banks, it is not true that the delay is on our side, the bank could only help us when it’s ready. And you’re aware that during the lockdown level 5, from last year, the banks closed up this service. They’ve now agreed to reopen the service on Monday the 8th; that is next week. Thank you very much.

Mr F J MULDER: Hon Deputy Speaker, my question to the hon Minister through you would be, after listening to your answer, do you acknowledge the fact that the Department of Home Affairs was not adequately equipped to deal with the queues during the adjusted lockdown level 3 measures imposed on the country and will there be any consequence in the department?

Thank you, hon Deputy Speaker.

The MINISTER OF HOME AFFAIRS: Hon Deputy Speaker, the first reason that we had to stop certain services last year and provide only a few services was precisely because the department was not coping with the number of people who were coming in because, as you know, when COVID-19 struck we had to reduce staff, we did not have a full complement of staff.

The second reason is that it was difficult to keep the clients, especially when the queue is moving outside the fence of the Home Affairs premises. To keep people in the queues, to have them wear masks and do social distancing was a very, very difficult task. We tried to send immigration officials and called in police to help but when it did not work we then decided to reduce the services.

It is not a secret that we do have problems with the queues. Firstly, because of the infrastructure, which I’ve spoken about many times. Home Affairs offices are hired from elsewhere, I’ve repeated even in this Parliament. I regard the Home Affairs office just like a police station and a clinic.

Police stations and clinics are not rented, they are purpose- built for that function; not so are the Home Affairs offices. And one of the solutions, we have gone to the Presidential Infrastructure Project, and we are meeting with the leader of that project, Dr Ramokgopa, to make sure that we are doing something about Home Affairs offices.

Secondly, not all Home Affairs offices have been modernised, as in technology; we are [Inaudible.] that. Some are so rural that there is no network, no electricity and so it is

difficult to modernise them and thing happen manually there

and that’s why the long queues.

So, we are doing everything from all angles to make sure that, that problem is solved. But it’s not something that is a secret, it has already been known and we have accepted it long ago. Thank you very much.

Mr M TSHWAKU: Minister, I think that maybe let us not ... there were some other issues besides the COVID-19 probably, the reason why there were long queues. Because when we went out and investigated and enquired from the people, there were problems with the IT, because most of the time your IT was down.

Secondly, there was an issue of the lack of motivation or the lack of ... of actually not wanting to work and to assist; there was a lack of services from the personnel.

Can the Minister maybe appraise us in terms of what is he doing about the network that is already down, the system that is down most of the time? What also is he doing in terms of people who are motivated to work or assist people who are actually walking in or coming in to get the services?

We know that in Matatiele it was a case where people could not get services [Time expired.] and in East London there was a case as well where people [Inaudible.] their IDs and all of that ... thank you very much, Deputy Speaker.

The MINISTER OF HOME AFFAIRS: Hon Tshwaku, I though I’ve spoken about IT and in the portfolio committee I’ve reported this many times, about our system countdown, because the portfolio committee is worried about it on a daily basis. I’ve reported that we ... actually established a war room in Centurion where all these big companies, IT companies, that are servicing Home Affairs were put together, we even asked that they send their chief executive officers, CEOs not juniors to sit in Centurion, and we posted a deputy director- general in that regard to sit with them to try and find the root cause of the system’s countdown.

I must state that we reported many times that it was frustrating because many of them were failing, the systems will function for two weeks and then from there they go down and send them again. We are busy dealing with these problems.

Secondly, we thought we needed a leader, somebody from the IT sector who is very, very well-vest with IT systems at the

technical level to be the head, the deputy director-general, for this. And I must report that we have interviewed people, we’ve selected a person, he’s going through the processes, we’ve sent the documents to the Department of Public Service and Administration so that they take the appointment to Cabinet for it to be approved. Then we believe most of our problems will be solved in that way.

So, it is true that the issue of IT was also responsible for the problems of queues and we assist with that problem.

Question 14:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: The

National Prosecuting Authority, NPA, has not yet decided to institute charges or not to institute charges. Therefore, there are no reasons that have been provided as asked by the hon member.

The NPA is serious about dealing with white-collar crime, including private sector corruption, fraud committed by companies and private persons. As a result, they are collaborating with other law enforcement units in a form of the anticorruption task team to prioritise and monitor the investigation of these matters with a view to ensure speedy

enrolments thereof and thus effectively address white-collar crime.

The NPA as a result is undergoing the process of resourcing the Special Commercial Crime Unit tasked with guiding the investigation and prosecution of complex commercial crime cases, including private sector corruption and fraud.

Additional prosecutor posts are also being created, and contract prosecutors and being appointed for a period of three years to strengthen efforts to fight white-collar crime. The NPA has also participated in the creation of additional courts in consultation with other stakeholders, including the judiciary, the Department of Justice and Constitutional Development and the Hawks, the Directorate for Priority Crime Investigation, DPCI. These courts will commence operations in the new financial year.

The investigation on the matter in question has been ongoing since early 2018. It is a highly complex investigation involving forensic investigation into thousands of foreign and local transactions requiring various applications of mutual legal assistance relating to different bank accounts in various countries and jurisdictions to be made.

Furthermore, the Financial Sector Conduct Authority investigation into allegation of insider trading was recently finalised. The case docket for the criminal investigation into possible insider trading against the suspect was registered by the DPCI. A team of prosecutors is guiding such investigation and the team of investigators has been enhanced in line with the decision to prioritise the matter. Once investigations are finalised, the NPA will make an announcement and suspect or suspects will be charged with all the charges the state intends to bring against them in one trial. Thank you, Deputy Speaker.

Ms Y N YAKO (ON BEHALF OF DR M Q NDLOZI): Steinhoff is the biggest corporate corruption, fraud and money laundering in the history of South Africa. The Public Investment Corporation, PIC, lost R28 billion of focus pensions. We have known of the criminal acts of Markus Jooste of Steinhoff and crimes in 2017. Four years later, the NPA has not made a single arrest. Arrests at VBS were made very fast and people have appeared in court and some have even confessed, and that investigation was not considered to be complex. [Interjections.]

The DEPUTY SPEAKER: Order! Hon members.

Ms Y N YAKO: Because Markus Jooste is white and Steinhoff is a white owned company, no one has been arrested and the NPA is moving at a snail’s pace. Is the NPA protecting white criminals and Markus Jooste and the people of Steinhoff? Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Deputy

Speaker, the NPA is dealing with this matter without any fear, prejudice or any favour to anyone. It is also dealing with it without looking at the colour of the persons involved as per the mandate of the NPA. They are prioritising the matter, as I have said. It is being handled in the same manner as all other matters.

With regards to the years, these kinds of investigations do take time. We must not come here and lie that these kind of investigations can be done within a day. Even any type of investigation, including the one she is referring to, has taken many years to be completed. The case of James Arthur Brown of the Fidentia Rangers scandal took about six years to be completed in terms of investigation but at the end justice was done. The Trifecta case took about seven years to complete the investigations but at the end justice was done. Also, in

this matter, Deputy Speaker, justice is going to prevail. The people of this country need to be patient ... [Interjections.]

The DEPUTY SPEAKER: Order! Order, hon members, listen to the Minister speaking, please.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Those

making noise are the ones that are protecting white criminals as she says.

No one is protecting white or black criminals. The NPA and the Hawks are working together to ensure that investigation is done in a thorough manner and that by the time they take a decision, it is informed by facts and law and not informed by colour, orientation or political views of any individual.

So, that is what they are doing and with time the NPA and the Hawks are going to inform the nation on what charges they are going to prefer and what is happening with the matter which due process has been followed in line with the Constitution and the NPA Act. Thank you very much. [Applause.]

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: The second

question will be asked by hon J M ... [Interjections.]

*Sesotho:*

Tjhe, kannete jwale le etsa lerata. Ho etsahalang ka lona bahlomphehi? Ha le sa e rata tlhompho, hei.

Ms J M MOFOKENG: Deputy Speaker, to the Minister, what measures has the Department of Justice and Correctional Services taken in attempt to address fraud and corruption in the Department? Thank you.

An Hon MEMBER: But that is a new question.

*Sesotho:*

MOTLATSI WA SEPIKARA: Jwale wena o tsoha kae mme? [Ditsheho.]

*English:*

Go ahead, Minister.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon Deputy

Speaker, the department is dealing with the matters that have been raised through the Auditor-General and is attending to them in terms of the recommendations. In that regard, the information has also been provided to the portfolio committee where the department has provided the number of officials that have undergone processes of discipline and of disciplinary

processes that are currently undergoing. We are hoping that maybe by the end of March or around June or July those disciplinary processes would have been completed. That is also part of the overall strategy of the department to enhance ethical conduct and good leadership within the department.

Thank you very much, Deputy Speaker.

Mr J SELFE: Deputy Speaker, the NPA has not only delayed prosecuting this individual but has failed to prosecute all but a very few of the major fraud and corruption matters, including those that emerged from the Zondo Commission. The reason for this is because the budget increase for the NPA is far below inflation. Meaning that in real terms the NPA can do less and less every year. Yet, the Minister and the President continue to announce their intention to combat corruption as the Minister did today.

How does the Minister suggest that this is done when he continues to stop the NPA from the finances necessary to do their job effectively?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Deputy

Speaker, the fiscus and the financial challenges are well known in this country and the Minister of Finance was here

last week and outlined those challenges. But within the Justice family we have been able to find ways to help the NPA with the little resources that are available to ensure that within those resources they still continue to perform their duties. Hence they are able now to hire those three prosecutors in terms of the Specialised Commercial Crimes Unit, and we are in the process of establishing four commercial crimes courts in Limpopo in Giyani in this financial year; in Mpumalanga in Mbombela; in the Northern Cape in Kimberly; and in the North West in Mmabatho.

This is an addition to the arsenal of measures that we are putting in place to ensure that the backlog that is in the special commercial crimes courts is decreased to enable the speedy resolution of some of these disputes or criminal issues that are taking place in those courts, also to fast track the court roll as exacerbated by the COVID-19 situation which is also well-known to the hon members here.

In this regard, the work of the NPA will not be hampered particularly when we are going to ease the space for the courts to function with these four additional courts which will fast track the roll and enhance the efficiency in term of

prosecutorial guided investigations that are undertaken by the Hawks guided by the NPA. Thank you, Deputy Speaker.

Mr S N SWART: Deputy Speaker, to the hon Minister, rising from your responses we share the deep concerns about the delays in the prosecution of private sector fraud as well as the prosecution of matters arising from the Zondo Commission.

We also welcome the amendment to the Zondo Commission regulations which will enable the prosecuting authority to make use of that evidence in prosecution going forward.

However, we are concerned about the lack of additional resources given by the Minister of Finance for the Zondo Commission which indicates that those resources will have to be funded by the department itself. Does the hon Minister see this as a further constraint given that evidence at the Zondo Commission can be used in prosecutions going forward? Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Yes. It is

a further constraint, hon Deputy Speaker, but we are doing everything within our powers to ensure that the commission finalise its mandate because it has now spent in the region of about R800 million. We have to ensure that the mandate of the

commission is not frustrated by the work that we are doing ourselves. We are in engagement with the National Treasury to ensure that the commission does complete its work.

There are indeed challenges with regards to the budget of the commission because we did not anticipate that it is going to handle issues or matters of this magnitude which are going to be broaden and which are going to be complex. But we are now here and we have to respond to the present challenges that the commission is confronting. Hence we are in discussion with the secretary of the commission, Director-General of the Department of Justice and also with the National Treasury to find a solution that will enable the commission to conclude its work. What we can assure the people of South Africa is that the commission will conclude and we will find resources to ensure that the commission concludes its work. Thank you, Deputy Speaker.

Question 43:

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: Hon

Deputy Speaker, the reply to the question is as follows: The Department of International Relations and Co-operation is not the lead department on the African Continental Free Trade Area, AfCFTA, agreement. The Department of Trade, Industry and

Competition, DTIC, is the the custodian for trade matters and the lead department on the AfCFTA. The DTIC is the focal point of the negotiations and the focal point on implementation of all aspects on the African Continental Free Trade Area.

Nonetheless, South Africa has continued to play a key role in African Unity, AU, infrastructural initiatives as the current AU champion of the Presidential Infrastructure Champions Initiative which initiatives are primarily infrastructure related to economic support.

The Assembly of the African Union for 2020 February last year, received a progress report from champions on a number of infrastructure projects. These reports indicated that much progress is been made in developing infrastructure needed for economic growth and in increased African trade. For example the Lamu Port Project in Kenya, the port project in Togo, the railway expansion project in Ghana and many other initiatives which are related to economic infrastructure. Thank you, Deputy Speaker.

Ms B SWARTS: Hon Deputy Speaker and hon Minister, what has been the contribution of South Africa in the process of creating the African continental free trade in unlocking

industrial and infrastructure development in Africa? Thank you, Deputy Speaker.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: Hon

Deputy Speaker, as I have said through the Department of Trade, Industry and Competition, South Africa continues to play a role in this area. For expample, the current Chair of the Ministers of Trade on the African continent is the South Africa’s Minister of Trade, Industry and Competition. They have been working very hard on implementation with respect to defining rules of origin, the tarrif structucture for goods as well as innovations in automatic payment systems which are necessary once the tarrifs have been agreed. They also are working on innovative trade agreements between countries so that select goods can be traded in order not to have duplication on the continent.

As Chair of African Ministers of Trade, Amot, South Africa has played a key role in ensuring that we do meet the goals that have been set by the African Union with respect to implementation of the African Continental Free Trade Area agreement.

With respect to the infrastructure, I have responded to the question. I am pleased that South Africa does get significant infrastructure contracts through its state-owned entities, SOEs and its construction companies from countries on the African continent and we continue to be very competetive in that regard not just in telecommunications, but also in the roads, rail and port infrastructure in the continent as well. We will continue to be competetive. Thank you very much, Deputy Speaker. [Applause.]

Mr W M THRING: Hon Deputy Speaker and hon Minister, the President in this very House mentioned that if we increase our share of trade on the African continent, it will potentially equate to an increamental in our gross domestic product, GDP, understanding that this is the forte necessarily of the Portfolio Committee on Trade, Industry and Competition, or the Department of Trade, Industry and Competition, but how has your department leveraged the Africa Continental Free Trade Agreement to make the increased interAfrica and intra-Africa trade share a reality for South Africans whilst simultanously promoting localisation and beneficiation in South Africa?

Thank you.

*Setswana:*

MOTLATSAMODULASETILO: Tona, ke kopa gore o tswelepele o arabe le fa e se potso e e go lebaganeng.

*Setswana:*

TONA YA DIKAMANO LE TIRISANOMMOGO YA BODITŠHABATŠHABA: Tota ga

ke itsi gore ke reng. Potso eno e lebagane Tona Patel, mme ke tla leka go e araba.

*English*:

We certainly do provide support to the Department of Trade, Industry and Competition, through the missions of South Africa which are deployed throughout the continent. So, we are able to ensure that when countries develop the infrastructure and other initiatives, South Africa is the key partner in the implementation process. For example, the hon Thring might be aware that Nigeria announced a very significant package of infrastructure initiative related to trade to which they are inviting various companies and countries to bid. We have alerted companies in South Africa to this opportunity because we belive we a repository of skills and experience in the country which could take advantage of those opportunities and contribute to developing an infrastructure and infact manufacturing capacity on the African continent so that increasingly countries produce goods that can be traded.

So the President is absolutely correct that if use these opportunities strategically and ensure that there is a development as well as the economic growth benefit in our associational countries on the continent, South Africa stands to do very well as the country with the most production, infrastructure as well as most developed in terms of refine manufacturing capacity. Thank you.

Mr M N NXUMALO (On behalf of Mr M Hlengwa): Hon Deputy Speaker, due to the COVID-19 pandemic and the various lockdowns that have been implemented in defferent parts of the continent: What are the key challenges in the smooth runing of the African Continental Free Trade Agreement over the past few months? Thank you, Deputy Speaker.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: Hon

Deputy Speaker, I believe that is the hon Nxumalo, if I am not wrong. The challenge really Deputy Speaker, centered arround our ambition which was that we would begin implementation of the AfCFTA from 1 July 2020. Unfortunately, due to the COVID-

19 pandemic and the fact that the ports and restrictions that were introduced as a result of the pandemic led to many Parliaments ceasing to function. Not enough countries had ratified for us to be able to launch and begin implementation.

We therefore pushed the dates six months ahead, into January of this year. In December we had sufficient numbers ratified. We had defined the tarriff regime for 83% of the goods. So we had made significant movement.

We had also developed the automatic payment model which is a degital payment system with SA Revenue Service, Sars, in South Africa playing a key role. So, much progress has been recorded, but I think the defining of the actual achievements is something Minister Patel should do. For I think I should not steal his thunder. This is work that Minister Patel has been leading, but we are pleased that indeed we have began trade on that 83% of agreed tarrif goods and that our countries are moving with the areas that I have reffered to.

So, Africa is on the much and while it will take time to have all the appropriate regulatory frameworks in place, we do record that we have began implementation from 1 January this year. Thank you, Deputy Speaker.

The DEPUTY SPEAKER: Hon Msane, I skipped you, when I should not have.

Ms T P MSANE: A blessed birthday to our commender in chief. Hon Minister, Africa has about 60% of the world’s erable land.

We are the greatest producers of platinum, gold and diamonds and we have vast reserves of oil. All these resources are extracted from the continent to be exported as raw materials to the Western world. We have not used advanced technologies to make our agriculture globally dominant.

What measures are put in place to make sure that the African Continental Free Trade Area translate into massive industrial and manufacturing development in the continent and not become a dumping side and how will that be enhanced if there is still no transportation system that connects our African countries? Thank you.

The DEPUTY SPEAKER: Hon Minister, please proceed. We will discuss this direction of questions. Yes. Thank you very much.

*Afrikaans*:

Agb Hill-Lewis, u geraas is onaanvaarbaar!

*English*:

No, no you do not have to. You have no obligation to do that! Be orderly!

[Interjections.]

No, take it easy and cooldown. It is very hot outside! Please man, just go outside and have some fresh air, your blood pressure will lower down! Minister, over to you. You can now speak.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: I

thought the hon ... [Interjections.]

Mrs E N TLWANGWINI: Hon Deputy Speaker, on a point of order.

The DEPUTY SPEAKER: Yes hon member, what is the point of order?

Mrs E N NTLANGWINI: My point of order is: Can you please not allow the DA members try to bully our members. They keep on interupting them and bullying them. We are going to lay a complaint.

This is now uncalled for. They have started doing that since yesterday. We can do the same. Look we are not scared of them. They must now stop it!

The DEPUTY SPEAKER: Hon Ntlangwini, thank you very much. Go ahead, hon Minister.

No, no, please man!

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: I

thought the hon Hill-Lewis was giving me some responses that he was suggesting. I was not sure.

The DEPUTY SPEAKER: Unfortunately, he has not.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: So,

that is the relief. [Applause.]

Deeputy speaker, let me thank the hon Msane for her question. I think that she is well aware that the reason for developing an instrument such as the AfCFTA is to address the very concerns that she has referred to.

So, as President Ramaphosa indicated in his speech, the state of the nation address, the time has come for Africa to come into her own. We must manufacture on the continent. We must have factories and industries. We must value-add. We should no longer be exporting raw material. We should be having an Online Public Access Catalog, Opac, of platinum on the continent so that we decide the price by those who have that particular wealth.

So, these intentions are part of this free trade area agreement. For if we do not make good on Africa actually becoming productive then the continental free trade area means nothing. Its essence of course is to increase intra-African trade, but the core part is that the productive capacity of Africa and its ability to value-add, innovate and produce goods on the continent with properly empowered human capital. This is the essence of what the AfCFTA seeks to achieve. It does mandate particular steps that South Africa will have to take. We cannot be an island of success in production on the continent without ensuring that at least our neighbourhood Southern Africa is similarly empowered.

So, part of what one would have to address is where would the refining of platinum occur? Where would you have greater refineries on the African continent? Where do we locate them? Who would do the refining? Where would you be ensuring that your agroprossesing centres are actually spread throughout the continent with us looking at agricultural goods which are best produced in particular countries. All of these are the subset of what we are trying to achieve. Thank you very much [Time expired.]

The DEPUTY SPEAKER: We will order you a cup of tea on behalf of the hon Patel. You have done his job. Thank you.

Question 3:

The MINISTER OF HOME AFFAIRS: Hon Deputy Speaker and hon members, coincidentally this afternoon at the press conference I’ve just announced the establishment of a five-member ministerial task team to review certain categories of permits that were issued since 2004 in line with the Immigration Act

13 which came into operation in 2000. This is because of the realisation that at least two-thirds of the corruption matters being investigated by the Anticorruption Unit have to do with permission.

However, coming to the work that has already been done, in 2019-20 financial year, 289 cases of corruption were investigated, and 236 were finalised while 56 are still pending. In 2020-21 financial year, while 189 cases were investigated, 94 have been completed and 95 are still outstanding. Of the 236 that were completed in the 2019-20 financial year, 78 were closed because of lack of evidence; 83 were sent to the employee engagement for disciplinary action out of which 22 officials were dismissed; 30 cases were referred to the Immigration Branch; and five cases were

referred to the Legal Services for further action and litigation from the department. Four cases were referred to the Hawks for criminal prosecution and 27 cases were referred to the civic services for corrective action and implementation.

For the 2020-21 financial year, out of the 94 cases completed,

42 were closed because of lack of evidence; 32 were referred to employee engagement for disciplinary action out of which 15 officials were dismissed; eight cases were referred to Immigration Unit; and three cases were sent to the Hawks for criminal prosecution. As I’ve said, 95 cases are still pending for that financial year. Thank you very much.

Ms L L VAN DER MERWE: Minister, I heard what you’ve said now and earlier today about the work of your Anticorruption Unit and the review of a variety of visas. Those investigations must of course be welcomed, Minister. However, the visa review is but the tip of the iceberg as far as corruption in your department goes.

Just over 100 days ago Shepherd Bushiri skipped our country, making a mockery of the entire justice system. While you briefed Parliament once on the matter, no further information

has been provided as to which border or airport was used for this great escape, and neither were there any Home Affairs officials involved or was there anyone held accountable for this national embarrassment.

We know that South African officials at our borders are not only aiding and abetting illegal migration, but are actively encouraging corruption. Yet, in the past financial year in a written response to me, only 24 Home Affairs officials were nabbed for corruption and none of the numbers that you’ve just cited – none of those people are currently in jail.

Minister, if you are serious about the fight gainst corrution, will you consider launching another ministerial probe or task team to look at the extent of corruption at our borders, the extent of corrution in the asylum seeker system, the extent of corruption as it pertains to the countless syndicates that collaborate with impunity with Home Affairs officials who sell fraudulent IDs, passports and birth certificates? It is clear that the department is losing the war against corruption and more must be done. Thank you, hon Deputy Speaker.

The MINISTER OF HOME AFFAIRS: Hon Liezel van Der Merwe, not yet. The department has not yet lost the battle. It is big but

I’m insisting, not yet. On the question of Bushiri, I’ve repeated many times, Deputy Speaker, that the Bushiri matter is still being investigated not only by Home Affairs, but by a few of the justice crime committees. The Hawks are involved; Military Intelligence is involved; and Crime Intelligence as well as Home Affairs. I have reported here many times that it was agreed that Home Affairs must not disclose names of any officials who were involved until all these committees report. And the Portfolio Committee on Home Affairs has decided to call all the other portfolio committees so that this becomes a joint venture. That’s where we are. It is not true that we don’t know which Home Affairs officials were involved but we are waiting for that moment - at least in terms of giving him documents, and not in terms of how he escaped. That one is higher than us in Home Affairs. As I am saying, it is being investigated by other investigating agencies that know that work very well.

Deputy Speaker, when we launched the task team today, it was specifically for the reasons that I have mentioned. It is going to show the direction as to where we are. In the coming weeks we will be outlining some of these issues of the people who are going to be arrested and those who are going to be charged. You just have to be patient, hon van Der Merwe. But

to believe that we have lost the battle altogether, I reject that, Chairperson – I mean hon Deputy Speaker.

The DEPUTY SPEAKER: Good self-correcting mechanism exists in your system.

Ms M MODISE: Deputy Speaker, can the Minister indicate what steps have been followed in improving the quality of services provided at Home Affairs in ensuring that the department is efficient and responsive? Thank you.

The MINISTER OF HOME AFFAIRS: Deputy Speaker, I’m not sure whether that follow-up question is not a different question altogether because we are dealing with issues of corruption, but I’ll try to answer it. Several methods are being tried in making Home Affairs to be a responsive department. One of the central issues is to modernise it so that we have modern systems. For instance, in the past it was easy for an official of Home Affairs to get into our system with a password and issue a fraudulent document. When they were caught, they just said their password was stolen. Since that time the Department of Home Affairs has come up with a system called Biometric Access Control System whereby you don’t enter our system through a password. You have to use your fingerprint so that,

when any document is issued, we will know through the fingerprint who actually went in to issue that document. Since that time some of the instances of corruption are, of course, decreasing. So, as we go on using more and more technology, some of these instances will decrease.

You are also aware that Home Affairs is now moving away from the Home Affairs National Identification System, Hanis, which stores your biometrics for IDs, passports, etc. It stores only two biometrics. We are busy installing Automated Biometric Identification System, Abis, which can store five biometrics including iris recognition, facial recognition, photo recognition, and palmprint. We are doing all those things in order to reduce corruption and make sure that there is flawless provision of services. Thank you very much.

Mr M TSHWAKU: Deputy Speaker, let me wish a happy 40th birthday to the commander in chief.

*IsiXhosa*:

... ukhule mhlekazi, ukhule ungakhokhobi.

*English:*

Minister, let me zoom in on the issue of the asylum seekers. It has been alleged that for the asylum seeker to get asylum here in South Africa, he or she is required to pay bribes to the officials of Home Affairs in something called rent seeking. It should not really be difficult for you to root out these bad apples in your department. And all the measures you have put in place, it looks as if somehow they are not working because this corruption actually continues in your department. I hope you have not given up on fighting corruption in your department. Are you going to - sort of - look at the way you can establish a system or unit that deals with the corruption that relates to asylum seeking because it is very important, as people coming from African countries to South Africa need that permit? Are you going to be able to deal with that and zoom in to make sure that the bribery is eliminated? Thank you very much. [Time expired.] Deputy Speaker, you like to reprimand us as if we are your children.

The DEPUTY SPEAKER: No, no, no, you are continuing. Just switch off your mic! You’ve taken more seconds than you deserve, in the first place. You are out of order! Hon Hill- Lewis, I don’t need your help, please! Just keep to your lane. You are better off and safer there including from Covid-19.

The MINISTER OF HOME AFFAIRS: Hon Speaker, I haven’t answered

the last question.

The DEPUTY SPEAKER: I’m sorry! It is hon Hill-Lewis who is responsible for this disruption in the House. [Laughter.] Go ahead, hon Minister.

The MINISTER OF HOME AFFAIRS: Hon Deputy Speaker, yes, we are aware of the issues that hon Tshwaku is talking about. We deal with them everyday. The Immigration Unit in the department deals with these matters on a daily basis, working together with the Anticorruption Unit. The cases, as I have mentioned –

289 cases in the 2019-20 financial year and 2020-21 financial year – all of them are the work of these units, the Immigration Unit and the Anticorruption Unit. When we eventually fired one of our deployees to our mission in Namibia, who was selling permits and visas to Pakistan and Bangladeshi citizens, it was because of the work of these units that she was eventually caught and fired. So, we are battling this issue everyday. We have not given up and we will defenitely win the battle. And I have just mentioned here that the more we modernise our systems and the more technology comes into being like Abis, the more difficult it becomes for people to do this corruption. Thank you very much.

Ms T A KHANYILE: Hon Minister, the Portfolio Committee on Home Affairs was alerted by a whistleblower on 25 December 2020 that your department allegedly printed about 1 500 corporate visas fraudulently for the employees of Puleng Mining Solutions, a new service provider at Royal Bafokeng. On

26 January 2021, the Portfolio Committee on Home Affairs took a resolution to withdraw the permits in question pending the outcome of the investigation. Now Minister, in your commitment to fight corruption in your department, are you going to ensure that the permits remain withdrawn pending the outcome of the investigation? Thank you.

The MINISTER OF HOME AFFAIRS: Hon Chairperson, hon Khanyile is being disingenuous. The department is seized with this matter and we have given answers there which she knows very well. The Portfolio Committee on Home Affairs has decided to take the matter to the Standing Committee on Public Accounts, Scopa.

So, the matter is still being investigated. It is unfair to let me answer it directly in Parliament when a portfolio committee, which is a sub-unit of this Parliament, is still seized with the matter. Can the hon member please follow normal protocols! Thank you very much. [Applause.]

Question 54:

The MINISTER OF POLICE: Hon Chairperson, before I answer, if I can just steal a minute and congratulate the members of the SA Police for the bust they did yesterday of the drugs at Walvis Bay that can cost R583 million. It’s half a billion that was busted by the SA Police yesterday in Walvis Bay. [Applause.]

Secondly, today at 10am No 5 Old Pretoria Road, Kitting, 19 people were arrested getting ready for the cash heist, the exchange of fire took place, and the two criminals were shot down and killed. There were six stolen cars and eight fire arms found that were found in their possession. We want to congratulate the members of the SA Police for that. [Applause.]

Chairperson when it comes to an answer to the question, it is a short one. The evaluation of the outcome of the amnesty is not yet finalised. Future amnesty will be considered once evaluation is completed, but we do have which direction which it will take. Thanks very much.

Dr P J GROENEWALD: Hon Chairperson, firstly, I want to agree with the hon Minister in congratulating the members of the police services who are really serving the people of South Africa, and really wants the criminals behind bars. But we

have many problems, especially when it comes to the whole criminal justice system. Hon Minister, you say that the indications are there. I don’t know what the indications are.

I would appeal very strongly that another period for fire arms amnesty be considered. There were many problems with the last amnesty. People who went to police stations say that they were

were closed and the Bureau of Field Operations, BFOs, were not present because of COVID-19. I think that people would understand that. They also know that crminals won’t hand in their fire arms. But it is an opportunity to reapply for a new licence when the firearm’s licences had expired.

So, may I then ask the hon Minister to answer in very short, are the indicators positive or negative? Thank you.

The MINISTER OF POLICE: Chairperson, we have assessed and we had two periods offered with the previous year, 2019-20-21. In the first period, we collected 45 915 firearms. The second one was 49 339, and with 216 280 round of ammunition and 345 on the second one. We believe that the second period was disrupted. Many South Africans have made the request for the extention, and we believe that it could have been more collected and more paperwork done.

As we speak, we still have got a lot of paperwork that is stuck, and which we are going to attend. As we are talking, between the management and ourselves, as we will be coming to Parliament, it looks like it would be fair to request an extension on this one. Having not said that it will be extended, but it will be fair to request a further extention. Thanks.

Ms P FAKU: Hon Chair, my question to the hon Minister is, can the Minister indicate, when will evaluation be completed, and what is the criteria for the evaluation? Can the Minister also indicate, under what circumstances ia the outcome, and will the Minister not consider another amnesty. Thank you, Chair.

The MINISTER OF POLICE: Chairperson, speaking to the management today about the timeframe of finalising the assessment, we have found out that it could be a week or less. The criteria is also checking at the number of the people that have made the request, which is quite a high number, of those people that wants to surrender than the ones that would like to reapply.

We have also find out that, because of the high disruptions especially on the second period when we went back to level 3,

at the site, there were many police of the SA Police members themselves that were infected, about 27 000, and most of the time they would not be at the police stations to process the situation. On that score, we have found it fair from ourselves to go and ask for an extra request from the Parliament. But the actual outcome of going forward will come when we have requested it from Parliament. Thank you very much.

Maj Gen O S TERBLANCHE: Minister, the SA Police Service, SAPS, experience serious capacity problems during the two previous amnesty periods, and I think that it’s fair to accept that they will be busy with that for a very long time still. How will the Minister resolve these capacity constraints to ensure that the SAPS will be able to deal with such further amnesty period if approved? Thank you, sir. I’m done.

The MINISTER OF POLICE: Chairperson, one would concede, unfortunately, is one that we could not do anything about, as I have said that about 27 000 members of the SA Police Service that were infected by the pandemic, and we have lost 580 of them in the process going forward. So, I would be really presumptious if I say that we will be more efficient this time.

Also, we must remember that we did not have a new feed last year. We are supposed to have trained 7 000 new recruits, but we have trained zero because of the Covid. But even those people that we were supposed to train to enhance and enforce the capacity were not on the register. So, we will try to do better with the training, hoping that the Covid or the pandemic will be less, and allow us to keep everybody at the station at any given time. But to say that we wish our full capacity, will be really presumpteous. Thanks.

Ms Z MAJOZI: Through you hon Chairperson, hon Minister, is the department planning to rectify the chaos that was created by the failure of implementing the digital enhanced firearm register system, that would mean manual data capturing syatem will be eradicated and the total of gun ownership could be established? Further, what was the outcome of the investigation into the cancelled Welmor contract that was entered into to establish the digital system? Thank you, Chair.

The MINISTER OF POLICE: Chairperson, let me thank the hon member for the question. It would be obvious that you would always wish to do the correction on something that went wrong. On the last issue that she raises, I think that it is the

contract of the Forensic Data Analysts, FDA, where we have to move to digital registration of our firearms. On that issue, the National Commissioner and the *State Information Technology Agency,* SITA, are working on the present contract or developing the new system.

I hope that it will take a short time. One did ask, how long will it take to create the new system? We were told that it could be between two and three months, then the system could be up and running. Thanks, Chair.

Question 42:

The MINISTER OF HOME AFFAIRS: House Chairperson, hon members in my previous reply a similar question that was asked by hon member of the Parliament, hon Musa Shabani, on 11 August 2020, I indicated that Cabinet approved the White Paper. On the repositioning of the Department of Home Affairs in December 2019. The reposition programme consists of six priority areas, which will guide the prioritization of programs and projects for implementation.

The six priority areas for reposition programme are as follows: 1. Policy and legislation, 2. Service delivery, operations and organisational models, 3. Modernization

programme – moving from Enhanced Movement Controlled System, EMCS to Automated Biometrics Identity System, ABIS, which I have already mentioned and also integrating all our databases into one database National Information System, NIS 4. A Capable and Developmental Department, 5. Revenue generation and 6. Service delivery channels and purpose [Inaudible.] office infrastructure – which I have referred to earlier by the way.

The critical phase in the development of an anchor Legislation

–for that reason in 2019-20 financial year. The Department undertook the process of drafting a new empowering framing Legislation, the Home Affairs Framework Act. The Legislation will enable the Department to perform security or law enforcement related functions as is the case with other departments that operate within the security space.

It will also provide for the appointment the Department of Home Affairs employees who perform security related functions and certain emmigration and service functions as essential service workers. It is envisaging that the Bill will be submitted to Cabinet by 31 March this to request approval for public consultation.

Accordingly, the 2021-22 Annual Performance Plan, APP, indicates that the Bill will be to Cabinet for approval by March 2022, to request its tabling in Parliament. Thank very much.

Ms T I LEGWASE: Thank you very much, House Chair, hon Minister, looking at the six priorities, what are the implications of the turnover strategy at The Department of Home Affairs in trying to reposition the department and ensure that is able to address the current demands?

The MINISTER OF HOME AFFAIRS: House Chairperson, hon member, if you look at the six programme, they are actually aligned to deal with the question, that you are actually asking. Firstly, starting with Legislation policy, secondly, service delivery operation and operational model, then the modernization of the department as I have said and I am repeating for the third time, that we are now moving away from the Department of Home Affairs, National Information System with only two biometrics, to system that will provide five biometrics, so that security is tight.

The issue of the National Information System, NIS, we are moving on it, because at the moment Home Affairs has got three

databases. The first database National Population Register, registers people who are South African only, who have got South African citizenship and permanent residence. The second database which is called Immigration Information System, records only people who are immigrants in the country, but it has got weaknesses because it does not record for instance their birth, their death and if they get married inside the country. The third system, these are Adjudication System records only people who are coming here on permit, whether short term or long term.

Now we are going to integrate all these systems into one, the National Information System where everybody who is living with borders of this country is on the system and on the database. Thank you very much.

Mr A C ROOS: House Chairperson, Minister on the issue of training, millions were spent on *Batho Pele* training, that was supposed to train Home Affairs officials to treat citizens with dignity and respect and provide a better service. Now, let’s be honest this training has clearly failed. What customer’ satisfaction measures will the Minister put in place to make ensure that spent on Home Affairs’ training academy results to intended outcome - better service to our citizens?

The MINISTER OF HOME AFFAIRS: House Chairperson, training of people in terms of professionalization, attitude and ethics is ongoing, it never comes to an end. Included in the Bill, as I have just mentioned is the establishment of Home Affairs college which provide a Home Affairs specific curriculum on the mandatory functions of the department. The business case for the establishment of the college has been developed and is currently discussed with critical stakeholders within government. Thank you very much.

Ms L L VAN DER MERWE: House Chairperson, Minister there have been talks of modernizing the Information Technology, IT system of department fore than a decade, yet the department unfortunately still struggles with the very basics like keeping its systems online. Many offices are without internet for days on end. So, my question therefor is; if your department is so serious about modernization, why is not investing and ensuring that citizens can apply for home affairs services online or book an appointment telephonically or why is it that you still can’t team up with other departments like Social Development to allow for instance social grant, smart identity document, ID, application to be done at the same time? Why have these basics which would

modernize this department in leaps and bounds not been rolled out to date? Thank you.

The MINISTER OF HOME AFFAIRS: House Chairperson, it a pity that I must keep on reporting. This issues I have mentioned here about modernization is exactly to deal with that. We are linked with South African Social Security Agency, SASSA and the Department of Social Development but we would like a system where link is automatic and that’s why we are doing all this modernization that I am talking about. So, I am sorry House Chairperson, I am not sure whether I have been answering the questions correctly. I have actually mentioned the issue of the Home Affairs Framework Act, the Modernization Act, immigrating from one system to the other and hon member Liezel Van der Merwe knows very well that the service provider has actually been appointed to do this work and there were several mishaps and forensic investigation was carrying on and it is available, I am now waiting to put up to the Portfolio Committee on Home Affairs, for which she is a member, so that we move forward in this processes. It was a pity that the processes were delayed by that corruption within the service provider system and we have now taken steps to remedy that.

Thank you very much.

Mr A M SHAIK EMAM: House Chair, thank you Minister for the responses. Let us be honest, you inherited the department that has already in crisis, there’s no doubt about that. And I am quite confident that you are putting measures in place to rectify and correct this. Now, while this is unfolding Minister, do you think it would be possible for you to make available for us public representatives who are the eyes and ears of the people on the ground – well of course some of us are, that can contact directly those in your department dealing with visas, permanent residence, work permits and thing, so that we could facilitate while you are trying to get that department in order, professionalizing it and modernizing it in the mean time? And also I know you alluded Minister, the last time that you were willing to meet me and COVID-19 had to stop that, I am still looking forward to that meeting. Thank you.

The MINISTER OF HOME AFFAIRS: House Chairperson, if you don’t mind hon Shaik we can meet via this virtual platform but I am available now we are at alert level one, I am sure you can visit the offices. It’s very important to meet hon members who are our eyes and ears on the ground. Hon member, I did issue a list unfortunately I don’t have today, but members of the portfolio committee have got it, on who to contact when you do

a follow up about various matters in the department. Even if the numbers of those people and their emails, that’s for civic matters if you’ve got a problem of ID, you contact so and so, if you’ve got a problem of corrections, you contact so and so. So, that list is available, I will be able to send to you, hon Shaik Emam, but my doors are open you can either meet through this platform or you visit the department. Thank you very much.

Question 24:

The MINISTER OF STATE SECURITY: Hon Chairperson, for this question, I have asked that the question stands down and that it be taken to the Joint Standing Committee on Intelligence. [Interjections.]

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Minister, I really missed you, but I am ... Okay, go ahead.

The MINISTER OF STATE SECURITY: Hon Chairperson, I am saying, that I have asked that the question stands down and that it be taken to the Joint Standing Committee on Intelligence. If you read the question as it is, it deals with operational matters that I cannot ventilate in an open platform like this. [Interjections.]

Mr L N MANGCU: Chair, while the Minister was answering, hon Hill-Lewis was standing and he is not supposed to do that. He knows. Please sit down, hon Hill-Lewis.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Hill-Lewis, what has gone wrong, sir. Are you okay? Hon Hill-Lewis, can you take your seat, please?

Mr G G HILL-LEWIS: Chair, I am rising on a point of order.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Hill-Lewis, you should not have risen before being allowed.

Mr G G HILL-LEWIS: Chairperson, on a point of order: The Minister has not sent us this request ahead of time, as is usually the courtesy. We have received no notice of request whatsoever and we object to it in the strongest terms. There is no matter in the question that involves a matter of national security, and it has been our experience in the past, whenever these question are referred to the committee, they are never answered there. So, we would insist that the Minister answers the question. It is on the Question Paper; it should be answered. [Interjections.]

hon Minister has responded to your question and if there is no satisfaction from there, I think there are processes to be followed. For now, I would accept her reply.

Mr G G HILL-LEWIS: Chair, on a point of order: The Minister has specifically ...

The HOUSE CHAIRPERSON (Mr M L D Ntombela): I have ruled on the issue. Are you aware of it?

Mr G G HILL-LEWIS: Chair, on a point of order: The Minister has specifically refused to reply. She has not replied. She has refused to reply.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Hill-Lewis, you raised on that point of order and I replied to you and ruled on it that you must please follow the correct processes. Could you allow us to continue, sir?

Mr G G HILL-LEWIS: Sir, you ruled that the Minister had replied. She had not replied. She specifically refused to reply. That is what she said. [Interjections.]

Minister has responded. Please, take your seat, sir. You heard what her response is. I have ruled on that issue to say that you have heard her reply, and if you are not happy with that, you know what Rules to follow. That is what I have said.

Mr G G HILL-LEWIS: That was not a ...

The HOUSE CHAIRPERSON (Mr M L D Ntombela): I stand by that. Can we not converse on it? Can we not interact the way we do, hon Hill-Lewis?

Mr G G HILL-LEWIS: Chair, on a point of order: ...

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Please, take your seat, sir.

Mr G G HILL-LEWIS: Chair, I would like to make a final point of order. [Interjections.]

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Is it different from what you did?

Mr G G HILL-LEWIS: Yes, it is. [Interjections.]

Ms H O MKHALIPHI: Chair, why don’t you call the bouncers?

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Hill-Lewis, I am not going to allow this.

Mr G G HILL-LEWIS: It is a different point, sir.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): No, no, I cannot

... [Interjections.]

Ms H O MKHALIPHI: Why are there bouncers? Bouncers are meant for who? Call the bouncers to take that member out. [Interjections.]

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Please, hon members! Hon Hill-Lewis, I am sure you understand now. I am going ahead.

Mr G G HILL-LEWIS: Chairperson, I understand. I would like to ask that the Ruling be referred to the Rules Committee ... [Interjections.]

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Members are opening their microphones. [Interjections.] ... in violation of the

Rules. Hon members, we cannot go on like this. [Interjections.] We cannot allow this. IT, will you please mute all those who are making a noise ... [Interjections.] Can you take them out of the platform? Will you please take these people that are unruly out of the platform? [Interjections.] Remove that member, please. [Interjections.] The first supplementary question was going to refer to the same question that the hon Minister has answered. Hon Kohler, would you like to do it? Would you like to ask the supplementary question, although the answer ...

Mr G G HILL-LEWIS: Chairperson, ...

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Hill-Lewis, will you sit down.

Mr G G HILL-LEWIS: Chairperson, I would just like to address you. I think I have the right to be heard on this matter.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Hill-Lewis, I am going to ask the Sergeant of Arms to usher you out.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Chairperson Ntombela, there is an intervention from the Chamber. The

Deputy Chief Whip of the Majority Party has asked to be recognised. Can you recognise her, please.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): I have lost contact.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Ntombela, I said that the Deputy Chief Whip of the Majority Party has asked to be recognised. Can you recognise her, please?

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon House

Chairperson, I stand on a point of procedure. Hon Hill-Lewis is a Whip in the DA and he knows his role as the Whip, which is to maintain the decorum of the House. He also knows the processes to be followed, if he is not satisfied with anything. He also serves in the sub-committee on Rules, who refers these kind of matters to the Rules Committee, which will be dealt with in that forum. So, can we request that he allows the House to proceed with the business of the day and that he will do the right thing, which is to write to the relevant structure, which will deal with his dissatisfaction. Thank you. Let us not allow him, hon Chair, with due respect, to delay the proceedings of the House.

Mr G G HILL-LEWIS: Chair, on a point of order: ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon House Chairperson, there is a point of order on the matter that has been raised by the Deputy Chief Whip. Will you consider that point of order from the hon Hill-Lewis, so that we can resolve this matter?

The HOUSE CHAIRPERSON (Mr M L D Ntombela): I have given hon Hill-Lewis ample time that has gone well beyond the minutes. We cannot allow a conversation between the Presiding Officer and Mr Hill-Lewis. Mr Hill-Lewis knows about that. I will request Mr Hill-Lewis to either take a seat or I will request the Sergeant of Arms to take him out of the House, because he is disturbing the decorum of the House.

Mr G G HILL-LEWIS: Absolute disgrace!

The HOUSE CHAIRPERSON (Mr C T Frolick): You may proceed, hon House Chairperson, if that is your Ruling.

Mr S N SWART: Hon House Chairperson, on a point of order: There cannot be follow-up questions to a question that was not answered. The hon Minister indicated that she was not going to

respond to the question and there was that debate about that. And there was a Ruling. Now, we cannot have follow-up questions to a question that has not been answered. Thank you.

Mr B A RADEBE: Hon House Chairperson, on a point of order: I was rising on exactly the same point.

The HOUSE CHAIRPERSON (Mr C T Frolick): Make a ruling, hon House Chairperson.

The HOUSE CHAIRPESON (Mr M L D Ntombela): The hon Swart has indicated that there would not be a possibility of the follow- up question. We accepted that. So, we have to go to the second supplementary question.

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon House Chairperson, are we now proceeding to the next question, Question 17, asked by hon Meshoe, given the fact that you ruled that no supplementary questions can be asked?

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Yes, we are moving to the next Question, which is Question 17 asked by the hon Meshoe to the Minister of Police.

Mr G G HILL-LEWIS: Thank you House Chair, I would simply ask that you refer the Minister’s conduct and your own ruling to the Rules Committee. [Laughter.]

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Thank you very much, noted. [Applause.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon House Chairperson, there is another point that the hon Minister of State Security would wish to rise upon on. I would ask her to clearly say which point she is rising on. The hon Minister.

The MINISTER OF STATE SECURITY: House Chairperson, on a point of order on the issues that have been raised previously by Mr Hill-Lewis. There is a letter that has been sent to the Speaker on 23rd February that requests for the deferral of this question to the Joint Standing Committee on Intelligence.

It is not as if I woke up this morning and decided that I do not want to answer questions from Parliament.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon Minister, the hon House Chairperson that is presiding from the virtual platform has already ruled on the matter that we will

proceed to the next question. Hon Ntombela, may we proceed to Question 17, please?

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Yes, as I have said, hon Chair, that’s correct. Question 17 as asked by the hon Meshoe.

Question 17:

The MINISTER OF POLICE: Can I now respond?

The HOUSE CHAIRPERSON (Mr M L D Ntombela): You can respond, hon Minister.

The MINISTER OF POLICE: Thank you hon Chairperson, I have been waiting. The answer given today is very short but it has been updated. I don’t know whether to give it before the next question or I should wait for the next question? By that time, the above-mentioned matter was still under investigation. Now, it has been investigated. So, I don’t know whether I should wait for the question or I should give the answer?

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Thank you hon Minister, the first supplimentary question on the same

question was supposed to come from hon Meshoe. Hon Meshoe, do you have a supplimetary question?

Rev K J R MESHOE: Thank you Chairperson, yes, I am sure the hon Minister will agree with me that it is unfair and totally wrong for South African citizens to pay at least three forms of taxes for their safety and security. Besides the normal tax we should all pay to government for our security, we still have to pay private security companies to improve our protection because of poor police visibility and their ineffectiveness.

In addition to this additional expenditure for security, some individuals, local businesses, and sadly, even early childhood development centres in some areas have to pay extortion fees to gangs for their protection, which should not be the case.

My question is: As the SAPS have allocated resources to investigate ongoing complaints of extortion, how is this allocation going to be used to crush extortion gangs in South Africa? Is there a plan on how to do it and when it is ready to be done, will that strategy be unveiled to us? Thank you, sir.

The MINISTER OF POLICE: Thank you very much, hon House Chairperson, at the time the question was answered, the investigation had not been done. Now, it has been done. As we speak and as a result of what happened at the Toy Shop, 13 people have been arrested. They are inside. Ten of them will go on trial on 8th March. They are arrested for the destruction of property, extortion and intimidation. That’s where the matter is at the present moment.

The broader question that was asked ... if Rev Meshoe follows the Western Cape issues, for extortion and intimidation, top people have been arrested here in the Western Cape, 23 to be exact. I am not going to mention names for some of them have not appeared in court. Amongst them, there is a guy known as “Donkie” Booysen. That happened after there was a meeting between the Office of the Premier, the member of the executive council, MEC, the Minister and the Office of the Mayor to create a committee that has been established to work together dealing with these matters. That committee is working very well. We do meet but when it comes to operations, police meet on their own. We have seen good outcomes. We believe that in the near future, we will be able to deal with the top guys here in the Western Cape, who have already been arrested by the SAPS. Thank you.

Mr E R K MAPHATSOE: Thank you hon House Chairperson ... [Laughter.] ... I think the hon Minister has covered my follow up question that I wanted to ask him. Can the Minister provide us with the number of extortion rackets operating in the Western Cape and on which sectors of the economy those protection rackets are operating? Have the SAPS through their Crime Intelligence identified who are operating these protection rackets and what measures are being taken to neutralise them? Thank you hon House Chair.

The MINISTER OF POLICE: Chairperson, the origin of the extortion of the gangs in the Western Cape is quiet an old one. There were determined businesses that were always targeted. The most targeted businesses were night clubs in the Western Cape. Unfortunately, night clubs were closed during the lockdown as a result of the pandemic. In fact, they are still closed now.

So, these gangs that go for extortion have moved to the softer targets. Those targets would be ordinary coffee shops and ordinary restaurants. Not only that, for the first time they moved to the townships, for instance, they’ll go to a house where there is a backyard and they’ll ask someone there how much are they paying in that household. If someone pays

R500,00, they will go to the owner and demand 10% of that. It is on that score that we created this team. As I have said, this team is doing well and has done very well in the top category and also on the medium and lower categories ... those people that knock at doors as individuals and not as gangs, we have already arrested 26 of them. We believe that we are working very closely with all law enforcements here in the Western Cape.

The government is working together at all levels here in the Western Cape, from national, provincial and the local. We think we are doing very well and we will be able to win this battle going forward. Thank you very much.

Ms Z MAJOZI: Thank you hon House Chair, and to the Minister for responding, we can see that the Minister is blowing his own horn and maybe because of the racket task team is doing well.

Hon Minister, since the racket task team is doing the work, when can we receive a report regarding all the challenges that the racket team has been facing with regard to small businesses, construction companies and night clubs, etc, as

you have said? When can we receive a report on the progress that has been made so far? Thank you.

The MINISTER OF POLICE: Well, the chairperson of the portfolio committee is here, I am sure she will just make a call and we will be at the doorstep. Thank you very much. [Laughter.]

M.Gen O S TERBLANCHE: Thank you House Chair, Minister, you have actually answered my question. I just want to know ... if you can indicate without mentioning names whether the arrested people are, in fact, members of a gang? I heard that the police have made a few arrests. Are there still people that must be arrested?

Lastly, Minister, we get complaints from people about police visibility. What are you going to do to step up? Thank you.

The MINISTER OF POLICE: Well, Chairperson, I raised my hand and said we have arrested top guys. I believe that some of them can’t go topper than here in the Western Cape ... [Interjections.] ... yes, top. We have arrested them. The names are there and known. We have arrested the middle guys.

Part of this work has been a six-year project. Now, we have registered three of those projects. The other three that we are still pursuing, will help us to open our net and put in more people inside.

We just hope ... and it is one thing that I think the police managed working very closely with the prosecution and everybody. We hope the results will be very solid.

When it comes to the visibility of the police, I will always remind this House that there is no province that has been given extra resources like the Western Cape. This is the province where we created what was called Operation Thunder, we created the new antigang unit, AGU, and where we supplied more cars. The crux of the matter is that we still have to work on the distribution. Here, the distribution is unequal. There are more police and resources on the affluent areas and less distribution on the poor areas. We are working on that. The visibility will be according to the resources that are there.

As I have said the last time that, unfortunately, we did not train police last year. We were supposed to have trained 7 000 police but due to COVID-19, we could’nt. The year before last,

we trained 5 000 police and 1 200 of those came from this province. The rest of the provinces shared only 4 000. So, we have been nursing this province. Thank you.

Question 47:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you,

House Chairperson, the Office of the Solicitor-General as a branch was allocated a budget of R534,9 million for the current financial year, of which only R514,3 million goes towards the 13 Offices of the State Attorney countrywide and the rest goes to the Office of the Solicitor-General component and its support directorate. The result is that the Office of the Solicitor-General is required to produce more with less.

In terms of the State Attorneys Amendment Act 13 of 2014, the work or the objective of the the Solicitor-General is to lead the turnaround in the delivery of the state legal services in all three-spheres of government, determining policy relating to the functions the Offices of the State Attorney which must include the following: the co-ordination and management of all litigation in which the state is involved; the briefing of Advocates; the outsourcing of legal work, including the instruction to correspondent attorneys; initiating, defending and opposing matters; and implementing alternative dispute resolution mechanism in the resolution of litigation against

the state; reduce the state reliability; enhance intergovernmental relations, including local government and state-owned enterprises; protect the legal interest of the state in its entirety; and clarify the roles and responsibility of the State Attorneys and stakeholders, including clients departments.

Ms W S NEWHOUDT-DRUCHEN: Thank you, hon House Chair, and thank you to the hon Minister, my question is: How will the Solicitor-General’s position going to contribute towards providing an effective and efficient service to the people of South Africa? Thank you

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: It is a

very important position and that you would reliase that State Attorney’s Act is an Act of 1957. The State Attorney was started when we still had only one state-owned entity, the South African Railways. So, the State Attorney Amendment Act which, created the Solicitor-General is aimed to harmonise and to co-ordinate State Attorney’s offices, and position it to be a state legal service of a modern society, and of a constitutional democracy that would be responsive. It also creates offices of the State Attorneys in all nine provinces, which already has filled about six vacancies in that regard.

We are confident that this work of co-ordination and of resourcing and also of modernising the State Attorney is on track. It will unable us to save a lot of cost in terms of litigation and also defending the interest of the state. Thank you.

Mr J SELFE: Thank you, Chairperson, Minister when the Acting Solicitor-General briefed the portfolio committee last month, he confirmed that the vacancy rate in respect of practitioners, the low retention rate and what he called the failure to grow our own timber at the State Attorney, remains a big concern. What are you doing about this situation, Minister?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you,

indeed, that is a challenge as we said to the previous question, the fiscal position is a challenge in terms of filling vacancies. As I have said earlier, the Solicitor- General has already filled six positions of heads of State Attorneys in six provinces and in the process to fill other provinces. We are supporting the work and we are also helping that process to ensure that there is proper realignment regarding the organogram of the State Attorney, that would be

able to respond to the needs of the line functioning departments, which are the clients of the State Attorney.

However, we are also helping the State Attorney concerning the turnaround strategy. We will be soon going to Cabinet with some of the policies that are being proposed, to deal with the state strategy of litigation which is aimed at an overall picture, to give an overall strategy for the State Attorney to respond to the needs of the client’s departments within available resources, which are very limited. Hon House Chairperson, thank you.

Ms Y N YAKO: Sorry Chairperson, I will be taking the question on behalf of hon Ndlozi. Minister, one of the saddest tragedies after the post-1994 establishment is the continuing marginalisation of black legal practitioners. In almost all the big cases that the state is litigating on, white Senior Counsels are being used by the state. Many black Counsels are struggling to even pay their Chamber’s fees. Have you instructed the Solicitor-General to prioritise giving briefs and instructions to black lawyers, if not, why have you not done so?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you

very much, House Chair, I think there is an incorrect misconception in the public domain that all the briefings to Counsels, even by state-owned entities and local municipalities come from the offices of the State Attorney. If you go to the website of the State Attorney now, as we are sitting here, you will realise that 83% of the work of the State Attorney goes to black practitioners without any failure or any doubts. For the last three months if you look at it, 90% goes to black practitioners.

Indeed, there is a challenge as she has said, which I agree, with other state-owned entities that could also be contributing to the skewed kind of briefing patterns, but the State Attorney and all departments are sitting now at 90% briefing of black practitioners. So, what the office of the Solicitor-General will help us with, which I said, will go through the Cabinet processes to deal with a whole litigation strategy of the state, not only of the state departments, but also of the state-owned entities, and also of the local government and local government entities, to enable us to have some kind of template that could see across the government spectrum.

The briefing patterns of the black practitioners that they are indeed contributing to transformation: Firstly, of the Attorney’s profession and that of the Advocate’s profession, but overall contribute to the transformation of the judiciary. That is the reason why the office of the Solicitor-General is important and that briefing has happened even in the portfolio committee. Soon, that strategy will be taken to Cabinet. Then, we will be able to conclude on that issue.

The second aspect, with regards to the private sector, as we speak the Legal Practice Counsel is consulting members of the public. It is also in the website of the Legal Practice Counsel and the Department of Justice. A legal practice code that is going to be gazetted by the Department of Trade and Industry in terms of the Black Economic Empowerment, BEE Act, that is going to lead to transformation in the private sector. We are about to see a new face and a changing face of the legal profession through those instruments that are currently being considered. Thank you, House Chairperson.

Mr S N SWART: House Chair, rising from your response, hon Minister, the ACDP shares the concerns expressed by various members of the Justice Portfolio Committee about the State Attorney’s office, which is impacting negatively on the

ability of the state to litigate. This has been highlighted by a number of court judgments which I am sure you are aware of, hon Minister. We welcome the efforts of the Acting Solicitor- General to rectify the situation with his turnaround strategy, given the millions spent on state litigation at the time of great fiscal constraints. However, you pointed out the fiscal constraints. Minister, one of those issues I would ask you to deal with is the millions that are owed by the state departments to the Department of Justice. What is being done to collect those funds where the State Attorney acts on behalf of those state departments, and that the funds not repaid that are incurred in litigation costs? This figure runs to millions of rands as well. Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Indeed hon

House Chair, it is true that there are a lot of state departments that owes the State Attorney. There is a process that we are engaging with the National Treasury, how are we going to ensure that these amounts are paid to the State Attorney. It has been many years now, trying to collect the amount and the departments are not paying. So, we are looking at other alternative means that will enable us to recover these amounts that are being owed to the State Attorney. While departments also complain about the quality of service that is

being provided by the State Attorney, we also expect that they must also do the honorable in terms of paying for the service that has been rendered. Thank you.

Question 56:

The MINISTER OF POLICE: Thank you very much, Chairperson. We are not in a position to visit any metros at this stage but we cannot rule out visiting metros in the near future.

Mr A M SHAIK EMAM: Thank you very much House Chair. Minister, you know, I think the involvement, particularly of foreign nationals in criminal activities in the country, is underestimated. And ... this particular matter that we are talking about here, I want you and your department to see firsthand how crime is committed, and to what extent, by foreign nationals in South Africa, particularly in the metros, whether you are talking about the sex trade, the drug trade, the motor vehicle theft trade and things. That is what informed me when putting this question.

Minister, will you consider visiting this particular metro to see firsthand for yourself, and then engage with the Department of Home Affairs, with the SA Revenue Service, Sars, and the local authorities to be able to take a comprehensive

approach in dealing with these foreign nationals and their involvement with local law enforcement in South Africa in terms of the high levels of corruption ... in their criminal activities?

The MINISTER OF POLICE: Thanks very much to the hon member. We as law enforcement agencies, and the Police Service members in particular, start by looking at the criminal activities and the criminals that are committing ... [Inaudible.] [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members on the virtual platform, there is a disturbance. If you ask a question and you want the Minister to reply, then you must listen to what the Minister says and not disturb him during his reply. The hon Minister?

The MINISTER OF POLICE: As we then deal with criminal activities and we focus on criminals that are generating that crime, we do realise that there will be some criminal activities run by foreign nationals. The example at hand — the drug bust that happened about 24-48 hours ago — all the people that were arrested were foreign nationals. Out of that half a billion bust, all were foreign nationals.

Indeed, when you speak to hon Minister Lamola and you check on Correctional Services, there are quite ... high figures of some foreign nationals that are in our correctional services. I think Zimbabwe leads at the present moment followed by Mozambicans, the Basotho and all. So we have quite a huge population ... community of foreign nationals that are here.

Having not visited metros per se, most of our police stations of the SAPS are situated in the metros. I guess that even here in the Western Cape ... more are here; in KwaZulu-Natal, eThekwini ... More are in eThekwini ... in Johannesburg.

I must say this. We have created a situation where the metro police in all other places are working much better with the SAPS, with the exception of the Western Cape ... [Interjections.] ... with the exception of the Western Cape, where the Western Cape government and the City have chosen to create the capacity of policing outside the official structure of the metro; something called enforcement. It’s a quasi-legal something that you ... [Inaudible.] ... don’t find its legality and all that, while all other metros work with the SAPS in putting resources ... in working with us. Hence, the better outcomes, especially when you go to places like Gauteng. In Johannesburg and Tshwane, crime has gone down by

9,9% when here it has gone up because there is no proper working relationship.

So, we will be and we are talking ... to say let’s put our resources, as the Gauteng government has done ... has put a lot of resources working with the SAPS ... bought them many new cars. Here, they work outside that established structure. So, rather than people saying here that it’s nonsense, let’s sit down and create sense out of your nonsense so that we are able to work together to fight crime, without looking at political affiliations. [Applause.]

Ms N P PEACOCK: Thank you House Chair. How does the Minister intend to manage the situation of crime and corruption in both the public and private sectors in order to restore trust in those sectors?

The MINISTER OF POLICE: When it comes to the SAPS’ issues of criminality and corruption, you would understand that we have structures that are ... [Inaudible.] Today, we had a good meeting with the SA Human Rights Commission which is one area that oversees the work of the SAPS and other structures.

We also have our own structure internally called the Anticorruption Unit, ACU; we have the *Independent Police Investigative Directorate,* Ipid, that is working with police issues of criminality and corruption; we have the portfolio

... To be honest, the SAPS is one structure that is so overpoliced by the other structures. We are confident that those structures are there to oversee the question of corruption and criminality within the police.

However, it is also the job and task of the police. Maybe at one stage one has to bring the long list of people that have been arrested for corruption and criminality, especially when it comes to local governments and provincial governments.

So, the answer to this one is that we’ll have to arrest those people that are from the private and public sectors but also clean up our own house so that we are able to go forward in dealing with these matters. Indeed, now and again we have accepted ... in saying that we do have rotten elements within our own ranks but the vast majority of the SAPS’ members are good people doing their work. That is why the correctional services are almost over 25% overpopulated, and all those people in prison ... they don’t go ... [Inaudible.] ... toyi- toying. They are sent there by the police when they have done

their job ... good investigations, and people are given life and long sentences.

For information, the last four outcomes of cases, of the two

Pules — Tshegofatso Pule and the other Pule from *Ekurhuleni —* the young Madiba woman and the others ... all those people got between 20 years and life because the police did good work in investigations ... going forward. So, we will do ... to make sure that, across the board, we do our investigations, but we also do our own internal cleaning.

M.Gen O S TERBLANCHE: Thank you Chairperson. Minister, according to one school of thought, the SAPS is apparently losing the fight against crime in the major metros of South Africa, with the result that the metros are filling these gaps with the deployment of their own law enforcement units. ...

whether the Minister’s ... the devolution of certain policing functions to the provinces and local government ...

[Inaudible.] ... and if yes, to what extent, and if no, why not?

Lastly Minister, if you know about illegal activities, why

don’t you act against it?

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, before the Minister replies, may I remind you that the follow up question consists of one question only. The hon Minister?

The MINISTER OF POLICE: Chairperson, the hon member who is himself a former general of the SAPS, M.Gen Terblanche, understands this organisation very well. There’s a lot of work that he left before he could do it. Maybe if he is invited he could come back and do it. He was supposed to build a lot of police stations there in KwaZulu-Natal ... [Inaudible.] ... is one of them. He didn’t do his job. Maybe that’s why we are having problems. If he had done his job we’d be good now.

Having said that ... [Applause.] ... all metros are working to beef up their metro police, except the Western Cape. The Western Cape has created ... They do have the metro police but they have taken all their resources and created what is called the law enforcement. That law enforcement does not account anywhere except themselves. For instance, Metro accounts to the Ipid and the national commissioner. That’s why they don’t beef ... that because they want to create their own structure. As we speak now, we have a case of a member of the law enforcement that is going on. There’s a case going on because that member of the law enforcement shot and killed a member of

the SAPS ... for the fact that they are not working together. So, when you go to Atlantis, this law enforcement are not doing what they are supposed to do. The only thing they work on are evictions. When you talk about evictions then you talk about them. They even refused to enforce the COVID regulations when they refused to take people from the beaches. Hence, we had to request the SA National Defence Force to join the police because they refused to do their jobs. So, if they can just work like everybody else in the Republic of South Africa

... [Interjections.] ... the situation in the Western Cape will be much better. We are requesting that they do the right thing and join everybody. Thank you very much.

Ms Z MAJOZI: Thank you hon House Chair. Hon Minister, with the deadlock that Ipid is experiencing with cases, can you tell us when can we expect a turnaround time with the corrupt cases found in the public and private sectors?

The MINISTER OF POLICE: I don’t know if I understand the question very well but if I do, the police arrest, investigate and take the cases to the prosecution and ... [Inaudible.] So, as soon as we investigate we take it forward for prosecution and then it’s a whole chain. So, we would love the cases to take the shortest possible time. It helps to put the criminals

inside, but some cases are longer than others, some are shorter than others, some are easier than others, but we’ll forever put our shoulders to the wheel to make sure that the cases take a short time. However, they must be properly investigated. Thanks.

Question 48:

The MINISTER OF POLICE: Chairperson, Question 48, fortunately or unfortunately, is very similar to the questrion that has been asked by hon Groenewald. The answer is almost similar and it says, evaluation of the outcomes of the amnesty is not yet finalised and the future amnesty will be considered once evaluation is complete. So it is the same question. If we repeat it surely it will be after many kinds of answers as we go forward.

Mr T V MASHELE: Hon Minister, what is the approach of the Police Minister in addressing the question of the firearm amnesty that has expired?

THe HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, that is the follow-up question. You may wish to respond to it, hon Minister.

The MINISTER OF POLICE: I thought it is a Rule to make a follow-up question of the question asked. This sounds very new. But the answer to that question is that when your license expires you apply for the renewal of your linence. But if your license expires you need to surrender your firearm because it is unlicensed. That will take new processes and new procedures. You might even fail to get a new license because you need to be assesed if you are still fit to carry that gun. As we speak now there are many South Africans that have expired licenses and they must know that those guns are illegal. But those whose applications are still being processed by the SA Police Service they can keep those guns.

So it is important for the member to understand that if your license has expired and you have not yet applied, you have an illegal firearm and you will be arrested for being in possession of an illegal firearm. Thanks.

Maj Gen O S TERBLANCHE: Thank you, Chairperson. Minister, what is the current firearm light license application backlog, and how long will it take the police to address this backlog? More importantly, what are the police now going to do different during the future process? Thank you.

The MINISTER OF POLICE: Chairperson, I repeat my words. I said it will be presumptuous to tell if the capacity of the police will improved at this time. The reason given we suffered big number of the police that were infected – 27 000 and more.

Many of them died and that has weakened many structures of the SA Police. Exactly how long will it take us to make up the capacity and when the capacity will be in full force, we think we will have shorter time. But for now we will continue to grind on and give licenses that are there.

As I have said those who have applied and their applications are within the system, they must know that they are having their guns legaly. So, it is important to make sure that they should have applied them during the amnesty time. You cannot apply outside the amnesty time. You need to bring your gun back because if you keep that gun and we find that your license has expired, we arrest you.

Mr H A SHEMBENI: Thank you, hon Chairperson. Hon Minister, I heard you talking about bringing back guns to the police station otherwise you will be arrested. My question is, how do we bring the guns because the SA Police does not take in the guns for safe keeping? Thank you.

The MINISTER OF POLICE: Chairperson, we have never spoken about burning the guns at the police stations. Actually, bringing... [Interjections.] Maybe I didn’t hear it correct. Can somebody repeat it for me.

The HOUSE CHAIRPERSON (Mr C T Frolick): The hon member said bringing the guns to the police station. That’s what the member said.

The MINISTER OF POLICE: Oh, surrendering the guns to the police starions! Yes, you surrender your gun at the police station and we safekeep it until that gun is destroyed when you don’t want it anymore. There are two kinds of guns that are surrendered. There are those guns that are used by criminals, which are few that are surrender; and there are those guns that are surrendered by good South Africans who feel that they don’t have anymore reason of having the gun.

What people have been asking us to do is that as soon as you surrender your gun we keep it in safe without checking it. We are not going to do that. When you surrendewr a gun we take it for ballistic test. We also take it for forensic to see if the gun was not used in crimoinal activities. Otherwise, if we don’t check it we will be saying to criminals that kill them

all and bring the gun back, please. That has been requested and we are not going to take guns and not check them if they have not been criminally used. Yes, bring them back and we will check them, and if we find that the gun was criminaly used, we arrest you. But if the gun was never criminally used, we thank you as a good South African and we destroy it. Thank you very much.

Mr N SINGH: Chairperson, thank you for assisting the Minister. He might not have heard the member. I think the member’s question or comment was that some of the police stations are not accepting firearms. I don’t know if the Minister want to comment on that.

The MINISTER OF POLICE: Yes, there are legal police stations that are not allowed to carry those guns because the security in that particular police station is not at the level of protecting those guns. But as they go there - and those police stations are least - and they find that they are not allowed to leave their firearms there that police station has a responsibilkty to advise that member of the community about the next police station. Otherwise, we might leave the guns where they could be collected by criminals at night. So it is important that those stations have equipments and they have

all the capacity of keeping those guns once they are surrendred. Thanks.

Ms Z MAJOZI: Thank you, hon House Chair. Hon Minister, according to the *Government Gazzette* that published the new Minister’s amensty announcement, the recently ended firearm armnesty period was a new amnesty issued by the Minister as empowered by law. How often does the Minister think it is necessary to extend such an amnesty to the public considering its effectiveness or lack thereof? Further, what other methods are the police actively engaged into recovering illegal firearms especially on illegal foreigners? Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, I have indicated that a follow-up question is a follow-up question hence follow-up questions. There is one follow-up question that you may ask. The Minister may decide which one he want to respond to.

The MINISTER OF POLICE: Chairperson, we believe that these amnesties are effective. One gun brought back - especially the illeagl firearm even the legal one - and destroyed, definitely is a creation of a more peaceful kind of situation. In the figures that I have given, during the first amnesty 45 915

firearms were surrendered and during the second amnesty,

49 339 were surrendered. An amount of 216 180 rounds of ammunations were surrenderes on the first one, and on the second one 335 735 rounds of armmunation were surrendered. For us, the fact that those firearms and those rounds of armunnations have been brought back for distruction, it does open the space for safety out there. We would say it is effective. Thanks.

Question 31:

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION:

Thank you very much, House Chairperson. The response is as follows: the department brought a review application on 10 March 2018, to have the tender award reviewed set aside by the High Court. The review application also requested the recovery of the money that was paid to the service provider by the department. The hearing on the matter took place on 12 and 13 October last year, and we are still awaiting judgement. Thank you.

Mr M CHETTY: Thank you, House Chair. Hon Minister, according to the annual report of 2017-18 financial year, on expenditure management, the Auditor-General’s report of the following on the New York City project irregular expenditure amounting to

R117,720 million was incurred on design, construction, operation maintenance and finance of office and residential accommodation for the South African Diplomatic Missions in Manhattan. Minister, what does the department has to show for the R118 million? Is their title deed? Is their vacant piece of land or their dilapidated burned down abandoned building? Minister, your suspension of the Director-General Mahoai, is seen as a smokescreen protecting other senior officials who are closely linked to senior ANC leaders.

Are you going to suspend Ambassador Jerry Matjila, or the

chief financial officer, CFO, Caiphus Ramashau, or any other person in the department for the wrongdoing in the controversial R118 million New York City project? If found guilty, will you lay criminal charges against all these individuals to recover the money? If not, why not? Thank you. [Applause.]

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: I

believe that the question asked is what had been done? Therefore, I have answered the question and the actions of the department arising from the 10th March approached to the court. I cannot deal with the matter of the suspension of the officials of the department since this is dealt with in terms

of the Public Service Act and the Labour Relations Act which governs the rights of all public service and workers in the country. All who are impacted or implicated in terms of the need to pursue measures against them given their actions in this matter will be undertaken, and we are proceeding with this matter as we see best as the Ministry and the department. Thank you.

Mr B S NKOSI: Thank you, Minister. Seeing that the Ministry is proceeding with investigations, are these going to be done internally or externally?

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: As I

indicated at the portfolio committee meeting of last week, where Mr Chetty said that I run a spaza shop, I indicated that we have a report from an investigator service provider appointed by the Department of International Relations and Co- operation. The company is called Open Water, is an external investigator company and it had not submitted a report to the department.

Ms T P MSANE: Thank you. Minister, this New York project is an embarrassment to the nation whichever way you look at it, and the ought to be political casualties for this. It is not

probable that only officials were involved here. Who must ultimately take political responsibility for this embarrassment and when can we see resignations? Thank you.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION:

House Chairperson, I agree with the hon Msane that it is an embarrassment for our country, and this is why we are in court to recover the R118 million. I should have replied to the hon Chetty by indicating that the R118 million did not buy anything. Therefore, this is a matter and this is why we have investigations. This is why there are charges underway and this is why there is court process. You would not be doing all these things if you believed everything was correct, and that’s the matters we are following up are related to this particular incident of wastage of the public resources of our country having been committed.

We would not act in the way that we’ve acted were it not true that, in fact, public resources of South Africa have not been utilised properly. I’m not aware of any political involvement. I’ve not seen a single document signed by a political office bearer. Should such be identified in the investigative report clearly that will be part of what we pursue. Thank you very much.

Mr A M SHAIK EMAM: Thank you, House Chairperson. Did you say Shaik Emam? Minister, thank you for your appropriate and timeous action on this particular matter. However, in the similar basis, Minister, there has been serious allegations of various properties belonging to the state in different countries pre-1994, that have been disposed of, and people work have been destroyed. Have you been able to establish an asset register or do some investigations in all to these allegations, and whether the leases that we hold there or the ownership of these particular properties and the amount that we are paying and whether we should be owning them. Have you done an investigation into that based on the fact that there have been serious allegations on this ... [Inaudible.] ... state properties.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: I

personally have not carried out an investigation. We do have an extensive property portfolio as the Department of International Relations and Co-operation, and it is our intention to dispose of others some we will be renovating.

Therefore, we do have a plan with respect to our infrastructure. However, colleagues will be aware, hon members, that the funding related to the capital projects of

the department has been significantly reduced which has the

Minister’s ability to act on our infrastructure plan.

Should hon members be aware of particular instances of criminal action, I would welcome getting such information so that I could address it. However, our portfolio is something that we are dealing with at the moment.

Question 15:

The MINISTER OF STATE SECURITY: House Chairperson, the question in respect of the allegations relating to the so- called Project Justice and many other projects that were mentioned as part of the testimony of the acting director- general and Dr Mufamadi at the State Capture Commission remains one of great concern, not only for the integrity of the agency and its members, but also for the very foundations of our democratic state.

It is common cause that both testimonies were made as part of the broader effort to deal with issues of fraud, corruption and malfeasance that had occurred over time at the agency.

At the outset, I would like to set the record straight that, as the executive authority charged with the political

responsibility for the control and direction of the national intelligence services, I am fully behind the efforts to repurpose the agency to fulfil its constitutional mandate within the broader framework of good governance and accountability.

In their words to the commission, both the acting director- general and Dr Mufamadi said that they do not have concrete evidence to back their allegations or these allegations. And to quote them verbatim, Dr Mufamadi said:

This should, however, we thought, be treated with extreme caution as one would not want to be party to the destruction of public confidence in the judiciary. This is what we thought, and I will explain what I mean by that because we were not provided with any actual evidence that the operation was actually carried out to conclusion.

The acting director-general said:

We have very strong circumstantial evidence that some of the money went into the hands of some of the members or a

member of the judiciary. What I do not have sitting here now is absolute concrete evidence of that.

In addition to the evidence of Miss K, who testified in camera, the inconclusive nature of the allegation was confirmed by the admission that the investigation into the so- called Operation Justice was on-going.

Below is a verbatim extract of that confirmation between Miss K and Adv Pretorius. Adv Pretorius said:

The statement that the project was intended to influence state power and exercise control over the judiciary, is that consistent with your knowledge of what you were told about Project Justice?

Miss K responds and says:

No, no. Not verbally. We were not told that. We just discovered it in the submissions, the documentation.

Adv Pretorius further says:

Acting director-general Jaftha gave evidence this week that the investigation into Operation Justice was continuing. Is that correct? Can you confirm that as part of the investigation?

Miss K responds and says, “The investigation is on-going. However, I think I have to postpone my response to this and include it in my statement.”

Chairperson, I am therefore concerned with aspects of the testimonies that were given at the State Capture Commission, especially in light and in relation to allegations regarding the so-called Project Justice. The allegations that have been made by both the acting director-general and Dr Mufamadi in respect of the so-called Project Justice have not been verified, nor has there been any evidence presented to the Minister with respect to what was said in the testimonies.

I have, on more than one occasion, following the testimonies of both of them, asked the acting director-general to furnish me and my office with information relating to this project. Up until this morning and up until this point, I do not have much information at my disposal.

Hon members, you will recall that I launched an urgent application to the commission to delay the testimony of the acting-director general for the simple reason that, as the executive authority, I needed to be satisfied that the kind of information given to the commission is both accurate and credible.

Today, I stand here before you as the executive authority to account to South Africans about allegations that have not as yet been backed up by evidence.

With that being said, I stand here today accounting for allegation if which I have no knowledge and which are not backed up by tangible information.

I have made every effort, following both testimonies, to obtain information regarding these impugned projects in order to satisfy myself as the facts and the veracity of the allegations. I have, as a matter of fact, directed the head of the domestic branch of intelligence to initiate a forensic investigation into these allegation, as these alleged transgressions occurred in the domestic branch.

My submission is therefore that I am not in a position to respond specifically to the question on the basis that there is very little, if any, information presented to me to back this allegation.

As I mentioned, I have, on several occasions up until this morning, requested the director-general to furnish my office with more information relating to the allegations against members of the judiciary.

I took an oath of office as a Member of Parliament and as a member of the executive to honour and respect the Constitution of the Republic. This includes the imperative not to misrepresent the truth. And until such time as source documents, or any payment or bribery of judges is presented to me, I cannot adequately confirm a matter as serious as this to South Africans without information backing it up.

I would like to assure South Africans that I intend to abide by my oath and I take the people of this country seriously. Thank you.

Dr M Q NDLOZI: Hon Minister, your answer is a fundamental abdication of responsibility on the one hand, and on the other

a fundamental admission that you are not in charge of the secret services of this country. The very act of you trying to stop your director-general of going to testify, not knowing what he is going to testify about, also attests to the fact that you are presiding over people who do not trust you and who do not relate to your authority.

Why should you not be removed? All of this just means that you either incompetent, or the secret community or the intelligence community completely distrusts you.

Here we have a serious infiltration of the judiciary. [Interjections.] Why would the director-general give you any information if he did not inform you about going to the State Capture Commission in the first place? [Interjections.]

So, even this very answer is an indication of your fundamental incompetence or the fact that you are not in charge of that department. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Ndlozi, could you please hold on. There is a point of order I would like to entertain. What is the point of order, hon member?

Mr T V MASHELE: The point of order is that the hon member must ask a question instead of bringing a political statement here. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, the Rules allow for the member who asks a supplementary question to also make a political statement before putting their question. That is what the hon Ndlozi has been doing, so I will allow him to continue. Please continue, hon member.

Dr M Q NDLOZI: Thank you, Chairperson.

So, in essence, Minister, we are saying that you are presiding over the most disorganised, chaotic intelligence service ever in history, and that it is a danger to the country.

The question is why you think they will ever give you any information because the very admission that they did not tell you that they are going to testify ... you not knowing what they are going to testify about is an indication of you not being in control. As a result, in line with your oath of office, shouldn’t you step down? Shouldn’t this task go to people who can actually get the work done? Because the infiltration of the judiciary is a serious threat to this

country, and there is more than one occasion on which it has been said that it has been infiltrated by intelligence services in the country. If you can’t solve that, why are you there? Thank you.

The MINISTER OF STATE SECURITY: Chairperson, I reject with contempt the assertion that I am incompetent. I have worked for this government as an official, as a head of department, and the record of my competence is known by many. I have worked as a Minister in a few departments within this government, and I have never been accused of incompetence. It is not going to start today.

That the director-general decided to go to the commission without conferring with the Minister who has direct control

... [Inaudible.] ... of the department and of the director- general himself is something that is way beyond my control. That he decided to disrespect my authority and go directly to the commission without coming to the Minister ... where the law is very clear on the relationship between the Minister and her authority and control over the department and that of the director-general is something that Dr Ndlozi should pose to the acting director-general when he next appears at the Joint Standing Committee on Intelligence.

So his assertions I reject with the contempt they deserve. [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: [Inaudible.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister Zulu, I think the Minister of State Security is quite competent to respond to the hon Ndlozi. The hon Minister of State Security?

The MINISTER OF SOCIAL DEVELOPMENT: [Inaudible.]

The MINISTER OF STATE SECURITY: As for my removal from office based on his assertion ... maybe he should go to the President and have a conversation with him on the matter, certainly not with me. Thank you. [Applause.]

The MINISTER OF SOCIAL DEVELOPMENT: [Inaudible.]

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

*Afrikaans*:

’n AGB LID: Sit haar uit! Sit haar uit!

Dr M Q NDLOZI: If you can’t deliver results you should resign!

Period!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Ndlozi, you asked the question ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members on the virtual platform: you run the risk of ... [Interjections.]

Ms E N NTLANGWINI: [Inaudible.] ... answer!

The HOUSE CHAIRPERSON (Mr C T Frolick): ... of being removed from that platform. If you don’t stop with your interjections now, I will ask the Serjeant at Arms to remove you without further delay. The hon Maake?

Mr J J MAAKE: House Chairperson, I think the Minister has said a mouthful. No more questions from me. [Applause.]

Ms E N NTLANGWINI: Hon Chairperson?

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

Ms E N NTLANGWINI: Can you give that slot to the hon Ndlozi again because it seems as if the ANC does not have use for it.

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

[Interjections.] [Inaudible.]

Mr A H M PAPO: House Chair, point of order, please!

The HOUSE CHAIRPERSON (Mr C T Frolick): I don’t think the ANC is keen on transferring slots. The hon member made use of ... [Inaudible.]

Mr T N MMUTLE: No, you can give Ndlozi that slot to go and fetch ice!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members! Hon members, just remain calm. Stay relaxed. It’s late in the afternoon, and we are almost done with this session. The hon Kohler.

Ms D KOHLER: House Chairperson, since former Minister Sidney Mufamadi’s testimony that State Security Agency funds were used to bribe judges and pay off journalists to defend and promote Jacob Zuma’s inner circle, really, all we’ve had is

radio silence. Project Justice is not new. It did not happen under this Minister or the previous Minister, or ... like this revolving door of Ministers ... it’s from way back when. Of course, there has been plenty of time to hide evidence.

Minister, are you perhaps working with the Judicial Services Commission? Perhaps they will work with the department in order to try and track down which judges were approached with bribes. Of course, it’s a question, given the history, for example, of Judge John Hlophe’s alleged approach to two Constitutional Court judges to rule in favour of Zuma ... we have the examples.

And fair is fair. After your failed attempt to shut down the presentations to the Zondo Commission, those are the sorts of questions that should be focussed on, rather than trying to flatten those who try to tell the truth. Thank you.

The MINISTER OF STATE SECURITY: Hon Kohler-Barnard, I am the last person who would stop people from telling the truth. As I said in my previous response, I was very clear about accountability and good governance. The fight against corruption and malfeasance, in the same way as the fight

against espionage, is also the responsibility of the department.

Now, I did not want to stop anybody from talking about issues that relate to their work, that relate to the work on the fight against corruption or even the fight on counter- espionage. I do not want to stop that. I have made it very clear that it was not even the first time that I had approached the judge on the matter of ensuring that there is consultation.

It was the same with the Inspector-General. We were granted that. And this was an attempt at trying to ensure that information that is placed before the commission is credible and has been verified. In this instance, as you can see from my presentation, this was not verified and this was not credible. Even Miss K herself – who was smart enough to say, I will issue a statement because I can say no further on the matter because the investigation is on-going. So I did not try to stop anybody from giving evidence before the commission.

But I would want to also say, up until this morning, there was no document that says this is Project Justice. There is no such thing as Project Justice. Project Justice ... because

this issue has now been ventilated in public, and that is why I was willing to come and talk to it today. No Project Justice exists in that organisation. So there will never be a document that is found that speaks about Project Justice.

There is a project that was spoken about at the commission, and it is in the testimonials. It is also in the transcripts. It is called Project Mayibuye, which, within it, had a few operations, one of which was Operation Justice.

So, member Barnard, I am glad that you also sit on the Joint Standing Committee on Intelligence. You will understand how important accuracy and honesty is for any spy – if you want to call it that – or a member of the agency.

But once there are half-truths that are given to a commission, half-truths given to the public, I have every responsibility – and I intend to exercise that responsibility – to ensure that the people of this country know the truth. I do not want to set a narrative that says judges are bribed in South Africa, because I have no evidence to that effect.

That Project Justice was given to our department by a discredited peddler. One of the things that I am trying to

stop is from this department using peddlers that come with information that intends to break the backbone of our democracy. Thank you. [Applause.] [Interjections.]

The House adjourned at 18:06.