**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**THURSDAY, 27 OCTOBER 2022**

***PROCEEDINGS OF THE NATIONAL ASSEMBLY***

The House met at 14:00.

The House Chairperson, Ms M G Boroto, took the Chair and requested members to observe a moment of silence for prayer or meditation.

**QUESTIONS – CLUSTER 1: PEACE AND SECURITY**

Question 649:

The MINISTER IN THE PRESIDENCY: Hon House Chair, hon members, maybe the first answer to the question is, no, the law prohibits the Minister and the Deputy Minister from engaging in operational activities. What transpired in Phalaphala in 2020 is a crime which is being attended to.

The HOUSE CHAIRPERSON (Ms M G Boroto): May I disturb you, Minister. If you can just try to be closer to that ...

The MINISTER IN THE PRESIDENCY: I am not?

*IsiNdebele:*

USIHLALO WENDLU (Ksz M G Boroto): Arha-ke.

The MINISTER IN THE PRESIDENCY: I said, hon House Chair, the immediate response is no. Against that background, what we want to say is that the law prohibits the Minister and the Deputy Minister from engaging in operational activities. What transpired in Phalaphala in 2020 is a crime which is being attended to by mandated institutions such the South African Police Service. However we are ready to assists relevant authorities in their work in this regard should a need arise. Thank you, hon House Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. The hon Dr Ndlozi? Hon Ndlozi, it is your time to ask your supplementary question. He is not on the platform. Can we have a responsible Whip assisting in that instance?

Ms E N NTLANGWINI: House Chair, can I please ask you to come back, he is struggling with load shedding.

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay. We proceed and ask the hon Maake for the second follow up question. We will accommodate Mr Ndlozi if he is able to connect.

Mr J J MAAKE: Hon House Chairperson, to the hon Minister, the President has ...

The HOUSE CHAIRPERSON (Ms M G Boroto): I can’t hear you from where I am. I am sorry that you are taller than these mics.

Mr J J MAAKE: Must I sit down?

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, you may.

Mr J J MAAKE: Okay. Thank you very much, hon House Chairperson. Hon Minister, the President has comprehensively outlined to Parliament the processes that are underway on the Phalaphala matter, and that Parliament has started its own processes on the matter. From your side, Minister, do you undertake to support the whole process by providing support or information that may be required by the law enforcement agency investigating the matter? I hope you don’t say no.

The MINISTER IN THE PRESIDENCY: Hon Chair, our response to hon Maake is that, in pursuance of the principles of co-operative governance enshrined in section 41 of the Constitution, we, as this institution, stand ready to provide support to relevant Ministers and authorities in their work on this matter. I didn’t say no. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. Is Mr Ndlozi back? If not, let’s proceed and we will see towards the end. The next follow up question will be asked by the hon Mazzone.

Ms N W A MAZONNE: House Chair, given that I am six foot two and far away from the mic, may I have your permission to be seated?

The HOUSE CHAIRPERSON (Ms M G Boroto): But you are well bent, you know. Yes.

Ms N W A MAZONNE: May I sit?

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, you may.

Ms N W A MAZONNE: Thank you. No offence Minister that I am sitting, but everyone will hear me now. Minister Gungubele, given that the Hawks are now well into their investigation, it is a great concern to us that former spy boss, Arthur Fraser, is now sending in information and says, and I quote, “I set out here under not conclusions but pointers for further investigation.” This, no doubt, indicates that State Security has been aware of Phalaphala for much longer than has been known to the public. Can we please be told as to why this information, that is obviously in the public interest, has been kept secret and how long it has taken State Security investigating the Phalaphala issue to do so, or were they in fact instructed to make this issue go away?

The MINISTER IN THE PRESIDENCY: Hon House Chair, to hon Mazzone, I think the Phalaphala issue has created strange characters in South Africa in the sense that there is this information which requires clarification abled by Arthur Fraser in whatever he did. There are processes of the state to attend to this matter. A number of institutions are engaged in the matter and also Parliament is engaged in this matter. All I am going to say is that, can we appeal for those processes to reach their conclusion. What we should do, it doesn’t matter who says what, who sings which songs where, there are

processes in place. It is the first time that I see people chasing somebody who is not running away. So, all I am saying is that can we allow the processes, hon House Chair. Thank you very much.

*IsiZulu:*

Inkosi R N CEBEKHULU: Ngibonge ithuba, mhlali ngaphambili.

*English:*

Hon Minister, given the security nature of the Phalaphala incident and the fact that there is currently no parliamentary oversight of the Presidency, would you not agree that the Office of the President needs to have an oversight exercise at a parliamentary level? If not, why not? If so, please give information. Thank you.

The MINISTER IN THE PRESIDENCY: I am sure the hon member would know that when processes of investigation of multidimensional nature are ongoing there will be findings. With lessons that we get from findings we will be able to answer various questions because your question is not relevant to what we are talking about now. That is a political engagement with regard to your view how the President should be oversighted. Can we then await all the findings and all the recommendations, find

out what sort of lessons that platform doesn’t give us. In other words, I am not dismissing you, I am saying that more patience from you is actually being sought.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. Now we have to go back to the EFF. Are you ready? Mr Ndlozi is not yet on the platform.

Ms E N NTLANGWINI: Thank you very much, House Chair. Can I also sit, because it seems that is the order of the day?

Minister, you have said that you were not involved in any way or form. You have also said that President is not running away, but as we are seeing, the President is using every state entity at his disposal to cover up the Phalaphala issue. All of this he is doing as a state President. Don’t you think that it is best that you advise him, as the Minister in the Presidency, to step aside and let the Phalaphala investigation happen at its own accord and independently so as him not being a president? Because the individuals heading those institutions will be soft towards him because he has the capacity of a state President of South Africa. Don’t you think that he must step aside so that you and all of the state entities are handling this issue as a whole with him not being in office? It has happened before. He must step aside so that

the Phalaphala issue can be investigated without him. You must also be honest, what was your role as the Minister, in covering up this Phalaphala issue? Thank you very much.

The HOUSE CHAIRPERSON (Ms M G Boroto): Before he responds, let me remind members that Rule 142(7) clearly states that you can only put one supplementary question. It is up to the Minister if he wants to respond to all the questions. Thank you. Hon Minister?

The MINISTER IN THE PRESIDENCY: Hon member, the allegations you are presenting before Parliament have no basis. Again I want to state that if you are to table evidence of what you are saying then maybe there’s a different way we could deal with this. That the President is controlling Reserve Bank, Hawks, National Prosecuting Authority, NPA, and actually calling them in a rally and give instructions, you don’t have evidence. So, please accept yours as allegations. We are very much confident with the attitude the President has adopted with these investigation processes. That is how far our response can go. Thank you very much.

Question 621:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you,

House Chairperson, hon member, in February 2001, the Minister of Defence briefed the Portfolio Committee on Defence about her commitment to make sure that the cost of human resource is brought down so that there is some equilibrium brought into the picture. After doing that, she sent out a ministerial directive to do a number of things: to make sure that an average and a planned human resource strength of 73 000 members over the Medium-Term Expenditure Framework, MTEF, is maintained; to reduce the reserve force mandate to just under

2 million days; it was to make sure that the recruitment of the Military Skills Development, MSD, programme is resuscitated every alternative year; to make sure that it kept the annual increases of the regimental and operational allowances; as well as to make sure that the allowances that are paid in lieu of the scarce skills are brought down and maintained; and also to make sure that the implementation of the exit strategies, which were employer initiated as well as employee initiative are considered and put on the table. I am happy to say we initiated the exit plan on 1st April 2022. The exit plan forecasts that the separation of soldiers will by the end of 2022-23 have produced the reduction of 1 548 men and women of the Defence. This will be at a cost of

R1,868 billion.

Treasury has given us R1 billion this financial year, but it has also agreed we may reprioritise within our budget to cover the R868 million. We have so far been able to process 256 offers but already those that have been granted ... because we started processing early, 433 are already out. The 256 I referred to are on the table. In the pipeline, we have a further 500 offers which we are expected to consider on or before 30th November. It is expected that by the end of this financial year, we would see a reduction of 1 200 members of the Department of Defence.

We are also looking at civilians. So far, we have not started the processing there but we do know that the majority will be on the uniform side.

The Department of Defence has taken progressive steps to start looking at its human resource interventions to reduce the cost pressure over the MTEF. We are trying to bring equilibrium between the cost and the inputs. We therefore think that by the year 2025-26 we would have been able to relatively bring down our cost of employment.

We are doing other things over and above this. We are also looking at those people who are home but getting paid because

they still cost us. We have instructed the Secretary for Defence as well as the Chief of SA National Defence Force, SANDF, to ensure that those people are brought back. They are charged or immediately face disciplinary hearings. We shall not pay anybody who is not productive to the department.

We therefore want to say that we think that we ore on the mend and that we will be able to do this. Thank you, House Chairperson.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. Those who usually time other people, I am using the Rules. Rule 142(3) allows me to do what I just did.

Mr V C XABA: Thank you very much, House Chair, hon Minister, over the last four financial years, 2018 to 2022, the compensation of employees over expenditure average

R2,5 billion per annum, bringing the total of irregular cost of employment expenditure over the same period to R10 billion. To fund this excessive expenditure, the department has had to shift the funds from the acquisition and maintenance budget.

This has had a dramatic effect on the serviceability of prime mission equipment such as the strategic aircrafts, vessels and the deployment of vehicle fleet to meet the military

operational requirements of the air force, the navy and the army respectively.

Minister, in view of your commitment to balance the personnel numbers with the budget in order to contain the said overexpenditure is commendable. The savings arising from this effort will be utilised to restore the core capabilities of the Defence Force and strengthen the Defence industry. With that said, is the Minister satisfied that the recruitment as part of the Military Skills Development System is positioned to replenish or rejuvenate the military? If not, what are the plans to ensure that this capability is also strengthened?

Thank you so much.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you very

much, House Chairperson, hon chairperson of the portfolio committee, yes, I am putting and pinning my hopes that the recruitment system will kick in as expected. That will be offset by us not only looking at replenishing and getting fresh blood into the system. As we recruit, we are going to focus on those recruits who will self-select into the different arms of services which will ensure continued remuneration of all arms of service. We will not stop there. As I said, we are also looking at the higher ranks because to

cut down costs, we must not only look at taking out the middle and the lower ranks. Those are the low cost ends. We must look up there where pay packages and benefits are higher. We are looking at all ends to make sure that the recruitment does have an impact.

We are also looking at talking to Treasury because ... yes, some deviations were made to cover the cost of employment, but the truth of the matter is that the budget cuts have also been extreme. When you look at the size of the Defence that we have and the budget allocation, it just doesn’t make sense. So, we are also talking about upping the Defence budget to where it will enable us to sustain and improve on our capabilities.

Thank you very much.

Mr S J F MARAIS: Thank you very much, House Chair, Minister, the cost of employees, this year, is going to be over 70% over budget and unsustainable with little or no indication of change. About 40% of our uniform members are between 45 and 65 years with only 4% younger than 24 and an average uniform age of 45 years. Of the plus minus 400 generals or equivalent Public Service Act Personnel, PSAPS, who have a ratio of about 1:180 employees, only 100 are in the three combat forces and Defence intelligence. In the army, that’s one general officer

for each 1 050 soldiers. How will you ensure that the age force and leadership is significantly rejuvenated especially in the combat forces? And if you are not willing to do that, how will you resolve the costs and the fitness challenges in the Defence Force? I thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you

ma’am, hon Marais, I am more than willing to look at that. Every trip I take and every interaction I have with my counterparts across the world, I look at the policies and I look at how they are dealing with this problem. We are already talking about looking at the bulge up and looking at the bulge down. We are already talking about looking at what other countries are doing because I insist and I am open about it that wars are not fought with generals. Therefore, if your top structure is top-heavy, you have to do something about it. My commitment is that we will be talking about it and we will be looking at the structure of the Defence Force. I am also saying that for a country our size, we cannot continue to whittle it down to nothing. Therefore, what we need to do is to look at what put pressures on our human resource costs.

Thank you, House Chair.

Mr W T I MAFANYA: Thank you, House Chair, Minister, the neoliberal obsession on your part of thinking of laying off people from their jobs will magically solve our country’s problems is misplaced. In a depressed economic environment such as ours, what impact will the laying off of soldiers have on the security situation in the country if the soldiers are not provided with alternative economic livelihood activities? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: The question is

good. What are we doing? Hon member will remember that the other department – the Military Veterans – does give training to Military Veterans, and therefore risky for those if they are at the lower end and the years are such that they can be economically active, they will be given those trainings.

At the upper end, if we are brave enough as a country, we are also starting to reconsider the age of retirement of generals and to begin to look at how best can we do this, which will then be able to lean out the Defence without losing the skills.

I agree with you. Laying off people does not solve economic problems but if people overstay in posts they also do not add

to the productivity of whichever Ministry or portfolio they are in. Therefore, all matters must be considered and the best solution for the country is found. Thank you, House Chair.

Inkosi R N CEBEKHULU: Thank you, House Chairperson, hon Minister, considering that the mobility exit mechanism will reduce the human resource capabilities of the SANDF tremendously and the reported dilapidated and failing infrastructure and equipment of the department is contributing to a decline in overall defence and security capabilities, what progress has your department made in developing a national perspective on the level of defence South Africa needs and what it can afford to maintain? What is the position in this regard? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you,

ma’am, hon Cebekhulu, we are not just releasing everybody, every application is scrutinised. We are making sure that we are not losing the crucial skills and capabilities even as we are struggling to get a balance in the reduction in human resource costs. Therefore, we are making sure that we do not lose out on those skills that we need. At the same time, those that we can allow to let go so that we reduce, this is going to be offset by the next intake of youngsters which you will

remember had been suspended, will be able to be trained to take over. We must also remember that most of the services will also not allow them to be strict to the bone. Therefore, service by service as they look, they will be able to say this is the minimum requirement we can afford for now as we rejuvenate. We will make sure that we do not lose out and that the Defence is still capable of looking after South Africa.

Thank you, House Chair.

Question 638:

The MINISTER OF POLICE: Chairperson, thank you very much. Having looked at the questions and an answer to hon Majozi... I am just working on the order of my questions.

The HOUSE CHAIRPERSON (Ms M G Boroto): It’s Question 638.

The MINISTER OF POLICE: Yes, indeed, it is Question 638 with a little bit of confusion because the question I’m answering is asked by hon SA Luthuli who is a member of EFF in KwaZulu- Natal to ask the Minister which is the same question as the one for hon Majozi. So, Question 638 ... [Interjections.] ...

Ms E N NTLANGWINI: I rise on a point of order, hon House Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Minister, just hold on a minute. What is your point of order, hon Ntlangwini?

Ms E N NTLANGWINI: I think the Minister is very much confused because we are in the National Assembly. Hon Luthuli from KwaZulu-Natal, KZN, is in the NCOP. So no wonder our crime stats is like this because we have a confused Minister ... [Interjections.] ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Order, order, hon Ntlangwini. That is not a point of order.

Ms E N NTLANGWINI: ... No! it’s a point of order. Luthuli is in the NCOP!

The HOUSE CHAIRPERSON (Ms M G Boroto): You are proceeding now you see? Hon Minister, I am very sorry. I think hon Luthuli is the one from the IFP because hon Majozi is also from the IFP. They might have changed the name of the one who questioned.

Can I allow you to respond to that? Thank you very much.

The MINISTER OF POLICE: ... I have found the question. Thank you very much. The Kwaceza policing area only contributed three

stock theft cases, which is 0,86% to the Zululand district’s total number of 345 ... [Interjections.] ...

Ms E N NTLANGWINI: On a point of order, House Chair. Now really, can we be taken serious? What the Minister is answering is yet not what the question is about, and you still want to cover for him? But it’s hon Majozi of the IFP that had asked the question. And the Minister is not answering the question. She had asked pertaining to load shedding and the crime stats prior to that. Can we please be taken serious?

Please stop wanting to cover up.

The HOUSE CHAIRPERSON (Ms M G Boroto): Who is covering up? Don’t come with that. Please don’t do that. No, no, no, no. Don’t do that. No, don’t do that. We must be able to assist here. What you are saying is totally out of order hon Ntlangwini. Hon Minister, we are going to restart and I expect a member who is hon Majozi to speak not the hon Ntlangwini. We are giving you ... [Interjections.] ...

Ms E N NTLANGWINI: On a point of order, House Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): ... No, no, no.

Ms E N NTLANGWINI: No, you are wrong because I can call a point of order. I’m the Member of Parliament ... [Interjections.] ...

The HOUSE CHAIRPERSON (Ms M G Boroto): I have ruled on that one.

Ms E N NTLANGWINI: ... How dare you say that I cannot speak here?

The HOUSE CHAIRPERSON (Ms M G Boroto): No.

Ms E N NTLANGWINI: It’s wrong.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Ntlangwini, please don’t do that again. Don’t just take the mic and start talking. That is a warning to you. Okay, we proceed now. Hon Minister, we are dealing with Question 638 asked by the hon Majozi of the IFP. Can we please proceed?

The MINISTER OF POLICE: ... Indeed, we can now proceed, Chair. Chair, it is true that load shedding does put an end extra pressure on the police when they do their work and contribute to acts of criminality in the communities.

We are also mindful that the police have always attended to incidents of criminality in communities, including communities that have no electricity. Indeed, it is an extra pressure. But there are those communities that have no electricity and they are not experiencing load shedding. There are quite several of them especially in the places where there are informal settlements. There are many of them. In Gauteng I think there are 700 informal settlement areas and have no adequate light around Gauteng.

Therefore, the question that needs to be asked is, what is done across lighting the areas? Of which, we will continue to work with municipalities on those things. But we also continue to mobilize the communities to be able to work with the police and communities even when there is load shedding. And also increase the vigilance of the police since there is an extra crime when there is load shedding. Including the stealing of copper cables when there are not live and stealing of other elements that work with the electricity.

Indeed, we are working on that and we hope that the time will come where there will be no load shedding and we will be able to deal with the situation as law enforcement agencies. Thank you, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. Before I call on the hon Majozi, Mr McGluwa, your hand is up?

Mr J MCGLUWA: Yes. Thank you, Chairperson. I have noticed that there is someone who is helping the Minister and the Minister seems not to be in Parliament. Can we assess whether it’s another Member of Parliament or whether it’s a table staff?

But clearly, it is not the table staff. We have to define whether it’s allowed that someone carrying papers around for the Minister wherever he sits. Thank you, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. May I ask those that are responding from the virtual platform that we take where you are as a seat of Parliament. And that you are sitting in Parliament. Let us proceed like that.

The MINISTER OF POLICE: Thank you Chair.

Ms Z MAJOZI: Thank you, Chairperson. Maybe to first start by saying that I am the initiator of the question. Hon Minister, has there been any assessment done on the relationships between load shedding and the occurrence of crime to ensure the safety of police officers patrolling crime hotspots areas during the load shedding? Please provide full details.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you and we appreciate your clarification.

The MINISTER OF POLICE: Thank you, Chair. Indeed, there has been the extra portions taken in dealing with these matters. As I have said, we are aware of the pressures of the load shedding. That includes the two members of the South African Police Service that were buried the last Saturday in Boksburg. They were attacked and killed in the place called Angelo. Which is an informal place in Boksburg. Where when they were doing their jobs and waiting for the mortuary van to pick up a naturally killed body. They were shot and killed.

We are trying to work with the private people to put more lights where we are doing our own patrols, as we did last week while we were dealing with late patrols in a place called Diepsloot Extension 1. But indeed Chairperson, it is difficult when there is no light. I remember that as we were doing these patrols together with the police as we were accompanying them. You could not see a person next to you until you touch that person because that is how dark it is in some of these places. That will be Diepsloot Extension 1. We are trying to work on the extra caution to the police that they should cover

themselves. Go there in large numbers so that they protect one another.

Mr A M SHAIK EMAM: Thank you, hon House Chairperson. Minister, latest report, you have just underspend R31 million in infrastructure. But I think the question is police stations are not excluded from load shedding. When there is load shedding, is it business as usual for every police station or not? Can they work effectively while there is load shedding while you are not excluded from load shedding? I think that’s the question.

*Afrikaans*:

The HOUSE CHAIRPERSON (Ms M G Boroto): Wie is dit nou?

Mr W T LETSIE: It’s Cheryl Phillips.

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, please mute your mics. I know you are not doing it intentionally. Please do that. I can sense when people do it intentionally and when they make a mistake. Yes.

The MINISTER OF POLICE: Chairperson, the problem with the infrastructure of the police is not per se done by the police

except the very few where the stations are delegated to work on the infrastructure. Most or a big portion of the policy infrastructure is done by the Department of Public Works and Infrastructure. We work through them to find the solution on the load shedding at the stations and it is through them that we get the generators.

Indeed, they are stations where you find that generators do not work. But we work hard and that is where we are responsible, which is a very small portion. We are responsible, and those generators are found at every station so that the work of the station continues, even if the load shedding affects that particular station.

Chairperson, we have top 30 most criminal police stations. We wanted to work with municipalities and those responsible like Eskom to find out if those stations can’t be exempted so that all the time, those stations are fully functional Thank you, Chair.

Ms L N MOSS: Thank you very much Chairperson. Minister, the challenges of load shedding may contribute to acts of criminality in communities. We are also mindful that the police have always attended the incidence of criminality in

communities including communities that have no electricity. Therefore, the question is on the need to strengthen the work of community policing forum, CPFs, to co-ordinate reporting of crime from communities, especially during load shedding. I thank you.

The MINISTER OF POLICE: Thank you for the statements Chairperson. Indeed, that’s what we do. We are working with CPFs, which is a constitutional and legislative body. But we don’t end there, we also work with other structures like neighbourhood watch, communities in blues, like traditional structures. Unfortunately, in places where traditional structures are for the longest time, there is darkness there. Even though there are people that are patrolling even at night there using the minimum light of their torches and all that.

Chairperson, these structures, especially Neighbourhood Watch, the CPFs and Community in Blue are very helpful. Sometimes they patrol these dark places, especially in the morning when people go to work, between stations and their residential areas. Going to the taxi ranks, where there is a high vegetation and the high level of crime. So we are working with the community structures and encouraging the establishment of the committee structures. Thank you very much, Chair

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, Minister and the statement is within the Rule 1425 allows that a member may make a statement or express an opinion. So it’s still within the rule.

Question 624:

The DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND

CO-OPERATION (Ms K C Mashego-Dlamini): House Chair, South Africa prioritises reform of the system of the global governance to make the system more responsive to the needs of the developing countries, especially African countries which continue to be marginalised and ensure fair representation in global governance structures.

This is especially true as there’s a growing challenge to the effectiveness and legitimacy of the United Nations Security Council, UNSC. South Africa is thus fully committed to advancing the reform agenda of the United Nations including its Security Council.

Discussions at the UN on reform take place in the governmental assembly’s Intergovernmental Negotiations, IGN, process.

At the IGN South Africa advocates for the comprehensive reform of the United Nations Security Council based on the common African position known as Ezulwini Consensus.

For the Council to reflect the composition of the United Nations, South Africa constantly calls for tax-based negotiations and early reform and will continue to stress this in upcoming discussion at the IGN on these matters.

The common African position has been widely supported by United Nations member states in the IGN. The recent elements paper prepared by the Co-Chairs of the IGN clearly state that there is a growing support for the legitimacy aspirations of African countries to play their rightful role on the global stage including through an increased presence in the Security Council as a priority to redress the historic injustice against Africa.

Africa will continue to advocate for the reform until such time as the historical injustice against it as perpetrated in the Security Council’s composition is ratified.

Therefore, South Africa also continue to raise the importance of reform of the Security Council in its bilateral engagements with other united Nations member states. I thank you, Chair.

Ms B SWARTS: Hon Deputy Minister, noting that the reform of the UNSC continues to meet resistance from some permanent members of the UNSC.

Will Africa consider dispatching a diplomatic envoy to engage other continental bodies as well as permanent members of the UNSC on the question of the UNSC reform? Thank you, House Chair.

The DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND

CO-OPERATION (Ms K C Mashego-Dlamini): House Chair, South Africa is not really in the position to dispatch any envoy, but our wish is that we need really to continue to raise the matter on the coming IGN meeting as we always sit in that particular meeting. So, that’s the only weapon we have, and also for our other member state that they need also to continue to raise the same issues. Thank you very much, Chair.

Mr W A FABER: Deputy Minister, there’s no doubt in anyone’s mind that the United Nations Security Council needs reform.

The world is starved on a political, more capable body that can act against human rights abuse and ... [Inaudible.] ... globally.

However, I’m concerned about South Africa’s image in this and how it could benefit the plight when one of the superpowers of the United Nations issues a terror threat in our own country and it seems cannot trust South Africa with the sensitive information enough to share it them.

What are you going to do to lobby support and to brush our all embarrassing mistakes under the carpet? Thank you. [Applause.]

The DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND

CO-OPERATION (Ms K C Mashego-Dlamini): House Chair, South Africa is deeply concerned by the slow pace of the reform especially since the global consensus that was taking place in 2005. Already called for the early reform of the security council up to date.

And I don’t understand if the hon member said we are brushing anything under the carpet. But our position is very clear, as it is quite aware that the African position was really to make sure that we increase the number of the Security Council

members and also put two members form Africa as permanent members and one as non-permanent member. And that is our position and this is what we are advocating all along and all the sectors and the meetings that we are sitting in as South Africa. Thank you very much, Chair.

Ms E N NTLANGWINI: House Chair, while the efforts to reform the United Nations Security Council are frustrated by the permanent members of the Council, particularly the United Nations, which uses the Security Council as a cover for the imperialist aspirations in the world.

What immediate short-term measures has South Africa taken to ensure that the country does not become a pawn in the imperial games of the United Nations as a global stage? With particular reference to the war in Ukraine and the continuing invasion of Palestine land by Israel.

What sort of global pressure has South Africa influenced to ensure that there is justice, not just wishes of the United Nations, in the resolutions of these conflicts? Thank you very much, Chair.

The DEPUTY MINISTER OF INTERNATI.ONAL RELATIONS AND

CO-OPERATION (Ms K C Mashego-Dlamini): Hon members, I think as part of our position and our participation in the non-aligned movement, so, together with the non-aligned we are really exacting pressure to the united Nations General Assembly on the issues of the Security Council.

But as a country alone, I don’t think we can really make a very strong impact in that regard, but together with other countries and the whole African Union member states we’ll make sure that we’ll make an impact in all the IGN meetings that will be taking place. Thank you.

Ms Z MAJOZI: Hon Deputy Minister, given that in 2015 South Africa assumed the Chair of Group of 77, have any steps been taken in the establishment of a G77 charter in the country? Please provide full details.

The DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND

CO-OPERATION (Ms K C Mashego-Dlamini): Chair, I don’t have the full details of the G77 now because the question was on the reform of the Security Council. Thank you.

Question 658:

The DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND

CO-OPERATION (Ms K C Mashego-Dlamini): Thank you very much, House Chairperson. South Africa abstained on the resolution entitled, “Territorial integrity of Ukraine defending the principles of the Charter of the United Nations.” On 12 October 2022, South Africa abstained. We provided reasons for this action in our explanation of votes. We were of the view that in the context of the conflict escalating at the time, the resolution should also have dealt with specific measures aimed at ensuring cessation of hostilities.

Our explanation of votes also clearly outline that South Africa does not support breaches of international law. This include emphasising respect for territorial integrity, including that of Ukraine.

Mr D BERGMAN: Thank you, Chairperson. We know now that through the Presidency that South Africa’s main intention of blocking Russia-owned luxury yachts heading towards Cape Town, regardless of the consequences and signals that are send to the international community and the further burden and pain that places in the stomach of our citizens. We are clear on whose lap the ANC sits on. But Minister, do you condone or condemn the ANC Youth League being a factor observer for

Russia in the referendum that has been condemned by most of the country in the ... [Interjections.] ... another sovereign country like Zimbabwe can go and hold the referendum in Limpopo and decide to just take ... [Interjections.] ... Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): I hope you were able to get the question. Hon Deputy Minister, you may proceed.

The DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND CO-

OPERATION (Ms K C Mashego-Dlamini): Thank you very much, Chairperson. Well, political parties in South Africa have done a lot and have been moving in and out of countries. The youth league of the ANC is also part of the political parties that are operating in South Africa. I think the hon member must remember that the DA members also visited Ukraine at some other point. I don’t think that there is anything that we can do as government to stop any political party to make an impact or to support whoever they want to support. But pour position is very clear because it is the one that we always table every day. So, I have got no guts really and the government has no guts as well to stop the ANC Youth League not to do what they are doing. Thank you very much.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. Hon Faber? Hon Faber, it’s your turn. [Interjections.] Okay. No, I’m sorry. They put your name as the first supplementary and then

... Thank you. Hon Nkosi of the ANC? Can we have the Whip of the cluster or someone to take the question.

Ms T MGWEBA: Thank you very much, House Chair. Hon deputy Minister, the South African ambassador to the United Nations, UN, remarked on the Russian Referendum on some parts of Ukraine and said: ‘We have abstained on the resolution because we believe that the objective of the assembly in keeping with its mandate must always be to contribute to a constructive outcome conducive to the creation of sustainable peace in Ukraine.” What engagement is South Africa undertaking with other countries of the world to intensify the call for peaceful resolution of the conflict in Ukraine. Thank you very much, House Chair.

The DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND

CO-OPERATION (Ms K C Mashego-Dlamini): Thank you very much, House Chairperson. South Africa has continued to express deep concern about the continuing conflict, the loss of life and the deteriorating humanitarian situation and has consequently urged the cessation of hostility. In South Africa’s view,

dialogue, mediation and diplomacy is the only part to end the current conflict.

Importantly, South Africa has continued to use its voice to urge the Security Council to play a meaningful role in rallying the international community towards a peaceful and durable solution to the Russian-Ukraine crisis. So, that is our position, House Chair. Thank you.

Mr A M SHAIK EMAM: Thank you, House Chairperson. Deputy Minister, allow me to congratulate government for your stance in not being intimidated by the West to support one country against the other and provoke war. But Deputy Minister, all four regions had a referendum with overwhelming support to join Russian, parts of which Russia has been controlling before. If your decision to abstain, which is what you resolve in the best interest of both countries so that they can get to the drawing table rather than support one and provoking the other to attack and continue with war. Thank you, Deputy Minister.

The DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND

CO-OPERATION (Ms K C Mashego-Dlamini): Thank you very much, House Chairperson. I think the hon members must understand

that there were almost four resolutions on matters. The first one was on Russia action following its invasion into Ukraine. The second one was the humanitarian situation. The third resolution was on suspending Russian from a Human Rights Council and the fourth resolution was mostly recently on condemning the annexation of Ukraine territory as well as the related referendum.

South Africa participated in all these meetings in the general assembly and we abstained in voting on all four of these resolutions because our stance is always that we really advocate for dialogue, mediation and diplomacy. Also, we make sure that the Security Council must do their work. The Secretary-General of the United Nations has started to do some work, so we support the work that is coming from the

Secretary-General of the United Nations. We therefore want them to be given space to do their work as an institution. Thank you very much.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. The hon Msane? Hon Ntlangwini will take charge.

Ms E N NTLANGWINI: Thank you very much, House Chair. We won’t be taking it because we were told late about this question

just now as we were entering. So, we won’t be taking it. Thank you. Next time they must tell us on time.

Question 618:

The MINISTER OF POLICE: Hon Chairperson, yes, the following plans have been put in place to boost and improve the quality of investigation of cases. The SA Police Service has formed partnerships with the relevant stakeholders and continuously engages with key departments, namely Department of Justice and Correctional Services, Department of Health, Department of Social Development. The above mentioned stakeholders enable a more comprehensive approach to dealing with rape cases.

Furthermore, investigating officers and their team leaders are provided with training and development in in accordance with identified skill gaps. The SA Police Service, SAPS has established a partnership with the National Prosecuting Authority in terms of which, cases with gender-based violence cases including rape, have outstanding forensic reports are prioritised by the SAPS forensic laboratories for analysis and provisioning of the required report.

On this score, working together of the police laboratories and the National Prosecuting Authority, NPA, a total of 16 078

cases from the beginning of July 2021 to date, have been fast tracked and taken to court. Thank you very much Chairperson.

Rev K R J MESHOE: We know that about five women are raped every hour in South Africa, and rather than them getting justice for being violated, they are being failed by our weak justice system, which reportedly leaves a nine out of 10 rapists free to rape again.

The most important aspect of all rape investigations is the gathering, testing and matching of DNA samples. Yet since June 2021, the backlog of DNA samples waiting to be tested at our forensic laboratories has grown to about 81 291. When rape cases reach court without DNA evidence, then the chances of convictions become very low.

What I want to know from the hon Minister, in spite of what he said about partnership with other stakeholders and also prioritising police cases, can the Minister say to the public, there is hope that unacceptable situation will ever change under the present government, that has failed the people of this country, particularly women and children for the past 28 years?

I understand that strategies are being spoken about all the time. Partnerships with community members are being spoken about all the time, but that has not produced desired results. What makes the Minister convinced now, that these partnerships that have been taking place all these years are going to bring desired results this time, and women and children will then be free to walk in the streets without fear of being attacked and raped. Thank you Chairperson.

The MINISTER OF POLICE: Chairperson, maybe the hon member mfundisi (reverend) has not been very much blessed with the update of the matters of the forensic laboratories. The figures that he speaks about which were a backlog was 541 000. That was first or last quarter of the previous financial year. That will be January to March. That ring-fenced backlog has been reduced up to date to 71 000 from 241 000. We expect that backlog to be finalised by December so that we go back in working on the ordinary normal way of responding to this DNA and other tests.

On the question of the of the court ready cases, I have given the figure that we developed a relationship with the NPA, to say those with the fast-tracked. The number 16 078 falls in that category. Chairperson, we have corrected to the situation

that has put us on this backlog. There were 16 unsigned or unrenewed contracts from the SA Police Service that has been corrected.

There’s been a reduction of staff in the in the laboratories

76 human beings, that has been corrected. There is a building up of the laboratory of Eastern Cape which is at Gqeberha, which will take off all the weight from the Western Cape done there, which is finishing come February. All this capacity we are building including the overtime, will be kept there so that we don’t go back to the situation where we had this ... [Interjections.] We are working, and indeed that will be resolved permanently. Thank you Chair.

Ms T MGWEBA: Thank you very much House Chair and thank you hon Minister. The training and the skilling of the investigating officers the step in the right direction, and it will sharpen the investigating capacity. Does this training include partnerships with other institutions that can offer the required training? Thank you House Chair.

The MINISTER OF POLICE: Yes, indeed. Chairperson, the President of the Republic of South Africa His Excellency President Ramaphosa has appointed a renown South African Dr

Judy Dlamini, to work with the private laboratories in the Republic of South Africa, to create that create that partnership in both provision of skills on personnel but also working on the new ways and methods that they can they can use to deal with this matter.

Chairperson at Hammanskraal as we speak, we have started the work where we are working with the Federal Bureau of Investigation, FBI, Scotland Yard, and other institutions from China, where we are building a specialised college where the investigation of this sort will be taught in the Republic of South Africa. The Minister of Higher Education, Science and Innovation the Minister of Police have met on this one to make sure that this college is built.

We are training more than more than 900 000 who have been trained by the way to be at the station. But, with the new recruits that are in college, there are 375 of them that are recruited specially to be in this environment. Indeed, there is lot of improvement that we are putting in the environment, so that life can be better. And this can be prevented that our women are abused. Thank you very much Chair.

Mr H A SHEMBENI: Hon Minister, we had asked you but sadly we won’t get to that question today, whether or not you have failed the family of Namhla Mdleleni who was murdered in Mthatha early this year. Why has this investigation into this matter stalled? What message is the failure of SAPS to arrest those who murdered Namhla, sending to the public’s confidence in the ability of the SAPS to investigate gender-based violence, GBV cases? Thank you Chair.

The MINISTER OF POLICE: Well Chairperson, absolutely the investigation continues. Investigation is more complicated than it has been thought. We brought the senior investigator from Limpopo at the level of brigadier, one of the top investigators in the Republic of South African Police Service to be part of this investigation. She encountered problems like threats. We had to guard her, we had to protect her. She has been changed but we have brought other investigators.

The matter we insist, is on the cards of the investigation and the matter we insist, will see the light in the court of law and we will know what really happened. It is not true that this has been stalled. It is not true that this has been closed. This investigation continues Chair. Thank you.

Mr B N HERRON: Thank you Chair and thank you Minister. Minister, last week, I met a young 15-year-old girl in Mitchells Plain, who was kidnapped off the streets, held for

12 hours raped several times on Strandfontein Beach and had her throat slit. She is alive only because an off duty police officer found her. But she was discharged from hospital a year ago without any psychosocial help. She has not been helped to reintegrate into school and last week her family got to a call to say she is HIV-positive.

Minister, it is great to hear about the comprehensive partnerships, but somehow the system is failing victims of rape. Who should be case-managing these cases of these young women who are raped and left abandoned by the system, to fend for themselves without any socio and psycho support. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Matuba, please check your microphone.

The MINISTER OF POLICE: Chairperson, indeed it should be in the integrated approach of the government. The police themselves do have these facilities of psychological assistance but that is not their core function nor what they

do. When it comes to the pressure like those, we approach our sister department which is Department of Social Development. But on other times, we approach our sister department which is Department of Health to make sure that such assistance and such services are provided.

On this one, it does look like it should be the integrated of those departments including the police. What one can just do is to request the honourable member to find further information on this one, so that it can be traced if no other sister department has provided that. If not so, and those departments especially at the Department of Social Development and the unit of social workers within the SA Police Service, can work together in dealing with this matter. Thank you very much Chair.

Question 625:

The MINISTER OF HOME AFFAIRS: Hon Chair, the department concedes that we do have problems in project management. We appointed an external entity in 2021 to establish an enterprise project management office, which will help us for a period of 36 months. The scope includes project governance, project tools and the training of all officials that manage

projects, to have defined departmental standards for managing projects.

Our partnership with the SA Revenue Service, Sars, is also providing us with project management resources to assist with the modernisation project. In this regard, Sars has seconded somebody who is working full time in the department, who is also helping with project management but also training our people in information technology, IT, so that the modernisation project can move much faster. Thank you very much.

Ms M MODISE: House Chair, lets appreciate the Minister and the department for having maintained its healthy financial position in obtaining an unqualified audit in this financial year, as pronounced by the Auditor-General, AG. The AG also outlined some weaknesses, and the department recruited

10 000 cohorts of young graduates which include IT specialists. What is the progress thus far and how are the new recruits contributing to the modernisation of Home Affairs in response to key areas which include the backlogs and long queues? Thank you.

The MINISTER OF HOME AFFAIRS: Hon Chair and hon member, yes, indeed, as you are aware the President announced in the state of the nation address that we would appoint 10 000 unemployed graduates in the fields of IT, documents and record management. Yesterday, the Minister of Finance announced the first R500 million to kick-start the project. On 14 August, we issued the first tender for the first 2 000 cohorts. We are going to take the main three tranches — 2 000 that must start next week in November; then comes 4 000 that will start in February next year; and the last cohort of 4 000 will start at the end of March or early April next year.

We issued that advert. We got 85 000 applications for these

2 000 posts and we had to screen them. We screened them and reduced the number to 5 000. Then we screened further and only

2 300 are going through interview processes that will end next Monday. From those interview processes, we start training and they will start the work. That’s where we are. At the same time, when we appoint this 2 000 we will issue the tender for the next cohort of 4 000 which, as I said, will start in February. By April we will have 10 000 unemployed graduates for the next three years. Thank you.

Mr A C ROOS: Thank you, House Chair. Minister, as part of a promise to modernise Home Affairs systems to end the war on queues, Home Affairs reported that it would modernise network connectivity within two years. Treasury also provided

R200 million to assist with the necessary equipment, yet two years later South Africans still suffer the indignity of standing in long queues, sometimes having to take another day off to go back, having waited all day the previous day.

Systems that are offline, outdated emergency power supplies and communications equipment that fails again and again, and all the while the Minister enjoys nonstop electricity at those taxpayer’s expense. Minister, it is time to put South Africans out of their misery. What is the holdup and when will this never-ending modernisation project be completed?

The MINISTER OF HOME AFFAIRS: Hon Chair and hon member, when I read the budget speech in May this year, 90% of what I said was on this issue, which I said is our original sin. We are not running away from it. It actually frustrates us a lot and we are doing everything ... and that’s why I spent 90% of my Budget Vote talking about the issues that will be done by both Home Affairs and the *State Information Technology Agency, Si*ta. It’s not a modernisation of Home Affairs. Sita also plays a very big role in this issue. At that event, I

mentioned that the Department of Home Affairs is putting up routers and switches. We have already installed 136 routers and 150 switches in key sites. We are now going to procure a further 112 routers and 68 switches.

On the side of Sita, they started a programme to revamp their networks because without Sita networks being revived we will never be able to solve this problem. They are spending

R400 million and they promised us that they will finish that at the end of the third quarter of this financial year. We are eagerly waiting for that. Sita also implemented what they call a software-defined network and are also improving their internet capacity. In this regard, Sita has already installed internet capacity in what they call failovers, in Tshwane, Cape Town and eThekwini to ensure that there is redundancy.

That means the backup connection when the main line fails. Thank you.

Ms C N MKHONTO: Minister, we understand the issue of human resource training and the network system, but we want to ask what you are referring to. Will it be able to assist with the disastrous IT system in your department — the disaster leading to the inability to process applications on time and the unhealthy long queues in almost all Home Affairs offices in

the country? What concrete steps have you taken to resolve this IT crisis and the crisis of long queues at Home Affairs offices? Thank you, Chair.

The MINISTER OF HOME AFFAIRS: I propose that this question is no different from what hon Roos had asked and I’ve already answered it. However, I will repeat. I don’t mind. I’ve already mentioned that the issue of long queues is due to downtime because of the IT systems, specifically in Sita but also in Home Affairs. That is why we are talking about these new switches and routers. That is also why we are talking about Sita reforming its networks. However, the Department of Communications and new Technologies ... You will remember that during the budget speech their Minister announced what they call SA Connect, where they will connect schools, clinics, police stations and Home Affairs. We have asked them specifically to start with Home Affairs offices.

The issue of IT in Home Affairs depends on broadband and depends on broader connectivity. That’s why most of the modernised offices are found in our cities. That’s where you will get your passport and ID smart card. In the rural areas it’s still a problem because of this connectivity, which doesn’t only depend on Home Affairs.

We are also eagerly waiting for the department to do this SA Connect**,** and our work will be easier. In the meantime, we thought we won’t fold our arms. We are increasing our mobile units because all of them are equipped, regardless of where you park them. We only had 100. We now have 130, and we are buying another 70 as we want to double them and keep on increasing them every year because they work better than ... They become modernised offices, even moving to rural areas.

The HOUSE CHAIRPERSON (Ms M G Boroto): As you sit, can you please silence your phone? Thank you.

Ms M D HLENGWA: Hon Minister, considering that there have been repeated delays in the completion of the department’s modernisation programme, including key projects like the e- visa system, the Biometric Movement Control System, as well as the Automated Biometric Identification System, Abis, what is the department doing in the interim while waiting for this system to become operational?

The MINISTER OF HOME AFFAIRS: Chairperson, technology systems are not static. They move all the time. They improve all the time. The issue of e-visas was delayed by COVID. It’s not us, because in order to have implemented it we needed people to go

to other countries. As you know, we had chosen China, India and Nigeria for that pilot, and because people could not move and borders were closed, we couldn’t go on.

Yes, when it comes to the Abis, it has been delayed. People in the portfolio committee know what caused the delay with a company called EOH and all that, and the steps that we have taken. However, as I’m sitting here, we have done a lot of work. We have all South Africans’ fingerprints and photos on the Home Affairs National Identification System, Hanis**.** We have two of your biometrics, which is a fingerprint and a photo. We said we are moving to improve by going through to Abis, which, apart from a fingerprint and a photo, will add iris recognition — of your eye — and will also add facial recognition — a system that can recognise your face ... that this is me and not you — and a thumbprint.

Now, we have already migrated 99,9% of South Africans to Abis. So, it’s not that there is no work being done, with the delays. In that process, 99,9% of you have already been migrated to Abis. In the whole population, the people who are left are 130 000. These are the people whose fingerprints are not easily recognisable. Some of them are manual workers who destroy their fingerprints. Others are amputees, etc. So, we

are asking technical experts to help us in terms of what to do with those. Otherwise, I would have been announcing today that we have migrated 100% of South Africans. However, 130 000 are not yet migrated. Thank you.

Question 650:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon House

Chair, there are no projects that have been implemented as yet, although the department consulted the Alexandra, Mpompene, Maboloka, Ntanzane communities. Conceptualised projects and implementation will take place when the draft regulations on the community rehabilitation have been approved. Section 42 of the Promotion of National Unity and Reconciliation Act of 1995 provides that they shall be paid from the fund, all amounts payable to victims by way of reparations, in terms of regulations made by the President.

The community rehabilitation regulations are not yet in place and therefore, there is no money paid towards the implementation of the conceptualised projects. Thank you.

Mr B N HERRON: Hon House Chair, hon Minister, amongst the difficult issues that those who are sitting down to negotiate South Africa’s transition from apartheid were confronted with

was what to do with the perpetrators of state-sponsored violence. The apartheid government wanted a blanket amnesty and the liberation movements insistent that there should be some accountability. And ultimately, a compromise was reach in the interim Constitution, which said that Parliament would adopt a law determining the mechanisms, criteria and procedures, including tribunals at the NE, through which amnesty should be dealt with.

Two years later, the TRC Commission was born and the then Minister of Justice, Dullah Omar said:

I could have gone to Parliament and produce an amnesty law, but this would have been to ignore the victims of violence entirely. We recognised that we could not forgive perpetrators unless we attempt also to restore the honour and dignity of the victims and give effect to reparation.

Amongst the TRC’s recommendations to government was to establish a fund to which individuals, corporates and other countries could donate towards the healing of the victims and the nation and narrowing inequality.

When the President’s fund was established, a number of states and individuals donated to it, but as with most of the TRC’s recommendations, including prosecuting offenders who did not get amnesty, government’s follow-through has been lacklustre. Some of the money was used to pay some of the recommended reparations, to identify victims only, while a bit has been spent on educating victim’s children or exhuming remains.

There is about R2 billion still in the bank. So, my question is: Has government formally deprioritised the process of reconciliation and nation-building or does the money in the bank simply reveal inefficiencies in the administration of the fund? Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon

Chairperson, no, it remains a priority, hence, the NPA units, including the Hawks are proceeding to investigate and prosecute those that were not given amnesty. There are examples, including of inquests that they are undergoing, as we speak.

Secondly, the reparations on individuals has been done. As you are aware of the list of individuals, R30 000 will be given to victims and survivors identified by the TRC, including giving bursaries to the kids of the survivors, which they are using

to go to school, either to university or high school, including medical benefits and any form of social assistance.

What we are currently engaged with are the regulations with relation to the housing scheme, which we will soon publish and which will also go a long way to help the human settlement challenges of the victims and also finalising the processes for community rehabilitation. Thank you.

Ms W S NEWHOUDT-DRUCHEN: Hon House Chair, hon Minister, what are the collaborative efforts, if any, that the Department of Justice have with the Department of Sport, Arts and Culture regarding exhumations and the reburials of the remains of the victims of apartheid and are the families of such victims involved, are they kept abreast of such issues? Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon House

Chair, indeed, at the beginning of the drafting of the policies, there were collaborations, but now the department is responsible for the implementation of the policy with regard to exhumations, including to engage with the families for the reburials. And indeed, the families are involved in the whole process and almost all the families have appreciated the work

that is being done by the tracking team in the NPA, including the exhumation team that is within the Department of Justice.

It is a work that has brought communities together, has brought families together and it is work that has brought back the dignity to be restored to the families of the victims. It is work that we continue to do and when the reburial happens, the families and the political parties come that were involved, such as the Pan Africanist Congress of Azania, and various organisations that were also affected by this matter.

So, it is indeed a very touching process that builds and help us to build a cohesive effort and to restore the dignity to the victims. Thank you.

Adv G BREYTENBACH: Hon House Chair, hon Minister, ... [Inaudible.] ... viewed and continue to view the department’s plan of funding community infrastructure projects in a community as plundering the money and funds. It is and was viewed as inappropriately preying the fund originally meant to be paid out as reparations to individuals and communities who were most egregiously affected by apartheid practices, to build infrastructure that was in any event the responsibility of the government. How much money from the fund has been

expended on such projects and what percentage of these has in fact benefited the recipient communities?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon Chair,

as I have said earlier, we are still in the process of developing the regulations that will help with the community reparations processes. There have been consultations with the affected communities such as Alexandra, Soweto and many communities throughout the country that were directly affected by the police under the apartheid regime, the immoral violence that affected our country.

As soon as the regulations are done, we will proceed with the identified and recommended projects that communities will participate in, and that will contribute towards the rehabilitation of such communities. Thank you.

Ms E N NTLANGWINI: Hon Chair, according to the revelation at the State Capture Commission in January last year, the government has paid an apartheid assassin, Eugene De Kock, about R40 000 a month, after his parole. Have you been able to find out what necessitates this payment arrangement to an apartheid assassin? How can government can pay that much money to a person who have killed our fellow black people, while it

is difficult to make money available to take care of victims of apartheid such as the Mpendule family that had its children killed by these apartheid assassins like the De Kocks and other assassins in Umtata? Thank you very much.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon Chair,

indeed, the heinous crimes that were committed by the offender were recorded in the systems, including our courts processes and at the time of his parole, we have been able to establish that within the Department of Correctional Services, we did not pay him any amount. It does look like there was an arrangement that he would be paid from another institution of state security and we followed all processes to release him from our processes and our systems, so that no institution of the state must continue to pay him for any responsibility or for anything. Thank you.

Prof C T MSIMANG: Hon House Chair, hon Minister, people with learning disabilities are not usually given the opportunity of participating in their own legal actions or participating in legal processes. Have steps been taken to include persons with learning disabilities where possible by including social workers or other trained professionals, to assist persons with learning disabilities, ....

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Msimang, pardon me. You are supposed to be on the next question. I am sorry for that.

Mr N S MATIASE: Hon Chair, the hon Minister has not offered any answer to the question in relation to Eugene de Kock. We suggest that he offers a better answer to the question.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, you said, hon Chair, and proceeded to speak. Who gave you the permission to proceed? Hon member, please, don’t do that. Can I ask hon Yako to ask the question, if there is somebody who is representing? [Interjections.]

Mr N S MATIASE: Hon Chair, the hon Minister must just offer a sound and proper answer to the question asked by hon Ntlangwini. What holds the ANC government to a murderer and assassin such as Eugene de Kock? Can he please offer a proper answer?

The HOUSE CHAIRPERSON (Ms M G Boroto): Unfortunately, from where I am sitting, I cannot instruct the anybody to answer in a different way. And we are past that question and if you still need more answer for that, you know what to do.

Question 629:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you

House Chairperson, our Constitution affords persons with disabilities the same rights as everyone else in our society. Therefore, persons with disabilities must enjoy equal opportunities in all spheres of life. With particular emphasis on access to courts and the protection and the benefit of the law.

It is therefore the commitment of the Department of Justice and Constitutional Development to progressively establish a court system that is disability centric and human rights based.

In 2020, the department introduced a national strategy for reasonable accommodations and measures to access to justice for persons with disabilities to the lower courts. This strategy provides a catalogue of standardised support services to remove barriers to physical, language, visual, auditory and cognitive accessibility to the courts users with disabilities.

Courts that are aligned to the minimum standards of this strategy provides amongst others rams, private waiting room for survivors, with the guide dock tuition and the water ball,

braille and large font information booklets. Private testifying service, intermediary service and the sign language interpretation services upon demand.

From 2021-2022 financial year up to now a total of 114 lower courts have been upgraded in line with the minimum standards and strategy. The department has also amended its blue print for the construction of the new court buildings to incorporate reasonable accommodation for equal access to all. The same applies to the superior courts that are progressively upgraded to comply with the same.

On the 5th of August 2022, the Criminal and Related Matters Amendment Act of 2021 came into operation to recognise inter alia:

The use of demonstrations, gestures on any other form of verbal expression, including the use of devises to communicate as ... [Inaudible.] ... or oral evidence. This is yet another step towards reasonable modification of the court proceedings to ensure equal access to justice for witnesses with certain disabilities.

Furthermore, I’ve been informed that the department also developed a handy hints guide for court administration officials, to sensitise them of the types of disabilities and the related reasonable accommodations, that must be offered to create an accessible court environment for all.

The department is now in a process of developing a tool to manage disability related complains and investigations, so as to ensure consequence management and zero tolerance to the violation of human rights of the courts users with disabilities. Thank you House Chairperson.

Ms W S NEWHOUDT-DRUCHEN: Thank you very much House Chairperson, hon Minister ... [Interjection.]

The HOUSE CHAIRPERSON (Ms G B Boroto): Cameras please that side, thank you, please proceed.

Ms W S NEWHOUDT-DRUCHEN: ... hon Minister, House Chair our case law states that the state must take reasonable and necessary measures within its available resources to ensure that vulnerable groups can access services on an equal basis with others.

What measures are put in place to ensure that those who are responsible for the administration of justice are trained and sensitised in working with persons living with disabilities? And has the impact assessment on the implementation being conducted on the national strategy that the Minister has outlined? Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you,

House Chairperson, indeed there has been implementation. Since 2016, the department has been conducting disability reasonable accommodations sensitization workshops for court administration officials.

As I said earlier on, a handy hints guide is being used. I’m also being reliable informed the hon Newhoudt-Druchen also attended some of the workshops to help our officials with the necessary inputs into the workshop that they were conducting.

And during this financial year 160 administration court officials have already received training to implement reasonable accommodation at 70 courts, a month, for upgrading into a disability centric courts.

And in the last financial year, the department introduced a new indicator in the department’s annual performance plan which calls for the sensitisation of workshops that enable the officials to understand and to be sensitised how to deal with this matter as and when they have to help people with disabilities.

So there’s a lot of work country wide and we are hopeful that soon all courts will be user-friendly in this regard. Thank you House Chair.

Adv G BREYTENBACH: Thank you House Chairperson, hon Minister in a recent reply about this particular question; access to courts and access to justice. You mentioned that 394 out of

460 magistrate courts have met that requirement of access, 14 out of 14 high courts, one out of one Supreme Court of Appeal and one out of one Constitutional Court, and now we both know that this is not correct.

High courts in South Africa often depend on elevators for access. I know from my own personal experience of a visiting this people ... [Inaudible.] ... hasn’t worked for you. And a lot of chop is under water, so it thrives no access.

So, that answer is incorrect, but the issue is this, if people are depended on elevators for access justice. What percentage of people are now being sent home now as a results of loadshedding? And they are sent home unassisted having left home early in the morning. Serious court, there’s no access and they cannot give in. And what is the backup plan of your department to assist this people. Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you

House Chairperson, as you have heard the hon member is looking for statistics, I don’t have them with me now. But, I can follow up to check and then provide a written response.

But, I can do state that there’s implementation of the strategy to respond to this challenge and as and when it is picked up, we engage with the relevant department.

Particularly, with the issue of elevators, that are a challenge country wide. They also become a problem during loadshedding. So, we do have challenges with regards to these issues of elevators, but I may not have the number of statistics as we are here now, to know which case was affected and with the indulgence of the House and the hon member I will submit a written response to that effect. Thank you.

Ms N K F HLONYANA: Thank you very much House Chair, Minister the reality is that most of our courts are not friendly towards people living with disability, not just from physical point of view but from an emotional point of view too. And this is more pronounced in rural courts like Eastern Cape, KwaZulu-Natal and Limpopo Province. What have you done to improve the physical condition of the court to make accessible to the people living with disabilities? And secondly, what sort of training have you given to court officials to be able to handle people living with disabilities? Please Minister may you be specific. Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICESP: Thank you

House Chair, I think this is what I have started with, to give the specifics of the number of officials that were trained. I said about 14 training workshops were held for 187 courts administration officials, base at the 79 courts that were upgraded in line with the minimum standards for the strategy in the previous financial year.

There are workshops that the officials are attending and as I said earlier on, I am glad that hon Newhoudt-Druchen has attended some of them, where she made an input to help also

from a perspective of legislature. So there’s work that is being done.

And also in terms of the upgrading, the physical infrastructure to reinforce only to this. There’s also work that is being done, as I said earlier on. But we are not in denial, that we still have challenges across the country, in the courts, particularly in the rural areas that she has mentioned, we still do have the challenge which we continue to engage with the Department of Public Works and Infrastructure to help us to make the courts to be friendly in line with the strategy, so that everyone can be able to access the courts.

Thank you House Chairperson.

Prof C T MSIMANG: Thank you House Chair, people with learning disabilities are not totally given the opportunity of participating in their own legal actions or participating in legal processes. Have steps been taken to include persons with learning disabilities where possible, by including social workers or other trained professionals to assist persons with learning disabilities to report offences or act as witnesses at a trail? If not, why not, if so please provide details. I thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICESP: Thank you

House Chairperson, indeed as I said earlier on, steps have been taken to enable people with disabilities to participate in the court processes. And as a results there’s has been training also of the officials to enable people with disabilities to participate through whatever form of language or means that, they will want to participate in the court process. Including to use experts where necessary as said by hon Msimang like social workers, physiotherapist, the ones that maybe relevant to help them to access the court processes.

So, all steps and endeavours are taken to ensure that they are able to participate to access justice in our country. And this work is continuing as I said that it would continue to be rolled out throughout the courts across the country, so that people affected or with disabilities are able to access a court in any part of the country. Thank you House Chairperson.

Question 668:

The MINISTER OF POLICE: Thank you very much, Chairperson. Yes, an integrated work started the investigation and recommended the establishment of the specialised capacity to address illegal mining. It was completed in April 2022 between the SA

Police Service and the Department of Mineral Resources and Energy. The investigation is at an advanced stage and currently it is being consulted internally and externally and will be tabled at the Safety and Security Sectoral Bargaining Council, SSSBC, for consultation prior to its approval.

Concurrent to the above mentioned investigation, a request for the establishment of the specialised multidisciplinary, the Economic Sabotage of Critical Infrastructure, ESCI, was received. The purpose of the work study investigation is to determine the organisational placement, functional responsibilities as well as the required human and physical resources for such a capacity. Awaiting the finalisation of the SSI Consultants, the multidisciplinary economic infrastructure task team have been establishes consisting of the following disciplines: intelligent operatives and operational information analysts, experienced and trained operative within the visible policing and operations environment, experienced investigators from general and organised crime investigation as well as the Directorate For Priority Crime Investigation, DPCI, famously known as the Hawks, experts from biology, ballistic, chemistry scientific units and the criminal record centre. Any other capability

required to successfully address economic infrastructure related crimes and extortion.

The essential infrastructure task team, EITT, will focus on the following areas to address the scourge of economic infrastructure: firstly, nonferrous metal theft; secondly, essential infrastructure crimes; thirdly, critical infrastructure crimes, fourthly, extortion and construction and or economic sites; and fifthly, to provide stability and restore the rule of law in the mining sector through combating of illegal mining and illicit. These task teams were combined with the existing illegal mining task teams. Additional capacity where not available was established in identified districts across all provinces. These task teams will be piloted for a period not exceeding one and a half years - 18 months.

The number of specialised units to be established in this environment is dependent on the outcomes of the study and will also indicate whether the two entities will continue in the current merge position. the completion of the study is expected to be finalised by the end of this financial year where after it will be consulted internally and externally and

tabled at the SSSBC for consultation and further approval. Thank you very much, Chairperson.

Maj-Gen O S TERBLANCHE: Thank you, hon Chairperson and Minister and all your futuristic good intentions. Minister, these activities are happening in broad day light and are done by heavily armed gangs of criminals. Minister, why is there an apparent reluctance from you and the SA Police Service to act against these dangerous criminals? Thank you.

The MINISTER OF POLICE: Chairperson, well, I hear the hon member terming my answer as futuristic. The question itself was futuristic. The question asked what will you ... But if he asked it as the present moment I hope and believe that the hon member as a former police would be able to follow matters. If you look very well, thousands and thousands of illegal miners have been arrested in the Republic of South Africa. Two weeks ago we began to move to levels 2 and 3 where the six top guys in Carletonville were arrested with high performing cars in beautiful posh houses. Those people are in.

Again, last week we arrested a top and high flyer, a person who robs the oil pipes. He was found with the tanks and his workers in the house. Forty-two people who are involved in

these cases have been arrested and sentenced. They were sentenced between one year and 26 years. If the member follows this, he would understand. Indeed, there is a lot of work that is being done at the present moment. The answer was futuristic as his question was futuristic. But a lot is happening as we speak.

Ms M A MOLEKWA: Thank you very much, hon House Chair. Hon Minister, in establishing the specialised capacity to deal with illegal mining, were the mining industries also had a role to play in this regard?

The MINISTER OF POLICE: Chairperson, yes, indeed. As we have said that we are working with the Department of Minerals and Energy in this one. The private mining industry is involved. The first focussed team on the mining problem was established in July 2019. They have to take care of the Welkom underground mines where the zamazamas were diverting water and electricity that was meant for communities underground. When we exhausted the resources of the accumulation of the team that we put there, the industry came on board. We are working together in this industry with many others including the private security companies in this industry. So, many operations we do them together. Indeed, there is a good co-operation. Much could

still be done by the private industry especially when it comes to the locking and shutting down of all these old mines which we are talking and discussing about. We are working together. Thank you, Chair.

Mr H A SHEMBENI: Thank you, Chair. Hon Minister, there were reports that the prevalence of illegal mining in this country is fuelled by high ranking politicians in Lesotho who use proceeds from illegal mining to fund their political campaigns. Has the SA Police Service, SAPS, been able to verify the veracity of these claims? If so, what co-operation arrangements have you made with the Southern African Development Community, SADC, countries to ensure that all those involved are brought to book? Have you been able to fully assess the entire value chain and the players involved in this illegal mining activities? Thank you, Chair.

The MINISTER OF POLICE: Thank you, Chair and also thanks to the hon member. Indeed, these are SADC criminal activities. As you would notice that most of the time the people that are arrested are foreign nationals who are mostly coming illegally from the SADC countries. Sometimes quite a big number of them are under age. You just wonder how they did find their way from Mozambique to Klerksdorp. So far it does tell you that

there is an organised kind of movement and organised crime including illicit movement of people.

Specific answer, yes, we have linked that there is a problem between the zamazamas from Lesotho and the high ranking people in that particular country. We have made the link to try to negotiate with those members. In the negotiations they include even bringing back the people who were involved in the Orlando shooting where many South Africans were killed. We have established that those people are in Lesotho and we are working through correct channels to make sure that those people are brought back. Thank you very much, Chairperson.

Ms Z MAJOZI: Thank you, House Chair. Hon Minister, considering the ever changing and increasingly sophisticated nature of illegal mining and other crimes in South Africa, I would like to know how often the syllabus and training programmes at the police academies updated to address the complexities of such crimes committed in South Africa?

The MINISTER OF POLICE: Thanks, Chair. Those will be definitely fused in as the time goes on - the syllabus and curriculum of training of police in the Republic of South Africa. But for now we are creating the special forces on this

one and they are on training hence the successes as we speak. You saw two weeks ago in Klerksdorp where 24 firearms including 15 AKs, armaments that people are used, telephones, Wi-fi and 2000 of bullets. All these were found. They were arrested in the past weekend. That comes from the specialised units. Although we are still strengthening them, but there is a lot of success that is going on.

Indeed, we are dealing with the present, the medium future and the long future in dealing with these matters. This includes dealing with the department. The final solution in this is to shut down these shafts when they are left by both the department, but mostly by the private companies that are digging the minerals there. There is less call to them to say shut down and rehabilitate so that the land can still be usable to the communities around. That will put the end on this one. Police will forever be a temporal solution. We are ready and we are working on it. Thanks.

Question 640:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House

Chairperson, since its establishment, the Investigative Directorate, working together with various partners, has done the following: declared 89 investigations into high-level and

complex corruption; successfully investigated and enrolled 26 matters in court of which seven are considered seminal matters insofar as the extent of the impact these cases has had on the South African economy and the perversion of governance; brought a total of 165 persons before the courts; attended to

122 — sixty per cent — of the 202 recommendations of the State Capture Commission of Enquiry — work in this regard continues; and contributed to the Asset Forfeiture Unit obtaining preservation orders in excess of R12 billion.

The overall capacity of the Investigative Directorate encompasses a staff capacity of 112 individuals consisting of investigators, prosecutors, analysts and support personnel.

This capacity is in the process of further being significantly strengthened through the recruitment of specialist skills.

This is due to the additional resources with which the Investigative Directorate was provided in its budget for the 2022-23 financial year, as you would have heard yesterday from the Minister of Finance.

The magnitude of the task faced by the Investigative Directorate, however, requires continued investments to be made in the strengthening of its skills, technology and

capabilities, because crime and corruption are evolving. The Investigative Directorate must also evolve with the times.

The establishment of the Investigative Directorate as a permanent entity within the NPA and the provision of investigators with the requisite investigative powers as announced by President Ramaphosa will also go a long way towards expediting investigations, while ensuring greater organisational stability through the creation of security of tenure of Investigative Directorate staff. I thank you.

Ms N K F HLONYANA: House Chair, please note that I will be taking the supplementary question on behalf of hon Yako.

Minister, what impact has the change of leadership from Adv Cronje to Adv Johnson had on the ability of the Investigative Directorate to conduct thorough investigations?

Were the issues which led to the departure of Adv Cronje resolved in as far as there may be conflict between the Investigative Directorate and the leadership of the NPA?

And, lastly, following the announcement by Mr Ramaphosa that the Investigative Directorate will now be made a permanent

unit within the NPA, are there plans to go after high-profile corruption cases such as Steinhoff. Thank you.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon members, please, let us try to confine ourselves to the Rules. No more than those questions asked. [Interjections.] No more than one question, at least. Hon Minister?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House

Chair, it is the President of the Republic of South Africa who established the Investigative Directorate through a proclamation. It is the President who announced that the department will be taking steps and measures to amend the National Prosecuting Authority Act, Act 32 of 1998, to enable them to now have their investigative capabilities. This is a demonstration of political will by the sixth administration to enable the Investigative Directorate to function.

I can state that the outgoing head of the Investigative Directorate, Adv Cronje, did a sterling job. She laid a very good foundation for the Investigative Directorate. There were challenges. Like with any other instance, if you start an institution it means there is no one in that institution. She had to recruit, she had to deal with human resource issues,

she had to engage with the Department of Public Service and Administration, she had to engage with National Treasury, she had to engage with the department. She had to look for a building, she had to ... There was a lot of back and forth between the Investigative Directorate, the NPA, the department and others.

So, that was work. And when you do work, there are sometimes bound to be differences. There is no working environment in which all the people in it behave like a flock of sheep. Maybe that is only in the EFF! In any other institution, people in the work environment have disagreements, agree, move together. In this regard, she laid a very good foundation to enable the Investigative Directorate to work as a cohesive platform.

As we speak now, the current head of the Investigative Directorate is reaping the rewards of that foundation that was laid by the outgoing leader, Adv Cronje. She did sterling work.

The current leader of the Investigative Directorate ... [Time expired.]

Ms A RAMOLOBENG: Minister, given the examples in case law in which one parent deliberately refuses another parent visitation rights or rights to access their children, what steps has the Minister or his department taken to educate the public regarding (a) a minor child’s right to maintenance, and

(b) reasonable visitation rights or access ... [Interjections.] [Inaudible.] Thank you.

Ms E N NTLANGWINI: House Chair, I rise on a point of order.

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

Ms E N NTLANGWINI: That is a totally new question. You will know this, hon ... [Inaudible.] ... and the Rules pertaining to that. It is a totally new question. Let’s be fair. Stop being biased.

Ms C M PHIRI: It’s not your space; it’s the Minister ... [Interjections.]

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Ntlangwini ...

Ms E N NTLANGWINI: Stop being biased!

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Ntlangwini ...

Ms E N NTLANGWINI: It’s a new question!

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Ntlangwini ...

Ms E N NTLANGWINI: It’s irrelevant.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Thank you very much, hon Ntlangwini. It is left to the discretion of the Minister to reply or not. Hon Minister?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you,

House Chair ...

Ms E N NTLANGWINI: I rise on a point of order, Chair.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Ntlangwini?

Ms E N NTLANGWINI: The Rules are clear. This is a new question.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): It’s fine ...

Ms C M PHIRI: Stop speaking on behalf of the Minister! The Minister will speak for himself.

Ms E N NTLANGWINI: I don’t know why that idiot is still talking out there, because I am standing here. I don’t know how a person just comes up and wants to speak. She wants to look relevant somewhere where she is a ... [Interjections.] [Inaudible.] ... and she thinks we are in a beer hall.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Ntlangwini, I am making a ruling on your concern. Please give me a chance.

I am saying, whether the question is relevant or not relevant, it is at the Minister’s discretion to respond to it. Please give the Minister a chance to say whatever it is that he wishes to say in regard to the question. Hon Minister?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you,

hon House Chair ...

Mr B A RADEBE: Chairperson!

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Yes, hon Radebe?

Mr B A RADEBE: Chair, hon Ntlangwini has used unparliamentary language by referring to a member who spoke earlier by an unpalatable term. Please ask her to withdraw that. [Interjections.]

Mr A H M PAPO: “Idiot.” The term was “idiot”.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Thank you, hon member. Apparently, hon Ntlangwini, have you referred to the hon Papo as an idiot?

Ms E N NTLANGWINI: Hon House Chair, I didn’t. To the hon Papo? No, I didn’t. Hon Papo? No.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Okay, we will consult Hansard and return with a ruling. Hon Papo?

Mr A H M PAPO: No, the issue relates to her actually talking

... she was talking about member ... the member Ramolobeng who she called an idiot and also invoked a question of a shebeen or a bar.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Okay, thank you. We will make a follow-up on that.

Ms N K F HLONYANA: House Chairperson, may I please address you? House Chair, you are just allowing members of the ANC to stand up without being recognised. And you are allowing them to speak without being recognised.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): You have just done that!

Ms N K F HLONYANA: But you are allowing them!

The HOUSE CHAIRPERSON (Mr M L D Ntombela): But you have just done that yourself!

Ms N K F HLONYANA: But you are allowing them!

The HOUSE CHAIRPERSON (Mr M L D Ntombela): No, come now, hon member, please. Can we focus on the work at hand? Hon Minister, you have the floor.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon House

Chairperson, we indeed do allow members of the public visitation. There are procedures and processes on which we do educate the public about how to visit the correctional centres.

I am responding to this question because, in the past, I have also used my discretion to respond to questions from the opposition which were new and which were not relevant.

But we do educate society. We do follow all the processes of the department. Thank you.

Adv G BREYTENBACH: Hon Minister, having acknowledged that the Investigative Directorate will, going forward, be a permanent structure within the NPA and have an investigative responsibility, how do you and your department envisage giving effect to the requirements of the specialisation, training, independence, resources and security of tenure of staff, STIRS, criteria set down by the Constitutional Court in the Glenister judgment? At the very least, the establishment of the Investigative Directorate within the NPA will not meet the last requirement, that of security of tenure.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House

Chair, the department has indeed started the process of drafting the legislation. We also consulted and engaged with the relevant law enforcement agencies in the space. We will also be guided by the reports from the Khampepe Commission. We will also look into the Glenister judgement related to the

Directorate for Priority Crime Investigation, DPCI, and also the UN Conventions on Corruption — a model institution to deal with corruption.

So, indeed, all the issues that the hon member is raising will be considered and will be taken into consideration as we bring the Bill through Cabinet to Parliament.

The issue of security of tenure is also an important issue that the President said we will need to look into, including the process of appointing the National Director of Public Prosecution. It is a process that we are undertaking. Thank you.

Prof C T MSIMANG: Minister, does the Investigative Directorate’s roles and responsibilities include the building of multidisciplinary teams drawn from key partners and has the Investigative Directorate taken practical action to realise these responsibilities? If not, why not? If so, please provide details of how these multidisciplinary teams are influenced by international best practices. Thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES:

Chairperson, it does indeed take that into account. As we

speak, the investigators in the Investigative Directorate are seconded from the SAPS section of the DPCI which works hand- in-hand on prosecution-guided investigations.

The Investigative Directorate is also benefiting from the data centre that came from the Zondo Commission of Enquiry which carries millions of amounts of data that are expected to be used in the process of their investigations and prosecutions. Some of it will also be used by other law enforcement agencies.

This does take into consideration other international agencies dealing with similar crimes which require a multipronged approach or multidisciplinary type of work and action. They thus do work with other law enforcement agencies as and when the need arises. Thank you.

Question 631:

The MINISTER OF POLICE: Thank you very much, hon Chair and members, the conditions of the buildings and the units are captured in the user’s unit plant as mandated by the Government Immovable Asset Act, Act 19 of 2007. The prioritised police stations for repair and upgrade or repair and renovations are captured in the South African Police

Infrastructure Development Programme and the projects are registered and executed in line with approved IDP. The National Department of Public Works and Infrastructure is responsible for raising finance and execute the plant maintenance projects for all nondevolved police stations.

In relation to the leased buildings, the terms of conditions of the contracts dictate that the responsible party for the maintenance of the building is the landlord. Where the responsibility is the tenant, the SAPS will execute maintenance in line with the day to day maintenance and repair. There is a table below that is quite long that can be submitted to the member of those buildings that have been devolved. But per se, the question of Amanzimtoti laboratory is worked on and we have no option but to move it from Amanzimtoti to the better building in the city centre as those processes are taking place as we speak. Thank you very much.

Ms N P PEACOCK: Thank you, hon House Chair, the update on the planned project over the current MTEF is encouraging. However, there are buildings that require urgent intervention as the example of the forensic lab in Amanzimtoti. Will the department prioritise such buildings urgently? I thank you.

The MINISTER OF POLICE: Chairperson, as you speak, you speak to a Minister who is without an office. The office was supposed to have been given two years ago. However, there are things that are still being done in that particular office, not done by the Minister but by the Ministry of police service. It has stayed that the responsibility is with the Public Works and Infrastructure. Specifically, the question about Amanzimtoti Laboratory, last week the head of the supply chain management of the SAPS met with the Forensic laboratory people in KZN with the City of eThekwini together with the management of the police where they are working on the movement of the Amanzimtoti Laboratory from Amanzimtoti to the City centre of eThekwini. The reason is one Chair, that Amanzimtoti Laboratory has flooded four times and people have tried to divert the river so that the river does not go to the laboratory, but the river breaks that diversion and goes there. So we believe that with the assistance of the sister department, public works, will be able to move the Amanzimtoti Laboratory to a better place so that laboratory functions maximally. Thank you, Chair.

Mr A G WHITFIELD: Thank you very much, House Chair, the state of police infrastructure in South Africa is very much disgraceful and the blame for this lies squarely at Minister

Patricia de Lille’s door. The question is: What is the Minister of Police doing in the Cabinet to take this fight on behalf of SAPS members directly to the responsible Minister? We have collapsing ceilings, leaking pipes, broken walls and these are the problems we can see and what is underground and the walls are far greater problems. We know that the Amanzimtoti Laboratory has been flooding repeatedly for a number of years. This has led to delays in DNA analysis, which as a consequence has added to a DNA backlog in the country. At the very least, can the Minister of Police who is responsible for forensics confirm that the completion to the upgrade at Gqeberha Laboratory in Nelson Mandela Bay will be done by February 2023 so that it can assist with the incapacity of the Amanzimtoti Laboratory. Thank you

The MINISTER OF POLICE: Thank you very much, Chair, the member as he sits down, he knows himself that all efforts are made, including the meeting of both the Portfolio of Public Works and Portfolio of Police so that these can be fast-tracked and that these buildings that are falling apart of the South African Police Service are really taken care of by the responsible department.

On the last question of Gqeberha, indeed, that laboratory will be finalised on the month of February. As we speak, its functioning. It has got four members of staff, 22 of them are upgrading their training in terms of analysis, but there are other 24 more BSC students that have been recruited to be trained so that when the time comes and we are fully capacitated on the 1st of April since it would have been launched in February and then it begins to run and indeed that will pull off the heavy load on the laboratory in the Western Cape. Indeed, the members will be happy to see that the laboratory is beginning to work come February, and fully capacitated come April. Thank you very much, Chair.

Mr H A SHEMBENI: Thank you, Chair, hon Minister, one of the most unforgivable aspects of the SAPS operations is the fact that you continue renting buildings from the private entities putting the security of the nation at risk. Have you considered putting an end to the practice of leasing buildings to be used as police stations from private entities? If not, do you not think that this constitutes a threat to national security? Thank you.

The MINISTER OF POLICE: Well Chairperson, the SAPS like most or all government departments, we are not doing this leasing

on our own. It is our sister department on our behalf that does it. To such an extent, Chairperson, that sometimes as a user department, you are in the building that is declared as an unsafe building, but at the later stage you find that the lease has been extended by the sister department that is responsible for this leasing without even informing the police. Indeed, there are buildings that if it were on the powers of the police, we would have relinquished and left those buildings, including those buildings that are leased to be houses of individuals and some buildings that are in very unfriendly circumstances for police to work there, one of those will be Amanzimtoti Laboratory. Maybe this question is linked to the question that was raised by hon Whitfield to say maybe the time will come where the police will do their own leasing, buildings and maintenance. We think life will be better under those conditions. Thank you, Chair.

Ms M D HLENGWA: Thank you, Chairperson, hon Minister, in light of the reported growing irregular wasteful expenditure, a growing backlog in DNA processing and measure underperformance from the SAPS, detective units are made to rise in armed robbery cases and senseless killing around the country. What is this department plan to ensure that it is not only recovers

that wasteful expenditure, but to also address the backlog in DNA processing?

*IsiZulu*:

Njengase-Pheonix nje ...

*English:*

...which has been persisting for some time now and to ensure that the detective unit performs accordingly. Thank you.

The MINISTER OF POLICE: Thank you, hon Chair, I thought hon member Ntlangwini would have heard me on this one about the relevance and all that. Having said that the question raised on DNA has been raised several times, even on this session. I am not sure about the detectives, but the issue here is that we would love that all units of SAPS, including detectives, laboratories, special task force, TRT, NIU, FCS all got the relevant building from the sister department. That’s what we need to work on. That will make the work of the police better and that will make the police to increase their productivity. Thank you very much.

Question 633:

The MINISTER IN THE PRESIDENCY: Hon Chair, the National Security Council met on 27 September 2022, in its deliberations, it recommended that the Draft National Security Strategy Framework be presented to Cabinet with a view that, once recommended, it will then be taken to Parliament for further discussions and thereafter taken to the public for further engagement.

The public consultation processes will be decided by Parliament wherein various stakeholders will also be afforded an opportunity to make inputs into the draft before it goes back to Parliament and Cabinet for the President's approval.

As it was recommended in the High Level Review Panel, the final strategy would be declassified to allow for greater accountability and transparency. The aim of the declassification - unlike the 2013 version - is to ensure maximum participation of South Africans and to further rally the people into an understanding of the rationale of national security in order to serve as the first line of defence and also to ensure that they participate in the security of the country in general. Thank you, hon Chair.

Mr J J MAAKE: Hon Chairperson, I think the Minister was spot on. I don’t have any other questions. Thank you.

Ms N W A MAZONNE: House Chair, Minister Gungubele, it is quite obvious that the state's security has been in quite a bit of shambles and at the moment it doesn't even have an Inspector- General because this House approved the Inspector-General but he has to work out his notice period where he is presently, and he'll only be allowed to take up his post once that notice period is finished which means, at this stage, probably June or July of next year.

There are emergency protocols that are in place, we know that. The country has to have emergency protocols that are in place, so shouldn't we rather ask this question, are the spheres of government in the security cluster including police intelligence, military defence, not to mention the Joint Standing Committee on Intelligence all briefed correctly and not working in separate silos which results in a lack of understanding as to whom responsibility must be allocated to?

The MINISTER IN THE PRESIDENCY: Hon Mazzone, as far as I'm concerned, the appointment process of the Inspector-General is on the desk, as we speak, of the President. So my anticipation

is the Inspector-General will be at work soon, but I cannot say exactly what date. Well, you have mentioned all the structures that you've spoken about, you will remember that there was a moment when the High Level Panel Review critiqued the relationship between THE National Intelligence Co- ordinating Committee, Nicoc, and other structures of intelligence in terms of being reliable to present their information through the absence of the regulations which are supposed to take care of that.

We've processed that now. All those initiatives seek to address - which I think you are concerned about - seamlessness in all the relevant structures. A lot of work is done as we try to stabilise the State Security Agency, SSA, and all other relevant institutions in the context of a security cluster that is coherent to make sure that the seamlessness that you speak about is addressed, is going to be a process, not an event, but I appreciate the issue you’ve just raised if I understood you properly. Thank you.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Thank you, hon Minister, could you have made it a bit louder than that? Thank you very much.

Mr N S MATIASE: House Chair, look, we all know that in 2021, more than 350 people died as a result of the civil unrest in the country when the State Security Agency bungled from one crisis to another. We need to know, has there been any official of the State Security Agency who has been subjected to disciplinary proceedings as a result of these intelligence failures with regard to the unrest? If the answer is no, the question is why? If yes, can we be provided with details of these officials who have been held accountable? A Minister lost a post last year as a result of ... heads ought to roll, hon Chair. Thank you.

The MINISTER IN THE PRESIDENCY: Well, the underlying reasons of July 2020 ... there are many theories and a temptation to be very simplistic about the causes but the High Panel Review spoke, Professor Sandy spoke, against that background, a series of interventions have taken place. One of the priorities was to stabilise the senior management, which we have done. The number of colleagues within the institutions had actually to be subjected to disciplinary processes, other names being submitted to the Investigating Directorate, ID, to deal with their investigations. A number of these got suspended, others were fired, and others are still in the queue. There are a lot of other processes with regard to what

you would refer to as consequence management based on a number of commissions that were actually on the wrong side of the doctrine of the institution. So indeed heads have rolled.

Others are in the queue to answer for themselves but I'm not here to mention which names. Thanks.

Inkosi R N CEBEKHULU: House Chairperson, hon ... I'm not sure whether maybe I understood you well when you responded as the hon member Maake was saying you were spot on, but I think I need to raise mine as well because it might be in line with the answers you have given. What measures would your office be taking to ensure that South Africans are given the opportunity to actively participate in the development of the National Security Strategy, and what assurance is there for the citizen that they will no longer be delayed regarding the strategy?

Thank you.

*IsiZulu*:

UNGQONGQOSHE EHHOVISI LIKAMONGAMELI: Siyabonga, Baba

uCebekhulu.

*English*:

A consultative framework has been drafted which outlines how the public consultation process will be undertaken with

stakeholders which include, amongst others, NGOs, businesses, think tanks, academia, media and the general public. It is envisaged that specific communities across the country will be engaged directly upon completion of the public consultation process. The inputs will be incorporated into the final version of the National Security Strategy which would be tabled to Cabinet before it is approved, its final approval.

The National Security Strategy consultation process includes Parliament’s Joint Standing Committee on Intelligence of which its members will also extend the National Security Strategy consultation to their constituencies with their view to involving the people of our country in the finalisation of the National Security Strategy.

This consultation will also raise awareness of the people of South Africa on issues of national security including encouraging them to be patriotic to their country on issues of national security, and I want to repeat the word that, this time, it will be declassified. It is going to be a national instrument which all South Africans are participating, increasing the capacity to deal with the security of the country, Mr Cebekhulu.

Question 635:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you,

Chairperson. The Department of Defence and Military Veterans is a fully committed to the implementation of the commitments that we made in the Aerospace and this Defence Master Plan. We also set out to clear plans there how we intend to be growing and to be sustaining the industry. We are very clear that the Department of Defence’s expenditure on SMMEs also points us in the right direction.

If you look at our current expenditure - the period between 1 April to 30 June, this year - for those requirements that are under R500 000. We have spent R202 million plus, which went to the SMMEs. This is important for us because we achieved this through the use of the Preferential Procurement Regulations of 2017.

However, the truth of the matter is that, to grow this sector, you have to also focus on what we are doing in defence and what is happening under the DTI, because that department also has an element where it participates in this whole atmosphere. We must say that Armscor has a program which sets out and identifies young people and incubates. It also has a designated program which focuses on women.

Therefore, we think that, like other countries, we might be able one day to come back and say this is where we are going and this is the specific percentage in our budget that has been set aside, both for innovation and for encouraging these enemies. So I want to say that, yes, we are there, but we are not quite there. We need to work hard to make sure that the defence industry as a whole is resuscitated, so that when you then start doing what you are beginning, which is approaching the original equipment manufacturers to incubate, but also as they come into to the country, they should begin to look at empowering our SMMEs across the board, specifically those of young people, of military veterans and of women. Thank you, Chairperson.

Dr M BASOPU: Thank you very much, hon Chair. Hon Minister, the initiatives by the department to create opportunities and support SMMEs is encouraging given our agenda of economic transformation, but the question is: How are these initiatives linked to support by the Department of Small Business Development to ensure a co-ordinated support to SMMEs, especially in the defence industry?

The MINISTER OF DEFENCE AND MILITARY VETERANS: Yes, there have

been the talks which have not really been formalised on taken

far, between the Ministers of Defence and Military Veterans and Small Business Development, especially as we are looking at the new intakes and we are looking at the resuscitation. So far, those plans are not in black and white, but we do know that most of the SMMEs will benefit quite well if they also have the support.

We are also looking at the defence industry - at exploiting our IP for those things which can be commercialised for home use. That is where we also think that you can create a niche for the small and medium enterprises, especially those led by women in the country. Thank you, Chair.

Mr S J F MARAIS: Thank you very much, Chair. Minister, in a letter to the portfolio committee the Secretary of Defence has confirmed that there are no funds for Project Hoefyster over the medium term, beyond Phase One. The upgrade of the rattle has now become very irrelevant and very urgent. Are you prepared to commit yourself to use local defence industry businesses to do this upgrade, like for instance, OTT Technologies with a majority shareholding by military veterans and with a proven record, to upgrade old rattles, which are now successfully being used by Rwanda in Cabo Delgado? I thank you

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you,

Chair. Yes, hon Marais, I am quite committed. I actually do think that I should soon be getting a report on Project Hoefyster, because there has been some movement there. Of course, it will be a proud moment if we can integrate and if we can create space, like in all other countries, where your military veterans have not only come in as small businesses, but actually own businesses that we buy from.

We must do that because the knowledge and the skills they have will actually enhance our capabilities. So, yes, I am committed to that. As I say, I do have good news which I cannot confirm here until I have a written report on my desk, on the specific project you are referring to.

On the other hand, we must also be looking at how else we will be doing this. Do we have a specific person? We do not have as a country? We did away with RND in our budget, which I think is a bad thing, because RND enables the department to invest in research. It enables the department to be flexible in bringing in new players.

As it is, we must now go around and speak to others to do what we should be doing. So, we are looking at all those weaknesses

in our budgeting, and hopefully, we will be able in the future to do what needs to be done. Thank you very much.

Inks R N CEBEKHULU: Thank you, Chair. Hon Minister, given that globally, military spending is on an upward trajectory as global tensions rise and the need for defence spending is also rising: How has the impact of the global chip shortage, loadshedding and the poor implementation of the Aerospace and Defence Master Plan affected South Africa negatively in our efforts to acquire military defence equipment? Thank you

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you,

Chair. Yes, globally, budgets are going up because there is a threat. We are also looking at seeing that we can get a Treasury and the National Security Council to verbalise and to help us on this one. However, to be on the positive, for once, I think that the other parties must join up with the governing party, which has taken a resolution as they looked at the issues of defence, to ask that government should go back to looking at an allocation to Defence, which is not less than two percent of the GDP. If these were to be supported, and if these were to happen, we would be able to go back to making sure that Defence regains its capabilities and its glories.

We have also been looking at challenging, for instance, the military members’ funds, which is outside and which is their own funds. We have asked them to look at the possibility of also investing in the defence industry, because it is done everywhere else. This is so that you do not only look at state funds, but you also look at private funds, which would come together to help us drive.

Are we affected by loadshedding? Yes, we are; but, it is interesting that South Africa is actually at the forefront. Even though we have not exploited this fully here. Reutech is working on technology to deal with this. However, we are also looking at what is beginning to happen under the wax formation or where solar panels are being put in.

It is where we are hopefully going to be looking at - other sources of energy within the department - to ensure that we are not a completely paralysed. It would be a shame! We are also looking at the fuel part of it and we are hoping that soon, we will be able to look at both the electricity and fuel, to see how independent we can make the defence force. Thank you.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Minister, hon members, I have been informed that a request for the last supplementary question was not received and the time allocated for questions has expired. Outstanding replies received will be printed in Hansard.

Question session concluded.

The House adjourned at 17:04.