**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 9 SEPTEMBER 2021**

***PROCEEDINDS OF THE NATIONAL COUNCIL OF PROVINCES***

The Council met at 14.00.

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

The Chairperson announced that the virtual sitting constituted a Sitting of the National Council of Provinces.

# VIRTUAL SITTING RULES

(Announcement)

The CHAIRPERSON OF THE NCOP: That delegates who are physically in the chamber must connect to the virtual platform as well as insert their cards to register on the chamber system. That they should switch off the sound on their gadgets and ensure that the microphones on their gadgets are muted and remain muted at all times. They must use floor microphones, wear face

masks at all times, occupy seats marked for that purpose and maintain social distancing of at least one and half meters from each other at all times. Delegates must switch on their videos if they want to speak or address the Chairperson. Any delegate wishing to speak must use the raise your hand function icon. I am told that all delegates may participate in the discussions through the chatroom.

# NOTICES OF MOTION

Mr D R RYDER: Yes, Mr Dangor, mute it.

Mr M DANGOR: I have.

Mr D R RYDER: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the Council -

(1) debates the Sedibeng Regional Sewer Scheme, which is still to be completed after years ... [INSERTED FROM MEMBER’S SPEECH NOTES.] ... [of planning, very little construction, and the impact on the growth and

development of this key industrial area as well as on the environment ...] ... [Inaudible.] ...

Ms A D MALEKA: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the Council -

1. debates the mental health in South Africa;
2. notes that the COVID-19 pandemic and high levels of poverty, unemployment and gender-based violence continue to drive the disconcerting high levels of depression, anxiety, substance abuse and job stresses in South Africa.

Ms C LABUSCHAGNE: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the Council -

(1) debates the long-standing impact of COVID-19 and the state of disaster regulations with specific reference to the social and mental health of our society.

Mr J J LONDT: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the Council -

1. the Council determine how possible is it that a party that wants to run the country cannot even submit their names to the Independent Electoral Commission, IEC.

[Laughter.] ... [Interjections.]

*Sesotho:*

Mof D G MAHLANGU: O pallwa ke tsa hao wena.

Ms M O MOKAUSE: We are going to win these elections as the EFF, Chairperson. You are not going to win this time.

*Sesotho:*

Mof D G MAHLANGU: Mo ditorong.

Mr S F DU TOIT: On a point of order.

Ms M N GILLION: Hon Chairperson.

Mr S F DU TOIT: On a point of order.

Ms C LABUSCHAGNE: Thank you very much, Chair, ... [Interjections.]

Ms M N GILLION: Hon Chair, Chairperson, please.

The CHAIRPERSON OF THE NCOP: Yes. Chief Whip.

Mr S F DU TOIT: On a point of order, hon Chair.

The CHAIRPERSON OF THE NCOP: Please proceed, hon Labuschagne.

Ms C LABUSCHAGNE: Hon Chairperson, I move without notice:

That the Council -

* 1. congratulates the Western Cape Provincial Parliament for a consistent pattern of good audits outcomes as reported by the Auditor-General;
	2. notes that the Western Cape continue to deliver the best results with 75% clean audits which is a reflection of institutionalized controls in the financial statements preparation process;
	3. further recognizes that the monthly procurement disclosures report of the Western Cape, which affirms the provincial Treasury’s commitment to transparency and clean government;
	4. further congratulates the Western Cape government for the focus put on COVID-19 related expenditure across departments and public entities in the 2020-

21 financial year in their 14th edition of procurement disclosure report;

* 1. further notes that procurement expenditure includes price per unit and supplier details and can be viewed by the National Treasury COVID-19 dashboard; and
	2. calls upon all other provinces to implement this healthy financial practice, and to combat crime and corruption in government.

The CHAIRPERSON OF THE NCOP: Any objection to the motion?

Mr S F DU TOIT: On a point of order, Chair.

The CHAIRPERSON OF THE NCOP: There being an objection, the motion without notice is not agreed, and it now becomes a notice of a motion.

Mr S F DU TOIT: On a point of order, Chair.

The CHAIRPERSON OF THE NCOP: Yes, hon Du Toit.

Mr S F DU TOIT: Hon Chair, can you please recognise the members on the virtual platform for notices of motion and motions without notice? You just reacted to the members in the House. We also have notices of motion on the virtual platform. Allow them to deliver, please.

The CHAIRPERSON OF THE NCOP: Yes, we will do so, hon Du Toit and your name is noted.

Ms D G MAHLANGU: I am on without notice.

Mr S F DU TOIT: Can I deliver both, Chair or how do you suggest we proceed because ... [Inaudible.] ...

The CHAIRPERSON OF THE NCOP: We will come ... Your name is ... [Inaudible.] ... Chief Whip.

The CHIEF WHIP OF THE NCOP: Chairperson, move without notice on behalf of the ANC:

That the Council -

1. notes the announcement that was made by Minister of Co- operative Governance and Traditional Affairs, Dr Nkosazana Dlamini Zuma, that 1 November 2021 will be the new date for the 2021 local government elections;
2. further notes that the 2021 local government elections mark the 21st anniversary since the establishment of a democratic local government system in our country, which remains the fundamental pillar of our democratic ideals of our democracy, as the sphere that is closest to our people and the coalface of service delivery;
3. further notes that the decision to proclaim 01 November 2021, as the date for the 2021 local government elections comes after the Constitutional Court ordered the Electoral Commission, IEC, of South Africa, last week, to hold the local government elections on any day between 27 October and 01 November, this year; and
4. takes this opportunity to convey its well wishes to all the political parties that are participating in the 2021 local government elections and make a clarion call to all the citizens of our country to take part in this very important elections while also exercising greater caution and observe all protocols that are put in place to minimize the spread of the COVID-19 pandemic.

Motion agreed to in accordance with section 65 of the Constitution.

Ms H S BOSHOFF: I move without notice on behalf of the DA:

That the Council –

1. notes with joy the performance of our participants at the 2020 Tokyo Paralympics;
2. also notes that a total of seven medals were won, 4 of which were gold, 1 silver and 2 were bronze;
3. further notes that Anruné Weyers, Pieter du Preez and Ntando Mahlangu captured gold for our country, with Ntando Mahlangu winning two gold medals;
4. recognizes that Ntando Mahlangu set a new world record with his jump of 7,17 meters, edging out German, Leon Schaefer’s distance of 7,12 meters;
5. also recognizes that Anruné Weyers won her 400-meter race in a time of 56,05 seconds, cruising ahead of Venezuela’s Vera Andrade in a time of 57,32 seconds;
6. further recognizes that Louzanne Coetzee won a silver medal in the 1500m event and also took third place in the women’s marathon event;
7. again notes that Sheryl James won a bronze medal in the

400 meter women’s event; and

1. requests that this House sends letters to the above participants congratulating them on their achievements and flying the South African flag high.

Motion agreed to in accordance with section 65 of the Constitution.

Mr S F DU TOIT: Thank you Chair, just for clarity, can I deliver both the motion without notice and notice of motion? The virtual platform did not form part of the first.

THE CHAIRPERSON OF THE NCOP: What is he saying? Hon Du Toit, if you can bear with us, you will get an opportunity next time. We can’t really go back.

Mr S F DU TOIT: With all due respect, my hand was up earlier and you did not recognise me.

THE CHAIRPERSON OF THE NCOP: Thank you very much. I’m sure you

will see the point.

Mr S F DU TOIT: May I proceed with my motion without notice?

THE CHAIRPERSON OF THE NCOP: The next person is hon Aucamp.

Mr S F DU TOIT: Hon Chair May I proceed?

THE CHAIRPERSON OF THE NCOP: No, you can’t, next time.

Mr S F DU TOIT: Why am I not given an opportunity?

THE CHAIRPERSON OF THE NCOP: Hon Aucamp?

Mr S F DU TOIT: On a point of order Chair.

THE CHAIRPERSON OF THE NCOP: What’s the point of order?

Mr S F DU TOIT: Hon Chair, you recognised me but you did not give me an opportunity to deliver either one of my two motions. What is the reason for that? May I proceed with one of the two motions please? If yes, please indicate which one, motion without notice or a notice of motion.

THE CHAIRPERSON OF THE NCOP: No, then you may proceed.

Mr S F DU TOIT: With which one do you want me to proceed?

THE CHAIRPERSON OF THE NCOP: Motion without notice. Please proceed.

# BRUTAL ATTACKS AND CRIME BECOME RIFE

(Draft Resolution)

Mr S F DU TOIT: House Chairperson, I move without notice

That the Council –

* 1. notes that Chris Hesta Barnard from Koster in the North West Province was brutally attacked and tortured last night;
	2. notes that protection of individuals in rural areas is of the utmost importance and that visible policing be intensified and perpetrators be arrested and prosecuted; and
	3. further notes that the specialized units to be activated and basted in order to deal with these brutal violent crimes as a matter of urgency and that the brutal attacks of high crime rate specifically violent crime be debated in this House as soon as possible.

Motion agreed to in accordance with section 65 of the Constitution.

# HORRIFIC FIRES IN THE NORTHERN CAPE DAMAGE GRAZING LAND.

(Draft Resolution)

Mr W A S AUCAMP: House Chairperson, I move without notice

That the Council –

* + 1. notes with sorrow the damage caused by the recent veld fires in the areas of Kuruman, Kathu, Postmasburg, Lohatla and Daniëlskuil, as well as other affected areas in the North Eastern part of the Northern Cape, where more than 250 000 ha of grazing land has been destroyed during the last month;
		2. expresses our gratitude towards the various civilian fire-fighting organisations as well as the large number of individual farmers and private companies who unselfishly made their personal fire-fighting equipment and vehicles

available in order to try to contain the spread of these horrific fires;

* + 1. furthermore, expresses our utmost gratitude towards each individual who did not think twice to put their own lives at risk in order to assist in the fighting of these fires;
		2. acknowledges the fact that due to these fires, and the amount of grazing that was destroyed, there is now an urgent need for fodder to be made available to those farmers who lost grazing during these fires;
		3. requests the Premier of the Northern Cape to declare the areas affected by these fires as disaster areas; and
		4. calls upon the MEC for COGTA, and the Premier of the Northern Cape to immediately approve the provision of fodder from the fodder banks in the Northern Cape to the affected farmers, as well as to make additional funding available in

order to assist these farmers, big and small to obtain sufficient fodder for their animals.

Motion agreed to in accordance with section 65 of the Constitution.

# VENTERSBURG FIRES

(Draft Resolution)

Mr M A P DE BRUYN: House Chairperson, I move without notice

That the Council –

(1) [Inaudible.]

THE CHAIRPERSON OF THE NCOP: Hon de Bruyn, if I can just ask you to speak a bit slower and speak to the mic. You are not audible. We cannot hear what you are saying. Please try again.

Mr M A P DE BRUYN: Am I audible now Chair?

THE CHAIRPERSON OF THE NCOP: Please proceed hon De Bruyn.

Mr M A P DE BRUYN: I will start from the beginning then. House Chairperson, I move without notice

That the Council –

1. notes the devastation that veld fires caused over the past weekend that obliterated tens of thousands of hectares of agricultural land as well as chalets at the Aldam Resort near Ventersburg;
2. That this house also notes that the Mmamahabane Fire Station was inaugurated in 2015 by the Matjhabeng Local Municipality. The exact value of the project remains a mystery, but sources suggest that the cost of the fire station could amount to R 14 million;
3. It should be noted with extreme concern that since it’s completion, the Mmamahabne station has not been utilized for its intended purposes., with neither human or technical resources nor any no firefighting activities being present in yet another failed ANC- project that reveals only signs of vandalization and decay;
4. It should be considered that yet another white elephant in the Free State under the ANC adds no value to the community;
5. In this regard, it should also be considered that, had the station been operational, the devastation of the Ventersburg fires could have been limited. The fire station could have played a vital role in efforts to fight the mentioned fire as was the need of such a service by the community, but the delays and outright inaction and passivity by the municipality under the ANC to make it operational is affecting the local community;
6. This house should resolve that all the unfinished ANC-projects will one day be mausoleums of the ANC’s heritage of wasteful expenditure; and
7. The communities of the Free State can no longer suffer due to unused and incomplete projects under the ANC and this.

Motion will not be proceeded with.

Ms M N GILLION: Hon Chairperson, mine was a notice of motion and was not recognised at that time, thank you.

THE CHAIRPERSON OF THE NCOP: Hon Gillion, I’m sorry we can’t really go back. We have already made a ruling in this regard. The next person is hon Luthuli

# FLOODING IN KWAZULU-NATAL

(Draft Resolution)

Ms S A LUTHULI: Hon Chairperson, on behalf of the Economic Freedom Fighters, I move without notice:

That the Council-

1. notes that KwaZulu-Natal has received disruptive overnight rains coupled with thunderstorms which have led to flooding and in turn caused the collapse of roads and houses in the area;
2. further notes that poor planning, lack of maintenance of roads and infrastructure add to the

situation in KwaZulu-Natal, as storms continue to cause havoc on poorly maintained infrastructure;

1. acknowledges that poorly managed and defiant municipalities and massive underspending on repairs and maintenance, contribute to devastation that occurs during bad weather conditions, brought on by climate change;
2. recognise that lack of consequence which befalls management due to failure to deliver basic services at provincial and municipal level also contributes to devastation which follows conditions such as these; and
3. On behalf of the EFF we call on provincial government to ensure adequate provision of service delivery in the province.

The CHAIRPERSON OF THE NCOP: As the motion without notice is not agreed, it now becomes a notice of a motion.

Ms M O MOKAUSE: Chairperson, on a point of order.

The CHAIRPERSON OF THE NCOP: Yah, what’s the point of order?

Ms M O MOKAUSE: Chairperson, what government rises on a point of order when a motion in the House is being presented to actually help desperate people in a certain province? What kind of a political party are you? What kind of people are you?

The CHAIRPERSON OF THE NCOP: That’s not a point of order.

Ms B T MATHEVULA: They are out of order.

The CHAIRPERSON OF THE NCOP: We will therefore proceed to hon Ndongeni.

# BRUTAL MURDER OF SERGEANT FAIZEL ADAMS

(Draft Resolution)

Ms N NDONGENI: Hon Chairperson, I move without notice:

That the Council-

1. notes with profound sadness and grief, the brutal murder of Sergeant Faizel Adams who was part of the team of police officers from the South African Police Services (SAPS) who are stationed in Parliament;
2. further notes that Sergeant Faizel Adams was brutally murdered on Tuesday, 7 September 2021 afternoon in Goodwood here in Cape Town when he was visiting his cousin;
3. acknowledges the tireless service and contribution made by Sergeant Faizel Adams in the service to Parliament and the South African Police Services;
4. takes this opportunity to convey its heartfelt condolences to the family of Sergeant Faizel Adams; and
5. calls on the police to ensure that murderers of Sergeant Faizel Adams are brought to book to face the full might of the law.

Motion agreed to in accordance with section 65 of the Constitution.

# WATER SHORTAGE IN GIYANI, LIMPOPO

(Draft Resolution)

Ms B T MATHEVULA: Hon Chairperson, I move without notice:

That the Council–

1. notes that Giyani Municipality in Mopani District, Limpopo is experiencing a water shortage, with 18 villages, currently without running water;
2. further notes that, Limpopo is a water scarce province, with water levels on a downward spiral, coupled with a decline in water storage;
3. acknowledges that, R3 billion was allocated in the Giyani bulk water project, which was meant to provide clean running water to 55 villages in Giyani, Limpopo;
4. further acknowledges that, the Giyani Bulk Water project collapsed in 2018 after allegations of corruption surfaced;
5. recognises that, we need to send a strong message that corruption and maladministration shall not be tolerated; and
6. calls on the government to bring all those responsible for the failure of the Giyani Bulk Water project to account.

Motion agreed to in accordance with section 65 of the Constitution.

# FIVE PEOPLE KILLED IN A TAVERN IN MPUMALANGA

(Draft Resolution)

Ms D G MAHLANGU: Hon Chairperson, I move without notice:

That the Council–

1. notes with profound sadness and concern that police have launched a manhunt for a suspect after five people were shot in a tavern over the weekend in Mpumalanga;
2. further notes that two of the people died after the shooting in Koedoespoort near Vaalbank in the Nkangala District after a scuffle broke out at a tavern resulting in the violent death of the five deceased people;
3. takes this opportunity to condemn this incident and utmost hideous disregard of human life shown by the perpetrators of this heinous crime; and
4. conveys our heartfelt condolences to the families of the deceased and call on the police to leave no stone unturned to make sure that the perpetrators of this repulsive crime are brought to book.

Motion agreed to in accordance with section 65 of the Constitution.

# SENTENCING OF A 50-YEAR-OLD IN MPUMALANGA HIGH COURT

(Draft Resolution)

Ms M BARTLETT: Hon Chairperson, I move without notice:

That the Council–

1. notes that a 50-year-old man from the Mpumalanga province was sentenced to life imprisonment for stabbing his ex-lover to death in the presence of her new boyfriend in 2020;
2. further notes that the Mpumalanga High Court sitting in Graskop sentenced Shorence Delson Nghala on Monday,6 September 2021 after he pleaded guilty to murder and robbery with aggravating circumstances;
3. also notes that Judge Johanna Mthimunye sentenced Nghala to life imprisonment for murder and 15 years’ imprisonment for robbery with aggravating circumstances; and
4. congratulates the NPA and the police for making sure that this callous murderer has been given an appropriate sentence.

Motion agreed to in accordance with section 65 of the Constitution.

# CHRISTIANA HOSPITAL GUTTED IN FIRE

(Draft Resolution)

Ms S E LUCAS: Hon Chairperson, I move without notice:

That the Council-

1. notes that the newly renovated Christiana Hospital was completely gutted in a fire that broke out on Wednesday,9 September 2021;
2. further notes that it was the only hospital for the community of Lekwa Teemane;
3. takes this opportunity to call upon all the relevant stakeholders to assist in rebuilding the hospital.

Motion agreed to in accordance with section 65 of the Constitution

# TRAGIC ACCIDENT ON THE R321

(Draft Resolution)

Mr E Z NJANDU: Hon Chairperson, I move without notice:

That the Council–

1. notes with profound sadness that five people were killed and four others injured in an accident involving farm workers on the R321 between Villiersdorp and Grabouw on Tuesday, 7 September 2021;
2. further notes that two farmworkers and three people travelling in a Sport Utility Vehicle, SUV vehicle were killed after the vehicle apparently collided with a truck transporting 57 farmworkers;
3. also notes that the crash happened after the province recorded 21 fatalities in the week between

30 August and 5 September 2021; and

1. sends our heartfelt condolences to the families of the deceased and wish a speedy recovery to the injured.

Motion agreed to in accordance with section 65 of the Constitution.

# THE TRAGIC DEATH OF KHOMANINI MAHWA

(Draft Resolution)

Mr D R RYDER: Hon Chairperson, I move without notice:

That the Council–

1. notes the tragic death of Khomanini Mahwa, a six- year-old from the Vaal;
2. further notes that this young child was playing near his home in Orange Farm, in the Johannesburg Municipality, when he fell down an open manhole and into the sewer below;
3. notes that Khomanini’s body was found on Wednesday,

8 September 2021 in Evaton after extensive searching;

1. further notes that the DA and community have been calling for the sewer system in this area to be properly repaired for years including numerous calls on Johannesburg and Emfuleni Municipalities to ensure that manholes to be covered;
2. notes that despite the efforts of the National Department of Water and Sanitation, the Deputy President and the President himself, the Vaal sewage situation shows no signs of improvement;
3. also notes that this tragic and horrible death could have and should have been avoided;
4. calls upon the House to place pressure on all spheres of government so as to ensure that the people of the Vaal region are able to live in a safe and healthy environment; and
5. sends it condolences to the family of Khomanini.

Motion agreed to in accordance with section 65 of the Constitution.

The CHAIRPERSON OF THE NCOP: Thank you very much delegates and fellow members. We will now proceed to the subject for discussion. But before we do that. I would like to take this opportunity to welcome the Minister of Police, the Premiers who may be on the platform, the Members of Executive Council,

MECs, and other special delegates, as well as the South African Local Government Association, SALGA representatives, to the House. So welcome.

# DEBATE ON THE DEVOLUTION OF THE SOUTH AFRICAN POLICE SERVICE

Mr A WINDE: Hon Chair, members of this House, Minister Bheki Cele who I see is on the speaker’s list and the MEC’s that are joining us in this debate, special guests, it is an honour and a privilege for me to be able to speak in this debate, and to be able to bring to this august House a really serious subject for discussion. The DA in the Western Cape and the Western Cape government has consistently espoused the principle of federalism and called for the devolution of power to provinces. Not only because this is the best form of governance in principle, but also because it brings government

closer to the people and promotes better accountability –

specifically all the way down to local level.

In the context of South Africa today, devolution of power will ensure that we do not become a failed state. While we have long talked about the importance of devolution in South Africa, the time has come for us to take action and implement it now. Failure to do so will have grave consequences. I say to members of this House that I recommend this book, *Fixing Failed States.*

I say to members in this House that while in South Africa we might not be a failed state now, we are moving towards a failed state. And we need to arrest that now - we need to change that now. That is why the Western Cape is ready to take up devolved responsibilities so that we can get the job done. I have just said that while we are not a failed state, we have failed. And I don’t want to spend too much time making politics here today. I want to bring this very serious discussion to this House, because I want to say that this House represents all of our provinces in South Africa and this House has the power to bring about change to push back on budgets and to really make a change in the best interests of the citizens of our province.

Regarding federal power, first of all before I talk about the South African Police Service, I am going to talk about another competency. I am going to talk about Prasa and Metrorail in our municipalities, and specifically in this very city where we find ourselves at this seat of Parliament – the seat of this National Council of Provinces. If you live anywhere around the central line, you do not have a good story to tell. That competency by the Passenger Rail Agency of South Africa, Prasa, has failed the citizens of our country. It has failed the citizens of our province and it has failed the citizens of this City of Cape Town. And who are those citizens? They are the poorest of the poor. They are the ones that need government to be there for them. How do they get to school, to a hospital, to a job? That central line is an absolute failure. I am not sure when this ... [Inaudible.] ... have been there last to have a look at how it looks like on the central line.

There are now people using the railway lines as the foundations for their homes. Those trains haven’t got a chance of even running – even if there was a will to fix it. That is why we are saying that this vulnerable people deserve much better. I am saying that this House should be making statements on that. This House should be calling for a change

in management because it has failed the citizens of Langa ... [Interjections.] ... and Mitchells Plain. It has also failed the citizens of Khayelitsha.

Mr K M MMOIEMANG: Hon Chair, may I rise on a point of order?

The CHAIRPERSON OF THE NCOP: Hon Mmoiemang, on what point are you rising?

Mr K M MMOIEMANG: I am rising on a point of order in terms of Rule 36, hon Chair. The matters around Prasa - around transport, is not the subject matter on the Table. I am afraid that the hon speaker on the podium is not relevant to the topic that the Chair outlined as the subject matter of today’s debate. Thank you, hon Chair.

The CHAIRPERSON OF THE NCOP: On what point are you rising, hon Mmoiemang? It is really not a point of order. Please proceed.

Mr A WINDE: Thank you very much, Chair. I hope I am not losing time allocated to me because of this frivolous points of order. But the objective was to show that it is a failed state and it affects the citizens of our various provinces. And this doesn’t only happen in the Western Cape, this happen in other

provinces too. We represent those very citizens, and specifically the poorest of the poor. We all represent them – every single one of us in our various different political parties - and we need to stand up for them.

I need to move on and talk about where we have really failed our citizens, and that is, in keeping them safe by policing. Are our citizens safe in South Africa? They are not. In the standing committee meeting in the National Assembly, the Commissioner of Police said that we can no longer keep our citizens safe. When that is said, one must get really worried. I came to this debate to say that I believe there is a solution. And I really want us to take this very seriously.

Policing at the moment is not working, especially with centralisation under a single control. Coming out of Tshwane – coming out of Pretoria - we are not managing it properly. We need to change. You know, they say that if you keep doing the same thing over and over again, and you are not finding change, it is a sign of madness. And if our citizens are not being safer and we are doing the same thing over and over again, we need to make a change. I say we – every single one of us - we as members of legislatures, Parliament, and the NCOP, we owe it to those citizens to bring about that change,

and to push for that change - right here today, that is why this debate is of outmost importance.

I know you said that there would be a break now because the elections are coming up. But please, do not use that break by wasting a moment of not thinking about how we are going to change the way we would make our citizens safe in our province while we are fighting for elections and not in our committees or sitting in this House

What I am saying here is that I am speaking on behalf of those people in Mitchells Plain and Khayelitsha. These are the people who bear the brunt, and we cannot allow this to happen. At the moment, what would happen when the announcement comes – when Minister Bheki Cele who is going to speak after me says that he is very sorry because we have less budget to fight crime in this country. We should have stood up in this House - stood together in this House, and say we do not accept that.

We need more budget for policing and we need to cut the budget elsewhere. Let’s make sure we make people safe in our province; it is critical. That is why the Western Cape stands ready to take up this devolve responsibilities so that we can get the job done.

I am pretty certain that there are other MECs and premiers in other provinces who are saying that you should devolve power to them too. Let us work together in a different way in order to get this job done. We have put together a safety plan in this province, in the meantime while we are waiting. Before I get to that safety plan I am talking about, I want to give you just an idea of how the devolved system of policing could work. Let’s think about COVID-19 and the response to it. But I can only talk about my province on how we responded to make sure we keep our citizens safe, healthy and protecting them and our health care system so that we don’t end up in hospital

- saving as many lives as possible.

We held that responsibility here as a province, but we work with national. I am not saying that we want to go solo, but I am saying that we want to work with national, provincial and local government together in finding a solution. The way the health system works is that we are taking that responsibility as a province because we are closer to the people. We work with our municipalities because they are even more closer to the people. And we work with them in the best interest of making sure we get through this pandemic as safely as possible. Why can we not do exactly the same thing with policing? Why can we not devolve certain management principles

and power around policing down to provincial level and to local government level?

Let me talk about the safety plan and of course, also on the speaker’s list Minister Fritz in our province will also be talking about it as it’s his responsibility. He owns this safety plan or a compartment of it. The safety plan is not only about ... [Inaudible.] ... and policing, it is about getting to the why – which is violence prevention. How will we make it safer? We must prevent violence from happening. We have to get to those young boys before they join gangsterism. We should make sure we have systems to identify them and get them into Project Chrysalis or get them into programmes that will get them back on track so that they can lead a positive role in society in the future.

We are identifying those first 1 000 days of a child’s life. We are using this through data, science and measurements and then we make use that data to find out where hotspots are. We deploy - whether it is a social worker or an intervention of violence prevention through our health system or whether it’s boots on the ground because part of our safety plan is that we have started to put boots on the ground.

We have identified which are the 10 murder hotspots. In the City of Cape Town they are all ... [Inaudible.] ... at the moment, luckily not other municipalities. But wherever there is a hotspot we identify, we use the data management systems and we deploy - not alone, but we deploy with SA Police Service. Already we have seen decrease in murders - if I look back to 2016-17 in Bishop Lavis there is a 24% decrease in murders. In 2021, a further 49% decrease in murders – from 2018 to 2021. This cannot be attributed only to Law Enforcement Advancement Plan, Leap, operations, but it is how we work together in a different way. We are trying to find a better solution.

The reason why we are doing it is because our citizens need to be safer. They are not safe at the moment. If you live in one of those 10 hotspots areas – if you live in Philippi right now, you live in fear. If you live in Bishop Lavis, you live in fear. There are gangs, murders, rape – you cannot believe it - the gender-based violence that happens there. We speak about gender-based violence all the time. How are we measuring it and how are we intervening to bring about change? We need to do something different. We cannot carry on doing exactly that the same thing year after year and expect the country to just get safe – it is not going to get safe.

I am not here to make politics. I am here in this very House to ask the National Council of Provinces’ members to apply our minds. Let us talk to our colleagues at the National Assembly. Let’s use the power that we were given by the voters in this very House to talk about those budgets and also to talk about how the systems work. Let’s change that system- it is not working at the moment. Let’s devolve the power. Let’s change it in the way that makes it safe. We will continue with our safety plan. We will continue measuring and monitoring and trying to work as best as we can with all spheres of government, pulling it together.

We have already deployed 800 - what we call Leap officers alongside the City of Cape Town. The interesting thing is that when I go on a walkabout with those Leap officers and I meet the station commanders from the SA Police Services, they say to me that because they don’t come from one of the hotspots where there are allocation of officers, they are so jealous of those places because they want those extra resources.

Minister, you know that in 2018 the resource deployment in this province was sitting at over 20 000 officers deployed. Here we are in 2021, over 19 000 officers deployed. We have less officers today than we had then. We have more people and

higher crime levels. This cannot be the case; we have to do something differently. We have to take on this big challenge differently. We have to think about it – and that’s the pleading I am making here today.

I have a solution, Minister. I know that what I am asking for will actually make an amendment to the Constitution and I know that it’s a long process. I am not saying that we must stop.

Let’s start that process. But in the meantime, I have a challenge. Why don’t we try it? Why don’t we try something a little bit different? Minister Bheki Cele, I am challenging you. I am asking you: Why don’t we work together in a different way? Why don’t you first give us as a province a bit more management and decision-making powers? Why don’t you let us chair and run the province’s job? I promise I would do it alongside the SAPS, but we will take that responsibility. We will run the provincial job. I will run alongside Lieutenant- General Patekile. I want to say to Lieutenant-General Patekile, thank you very much. We work very well together; but give me the power alongside him to do even more when it comes to those decision-making.

Give us the decision-making powers around how the budget for the Western Cape are going to be managed and give us the

decision-making powers on how deployment takes place so that we can decide how many police officers we can deploy to Philippi. We can decide how many police officers we are to deploy to those hotspots stations and we will do that alongside our own deployment of Leap officers. We will do that alongside our municipalities’ law enforcement officers. We will do that alongside the, community police forums, CPFs, and we will do it alongside the neighbourhood watches and the volunteers from citizens. We will do all of that together. Why don’t you give us the opportunity to try that as a lead up to change our system of management of police in our country.

Minister, I think if we try that I can assure you that we will do it together with all three spheres of government. Minister, I will also say to you that if it succeeds you can have all of the kudos, and I will say it was your idea - but if it fails, you can blame me - absolutely. Thank you very much. [Interjections.]

The MINISTER OF POLICE: Hon Chairperson, hon members, I do not work for good use I work for the safety of the people. You can keep the good use and I will continue to work for the safety of the people.

Chairperson and hon members, receive our revolutionary greetings this afternoon as we meet and deliberate on this fundamental subject that talks to our constitutional mandate as South African Police Service, Saps, to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and the property and uphold and enforce the law.

Hon members, I am deliberately reflecting on what section 205 of the Constitution instruct us to do, which must be read together with section 199(1) which reads: “The security services of the Republic consist of a single defence force, a single police service and any intelligence services established in terms of the Constitution.”

So, I would call then to the Premier of the Western Cape to enhance and not begin to break down as the Constitution instruct how security service should work. Quoting the Constitution obligation in commencing this debate is aimed at minimising the remnants of amnesia that sometimes cripple those who have initiated such a debate.

Chairperson, we don’t want to drag back to the painful chapters of our history, especially the hidden episodes of the

security forces of that time. Hence, we will continue to throw our full weight in defending our hard-earned democracy and the strategic policy direction led by our capable governing party.

Today’s debate is nothing but hungry politics of power. That is the reason why you have to deviate from the actual debate because this debate is about federalism rather than policing — and please do not mix policing and federalism — to undermine the progressive gains of our glorious movement. The topic itself is disguised in a particular colour for the benefit of a particular skin colour.

The DA ideology of thinking Africans in the Western Cape are foreigners is nonsensical and must be rejected. Even when it is sugar-coated and hidden in big English words that get thrown in this august House, this government is deeply entrenched in the ideologies of the forefathers of this democracy.

Chairperson and hon members, the equal opportunities President Mandela spoke about include equal opportunities to serve and protect the citizens of this country. Therefore, the topic of the devolution of Saps must be weakened and paralysed. As a matter of fact, this government is forging ahead in full

implementation of the ideas of a single policing service as directed by the Constitution.

The rogue conduct bisecting metros of creating parallel structures of law enforcement aimed at undermining the Constitution cannot be left unchallenged. Chairperson, this point was made by the Premier. I want to respond to it a little bit. The Western Cape government continues to sabotage the efforts of adequately resourcing legitimate structures like the metro police who serve as a force multiplier in the fight against crime. Instead, those resources are pumped to fund parallel structures which add to no value, and those structures have some element of looking at one side.

The metros are, in the Constitution and in the legislation, working with the South African Police. What the Western Cape is doing is not what all metros are doing. They are creating a parallel structure called law enforcement outside the metro.

The metro police there is almost half of this law enforcement because they don’t want to fall under the central command that the Constitution is calling.

Besides that, many meetings including the Premier, he understands few things that we have requested for the crime to

be lessened in that area. Firstly, the environmental design. Chairperson, you go to this Makhaza, Dunnon, Delf and there is no lighting whatsoever there. There are no streets or street numbers. If you work for the City of Cape Town, all cameras that can help to deal with crime are in affluent areas. All cameras are in the city centre.

There is nothing whatsoever in these communities, and it is a shame for me to come and talk about these communities that you are doing nothing for when it comes to the prevention of crime. Including the law enforcement. Law enforcement go to these areas only for evictions, but as a multiplying force they don’t go there. This call of working together should be done now rather than wanting this devolution of power that they can’t even work with what exists at the present moment.

The Western Cape has put almost a billion in security, but where? Guess what? Completely outside the structures that exist. The Premier knows, if he hasn’t then he must go and read the document that was developed by Advocate Pikoli on how things should be done. There should be these resources that are there integrated to then ... The language integration does not exist because resources must not find their way to the

very same areas that he stands up here and act as if he is speaking on their behalf which is not true.

These parallel structures of the law enforcement have eyes. They are deployed in a skewed way. It is not informed and directed by crime trends. Instead, the law enforcement is deployed to affluent areas with less crime to the detriment of the townships that are known to be the biggest contributors of crime in the Western Cape.

Crime syndicates know no borders nor provincial boundaries. Therefore, our integrated approach in the fight against crime cannot be derailed by such political debates. The notion of the central command and control approach to the policing is progressive and it must be supported because the syndicates, that is why the member, Kenya, died investigating the syndicates not in the Western Cape but in Gauteng because these syndicates have no borders. So, if you do not deal with the country as a whole we will not be able to deal with the question of crime.

It is a known fact that many criminal syndicates are recruited across provinces and committing cross provincial crimes.

Police have recently taken down cash in transit gangs made up

of individuals from various provinces including the Western Cape, even suspects from neighbouring countries. Therefore, the integrated and the country approach policing method is there to be able to deal with the crime in the whole country.

This is not about centralisation of policing but central command and control working with all government structures. Central command is about combining resources across government and working in tandem to enable police to chase crime in all corners of the country. Working in silos is simply not an option. So, they want this devolution of power so that they continue to work in silos as they already are.

Hon Premier will have to come back and tell us why can’t he enhance the metro police that is an established structure there and create your parallel structure that is only interested in the affluent areas in the Western Cape.

At this juncture, there is no legislative power that enables a province to take over national competence such as policing.

This is because the country is policed in a uniform manner and all South Africans are entitled to policing of an equal standard. Every citizen of this country has a right to access

to an efficient and proficient police service. Such a service cannot be a luxury afforded to a few.

We are making a clarion call to the Western cape to put those resources in the central policing. By the way, hon Chair, Premier understands that we have poured resources from national office more than any other province. It is the first province that had the Operation Thunder where we took resources from other provinces to Western Cape. It is the first province to have the anti-gang unit where we took resources from other provinces to them.

In the year 2018 when there were 5000 new trainees, 1200 alone came from Western Cape. He knows because that is how we have been working those things but today he selectively forgets because he wants to come with his politics of regionalisation rather than policing.

Chairperson, the implementation of integrated resource plan and sharing of police resources is aimed at advancing the court dated policing approach across all three spheres of government. This forms part of national crime prevention strategy, not provincial but national, that seeks to present a

model for safety planning through an integration of resources from all stakeholders involving Saps as the lead department.

This extends to the local and metropolitan municipalities, safety departments, registered private security companies and communities’ safety structures led by community forums.

They will have to explain why they have killed the CPS. The CPS are killed in the Western Cape and promote the neighbourhood watch which also is funded in a very skewed way. These are the things that are killing all standard tested ways of policing in the Western Cape. Meanwhile part of the police integrated crime prevention strategy includes the national safer city project which is piloted in identified cities, including Cape Town, with the aim of integrating and maximising all the advance technology to fight crime more effectively.

Other examples include Rural Safety Strategy and the Royal Reserve Policing concept that has seen amongst other themes, police reservist as a force multiplier in traditionally led communities and to strengthen their capacity and address crime in rural areas.

Policing is on the bird eye view but Western Cape wants to use the dog eye view and at the expense of every party. Even in the Western Cape and metro police it is not about everybody but setting people in the Western Cape. Therefore, the design of the Saps ensures that certain units ...

The CHAIRPERSON OF THE NCOP: As you conclude, Minister.

The MINISTER OF POLICE: As I conclude, Chair, the proper co- ordination and sharing of resources, such units includes the family violent child protection sexual offences which is a response directed to gender-based violence related crime and other crimes committed against women and children. Thank you very much, Chair.

Mr I M SILEKU: Good afternoon Chair and Deputy Chair. I won’t be tempted to respond to hon Minister Cele because this is not politics, this is about saving lives. I stand here and I am thinking about two councillors of the ANC that were brutally murdered in this particular province. I am also thinking about the Emergency Medical Services, EMS staff members that must go to Khayelitsha to save lives, that are worries about their safety because they might be killed.

I am also thinking about that child that is playing outside and is hit by a bullet and the mother is called by crying, because the child is no more. I am also thinking about these young beautiful ladies that are walking on our streets, that might not make it back to their homes. I am also thinking about a student who was buried last Saturday who had a potential of becoming one of our constitutional judges in this particular country, but who succumbed to death in the most gruesome way. This is never about politics.

Hon Chairperson, hon Minister, Deputy Minister, hon Premiers, hon members, and fellow South Africans ...

*Afrikaans:*

... goeie middag.

*English:*

Good afternoon.

*IsiZulu:*

Sanibonani.

*English:*

The 13 July 2021 will stand as the day when South Africans in every corner of this beautiful country were left breathless by the unpreparedness of our Security Cluster, especially the SA Police Service, in the face of the worst politically-driven protest and unprecedented streak of crime since democratisation. As a loyal and patriotic South African, I never regarded or treated this as a political opportunity to take a shot at the ANC’s ability to govern, in this case the police.

The potential consequences of what we witnessed in those hours that extended into days when our economy was pillaged and the lives of people being in great danger, are not matters that any political party should utilise to score political points. But let us not be mistaken. We all had a lingering fear that our community and our neighbourhood could be the next to feel the brunt of an unprepared Security Cluster. In the face of the situation, it is time for us to sacrifice our political sentiments, reach out to one another, and address the safety of our people immunity.

Sadly, what happened in July this year was not the first sign of a police force that became outnumbered if compared to the extent of crime in South Africa. The signs were there. The

signs are there every day. It is there in very city and every town. It was there in Marikana. It is there every time Minister Bheki Cele announces the crime statistics. It is visible in almost every violent service delivery protest where cops are at times badly outnumbered that they simply cannot protect people, municipal or economic infrastructure.

The signs are there when frustrated people take to the streets. The deteriorating state of the economy is there as the testimony of the effects of lawless action and the limitations of SAPS.

Chairperson, the signs are here in the Western Cape where gang lords, for decades now, dictate to the people and the police. This is as a result of corruption embedded within SAPS, who have aided these gang lords in their criminal enterprises by selling guns to them. It was there when cops lost control of a protest in Caledon where I was a deputy mayor, and we lost two men who died, hon Chair.

It is there every day and every night in the informal townships where kids are murdered, mutilated and violated. It is here where you have one of the highest rates of violence inflicted on women and girls in the world, where our daughters

are killed, raped and then plummeted into emotional despair. Every day criminals throw down the gauntlet to the face of the police. They challenge almost formally, confront the police and get away with it.

Chairperson, this cannot continue. We know that July 2021 was small compared to what can happen when the political agendas and criminals really start to play. The Western Cape is hard hit by the lack of police presence and capacity when it comes to crime, the reign of gangs and protests. It is only a matter of time before the police fail and are overpowered. When that happens, it will dwarf the events of Marikana. Should we wait for that to happen? No, Chairperson!

We have to take pre-emptive actions and therein lies the solution. That solution is to extend competent provinces’ mandate to include the SA Police Service. Chairperson, we are forced to go this route as the face of crime differs in every province, and not every province has the faith of the ANC.

We should go this way in the Western Cape because this province can develop a blueprint for a successful provincial police force. We should walk this road to strengthen our police and to restore the respect they deserve. We should walk

this road to save people’s lives and their livelihoods; and once again, allow our females to walk this beautiful country without the constant fear of asking themselves, am I next?

*Afrikaans:*

Is ek volgende?

*IsiXhosa:*

Ingaba izakuba ndim kusini na olandelayo?

*English:*

We should walk this way to protect state infrastructure and scarce resources that drive our economy. To conclude, Chairperson, I request government to commence the devolution of SAPS to competent provinces. This will need a blueprint and I suggest that the blueprint be developed in the Western Cape, as it is the only competent province with the ability to implement it. I thank you.

*Afrikaans:*

Baie dankie.

*IsiXhosa:*

Enkosi.

Ms S SHAIKH: Hon Chairperson, I will not be intimidated by hon Bara. But let me state that this is a ... Greetings to everybody. I’m just a bit hyped up now. This is a DA-sponsored debate on the Devolution of the SA Police Service. This is a political issue. If the DA wanted to de-politicise this matter, they would not have federalised this debate and they would have raised it in a different manner like looking at the efficiency within the SA Police Service.

But, let me state upfront that the motion by the DA on the Devolution of the SA Police Service to provinces is misplaced in terms of the SA Constitution, law, the functioning of the state, and even in terms of international practices. The SA Constitution remains supreme and the main guiding document in our democratic society. Any law that is not in line with the Constitution is an unjust law.

The SA Police Service derives its mandate from the Constitution to effectively manage the response and government law enforcement. Section 199 (1) of the SA Constitution states that there must be “a single Police Service.” This will further ensure standardisation in training and policing standards across the different law-enforcement agencies across the country.

Section 205 (1) of the Constitution clearly states that:

The national police service must be structured to function in the national, provincial and, where appropriate, local spheres of government.

This is in order to maximise its capacity for effective, accountable, efficient and democratic policing. Furthermore, section 205 (2) says:

National legislation must establish the powers and functions of the police service and must enable the police service to discharge its responsibilities effectively, taking into account the requirements of the provinces.

These three sections of the Constitution clearly draw the mandate for the existence of the SA Police Service.

Hon Chair, the devolution of the police service will further be in contradiction with both sections 206 and 207 of the Constitution on the operation of the police service. These sections provide for political accountability, the power, control and management of the police service, and clearly

outline these from national to provinces, and to local spheres.

Furthermore, the devolution of the SA Police Service will undermine even Chapter 3 of the Constitution that explicitly outlines principles that must be observed and adhered to in terms of how the spheres of government ought to cooperate, as the government of South Africa is indeed constituted at national, provincial and local spheres which are distinctive, interdependent and interrelated. Therefore, the call for devolution of the SA Police Service seems to undermine the Constitution of the Republic of SA. The law of South Africa is clear that the SA Police Service is a national competence.

Hon Chair, the ANC has resolved that there should be a single police service with a centralised command where standards will be the same right across the country, and to avoid wasteful duplication and jurisdictional conflict. This is in line with both sections 199 and 205 of the Constitution.

It should also be noted that throughout the world, there are inclinations of greater centralisation and coordination of policing agencies in the interest of crime prevention. The single police service embraces a community-centred approach to

policing underpinned by integrity and accountability. It should also be noted globally that democratic policing does not require a decentralised policing system.

The important attribute of the single and central command system is that it is responsible to the vulnerabilities and policing needs of the local communities. According to the 2016 White Paper on Safety and Security, a single police service plays a central role in the design of interventions that speak to local conditions while allowing for the formation of dedicated specialised units to ensure the delivery of essential policing services.

Having a single police service is a constitutional imperative. Therefore, a move to have the devolution of the SAPS will require more than just a motion. It will require a constitutional amendment, as the premier has said.

Hon Chair, we come from a terrible history where the local municipal police force was established by the apartheid government to brutally defuse the organised struggle of the people of South Africa in their fight against racial- discriminating system. This was a very militarised force with a reputation for brutality, corruption and incompetence, and

ill-equipped to deal with ordinary crime. Its imprints are still visible today and also accounts for the violence we face today as it normalised violence.

The ANC single police system is to promote a demilitarised police service that seeks to protect the people of South Africa. Hon Chair, the DA’s motion of the devolution of SAPS lacks logic from the start. As indicated in their 29 campaign of a provincial police – I think that campaign also spoke about a provincial rail service.

This was on a poster, hon Chair, and it blatantly risked misleading voters as this was not quite what its manifesto was saying, clearly indicating a level of policy confusion in the DA. It is further confusing as the DA had first said in its manifesto, that the police competency should be devolved, where appropriate, on a provincial level.

However, they later realised that this motion has no constitutional basis as they admitted in the House today, and it will create problems for them because what it would imply is that some provinces would still remain under SAPS while the Western Cape, most likely under their confused notion, will remain under them. They decided to change and say all

provinces must be given responsibility to manage their provincial police, if they prove that they are up to the task. And this is without even qualifying what is meant by ‘up to the task’.

These inconsistencies prove that the primary interest of the DA is to protect the interests of the minority with no intention of addressing the fundamental problem. Clearly, the DA is a party influenced by liberal and federal ideas that seek to protect the interests of the minority and disregard the effects of the colonial and apartheid legacy on our society. It has a purposeful intention of disregarding the root causes of crime in various areas.

In the context of the Western Cape where the DA is ruling, the Western Cape accounts for a number of hotspots for contact crimes. Causes among many include poverty, unemployment and inequality which are the objective realities that are faced by the people. To take this point further in the Western Cape, the issue of environmental design is also a key factor and the Minister touched on this one.

Hon Chair, the point being made is that, if we fail to address

the root causes, we won’t be able to address crime. Even if we

devolve powers tomorrow, it will not yield any positive outcome if such structural challenges are not resolved.

Hon Chair, the SAPS Act of 1994 was enacted to give effect to legislation as outlined in the interim Constitution. The need to fully align this with the final Constitution must be rectified. As a result, the proposed SA Police Amendment Bill 2020, clause 6 amends section 5 of the SAPS Act in order to align it with the Constitution and establish a single and central command police service.

The Bill advocates for coordination between the police service and municipal police. There is a need to have a clear framework on how these entities relate in relation to power, functions and control of the municipal police service. The framework will create a smooth and strong working relationship. We need to intensify the legislative framework in order to speed up the fight against crime in South Africa.

We must finalise and implement the White Paper on Police especially on the amalgamation of all police services in South Africa and include the law-enforcement officers in the different metros. All should be under the central command of the SA Police Service.

The structuring and alignment of the SA Police Service will present an opportunity to have uniformity in the police service and develop consistent strategies of a fight against crime in South Africa. The uniformity will further ensure equal remuneration of the police service members across the country.

These strategies must go beyond just being reaction crime control methods which only seek to act after the incident but to deploy proactive crime control methods which focus on the preventative means of fighting crime. The single police service must have a single mission and vision that will lead to set objectives and performance targets by which the performance of the police should be measured.

The challenges raised by SAPS about the shortage of both human capital and budget do not warrant a need to devolve the policing powers and responsibilities to provinces but requires the intervention to address the skewed allocation of resources to support the SA Police Service. In reality, whether you devolve powers to provinces or not, as long as you have insufficient resources, you’ll face challenges.

So, there’s a clear need to provide adequate resources for the operation of the police service. This will lead to recruiting and training more police members to increase police visibility on the ground. Further, this will enhance the SAPS to get advanced technological equipment to fight crime, prevent crime, and speed up the investigation processes so that case can be finalised.

The motion to police services is clearly not a solution to the challenges that SAPS is facing. There is a need to work together. The DA must rather bring substantive solutions to the problems we are facing and address objective realities.

The DA clearly lacks the political insight and hence they choose to deploy simple-looking solutions such as a motion of devolution and yet, they continue to intentionally ignore the structural challenges by South Africans within their province.

In conclusion, hon Chair, the ANC believes that the motion of devolving the policing powers to the nine provinces is indeed misplaced, as it is an unconstitutional move. As the ANC, we have the responsibility to protect the Constitution. And Parliament as the legislative organ of the state, remains the custodian of the Constitution of the Republic of SA.

We believe that the constitutional imperative that there be a single police service under the command and control of the SA Police Service be implemented to enhance and streamline our police, and clearly define the role of government in promoting peace and stability within our communities.

The ANC acknowledges the challenges faced by SAPS and these need all parties to contribute in bringing solutions so that we can have an effective and efficient police services. Hon Chair, we remain one sovereign, democratic state. I thank you. [Applause.]

Ms W TIKANA–GXOTHIWE (Eastern Cape: MEC - Transport, Safety and Liaison): Thank you, hon Chairperson of the House, hon Minister and the other Ministers, hon Members of the National Council of Provinces and invited guests, good afternoon. A community’s safety and wellbeing are of paramount importance. It requires a co-ordinated community driven safety strategy which includes; plans, implementation, monitoring and evaluation.

Working with all organs of state, civil society and the private sector initiatives and efforts related to community safety must be rolled out across the country. The approach has

to be all of government and all of society. The primary goal of a community safety programmes and campaigns is to bring individuals, agencies and organisations together in an atmosphere of support to build on existing community assets while recognising the challenges that cannot be solved in isolation.

Policing and enforcement are crucial components of community safety. However, a vision for safety where we live, work, learn and play in a safe, violence free and secure community whether perceived or lived cannot simply be legislated or enforced. So, the debate on devolution or not is either irrelevant or not part of the solution today. The complex nature of crime, violence and safety issues requires a renewed understanding and a co-ordinated effort in response. The search for solutions demands deeper explanations and recognises that it will take more than policy and policing to promote safety and reduce crime and violence over time.

Broad-based strategies that include education, prevention and intervention have elsewhere proven to successfully complement enforcement measures toward a safety goal. A community working together to identify and meet its needs in each of these focus areas is well positioned to succeed and reach their vision of

a safer and violence-free community. There is wisdom and motivation for a gravitation to community safety as espoused in our Vision 2030, governing party’s Manifesto, Medium-Term Strategic Framework and other key policy positions in South Africa.

This realisation is not unique to South Africa. There is a global shift necessary for a balanced and sustainable approach to building safe communities. Balancing this approach is comprised as follows: Community safety is much more than just policing and enforcement, police have communicated clearly that they cannot do it alone, demands on traditional enforcement and the context in which police work has changed the challenges and opportunities have given occasion to a new demand for purposeful partnerships to most effectively respond to existing and emerging issues. This requires that we all embrace a full spectrum approach to community safety. This necessitates adequate attention to each of the focus areas identified above which are education, prevention, intervention and enforcement.

Prevention is recognised as a key focus area for the overall wellbeing and safety of our communities. This includes continued support for a multiplicity of preventative

initiatives. A vision of community safety requires that each citizen plays a key role in both their own safety and the safety of others. Individuals, families, neighbourhoods, organisations and systems all have a significant role to play. Community participation and a high level of co-ordination between government and nongovernmental community resources to identify and respond to the needs of the community are essential ingredients for overall success. Success requires the mobilisation of local, national and international stakeholders on an ongoing public engagement.

The community safety forums are an example of a frontline collaborative network that brings together a web of agencies including police, social workers, educators, public health workers and others to tackle crime before it occurs. The approach is meant to align community needs, strategies of service agencies, priority outcomes and resource allocation. It uses social capital, integration of human service delivery and interconnected strategies for relationship building among the participants. Furthermore, it develops our understanding through monitoring and evaluation which provides factual data as a reference point.

The resulting shift in mind-set is part of a community safety movement and a more co-ordinated community is everyone’s responsibility. Education initiatives should be designed to increase awareness, understanding, accountability and mobilising for action. The department would provide connections between the partners and focuses on communication, public education, partnership building and evidence-based problem solving. The centrality and leading role of our communication section would have to do more with more resources to drive this critically important element of the programme. Regular and substantial connectivity with all communities, imparting relevant and useful information and tactic to prevent crime will be the driving force.

Intervention through well-crafted initiatives designed to respond to existing harmful behaviours would place the department strategically as it co-ordinates other stakeholders. Unemployment, family violence, parenting, negative peer influence, difficulty in school, substance abuse and others are risk factors that require intervention by a plethora of other stakeholders. Early intervention must be promoted and co-ordinated as part of a comprehensive agenda to create safer community of the Eastern Cape and those of South Africa.

Enforcement through civilian oversight function, we are focusing on enhancing this good work and extend our scope to the local sphere of government which is Metro police. In order to succeed, we need to continue building and diversifying our capacity whilst simultaneously taking advantage of the Ever evolving technological development. Accordingly, the current draft of the Integrated Crime and Violence Prevention Strategy is a comprehensive response to the debate today.

Instead of debating potential Constitutional Amendment, we should invest more time and energy elaborating the path to be traversed in implementing this six pillared strategy.

The National Crime Prevention Strategy, which identifies prevention of crime as a national priority and acknowledges socioeconomic realities as a condition giving rise to susceptible to crime. In this regard, the National Crime Prevention Strategy transcends the boundaries and scope beyond effective policing and oversight. Importantly, it calls for the mobilisation and participation of all of society and all of government in the fight against crime and as a deliberate consequence, the creation of safer and violence-free communities.

The National Crime Prevention Strategy envisages transformation and reorganisation of government such that it is positioned to facilitate direct and deliberate community participation in the fight against crime and in creating an environment where citizens live, work, learn and play in a safe and secure community and contribute to the actual and perceived safety and security of all. In order to be effective and efficient, the National Crime Prevention Strategy calls for a coordinated and focused approach and a creation of a dedicated and integrated crime prevention capacity. This capacity must exist in all levels of government and in society in general.

It also envisages a paradigm shift from reactive to proactive approach in the fight against crime. In this regard, the department is envisaging a situation where resources are deployed in favour of preventing than responding.

Certainly and as we make this call, government must take a conscience decision to resource community safety. Currently, this goal is underfunded, in fact, the baseline if defective and would require urgent reconsideration going forward.

The creation of a safe and violent free environment has a huge multiplier effect and stimulates socioeconomic development that is sustainable. The Eastern Cape province cannot wait for the resourcing and rollout of the Crime and Violence Prevention Strategy that is integrated. We support the current establishment of the SA Police Services. I thank you.

Mr S ZANDAMELA: Since 1994, the SA Police Service, the SAPS, has undertaken various efforts ... Chairperson, am I audible? Chairperson?

The CHAIRPERSON OF THE NCOP: Yes, Zandamela, please speak. You are audible.

Mr S ZANDAMELA: Okay, thanks Chairperson. Since 1994, the SA Police Service, the SAPS, has undertaken various efforts to rebuild and gain its legitimacy in South Africa. It stands as a body which is under immense pressure to prove to society that it is capable of fulfilling its mandate in the face of numerous challenges that it is currently facing. It is a very complex environment.

As the EFF, we note with deep concern how police perform and how conduct has deteriorated over the past two and a half

decades with priorities remaining unchanged. Under the watchful eye of the SAPS, South Africans have over a period of two decades witnessed an increase in crime statistics. This year we learnt how contact crime increased by 60,6% compared to last year, as well as, amongst others murders as well as sexual offences.

The SAPS faces challenges regarding safety and security, even amongst its own ranks as there has been a number of attacks on police stations. This continues to rise. We have also witnessed how, in recent years, there has been an increase in public protest action which ultimately means that crowd management functions on the part of the SAPS is more essential. This was evident for the whole world to see a couple of months ago when riots in KwaZulu-Natal and Gauteng occurred, as the SAPS stood by helplessly and watched, unable to intervene.

The police to citizens’ ratio currently stands at one police

... to 327 people. This is also a challenge. Public trust in the SAPS has been dropping for some time and this is largely due to the lack of performance by the SAPS, coupled with high levels of police misconduct.

... [Inaudible.] ... of a number of challenges that they are working under, such as budget cuts, civil unrest, corruption and attacks on police stations ... amongst its efforts to restructure. They have failed to fulfil its mandate to protect and serve the public and it is poor leadership that has cost the SAPS to fail.

The SAPS has been characterised by a lack of professionalism, incompetence and corruption on the part of the police, also as a result of the culture of the ruling party. Recently, ... [Inaudible.] ... corruption and criminality within ... [Inaudible.] ... with the dismissal of 12 senior officials.

However, this is a chip of an iceberg as corruption runs rampant within all ranks and all sectors.

The SAPS and the ruling party are still taking minimal steps in the fight against corruption. There is a lack of will on the part of both the SAPS and government to counter corruption. However, perhaps in the quest for ... the SAPS, more attention needs to be paid *to the issues* which are driving core issues such as protest action in South Africa.

Protest action is increasing but what is of more concern is the increase in violent crimes which accompany such protests.

Service delivery and work-related issues have been the cause of many protests in South Africa, coupled with socioeconomic factors such as the high youth unemployment rate, substance abuse and gender-based violence ... which are driving the high levels of crime. These issues have been left largely ignored and have remained unresolved by the ruling party, with no sign of them ever being resolved. Such issues have contributed to the ... [Inaudible.] ... levels of public safety and poor performance by the SAPS.

So, it is necessary that changes be brought about ... the organisational structure of the SAPS so as to address these challenges and to meet the needs of the communities they serve. There must be national control and ... [Inaudible.] ... so that the quality of police services is standardised across the country. There should be satellite police stations within

... that will be opened 24 hours seven days a week in every ward in the country where there is no police station.

There is a need to recapacitate community policing forums and encourage the formation of crime watches in street and community hotspots. There must also be consequence management for failure to adhere to these standards. The public would be more willing to co-operate with the police when they view them

as a legitimate and trustworthy body. This can only come about through a willingness to do away with corruption, incompetence and wrongdoing, both within the SAPS and government, with the explicit timeline created to set a clear view of the future and to direct the devolution process.

The SAPS has undergone a number of strategic changes since 1994, and what is required is this new process in a revitalised organisation that will implement its mandate which is critical for the socioeconomic success of this country.

Such interventions can never come about through the guidance of the ruling party, as it is itself, incompetent. The ruling party cannot be reformed. It must be destroyed, together with the agenda they represent. The only true recourse remaining at the hands of South Africans is through their vote. It is only through the EFF where strategies for improving efficiency, accountability, communication and service delivery can be achieved. I thank you, Chairperson.

Mr V R SHONGWE (Mpumalanga): Chairperson, let me formally greet you, as well as the Deputy Chairperson of the House, hon Lucas, the House Chairpersons of the committees, hon J Nyambi, the Chief Whip of the NCOP, hon S Mohai, colleagues from different provinces that are here in our midst, hon members of

the NCOP, ladies and gentlemen, I greet all of you this afternoon, and I want to say that it is indeed an honour and privilege to partake in this debate.

In 1996, the government adopted the National Crime Prevention Strategy, which is shortly known as NCPS, as one part of its response to increasing public concern over crime. The NCPS motivated the shift in the emphasis from crime control to crime prevention. That is, a shift towards understanding crime as a social issue requiring a wider range of preventative measures instead of the traditional criminal justice responses.

Importantly, hon Chair and members, for the SA Police Service, it is emphasized that crime prevention could not be the sole responsibility of the police, and laid out a framework for interdepartmental collaboration within the government, as well as crime prevention partnership with non-governmental actors and local communities. I must say that, as we are debating this particular critical issue which has to do with the safety of our people in the country and in our province, Mpumalanga in particular, the past few challenges that we have faced in the country and in the province, are saying to us as security clusters that we should then work hard and take it as a yard

stick to make sure that we improve in a way that we are dealing with security matters as a security cluster family.

I must say that we need to support the Minister, instead of coming with critics against the Minister. To make sure that we bring down all relevant units and strategic units that will be able to deal with different categories of crime that are faced by our people at local, provincial and national level.

Amongst those relevant units in the SA Police Service, I have said in the past and I want to repeat it in front of the Minister and hon members, is the whole issue of the Tactical Response Team Unit, TRT which is commonly known as Amaberete. That unit, whoever created it, and I know that it was the Minister and the National Commissioner. They had a particular reason that tries to deal with level of crime and the criminals that are infested in our provinces and the entire country.

You know that in SA Police Service, we have a task force that the Minister is quite aware of and the National Commissioner. Those particular units are relevant in dealing with some level of crime and level of criminals that we are facing on a day- to-day basis. And, are faced by our people that some of the

hon members are claiming to represent and call them that they are poor of the poorest, they are ordinary people and all the names that they are talking about.

On the same debate, they are only focusing on a particular province and forget that crime does not know of a particular province. Crime is crime wherever it happens, whichever political party is leading a particular province, that is the crime. I want to say that we must make sure that we also, as people, work with the communities, through the Ministry, make use of our informers on the ground and, they must be protected because these local informers in our different areas, can play a long way and road in making sure that they tip the police and all security agencies to hit the necessary target at the right time, at the right place, and to the correct people.

Issues of Community Police Forum, CPF that my colleague from the Eastern Cape has spoken about, I can’t emphasise that point more. There is no way we can be dealing with crime without involving the communities and specialised unit in terms of dealing with gender-based violence issues in our different communities and provinces. That particular sickness called gender-based violence has been described as the most

pandemic in our different areas by the President and the Ministry of Police in the country.

We are not focusing on those particular issues. Instead, we are talking of political power to our different provinces and want to compete over criminal and crime issues. I don’t think that will help our communities, if really we are worried about them and their safety. I must say that with the experience that I have in the community safety, security and liaison, we can’t win the match against criminals, unless we work together and make sure that we support the Ministry. The Constitution of the Republic of South Africa states clearly under the quotation that the Minister and the MEC from the Eastern Cape have raised that ...

*IsiZulu:*

...ukuthi udaba lwamaphoyisa ...

*English:*

... is a competency at national level. We can’t then want to regionalise and sort of talk about different provinces around those matters. The issues that we need to make sure that we safeguard are the issues that are affecting our police and police stations around the provinces and the country. The

issue of missing dockets, under resourcing, and so on. The Minister himself has said most of the budget has been directed to the Western Cape; and the Western Cape is still one province that is complaining so much.

Ourselves as different provinces, we don’t have enough resources in dealing with issues of crime, to empower our provincial commissioners and all the other units that I have spoken about. Yet, there are other provinces that are mostly attended to by the national ... and I understand what is the reason of doing that. It is because the Western Cape is mainly infested of gangsterism and all sort of criminal elements that are there.

I want to say that let us work together and make sure that we share the strategies, especially the national strategy in dealing with crimes in our different provinces and make sure that we improve the capacity of our policing in our different provinces, instead of competing and contesting in the space with the Minister. Every time we come here we talk of contesting the space with the Minister. But, if you look at the statistics of crime nationally, provincially and otherwise, we are not winning the match because instead of focusing in dealing with crime and criminals in our different

provinces, we are contesting the space with the Minister and the National Commissioner.

I want to say that let us make sure that we hold our hands together, all of us, when we meet at the ... [Inaudible.] ... we share the good practices that are there and strategies in our different provinces in making sure that we fight crime and we don’t compete out of the nine provinces. But instead, we are working in making sure that our communities are safe in all our spaces. Thank you very much, Chairperson.

*Afrikaans*:

Mnr S F DU TOIT: Agb Voorsitter, ek haal aan uit die FV Plus se 2019 verkiesingsmanifes: “Gesag op die laagste moontlike vlak: ’n Federale kenmerk van die Suid-Afrikaans Grondwet is die provinsies. Min daarvan realiser egter, omdat die toon vir ANC-provinsies in die Luthuli-huis aangegee word en nie in die provinsies self nie.

’n Provinsie waarin opposisie partye regeer, ervaar dat nasionale departemente hul jurisdiksie daar oorskry. Die VF Plus glo aan die beginsel van subsidariteit. Dit beteken dat alle gesag op die laagste moontlike vlak uitgeoefen moet word en provinsies doen slegs wat munisipaliteite nie kan doen nie,

en die nasionale regering slegs wat die provinsies nie kan doen nie. Dit bevorder deelname en gee ryker eenheid aan demokrasie.”

Hierdie benadering sluit aan by die onderwerp van vandag se debat.

*English*:

What is the current approach towards governance of SA Police Service in South Africa? The President appoints the Cabinet and the Minister of Police. The Minister of Police appoints provincial commissioners in consultation with the provincial premiers. The thread of political bias can thus be traced throughout the whole process. This result in possible political interference in day-to-day responsibilities of the men and women in blue.

*Afrikaans*:

Met die huidige baanrekord van kaderontplooiing, herontplooiing van politieke figure, persone in belang, in staatsentiteite, kan daar aangeneem word dat selektiewe bevordering van polisielede, selektiewe bevordering, en op die einde van die dag, selektiewe wetstoepassing plaas kan vind.

Daar is hope voorbeelde hiervan soos mnr Cele se teeparty by

mnr Jacob Zuma se kaserne en die feit dat geen arrestasies vir oortreding van regulasies tydens hierdie arrestasie-optogte plaasgevind het nie, en ook geen arrestasies tydens die EFF se onlangse optog, waar SAP-lede medepligtig was, deur in werklikheid toe te sien dat die optoggangers wat die regulasies oorskry het, eerder vergesel as gearresteer was.

*English:*

Should SA Police Service be evolved, the effect will be the same as in some successful states in the USA, where the provincial constituent elects the provincial commissioner that conforms to some predetermined criteria that includes qualifications and experience for the ranks of the police service. This appointment must be on the basis of merit and not political affiliation. Then this commissioner will then be in office for the set term, should ... [Inaudible.] ... yield the expected results, it will up to be the constituent to re- elect another commissioner that will be able to do the work and bear the fruit of the initial work.

*Afrikaans*:

Hierdie benadering sal provinsies in staat stel om steeds aan die nasionale wetgewing onderhewig te wees en terselfdertyd die uitdagings van die provinsies aan te spreek.

Daar kan byvoorbeeld in die Noordwes-provinsie ’n groter kompliment openbare orde polisie en ’n eenheid, wat hom toespits op geweldadige misdaad en plaasaanvalle aangestel word. Daar was gisteraand weer ’n brutale aanval op ’n egpaar in Koster. In die Wes-Kaap en Gauteng kan daar groter fokus op bendegeweld, dwels wees, ens.

Die tekort aan brandtoerusting en algemene toerusting vir openbare orde polisie in Gauteng kan deur die provinsie aangespreek en aangevul word. Dit is alombekend dat alle provinsies nie dieselfde uitdagings het nie.

*English:*

It will also be possible for provinces to allocate additional funds to the different police stations in their province that requires extra ... [Inaudible.] ... since the national allocation is insufficient.

*Afrikaans*:

Die afwenteling van magte, spesifiek in die Suid-Afrikaanse Polisie is van kardinale belang. Politieke inmenging, politieke voorspraak in die beskerming van die burger moet ten alle tye vermy word en tot die minimum beperk word.

Suid-Afrika het vandeesweek weer gesien hoe kaderontplooiing in die politieke landspel, wat tot gevolg gehad het dat mnr Jacob Zuma op sogenaamde mediese parool plaas is, die burgerlike vertroue in die korrektiewe stelsel en die regeringsmodel geheel en al vertrap het, terwyl die hospitaaldeure vir hom oopgeswaai het in die rigting van die Nkandla-spa.

*English*:

Revolution is the solution. Minister Bheki Cele, your work is to ensure the safety of South Africans, not to do politics.

*Afrikaans*:

Dankie.

Ms M R SEONO (Limpopo: Chairperson on Transport, Safety, Security & Liaison): Hon Chairperson of the NCOP and Deputy Chairperson, members of the House, the hon Minister of Police, Bheki Cele, the hon Chief Whip of the NCOP, the hon members of the NCOP and all members of the executive council, MECs, connected here, I greet you all. Hon Chair, as we debate this afternoon, we await the report of the panel set up by the President to evaluate what could have gone wrong during the riot time, it is important that we ask ourselves the most

difficult questions. How far have we gone in transforming the police service and the entire criminal justice system? How professional are our police in controlling crowds and dealing with members of the public? How satisfied and confident are we as citizens in the service we receive from police stations on a daily basis? Are we safe and do we feel safe in our homes, schools and at work? Can we say with confidence that we now have the police service of the people for the people? To what extent have we engraved in our consciousness a community policing culture that supports the police in carrying out their duties?

It is in the aftermath of July events which now has to make us decisive about the devolution of such powers to the provinces, these and many other questions are addressed in the National Development Plan 2030, which envisages a new society where people living in South Africa will be safe and feel safe at home, at school and at work, and they will enjoy a community life free of fear. Women would walk freely in the streets and children play safely outside.

Hon Chair and hon Deputy Chairperson, the National Development Plan, NDP, is a government plan which clearly outlines what should happen in every sector of the society. With the July

aftermath, the SA Police Service, SAPS, will never be the same. Correctly or wrongly the process reactivates the planning, the changes and the transformation that should happen in our police service. Given all what happened in July, the question would be what is to be done? Is the devolution of the police service to provinces a solution under the current circumstances? The answer to this fundamental question is a big no, hon Chair. As this august House we must be very careful of not reacting to the situations. We already have more than a handful municipal police services almost in every city, and the question we’ve got to ask ourselves is what has been our experience so far with their effectiveness?

The July experience informs us that transformation should happen so that we avoid the past racial or parallel authority. Hon Chairperson, there are many lessons from the performance of Bantustan and apartheid’s municipal police systems which we can draw from. With the benefit of hindsight and knowing what we already know from our apartheid past, we cannot in the name of devolution or under any circumstances return to the misrule of the past. It will be undemocratic to repeat this past of our history with a full conscience and with our eyes open, but I do understand why some of my colleagues from opposition benches will want.

Having said this, hon Chairperson, I wish to submit that there is nothing fundamentally wrong with the current structure of the SAPS as others would want us to believe. The solution is not the provincialisation of SAPS, but the equipping and the resourcing of police on the ground to discharge their most immediate task, which is to make our people safe. What is needed is not more bureaucracy at a provincial office, but more boots and vehicles on the ground. What is needed are more police stations and not less police stations. What is needed are more collaborations between the police and Community Police Forums, CPFs, neighbourhood watches and Community Safety Forums, CSFs.

This is what the ANC government mean by sector policing. Sector policing is a modern democratic policing style to address the safety and security needs of every inhabitant of South Africa at a local level. Sector policing is a crime prevention technique which entails understanding the causes of crime and the enabling factors. It is about the identification of hotspots and vulnerable communities and dispensing equivalent number of resources towards addressing the concerns of affected areas. For a sector policing strategy to work, what is needed is a new type of a police official. More than

ever before, we need a police official who sees themselves as a community problem solver and not merely crime fighter.

Whilst a police official must continue to respond to complaints, make arrests in the normal cause of events, they should be responsible for interacting, consulting, and engaging with the community in addressing crime at a local level. The sector commander on the other hand should act as an innovator, looking beyond individual incidents for new ways to solve crime problems at a local level. Fortunately, these views are already embraced by SAPS itself in their sector policing operational guide published in 2015, and this is what we need to see happening.

In conclusion, hon Chairperson, instead of hatching old relics of the past which have failed our people, members of the opposition need to join us in working with SAPS to implement their operational plan on sector policing, in fulfilment of the goals and objectives of the NDP. I thank you, Chairperson. [Applause.]

Mr M SHACKLETON: Hon Chairperson, hon Minister and Deputy Minister, hon premiers, hon members and fellow South Africans, good afternoon. It is a privilege to speak in this Chamber as

a special delegate from the Gauteng Provincial Legislature. More now than ever, and especially following the violent unrest experienced in July, this country needs solutions when it comes to policing. The devolution of police control to allow for provincial police forces, allows for a differentiated approach and for decision-making to take place as close to the ground as possible where things happen.

According to the Institute for Security Studies, police numbers will drop by a sizable 24 000 posts over the next three years due to public sector budget cuts. The impact will be acute at station level, with nearly 2 000 fewer detectives and 11 000 fewer visible police officials. Yet, only 15 posts will be lost at the top level of general and brigadier. This means that the expensive and ineffective senior management structure largely remains while thousands of operational posts are slashed. This country needs to be saved from national government. If we were to have provincial police services, not a police force, a service, we would be in a position where we don’t have to let the citizens of our beautiful country be victims of poor decision-making and the questionable allocation of resources.

If we were to have provincial police services, we can make relatively obvious decisions. Every police station in Gauteng complains about a lack of vehicles because it takes many months to get a vehicle back for simple repair work. We all take our own vehicles into local mechanics and dealerships and it really isn’t rocket science to allow the police to make localised decisions where they can drive or tow damaged vehicles to repair shops that have a quick turnaround time.

Police stations should be able to hire and interview people for vacant positions. The current extensive bureaucratic setup is causing staff shortages in all police stations in Gauteng that I have ever visited.

A few examples of resourcing of the SAPS in Gauteng includes that 54% of the flying squad vehicles in the province are out of service. In April 2021, I exposed that 2 170 police vehicles were out of service in the province, and in May 2021, I exposed that the Gauteng SAPS Air Wing only has one helicopter in service. The people of this country don’t have to be victims to this. Through effective and clean governance at provincial level, like in the Western Cape, budgets can work to alleviate this highly problematic situation once SAPS is placed under the control of competent provinces.

In Gauteng, I am the sponsor of a Community Safety Oversight Bill in the legislature which seeks to emulate the Western Cape’s approach by calling for a provincial advisory committee to be put in place to advise the MEC. SAPS complained of a lack of sufficient intelligence in the case of the violent unrest. What happens in the Western Cape is that a provincial advisory committee consisting of representatives from across all sectors of society, including legal, nongovernment organisations, NGOs, business, security companies and CPFs brief the MEC for Community Safety on a regular basis, providing him real intelligence from the ground. We need this in Gauteng, and all of South Africa needs this.

It also calls for the establishment of a provincial police ombudsman which the public can report police inefficiencies too. This is not like the Independent Police Investigative Directorate, Ipid, which addresses police brutality and is savagely underresourced. It is not a duplication of roles. We did see police inefficiencies during the unrest such as people escaping arrest and people complaining about a lack of service from the SAPS all the time. It is not our intention to work against SAPS but rather with them, to root out corruption and inefficiencies and to give citizens of our country the safety, security and dignity that they deserve.

The Bill also provides for the accreditation of neighbourhood watches. We all saw the role that private citizens played during the violent unrest and ordinary people need to be roped in, in a responsible and reasonable manner when it comes to fighting crime. There are not enough police officers in South Africa. According to 2019 and 2020 studies, there are 498 435 private security officers in South Africa versus 160 000 SAPS officers and an estimated complement of 192 777 across the entire SAPS. There are real stories within SAPS where police patrol all night, without rest in one vehicle in a community and get back to find pages of complaints as to the matters that they could not attend to. These matters could be resolved if we help people to get trained and accredited to serve their communities.

Imagine what competent provinces with bold new ideas could do if the SAPS was placed fully under provincial control. These are only some of the examples where a competent province like the Western Cape are doing things differently and are doing them right. Only the DA gets things done. No one can have freedom while they live in fear. I thank you. [Applause.]

Ms N E NKOSI: Hon Deputy Chairperson, greetings to your good self, the hon Chief Whip, the hon Chairperson and all members

present in this House, the hon Minister, the hon Deputy Minister and the MECs. The motion to devolve the SA Police Service, SAPS, by the DA is a clear indication that the DA lack progressive strategy and tactics of fighting of fighting against crime in South Africa. Hence, the DA always call for more Police and even SA Defence Force, it is because they do not have a plan to combat crime. Combating crime is not only the responsibility of the Police, but it requires a collective effort from different stakeholders.

In the fight against crime, the Police must build working relations with the civil society. Also public participation is critical against fighting crime. The focus should be about mobilising society to make it difficult for criminals to conduct different operations. The criminal activities require both tools of trade and conducive environment for such activities to happen. The community must create a tough environment for criminal activities to happen.

Crime prevention strategy has four pillars. The second pillar is about reducing the opportunities for crime to increase. And also to ease the detention and identification of criminals.

This pillar requires strong public participation.

The Community Police Forums, CPFs, must be launched where they are not in existence. In areas where there are CPFs, they must be strengthened and adequately trained to fight against crime. There should be a programme of mobilisation and interrogation of different structures in the society, including the School Governing Bodies, SGB, and Parent Teacher Associations, PTAs, with safety and security structures.

In order to defeat crime in our communities, there must be street committees elected in different streets to work together with different civil society structurers to combat crime.

The DA must not undermine the programme of the CPFs as it has done in the Western Cape. The DA only supported the neighbourhood watch programme that is mainly in the white dominated areas. However, there is a need to support all the initiatives and also to bring back the Bambanani Project too, for school security in the Western Cape. The Bambanani Project was doing a great job in combating crime in the trains, busses and in the entire communities.

The Rural Safety Plan must also be made visible in the rural areas. The youth of South Africa must play an instrumental

role in the programme of the community policing which includes night street patrols. The Rural Safety Plan intends to mobilise the rural communities to work together to combat crime. It also seeks to create access to the police stations for the rural communities. It is an integrated process that is a community-centred approach of policing. The police stations must be the centres for co-ordination of the mass mobilisation against crime.

The fight against crime would require a massive project of educating the people of South Africa about the impact of crime in the livelihood. Educating people about the impact of crime in the economy and remind the people that a safe society allows for free economic activities to take place and it is also attractive to investors.

The fight against crime is very important because safety affect all other activities and the wellbeing of the people. The crime prevention strategy outlines the influence of the media in shaping the public perception and that media platform should be used to educate the people about how they should view crime and how they should respond to it.

An effective communication strategy based on reliable information is important in properly informing the public opinion in the fight against crime.

The National Strategy Pillar Three speaks to the public values and education. And it is concerned with initiatives that primarily intend to change and influence how the community react to crime and violence. It further looks at the programmes that utilise public education and awareness on how the public can meaningfully partake in the crime prevention project.

The public Education Programme seeks to improve understanding of the criminal justice by the people and that will enable a fuller public participation. It further enhances the fight against crime. Through developing community values and social pressure against criminality.

The public awareness of the causes and the implication of crime include basic things like the impact of purchasing of stolen goods and how it contributes to criminal activities. Thieves will have challenges in continuing stealing if the people do not buy stolen goods. Therefore, the education programme seeks to alter people attitude towards and responds

to crime and activities to fight against crime and support the SA Police Service.

During the state of the nation address of 2021, President Cyril Rmaphosa said that ending gender-based violence is imperative, if we lay a claim to being a society that is rooted in equality and nonsexism. Therefore, protecting the vulnerable groups of the society is a priority to the ANC government.

There is a need to support victims of gender-based violence even after the trial. Gender-based violence and crimes against children are receiving special attention through the establishment of specialised police units to investigate crimes against children and the creation of victim aid centres at which interdisciplinary services are offered to victims of these crimes. In addition, special court facilities which protect young witnesses have been established around the country and are supported in some areas by prosecutors specialising in these cases.

A number of governmental and nongovernmental education and awareness programmes exist to educate children to deal with abuse and to raise awareness of gender crimes and crimes

against children. This proves that the ANC government is prepared to fight against gender-based violence. The Police must create strong working relationship with the social workers in supporting the survivors of gender-based violence.

Hon Deputy Chairperson, the motion of the devolution of the SAPS powers to provinces by the DA is not only unconstitutional, but it speaks of the inability of the DA to fight with crime through other means, but mainly focus on the old violent tactics of the apartheid regime that was very militarised in the townships and the brutality dealing with the black majority.

In conclusion, the fight against gender-based violence will need more than just the Police, but a full public participation in order to defeat this pandemic as declared by the President. A collective effort from all citizens is the best solution to problems. Therefore, there is no need to devote SAPS, however, there is a need to support the Police service because the SAPS is a community-based police service that is accountable to the people. I thank you, hon Deputy Chairperson. [Applause.]

Ms F MAZIBUKO (Gauteng): Deputy Chairperson of the NCOP, let me acknowledge the Members of the NCOP and the special delegates in attendance. Let me also acknowledge hon Minister, and all protocols observed.

My colleagues, MECs from Mpumalanga and Eastern Cape and ANC members that already spoke have said a mouthful and have covered the points I wanted to share with you today.

However, let me remind hon members who want federalism to note this. The Constitution of the Republic of South Africa at section 206(3) clearly stipulates the responsibilities of provinces. Each province is entitled to (a)monitor police conduct, (b) oversee the effectiveness and efficiency of the police service, including receiving reports on the police service, (c) promote good relations between the police and the community, (d) assess the effectiveness of visible policing, and (e) liaise with Cabinet members responsible for policing with respect to crime and policing in the province.

Furthermore, the Constitution empowers us as provinces at section 206(5) to investigate or appoint a commission of inquiry into complaints of police inefficiency or breakdowns

in relations between police and any community, and make recommendations to the Cabinet member responsible for policing

Section 206(8) also stipulates that a committee composed of a Cabinet Member – this time it’s Minister Cele - and Members of Executive Councils – that refers to us - responsible for policing must be established to ensure effective co-ordination of the police service and effective co-operation between the spheres of government.

With that being said, we believe the devolution of the SAPS is not necessary because, as provinces, we are empowered enough to hold the police accountable if they are not doing their work and get them to be bobbies on the beat.

Gauteng has, through the South African Police Service Act, established three Metro Police Departments: in Ekurhuleni, Tshwane and Johannesburg. These serve as force multipliers in the fight against crime because their responsibilities include social crime prevention and by-law enforcement.

Additionally, as part of the fight against crime, the establishment of organs of people’s power such as community police foras in all our police stations and community safety

foras in all the municipalities – except, of course, in Tshwane and Midvaal – make it easy for us as a province to fight crime at a local level.

Remember, crime is happening within our communities. Community patrollers, neighbourhood watches and the private security industry help the police to fight crime.

Criminals live amongst us. They know that neighboorhood campaigns and building streets committees are some of the best practices in the fight against crime. Sector crime foras and sector policing are what brings policing closer to the people.

Each and every metro and municipality must also help by setting aside budget and empowering their municipal and metro police to fight crime. These powers are recognised by the Constitution. Section 12 of The South African Police Service Act stipulates that the Provincial Commissioner has command and control over the service within the province. It further elaborates on the specific powers with regard to establishing and maintaining police stations and units as well as determining the boundaries of police stations.

Section 64(k) stipulates that the Provincial Commissioner after consultation with the MEC shall establish policing co- ordinating committees which will include the municipal police services within the province.

As Gauteng province we have revolutionised policing through Operation Okae Molao. The fight against crime has been taken to another level. All the boots are on the ground. Criminals know there is no place to hide. The police will find you.

Communities have their campaigns known as Washa Tsotsi which focuses on fighting crime and its remnants.

The Gauteng province has the Growing Gauteng Together 2030 safety strategy. This strategy is premised on eight pillars. These are, improving the quality of policing; encouraging community participation; promoting social crime prevention; integrity management; institutional arrangements; creating a safer road environment; promoting pedestrian safety; and improving traffic law enforcement.

Crime is one of the biggest problems facing Gauteng citizens. The scourge of crime is worsened by the increase in trio crimes and violence against women and children. The department

has committed to improving the manner in which the police are dealing with these crimes through continuous engagements with them, and mobilising communities to break the silence and participating in the Know Your Neighborhood campaign and the Take Charge campaign.

The current rates of in-migration and population growth in informal settlements further exacerbates the problem. Shacks are built close together and this makes policing very difficult. The uncontrolled sale of alcohol and drugs in the province is a serious concern. Drugs are killing our youth and alcohol is a contributing factor to gender-based violence

In conclusion, the Gauteng Provincial Government is not casual with power. We even set money aside and helped the SAPS to purchase state-of-the-art cars with the latest technology to help in the fight against crime. We are currently building a state-of-the-art command center where all the crime fighting technologies will be under one umbrella

Minister, we need more police in Gauteng. Please open the colleges and start recruiting. Many police officers have been killed by criminals, or have succumbed to the coronavirus.

Police are now thin on the ground.

The Bills that seek to amend the SAPS Act ... kindly include the Provincial Traffic Police so that they are able to work as part of the force multiplier as it has been demonstrated during the implementation of the Disaster Management Act. The focus was on compliance and fighting crime.

Gone are the days when police only knew how to skop, skiet and donder. [shoot first; ask questions later.] Nowadays, police work with communities in policing them. Thank you. [Applause.]

The DEPUTY CHAIRPERSON OF THE NCOP: Can I find out whether Cllr Booysen has managed to log on successfully? He has apparently been experiencing some network problems. Cllr Booysen?

The silence is an indication that you are still struggling. We thus call on hon Londt of the DA to continue the debate.

*Afrikaans*:

Die lockdown is nie goed vir jou nie!

*English*:

Mr J J LONDT: Deputy Chairperson, it is not the lockdown but new married life that has made me gain this weight! [Laughter.]

Hon Minister, hon Deputy House Chair, it is good to see you again. Hon Premier, people in the House and those online, I firstly want to congratulate my ANC colleagues. It seems that during COVID you are barely matching your pre-COVID attendance record in this House. Kudos to you! [Laughter.]

I also, on a more serious note, want to thank the hon Premier who actually ran on an election promise, received a clear mandate and is now delivering on that promise. It’s not many politicians who do that. So, thank you for that. I am sure that, in spite of what everybody says and how they criticise you, the Western Cape voters are proud. Thank you for delivering on that.

Policing at its core is localised. Police should be policing the needs of the communities they serve. That is why we are provided with metrics on individual police stations, and in turn, resources are allocated based on those metrics. The problem that arises however is that national government is

unable to make the necessary decisions based on the information in front of them.

Hon Minister Cele, you show your absolute disdain for the voters by not acting and being pro-active in KwaZulu-Natal and Gauteng now with the riots. You failed to take accountability for the increase in crime statistics year upon year upon year, and you don’t even have the basic respect to be in the House for a debate as important as this.

The only reason that you do not want to devolve the powers of the SAPS is because, by doing so, it will show how completely incompetent you are. You are more focused on running internal political campaigns than looking after the citizens of South Africa.

Hon ANC colleagues, hon Shongwe, hon Shaik, it is a sad reality that ... [Interjections.]

Mr M DANGOR: Will the hon member take a question?

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Londt?

Mr J J LONDT: I will.

Mr M DANGOR: Does the member agree that we have a central Constitution, a central government in South Africa? Some people are trying to interpret that as having federal elements. Others – particularly in the Western Cape – talk about seceding. Do you support the secessionist movement in the Western Cape?

Mr J J LONDT: Hon Dangor, as a former diplomat, you actually now play right into my next sentence. I’m going to just tell you a short story.

The sad reality of the South African education system is that 80% of grade 4 learners cannot read for comprehension in any language. It seems as if you are the same as these grade 4 learners! Shongwe, Shaik, all of you! You are unable to read for comprehension. Read the Constitution at section 205. The hon Premier will get into this now.

We are not saying we are anti-South Africa or anti-Limpopo or anti-KwaZulu-Natal when we say, let’s devolve the powers of the police. If there is a competent province that can deliver services as the Western Cape has shown time after time after time with the hon Premier and hon Dr Nomafrench Mbombu leading the fight against COVID ...

I mean, the Eastern Cape ... hang your head in shame!

Here, we have made sure that our citizens are looked after. If you look at how our local governments and our provincial government deliver year in and year out, getting clean audits, making sure that services are delivered to the people ... that is what we are saying. Give competent governments ... [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Dangor... hon Londt... hon Dangor, you have asked your question. Hon Londt, I think you are speaking. You must just remember that your time for this kind of extensive response that you are now giving ...

Mr J J LONDT: Through you, Deputy Chair, let me tell hon Dangor that getting the right answer doesn’t mean that you will get an answer that you will like. That’s the problem!

But I mean, apart from being unable to read with comprehension

...

*Afrikaans*:

Ek sal prentjies vir jou teken ook.

*English*:

And then you can follow the pictures together with the words!

I mean, we are currently facing a crisis in our country. Our citizens are in danger because we have a failing SA Police Service. Provinces and municipalities are stepping into this space because the SAPS is failing. There are now municipalities across the country – not just in the Western Cape – that are spending resources to look after their communities, to make it a safer environment so that kids can walk from home to school more safely, so that businesses find a safe, enabling environment to create businesses and jobs.

That is what competent governments do.

Unfortunately, you are so tied up in this echo chamber of the ANC that you do not know how you are running this country into the ground.

Hon Premier, is important that you stand firm. Stand firm in spite of all the criticism. Because you and every South African knows that what is being delivered in this province is worlds apart from what is being delivered by every single ANC government.

The same way you stood up in the past against this ANC-led government that cannot see how they are running this country into the ground ... the same way, please stand up and fight so that there is an example of a province that knows how to look after citizens, to keep them safe, and to show that South Africans that there is hope.

This ANC-led government is not the future. The ANC cannot pay its staff, it cannot register its candidates, they cannot run proper governments, they cannot read with comprehension.

Please, voters, get rid of them on 1 November. You deserve better.

Mr A FRITZ (Western Cape: MEC- Community Safety): Good afternoon, hon Chairperson, our Deputy Chair of the National Council of Provinces, our Minister of Police, Deputy Minister of Police, all my colleagues from the other provinces, MECs and Chairs of standing committees, to all our premiers and specifically the Premier of the Western Cape, Alan Winde, all fellow South Africans and members of the National Council of Provinces, we have come together here today to debate a very important issue. For many of our citizens, the people we serve, what we are debating here today is literally a matter

of life and death. So, some of us can make jokes about safety, but this is a matter of life and death.

Chairperson, a fundamental duty of the state is that of protesting citizens from all kinds of harm. Ironically, this even includes protecting them from harms they inflict on upon themselves. And in a democracy, the noble social contact between the state and the citizens is one in which all citizens and all parties have obligations, roles and responsibilities.

In the case of the state one of the key roles and responsibilities is that of protecting its citizens from harm. In specific terms Chairperson, the state has to ensure that the relevant state institutions, such as the police, law enforcement and the broader criminal justice system are geared to perform the roles and perform those roles effectively.

It is when this does not happen that citizens begin to feel that they have been abandoned by the state. And in this country there is indeed a growing feeling and realisation that a criminal element has infiltrated the state. When this happens the noble social contact begins to unravel, and then

citizens begin to take matters into their own hands. It is one of the signal indicators, Chairperson, of a failed state.

Chairperson, as the recent spate of looting and criminality has so vividly shown, we have reason to feel extremely concerned about the ability of South African Police Service, SAPS, to fulfil its duties in terms of the social contact.

Minister Cele can boost all he wants about how well SAPS handled the looting, but the evidence of the 342 lives that were lost, and the huge damage to the economy, points to extract the opposite. The truth is that when the SAPS needed to show their mettle and ability to protect lives and property, they were nowhere to be found.

Many introductory comments are relevant because I am extremely concerned about statements made by the SAPS leadership on various occasions where they have effectively admitted that they are often unable to protect our citizens in terms of the social contract I refer to.

What is even more concerning is being that this admission of that SAPS has lost the battle to control and push back crime and criminality, is backed up by their own statistics.

Deputy Chair, we are facing the prospect of a further deterioration of the situation if we do not get our act together.

The United Nations recommends one police officer for every 450 citizens. While SAPS has a national police to population ratio of one for every 400 citizens in the Western Cape, we have a police to population ratio of one for every 507 citizens in this province in the Western Cape. In Ravensmead on the Cape Flats, the police to population ratio is a staggering one for every 895 citizens. The gap is completely unaccepted, Chairperson.

On his media briefing on the quarterly crime statistics, Minister Cele told us that, because of Covid-19, SAPS has made no new recruits since the beginning of 2020. At the same time, the Minister also announced that he is signing-off on about

100 early retirement applications per months. So, while we have had too few new boots on the ground for many years, police officers are also retiring in staggering numbers. And then, to top it off, SAPS is not making any new recruits.

Deputy Chairperson, to paraphrase what the ANC like, Vladimir Lenin, whom many of you still so miss nostalgically quote,

what is to be done. I see one of our previous speaker also ask what is to be done.

The first thing that needs to happen is an upfront acknowledgement by the ANC, as the national ruling party, and by Mr Cele as the responsible Minister for policing, that we need a complete rethink of the nature of policing.

The bottom line is Mr Cele, policing has failed this country, under your watch. The bottom line is Mr Cele, every day the confidence of our citizens in a centrally-controlled, centrally-commanded SAPS grows less and less. The bottom line is Mr Cele, under your political watch SAPS is deteriorating into a dysfunctional, unaccountable organisation.

The citizens of this country requires a hitherto unheard-of admission by the ANC, and you Minister, that things cannot continue on the current Zero-sum path of destruction and dysfunctional.

Deputy Chairperson, let me expand on this issue. There is a tendency by the ANC to think that the only correct policy response to challenges that emerge on governance is the concentration of power in the hands of Ministers. We see this

most vividly in the support the ANC is giving to the proposal for the greater centralisation of policing powers in the SAPS and, by extension, the Minister.

At one level we shouldn’t be surprised by this. The ANC has been singularly unable to break its ideological and political with Stalinism which by its very nature glorifies and codifies the absurd notion of democratic centralism. And we know what democratic centralism boils down to: it’s where the ruling party collapses into the state: where it becomes impossible to separate out the state and the party: where the state and party believes that they have the answer to everything.

Democratic Centralism is statism gone mad. Nowhere else, perhaps outside of Cuba and North Korea, is such a fundamentally undemocratic concept codified and celebrated as much in the case of the ANC, South Africa.

And Chairperson, let me not miss the opportunity to remind the House to look for the origins and genesis of state capture at the ANC and its Stalinist notion of the Democratic Revolution. This stillborn revolution, which is supposedly now in its second phase, has been the sole reason for the crisis we find ourselves in in this country both social, political and

economic levels. And yet, the more crisis deepens, the more the ANC seeks to centralise!

But our people aren’t stupid Chairperson, they fully understand that all ANC government has managed to do successfully, is centralise failure! And, our people will demonstrate their opinion in this failure in no uncertain terms in the upcoming local government elections. But it seems they didn’t even register candidates, they are a huge failure.

As the DA, we have the answer to the dysfunctionality of SAPS. We demand greater provincial policing powers and responsibilities, as set out in the Constitution. It is in the Constitution.

In terms of section (d)of section 1 of the Constitution, which covers the founding values of our society, colleagues, the imperative of responsiveness is placed upon government. There can be little argument against the assertion that, at present, our policing policy is not responsive to the needs of our society. And this is important because we quote section 199 and we completely quoted in a very isolated narrow from without looking holistic ...

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member, as you conclude.

Mr A FRITZ (Western Cape: MEC- Community Safety): As I conclude, we are asking, let us get far more power in terms of localise policing. The existing police. We don’t want another army. Take the existing police. And by the way in this province we have 417 able to watch and all 147 police station have CPFs another way the Minister comes on that we don’t have the CPFs. Our citizens ...

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you, hon member. Your time has laps.

Mr A FRITZ (Western Cape: MEC- Community Safety): Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon Fritz. [Applause.]

Mr T S C DODOVU: Deputy Chairperson of the NCOP, hon Sylvia Lukas, hon Minister of Police General Bheki Cele, Premier of the Western Cape, MECs from different provinces present here this afternoon, Chief Whip of the NCOP hon Seiso Mohai, representatives of the SA Local Government Association, Salga,

permanent and special delegates to the NCOP, ladies and gentlemen, the Sustainable Development Goal 16, entitled Peace, Justice and Strong Institutions as adopted by the United Nations in terms of its 2030 Agenda for Sustainable Development, calls for all countries in the world to set the targets to reduce all forms of violence, to curtail armed trafficking and to fight organised crime.

This is important because in today’s complex world security challenges have direct impact on national security and they threaten the sustainable development of societies. Therefore, it is critically urgent that all actors in the global security architecture within different countries must share an understanding of the security threats and work towards the same outcomes.

In light of the above assertion in South Africa the questions are, why don’t we all of us work together towards the same objectives of fighting crime and all other forms of violence? Why do we find more time for pity political bickering and squabbles in the midst of crime and violence engulfing our country especially against women and children? Why don’t we develop a common united front to confront and defeat the

scourge of violence perpetuated against our people especially the poor and the vulnerable.

The debate in this House this afternoon on the devolution of the SA Police Service is showing exactly what the problems in our country are. The debate is exposing the folk lines and our

... [Inaudible.] ... in a unison to defeat crime, violence and corruption. On the surface this debate is about the devolution of the SA Police Service. It is not true. If truth is to be told this debate is about dividing our country ... [Inaudible.] ... the Western province from the rest of the country. It is about federalism and perpetuation of the racial division in our country. It is about preserving the Western Cape as a freedom and preserved for the [Inaudible.]

... [Inaudible.] ...that the Premier of the Western Cape say the citizens of the Western Cape, say the citizens of Langa, Khayelitsha or ... [Inaudible.] ... We are all citizens of South Africa but residents of different provinces, residents of different cities and different towns. We are one country; we are one people united in our diversities, and not citizens of a particular province or a citizen of a particular city.

Therefore, it is quite important to say that instead of finding long-term solutions to the problems that are facing us some political parties especially the DA is pondering into cheap populism and propaganda on where systemic problems are and in the process they use some simple partisan political mix to solve complex systematic problems of crime, violence and corruption engulfing our country. The intentions of the DA are characteristically to deceive, to mislead and to confuse our people. But it is also to [Inaudible.] and to pollute the environment by projecting a negative image of doom and gloom about our country and blame everything on crime and violence in this country, therefore, the devolution of the Police Service.

Even in this House during this debate the false picture the DA members present is that the only solution to combat crime and all forms of violence is the devolution of the SA Police Service. This, their attitude serves the purpose as the despicable and provocative scandalously the DA political party continues being about the real causes of crime in our country.

As the ANC we are not oblivious that crime today is evolving and manifesting in forms which are diverse than ever before. The truth is that [Inaudible.] and gang activities are

entering a new and a very active phase. The threat cybercrime is far from reaching its pentacle and globalisation has shown that organised crime can generate ... [Inaudible.] ... From any location as long as there is demand. Our view as the ANC therefore, is that on the devolution of the powers of the Police Service must be ... [Inaudible.] ... on our Constitution. Which seeks to create ... [Inaudible.] ... with an emphasis on the prevention of crime and to seek the lasting solution to public safety. We require a new resolved ... [Inaudible.] ...and a new ... [Inaudible.] ... from the police themselves.

As the Police Minister and hon ... [Inaudible.] ... must be directed by section 199 of the Constitution as well as section

206 of our Constitution. To underline and reiterate the point they made, section 199 calls for the establishment of a single Police Service and section 206 states that national legislation must provide a framework for the establishment, powers, functions and control of municipal police service. This what the ANC government has done over the years and we are proud in that particular milestone in terms of attending to those particular issues as encapsulated in the Constitution, not what the DA want us to do. What you want us to do is to break the Constitution, to undermine the

Constitution, is to do what is contrary to the spirit and the later of the Constitution. Because the only way that they expect us to do is to amend the Constitution. This country is not ready to do that. We need to go all out address all the limitations and the ... [Inaudible.] ... in the Police Services and ensure that it is effective, ensure that is effective, ensure that it is professional, ensure that it combats crime and violence which is engulfing our country.

This is what we must do and what the DA want to do. On the surface they say they want devolution of the SA Police Service, but in reality they want to maintain the status quo of white supremacy. They want to perpetuate what is currently happening in the Western Cape.

I will make some typical examples. Some of these areas that are engulfed by crime and violence in this country are in the Western Cape. The truth of the matter is even if in some KwaZulu-Natal they said but you can see some improvements.

What the Premier of the Western Cape must do and his MEC must go and inform the ANC government in those articular areas so that the people of Langa, the people of Khayelitsha, the people of Gugulethu are saved from the perpetuation of the crime that is happening. The truth of the matter is that the DA government is only focussing in the elite areas. It is only

focussing in the elite areas. It is only focussing on the white suburbs and they spent little resources in terms of ensuring that they address those particular challenges that are faced by our people in those particular communities. This is what they must do. They must stop waffling, they must stop precating and they must stop deceiving our country in terms of real challenges that are facing our country in terms of crime and violence. For us it will be to play to the gallery in terms of their attitude in respect of what need to be done.

To take this particular point further I need to say give effect to this constitutional imperative section 199 as well as section 206 of the Constitution it is important to bear the following consideration when we are attending to those particular challenges that the available resources that our country do not permit the use duplication of functions, what the DA government want to do. But where police forces are fragmented, the standard of training and other support service need to be diminish. That is what they want to do so that they are seen to be ... [Inaudible.] ... within a country. That is why they call their people citizens of the Western Cape. As I pointed out there are no citizens of the Western Cape. There are citizens of South Africa and there are residents of the North West, there are residents of the Western Cape and any

other province. This is their agenda and we are clear because we have seen this agenda that they want to perpetuate in our country. This country, the ANC especially, must not allow that tendency to be perpetuated because it will take us back to the days of apartheid and racialism. We must avoid that.

As the ANC we deplore and record our rejection on how some political parties, especially the DA, seek to engage on the matter of the devolution of the Police Service. We reject how they act the self-professed genuine mouthpiece of our people and pursue a blind cheap popularity that has nothing to do with the interest of our people especially in respect of combating crime and all other forms of violence in our country. Instead, what we see them doing is to choose to pander into cheap populism and act as genuine representatives of our people as I indicated.

This debate on the devolution of the Police Service has in deep blatantly exposed the DA as I have pointed out. It exposed the DA to be a party that applies double standard of selecting morality. It has exposed the DAA’s claim that it is the proponent of the Constitution while the truth is that it wants to undermine the Constitution because you cannot devolve

the Police Service as I have indicated without amending the Constitution.

Our Constitution calls for a single Police Service and this is what need to be done going forward in light with the Constitution. The challenge is how to resource and strengthen the management capacity of the Police Service in this country. Like they are doing today in this debate, especially the DA that I want to directly and clearly address. It continues to lay unfounded charges and many ...[Inaudible.] ... hostile

...[Inaudible.] ... so that they can be seen to be representing a genuinely progressive agenda and attempt to gain popularity on the basis of radical sounding but

...[Inaudible.] ... proposition like the devolution of the Police Service. All of these have nothing to do with the creation of a single, professional and community-oriented Police Service. We know their agenda as I pointed out. As we are ...[Inaudible.] ... in this coming election this agenda will intensify. And we know about it. [Time expired.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member, your time is up. Hon Dodovu!

Mr T S C DODOVU: ... and hope to scavenge on what they think is the carcass of the ANC. The ANC knows its own problems and challenges. It will rise like a phoenix and resolve all its problems.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Dodovu, your time is up.

Ms M O MOKAUSE: Why don’t you mute him? Why don’t you mute him

like you do with all of us?

Mr T S C DODOVU: The ANC uphold the Constitution.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Dodovu, your time has lapsed.

Mr W A S AUCAMP: Your time is up!

Ms M O MOKAUSE: Why are you not muting Dodovu like you always do with all of us?

Mr T S C DODOVU: Not all what is here about the ANC registering or not registering the candidates. That is totally, totally off the line. It is not in line with what we

are debating here. But because they want to throw every mud at the ANC we will defeat that particular agenda.

Mr W A S AUCAMP: Rule of law! Where is the rule of law? Stop talking your time is up.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, ho Dodovu

Ms M O MOKAUSE: Deputy Chairperson, why didn’t you mute Dodovu

like you do with all of us?

The DEPUTY CHAIRPERSON OF THE NCOP: Order! Order, hon Mokause.

Mr A WINDE: Thank you, hon Deputy Chair, and thank you to everyone who took part in this debate. First of all, I want to say to the ANC members that, I listened to you intentively, and all of you are saying that it seems like the system at the moment over centralising failure is working. You seem to be happy with your interpretation of section 205 and other sections of our Constitution. The interesting thing to me is that, you sound like one of those tourists on the titanic, when someone knocked on your door and said, please get out of your room, get into your lifeboat, this titanic is sinking,

and you pulled out your brochure and say, but this ship can’t sink. I will stay in my room, and so you just drown in that ship as it sank.

We need to change our minds when things don’t work. Can you tell me, - I think that you should hang in shame, actually, - are you happy with the way crime is being fought in this country? Do you think that our citizens are safer than they were yesterday, the day before, last year, last term and last term before that? Do you really think that people are getting safer, that society thinks, it is getting safer, actually getting safer? Do you know why we sit here today, just today? Just today, another 57 people in our country will be murdered, and another 116 women will be raped in our country.

Those numbers don’t get better tomorrow; they get worse under the ANC’s interpretation of this piece of legislation. The ANC’s interpretation of our great Constitution and the ANC’s interpretation of this centralising one single police force’s failure, that it is. We need to change this, and we need to change it. I hear these pleads that we are all one country and we are all South Africans, and I absolutely agree with you. I Allan Winde, I’m a very, very proud South African. But South

Africans, and those that are elected to this House to represent the citizens of this province.

The ANC is supposed to be running this country properly, making it better. You all need to understand that we must make changes if things if aren’t working. The single police force, the single police service or the system you are moving towards, is failing. I will give you an example, in this province, exactly the opposite of what it’s been said by many of these speakers, we really work hard to get police, to get metro police, law enforcement officers, traffic officials, neighbourhood watch, Community Police Forums, CPFs, and private securities, to all work together. We work very hard at it, despite the centralised view of your police service. We work very hard at it.

Now, we have just gone through some very major disruption, looting and disaster in our country, and what happened to that single police force that the ANC pushed for all the time, when like real hectic crime was happening and citizens were being threatened? All the police were standing back, just watching it all happen. No one was jumping in to save the day. I will give you a story about Mitchell’s Plain. In Mitchell’s Plain, while we were also doing exactly the same thing, mitigating

risks by making sure that KwaZulu-Natal doesn’t spill over

into the Western Cape.

We all did this together, all of those agencies. We worked together, I called back meeting every single morning. In

Mitchell’s Plain, we had facts, we had law enforcement, Law Enforcement Advancement Plan, LEAP, officers, metro police, traffic officials, neighbourhood watch and CPFs, all making sure that we were going to stay safe. Two guys decide that they want to rob a shop in the Town Centre. They walked in, and stole something in the shop and ran out. Of course, people thought that these people are going to start looting.

It was interesting to watch how about 30 officers, law enforcement and neighbourhood watch arrested these two guys immediately, why? It is because the neighbourhood watch guy was going to get there first. The law enforcement guy was going to be the SAPS guy. There was competition, but also working together, and we dealt with the issue. We need to change the way we do things to make it safer in our province. You know, I listened to your speech, Minister, you said, no lighting in poor areas.

I will tell you about no lighting, Minister. In your very police station in Brown’s Farm, there hasn’t been electricity for two years. What are you doing about it? Why aren’t you changing that, under your watch and under your control? Make the change. But NCOP, when you are in oversight, why don’t you ask the Minister, what the hell is going on? Why are these police men and women do not work a full 24 hours? It’s because they are in dark at night. Why are you praising the single system when you should be hauling the Minister and saying, fix the lights in your own backyard?

Where are those councillors who represent the very areas we’re talking about, those that says there are no cameras? When councillors get their allocation, they put up cameras in their wards to make it safer. What did those very ANC councillors do? They throw parties with their allocation monies, and they don’t put up those cameras. Where are you, Minister Bheki Cele, where are you? Last night I was working with the CPF, and the neighbourhood watch in Langa, looking at the camera system, finding out this thing on the ground, what are the issues, how can we help make it better, how is the relationship between SAPS, CPF, neighbourhood watches and law enforcement? How is it working, on the ground?

Where are you, Minister? When you come here, you don’t go to Langa, you don’t go to Philippi, you don’t go to Khayelitsha, you go to Camps Bay, and you walk on the beach. [Applause.] You need to get in there where the crime is, you need to deal with the crime, and Minister, I am saying that you are not able to do it. You know, I’ve heard about deployment today.

Minister Albert Fritz spoke about deployment. If you look at the average deployment that we’re supposed to be having in this country, it’s about one officer to every 400 citizens.

In those very dangerous areas of this province, where in actual fact, the councillors are ANC councillors, and where the deployment of police officers is not under my control, I want it, but it is under control of the national Minister, and also this policing system that you are all saying is fine. Do you know that in those high crime areas where those people are being murdered, and those people are being raped, it’s one to 1000, and sometimes one to 1200?

I don’t make those allocations, you do, and you don’t fix it. There are more police officers in Claremont than in Khayelitsha. What is wrong with you? As this ANC-led single failure system, if you want to raid about your system, call the Minister in, and ask the Minister, why is he not fixing

it? I am telling you now, he can’t. He doesn’t know how to. So, that is why I am saying, give us that power. Give us that power in the provinces, not to us only in the Western Cape, give that power to any province that want it, give it to Gauteng as well.

Let’s show you, let’s change the way we do things, because let’s start making sure that we make our citizens safe. Do you know, can you imagine, if we could actually come here to this House and say, I’ve got model A and you’ve got model B and this is how it’s working differently and why don’t we share that idea and you’ve got a great idea. When we were fighting COVID-19, Limpopo came with an excellent idea of how they were getting their vaccine programme running out. What did this province do? Immediately, we asked, how do we engaged with Limpopo and we said, thank you very much. Can we work with you, because you’ve got a good idea?

Why don’t we do that? You can’t because you spend your whole time politicking, going in the wrong direction and blaming the titanic, by just taking this country along with you and just sinking all the way to the bottom. We need to change the way we do things, in the interest of all our citizens, in every single province and in every suburb where they live. We need

to make it safer, and that means we’ve got to think a little bit differently. We’ve got to make some changes when it’s not working. I want to say to you, in this NCOP that, you either hang your heads in shame or you start doing your job.

Hold this Minister to account. Make sure that we have proper numbers or police officers deployed. Fight back on the cutting of the budget, cut other budgets, cut the safety and security guys that look after the Ministers. Cut that budget and put it into officers on the ground, specifically, in poor areas that really need it, because that’s where the crime hot spots are. That’s what our safety plan does; that’s what we’re doing in the microcosm. Come and learn from that, because we use signs, we use data, and that works at how we deploy.

Then get the violence prevention one. Start to understand why these things happen, and start to fix it. But please, make sure that you not ... [Interjections.] sinking. Madam Deputy Chair, as I conclude, what I would like to do, is to say thank you very much to General Patekile of the SAPS here in this province, thank you very much to every neighbourhood watch volunteers, thank you very much to the LEAP officers, thank you very much to the metro police, thank you very much to the citizens of this province who are all helping to stand

together. We actually only need only more few changes, and if we got those changes right from our management point of view, because that is what evolution is, it’s about management.

Let’s get management right and make this place safer. Thank

you, Deputy Chair. [Applause.]

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you. I wish to thank the Minister, the Premier, MECs and other special delegates that have availed themselves to participate in this debate.

Hon delegates, we are now going to proceed to the Order of the day, which is the Consideration of the Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure, ATCs 1 September 2021, the Charter establishing the South African Development Community Aviation Safety Organisation. I call on hon Kenny Mosimanegape Mmoiemang.

# CONSIDERATION OF REPORT OF SELECT COMMITTEE ON TRANSPORT, PUBLIC SERVICE AND ADMINISTRATION, PUBLIC WORKS AND INFRASTRUCTURE CHARTER ESTABLISHING THE SOUTH AFRICAN DEVELOPMENT COMMUNITY AVIATION SAFETY ORGANISATION, DATED 1 SEPTEMBER 2021.

Mr K M MMOIEMANG: Deputy Chair ...

*Setswana*:

... o mpiditse monate tota, Mosemanegape. [Setshego.]

*English*:

Allow me to take this opportunity to also take due recognition to the national Chairperson of the NCOP, Ntate [Mr] Masondo, the Chief Whip of the NCOP, Ntate Mohai, and our two House Chairs, Mme [Ms] Ngwenya le [and] Ntate Nyambi, and my hon colleagues both from the special and permanent delegates of the NCOP.

Chair, as you have kindly pointed out, the purpose of this report is to seek endorsement of the House of NCOP on the adoption of the charter establishing the SA Development Community Aviation Safety Organisation, SASO.

The SA Development Community Aviation Safety Organisation was established to enhance the safety of civil aviation within the Southern African Development Community, SADC, region due to lack of technical expertise and the need for tactical staff to fulfil safety requirements.

Now, because in terms of the Constitution of the Republic of South Africa, section 231, for any international treaty to

take effect it has to be endorsed by Parliament, constituted by the two House, both the National Assembly and the NCOP.

In this regard, for this treaty – as I said – today’s meeting is mainly to ensure that as part of Parliament, the NCOP get the endorsement.

We are, therefore, putting before the members of the House the fact that for SASO to be effective, it is important that their safety obligation and also oversight responsibilities are guided.

Thirdly, the purpose of this charter is to operationalize SASO.

Fourthly, this SASO charter also provide an institutional framework for the establishment of SASO. But more than that, for SASO to take effect, two-thirds of members of SADC must be able to attach their signature thereof. But more than that, it is important to highlight the fact that two-thirds of the members of SADC did not sign the charter, the issue of operationalization could not take place.

Among those countries that did not sign this SASO is our country, South Africa, Comoros, Madagascar, Mauritius, Seychelles and also the United Republic of Tanzania, because some of these states belong to other organizations in addition to them being part of SADC.

So, therefore, the objective of SASO is to promote safe and efficient use of the development of civil aviation within and outside SADC member states.

But more than that the focus and also the emphasis on safety oversight obligations and responsibilities under the Convention of the International Civil Aviation signed in Chicago on 7 December 1974; and its safely-related annexures and documents.

In relation to that, the objective also is to promote implementation of industry best practices within the member states, but also to ensure that a regional system is developed to assist member states in aircraft accidents and incident investigation.

In terms of the process of consultation that was followed previously, the following happened: On the 25th of May 2017

SASO charter was presented to Global and Continental Affairs Committee, and presented again to this committee after issues were resolved on the 28th of September 2017 and therefore, recommended to the committee that is called International

Co-operation Trade and Security.

More than that, it was presented again to the International

Co-operation Trade and Security cluster on the 10th of October 2017 and on the 19th of October 2017 the development committee referred the charter to the meeting of the 30th of November 2017 wherein the charter was supported and recommended to proceed or to be referred to the DG cluster on justice, crime prevention and security for consideration and approval.

On the 6th of February 2018 the charter obtained approval from the justice, crime prevention and security cluster and therefore, was submitted to the Cabinet for approval.

On the 15th of August 2018 the charter was approved by the Employment and Infrastructure Development Cabinet Committee to proceed to Parliament for approval.

Then on the 13th of November 2018 the Portfolio Committee on Transport endorsed this charter and it was finally adopted by the National Assembly on the 27th of November 2018.

Following this there was a lull in terms of communication of referring this matter to the House by the department and as a result of the meeting that was held recently, an emphasis was put on the Ministers of the member states to fast track the signature of the charter.

And as a result thereof, the matter was tabled before the select committee; and the select committee, having received the presentation on the charter and having considered the report, formally agreed in unison to present and recommend this charter for endorsement by the House.

It is important, Chair, lastly, to make a clarion call on the hon members of this House to vote in favour of this charter that is establishing the SA Development Community Aviation Safety Organisation. I thank you, hon Chair.

Debate concluded.

Question put: That the Report be adopted.

Voting.

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

The DEPUTY CHAIRPERSON OF THE NCOP: Hon delegates, before we conclude the business of the day, I just want to say that all of us will acknowledge that we had a very intensive few weeks where we did a lot of work as the NCOP and we also succeeded in actually voting on the three amendment Bills that we proposed because we want to make sure that there is stricter action that is been taken with regard to perpetrators of violence against women and children and particularly also people with disabilities. That is some of the areas that we covered. We had to be able to put a programme that NCOP took on, on behalf of Parliament to launch a reviewed Women’s Charter, of which we hope it will be in the new quarter. When we are back we will have an opportunity to have a joint debate on the Women’s Charter. Chief Whip, we are just throwing it out there.

We know that we will meet each other in the streets of this country, canvassing for our different parties. But I want to

request from all of us here, may democracy prevail. God bless, travel safe and all the best. The House stands adjourned.

The Council adjourned at 17:34