**REPORT OF THE PORTFOLIO COMMITTEE ON POLICE ON REFERRED PETITIONS DATED 08 MARCH 2023.**

The Portfolio Committee on Police, having considered petitions from the residents of Leondale, Germiston (Ekurhuleni) and from Operation Dudula (Western Cape), reports as follows:

1. **Introduction**

The Speaker of the National Assembly referred two public petitions to the Portfolio Committee on Police for consideration. The petitions have been brought under the attention of the South African Police Service (SAPS), when they were received, for action and report back to the Portfolio Committee. The petition from Leondale residents was published in the Announcements, Tablings and Committee Reports (ATC) number 93 dated 8 July 2021. The petition from Operation Dudula (Western Cape) was in the form of a memorandum sent to the Portfolio Committee on Police for processing.

The Constitutional provides for petitions to be brought to parliament. Section 56 (d) and 69 (d) of the Constitution provides for the National Assembly (NA) and the National Council of Provinces (NCOP) to receive petitions, representations or submissions from any interested persons or institutions. The process for the Committee to process the petitions are regulated in Chapter 14 of the Rules of the National Assembly (14th edition). Rule 337 (d) makes provision for the Speaker to table written instruments, including special petitions and other petitions of a general nature.

Part 3 of the Rules of the National Assembly makes provision for following:

* Rule 344 makes provision for the form of the petition to be prescribed by the Speaker in accordance with the guidelines determined by the Rules Committee.
* Rule 345 states that the petition must be in one of the official languages.
* All the petitions must be signed by the petitioners themselves according to Rule 346 (1).
* According to Rule 347(1), a petition must be lodged by a member with the Secretary for approval and tabling by the Speaker, the Secretary Lodging of the petition and must be signed at the beginning thereof by the member.
* Rule 347(2) provides that a member may not lodge a petition on his or her own behalf, but such a petition may be lodged by another member.
* Rule 348 makes provision for each petition to be deposited for at least one day with the Secretary who must submit it to the Speaker for approval before it is tabled in the Assembly. If the Speaker finds that the petition complies with the guidelines determined by the Rules Committee, the Speaker must approve it and table it in the Assembly without delay in terms of Rule 349.
* After tabling, a petition is then referred in terms of Rule 350 (1) if it is a special petition to the committee on public finance and in terms of Rule 320 (2), to a relevant Portfolio Committee if it is a petition of a general nature.

The SAPS was invited by the Committee to respond to the petition after which Members of the Committee engaged on the responses.

1. **Petition: Leondale, Germiston (Ekurhuleni)**

A petition from residents of Leondale, Germiston, Ekurhuleni, calling on the Assembly to investigate the provision of a police station or satellite police station to combat the high crime rate in their area. The petition was sponsored by Hon M Clarke. The Committee was briefed by Cllrs. K Guerreiro and A de Beer.

* 1. **SAPS Presentation**

The SAPS reported the following information:

* On 06 March 2019, a work-study investigation was approved for a fully-fledged police station in Rondebult, serving Leondale, under Alberton SAPS.
* Erf 5846, Roodekop Extension 23, was identified for the new police station, after site visits with the Ward Councillor.
* The Ward Councillor indicated that the Department of Education would donate the property to the SAPS. The Department of Public Works and Infrastructure Development was contacted to transfer the property.
* This police station is number 26 on the revised Gauteng User Asset Management Plan (UAMP) for 2023/2024.
* Alberton SAPS received a mobile Community Service Centre in March 2022, while waiting for land and police station building.
* One vehicle from the Alberton Sector is assigned daily in Sector 3, which includes Leondale, Phumla, Roodekop and Rondebult.
	1. **Concerns raised**

The Committee noticed that the process of building the police station in the Leondale area was started in 2019 yet there is no progress with to the building. The Committee asked if it possible for the Department in a meantime to deploy a satellite or mobile police stations.

* 1. **Resolutions and recommendations**

The Committee requested the SAPS to assign an additional vehicle from the Alberton Sector to the Leondale area. The Provincial Commissioner of Gauteng agreed to this resolution.

1. **Petition: Operation Dudula (Western Cape)**

A signed memorandum from the Secretary General of the Western Cape Operation Dudula, Alutha Mthimkhulu, was delivered to Parliament on 25 August 2022. The memorandum express discontent at Government failing to curb violence against women and children committed by “illegal immigrants” and South African men. The Speaker of the National Assembly referred the submission to the Portfolio Committee of Police to deal with the manner it deems appropriate (Letter dated 27 September 2022). The submission was also referred to the Portfolio Committee on Women, Youth and Persons with Disabilities.

The memorandum raises the following concerns (quoted from the memorandum):

* “Fight against rape, killing of women and children by illegal immigrants and South African men.
* Gang rape of minors by illegal immigrants.
* Acts of violence and abuse in the hands of illegal immigrants and South African men.
* South Africa is already in an epidemic of violence at the hand of South African men, we need not adapt to another virus that imports drug smuggling and moves of violence by these illegal immigrants.
* Smuggling of high calibre weapons in SA.
* Illegal business mainly conducted by illegal foreigners which weigh heavily in our economy.”
	1. **SAPS Presentation**

The presentation, dated 01 March 2023, focused on the SAPS GBV and Sexual Offences Action Plan. And included the following areas:

* SAPS GBV Action Plan
* GBV Action Plan Status Report
* Governance, monitoring and quality assurance
* Training
* Complaints mechanisms
* GBVF-Related successes

The presentation did not highlight issues specifically related to the Western Cape province.

* 1. **Concerns raised**

The Committee requested that the Department should respond to the issues raised in the submission of Operation Dudula, as the response from the SAPS was a generalised response on GBVF countrywide and not specifically in the Western Cape. It was clarified that, although the petition was signed by the Western Cape Office of Operation Dudula, it does not raise specific concern in the Western Cape, but with crime in general including GBVF.

1. **Conclusion**

The Committee appreciates the public participation in Parliament as enshrined in the Constitution and highlights the importance of concern raised by citizens on service delivery issues affecting them at ground level. This enables the Committee, through Parliament, to assist citizens to improve service delivery. The Committee invites the petitioners to contact the Committee in future and requested that they inform the Committee whether the situations highlighted in the petitions have improved.

**Report to be considered.**