
Annual Report 2017/2018



COMMISSION FOR THE PROMOTION AND PROTECTION OF
THE RIGHTS OF CULTURAL RELIGIOUS AND LINGUISTIC COMMUNITIES

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ANNUAL REPORT

2017/2018

PART A: GENERAL INFORMATION.....	8
1. THE COMMISSION'S GENERAL INFORMATION.....	8
2. LIST OF ABBREVIATIONS/ACRONYMS.....	9
3. FOREWORD BY THE CHAIRPERSON.....	10
4. DEPUTY CHAIRPERSON'S STATEMENT.....	11
5. OVERVIEW OF THE ACCOUNTING OFFICER.....	12
6. STRATEGIC OVERVIEW.....	16
6.1 Vision.....	16
6.2 Mission.....	16
6.3 Values.....	16
7. LEGISLATIVE AND OTHER MANDATES.....	16
7.1 Constitutional Mandate.....	16
7.2 Legislative Mandate.....	17
7.3 Policy Mandate.....	18
8. SITUATIONAL ANALYSIS.....	19
8.1 Performance Environment.....	19
8.2 Organisational Environment.....	19
8.3 Description of the Strategic Planning Process.....	20
9. ORGANISATIONAL STRUCTURE.....	21
9.1 Commissioners.....	22
9.2 Section 7 (Act 19 of 2002).....	23
9.3 Oversight by Section 22 Committees	23
PART B: PERFORMANCE INFORMATION.....	25
10. STRATEGIC OUTCOME-ORIENTED GOALS.....	26
11. 2017/18 FINANCIAL YEAR – IMPACT ANALYSIS.....	27

12. PERFORMANCE INFORMATION BY PROGRAMME.....33

12.1	Communication and Marketing.....	33
12.2	Legal Services and Conflict Resolutions.....	35
12.3	Research and Policy Development.....	41
12.4	Public Engagement and Education.....	51
12.5	Finance and Corporate Services.....	64
12.6	Programme: Office of the Chairperson.....	70
12.7	Programme: Office of the Chief Executive Officer.....	72

PART C: GOVERNANCE.....75

13.	Introduction.....	76
14.	Executive Authority.....	76
14.1	The Commission.....	76
14.2	Risk Management.....	77
14.3	Fraud and Corruption.....	77
14.4	Minimising Conflict of Interest.....	78
14.5	Code of Conduct.....	78
14.6	Internal Audit and Audit Committees.....	78

15. AUDIT COMMITTEE REPORT.....81**PART D: HUMAN RESOURCES MANAGEMENT.....83**

16.	Human Resources Oversight Statistics.....	84
16.1	Human Capital Development.....	84
16.2	Performance indicators.....	85
16.3	Employment and Vacancies.....	85
16.4	Filling of SMS Posts.....	86
16.5	Employment Changes.....	86
16.6	Employment Equity.....	87
16.7	Recruitment.....	88
16.8	Performance Rewards.....	89
16.9	Leave utilisation	90
16.10	Labour Relations.....	91

PART E: FINANCIAL INFORMATION.....92

17. Report of the Auditor-General to Parliament on the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities.....93

18. Auditor-General's responsibility for the audit.....97

19. Report of the Accounting Officer on Financial Statements for the year ended 31 March 2018.....98

20. Statement of Financial Position as at 31 March 2018.....99

21. Statement of Financial Performance for the year ended 31 March 2018.....100

22. Statement of Change in Net Assets for the year ended 31 March 2018.....101

23. Cash Flow Statement for the year ended 31 March 2018.....102

Table 1:	The Commission's strategic outcome-oriented goals.....	26
Table 2:	Communication and Marketing: Strategic objectives, performance indicators, planned target and actual achievements.....	34
Table 3:	Legal Services and Conflict Resolution: Strategic objectives, performance indicators, planned target and actual achievements.....	40
Table 4:	Research and Policy Development: Linked strategic objectives, performance indicators, planned targets and actual achievements	50
Table 5:	Public Engagement and Education: Strategic objectives, performance indicators, planned targets and actual achievements.....	63
Table 6:	Finance and Corporate Services: Linked strategic objectives, performance indicators, planned targets and actual achievements.....	65
Table 7:	Office of the Chairperson: Linked strategic objectives, performance indicators, planned targets and actual achievements.....	71
Table 8:	Office of the Chief Executive Officer: Linked strategic objectives, performance indicators, planned targets and actual achievements.....	73
Table 9:	Members of the Commission.....	77
Table 10:	Section 22 Committees – Oversight Committee.....	79
Table 11:	Audit Committee.....	80
Table 12:	Risk Committee.....	80
Table 13:	Management Committee.....	80
Table 14:	Training provided for period 1 April 2017 and 31 March 2018.....	84
Table 15:	Performance indicators.....	85
Table 16:	Employment and vacancies by salary band as on 31 March 2018.....	85
Table 17:	SMS post information as on 31 March 2018.....	86
Table 18:	Annual turnover rates by salary band for the period 1 April 2017 and 31 March 2018.....	86
Table 19:	Reasons why staff left the Commission for the period 1 April 2017 and 31 March 2018.....	87
Table 20:	Total number of employees in each of the following occupational bands as on 31 March 2018	87
Table 21:	Recruitment for the period 1 April 2017 to 31 March 2018.....	88
Table 22:	Performance rewards by race, gender and disability for the period 1 April 2017 to 31 March 2018	89
Table 23:	Performance reward by salary band for personnel below SMS for the period 1 April 2017 to 31 March 2018	90
Table 24:	Sick leave for the period 1 April 2017 to 31 March 2018.....	90
Table 25:	Annual leave for the period 1 April 2017 to 31 March 2018.....	91
Table 26:	Leave pay-outs for the period 1 April 2017 to 31 March 2018.....	91
Table 27:	Grievances logged for the period 1 April 2017 to 31 March 2018.....	91
Table 28:	Precautionary suspensions for the period 1 April 2017 to 31 March 2018.....	91

THE COMMISSION'S GENERAL INFORMATION

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2. LIST OF ABBREVIATIONS/ACRONYMS

AGSA	:	Auditor-General South Africa
CIPC	:	Companies and Intellectual Property Commission
CRL	:	Cultural, Religious and Linguistic (Rights Commission)
IT	:	Information Technology
LSCR	:	Legal Services and Conflict Resolution
PEE	:	Public Engagement and Education
PFMA	:	Public Finance Management Act
RPD	:	Research and Policy Development
SADTU	:	South African Democratic Teachers Union
CLIL	:	Corporate Liaison and International Linkages





FOREWORD BY THE CHAIRPERSON (MISS THOKO MKHWANAZI-XALUVA)

The negotiators of the 1996 Constitution agreed to address further concerns of cultural, linguistic and religious minorities by establishing the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic (CRL) communities to help promote respect for the rights of such. According to a Human Sciences Research Council Report entitled "Overcoming the Legacy of Discrimination in South Africa", pressure for creating the Commission came mainly from groups who wished to ensure the continued recognition and support for the Afrikaans language and culture in a democratic South Africa.

However, given the diverse nature of the South African society, the Constitution created a Commission that would deal with the important issue of the promotion and protection of the rights of all cultural, linguistic and religious communities. The Constitutional assembly agreed that the establishment of the Commission would give appropriate expression to Constitutional principles relating to encouragement of diversity of language and culture and the protection and recognition of collective rights of self-determination in forming and joining organs of civil society including linguistic, cultural and religious associations.

In the past few years, the number of complaints the Commission has been receiving from Cultural, Religious and Linguistic communities have increased astronomically. Despite the lack of much-needed funds and human resources, the Commission has tried its level best to handle some of these cases, all which demand unlimited attention. The Commission, which has been in existence for almost two decades, has one national office in Johannesburg, Gauteng, and would appreciate having satellite offices in the country's other eight provinces. At the same time, the organisation is duty-bound to respond to cultural, religious and linguistic complaints from all South Africa's provinces, especially the rural or remote areas. Additionally, the national office has a skeleton staff, and with the exception of the Chairperson and Deputy, its Commissioners are employed in various places and as part time Commissioners.

In this context, the CRL Rights Commission leadership (the Commissioners) and management are sounding a clarion call to the Government to increase the institution's allocation substantially. The move would enable the CRL Rights Commission to open regional and provincial offices and finally be able to serve 50-million plus citizens of this country efficiently.

The limitation of financial resources has a dire impact on the CRL Rights Commission, and as a result, the institution is not functioning at its optimum level to realize fully and effectively its constitutional mandate. However, the Commission, under the circumstances, is working hard to foster peace, friendship, tolerance, humanity, social cohesion and national unity among CRL communities.

As this is this current Commission's last financial year I, on behalf of all Commissioners wish this profound institution all the best as it soldiers on in the struggle of protecting and promoting cultural, religious and linguistic rights.

Ms Thoko Mkhwanazi-Xaluva

Chairperson

CRL Rights Commission



DEPUTY CHAIRPERSON'S STATEMENT (PROF LUKA DAVID MOSOMA)

The honour to serve the people of South Africa in my capacity as a Commissioner has opened a broader understanding of the challenges that the country is facing in the areas of cultural, religious and linguistic rights. I have often focused on the human rights out of the expense of cultural, religious and linguistic rights and found that individual rights alone are not sufficient. Once humanity is defined according to these three components, which accurately understood, represent the holistic appreciation of our common and diverse people.

The CRL Rights Commission is one of the unique institutions to be conceived by our new democracy in that the oppression our people suffered was not only physical but also religious, cultural and linguistic. This kind of oppression contributed immensely to the loss of identity, dignity, and personhood of the previously disadvantaged communities. For this reason, it is only appropriate that the focus on culture, religion, and language be enforced as one of the levers of transformation, self-discovery and human fulfilment.

In pursuance of this objective, the CRL Rights Commission sought to take the struggle of cultural, religious and linguistic challenges to the national discourse to gauge the national consciousness on these issues. The hearings on commercialisation of religion and abuse of people's belief systems. Challenges leading to deaths and injuries at initiation schools, and access to graves point to the need in discovering the essence of our CRL rights as enshrined in the Constitution of the country.

Therefore, my considered view is a need to continuously create a platform for local communities to enhance their cultural values which embrace respect, tolerance, humanity, peace, friendship and unity to co-exist despite our different identities as a nation. Values which embrace respect, tolerance, humanity, peace, friendship and unity to co-exist despite our different identities as a nation. These values are critical to the extent of a need to infuse them into different operation modes, be it in governance, business, or education. The current moral degeneration can also be combated if we become a nation that does not look down upon our cultural, religious and linguistic values.

Prof Luka David Mosoma
Deputy Chairperson
CRL Rights Commission



OVERVIEW OF THE ACCOUNTING OFFICER (MR TE MAFADZA)

The Constitution of the Republic of South Africa, 1996 as well as the CRL Act 19 of 2002 guarantee cultural community rights that enable them to carry out their cultural, religious and linguistic practices. However, it must be recognised that the same Constitution, challenges South African citizens to exercise their rights according to its entrenched values. These include values of respect, human dignity, and freedom. However, sometimes these rights clash and need to be discussed and negotiated.

The duties and functions of the CRL Rights Commission are defined in Section 5 of the CRL Rights Act 19 of 2002. Here is stated that "the Commission may do all that is necessary or expedient to achieve its objects referred to in section 4, including to:

- (a) conduct information and education programmes to promote public understanding of the objects, role and activities of the Commission;
- (b) conduct programmes to promote respect for and further the protection of the rights of cultural, religious and linguistic communities;
- (c) assist in the development of strategies that facilitate the full and active participation of cultural, religious and linguistic communities in nation building in South Africa;
- (d) promote awareness among the youth of South Africa of the diversity of cultural, religious and linguistic communities and their rights;
- (e) monitor, investigate and research any issue concerning the rights of cultural, religious and linguistic communities;
- (f) educate, lobby, advise and report on any issue concerning the rights of cultural, religious and linguistic communities;
- (g) facilitate the resolution of friction between and within cultural, religious, and linguistic communities or between any such community and an organ of state where the cultural, religious or linguistic rights of a community are affected;" and others.

Highlights of performance information-2017/18 financial year

Challenges that led to deaths and injuries at initiation schools in South Africa

The CRL Rights Commission launched this project in the 2016/17 financial year and because of its complexities, was carried over to the year under review. The public hearings on the challenges and problems of male initiation is an initiative and in response to the crisis threatening a cultural practice

that has been conducted in African societies throughout South Africa and elsewhere from time immemorial. Originated by the Commission for the Protection and Promotion of the Rights of CRL communities. The CRL Rights Commission conducted these hearings to fulfil its legislative mandate of reviving the diminishing and diminished heritages of communities.

Against this background, the Commission for the Promotion and Protection of the Rights of CRL Communities conducted the public hearings set out to achieve the following:

- assessing the present practice in setting up and running an initiation school;
- identifying existing community-based support structures for initiation schools;
- determining the cause of the high number of deaths, botched surgery, penile amputations and injuries at initiation schools;
- determining whether the existing legislative and policy provisions relating to male initiation are sufficient to address any emergent problems;
- the prosecution and conviction rates of those arrested for the deaths and assaults of initiates; and
- the solicitation of ideas and recommendations towards possible solutions to the problems and challenges associated with male initiation.

Religion and Cults dialogue

During the year under review, the CRL Rights Commission was also interested to understand profoundly whether cults were a type of religion. After observing questionable practices of some religious institutions in the Eastern Cape, Gauteng and others, questions were being raised by different communities and particularly the media. Therefore, to deepen this understanding, the Commission organised a dialogue on Religion and Cults.

Indeed, this was an eye opener when Professor Alex Asakitipi (Department of Sociology-Monash South Africa) explained that cults usually are started by "an individual due to some encounter (loss of identity, supernatural experience, the death of a loved one, etc.). According to the Professor, the interpretation of that encounter is influenced both by internal factors (material reward, access to power, revenge of some sort, etc.) and external factors (hunger, radical cultural, religious, and social changes, state of anomie)."

Some cults start because of political, religious, cultural and other factors, and are sometimes sustained by external interests such as economy or politics. The characteristics and the signs of cult groups were discussed, and the details are also covered in this report. The information gathered during presentations and discussions in this dialogue, aided the Commission in understanding the complexities involved in cults and also creating a platform for the Commission to engage the religious institutions with a deeper understanding of the environment in which they operate, while at the same time involved in the mandate of promoting and protecting the religious rights of communities to foster peace, tolerance, humanity, unity, and social cohesion.

The Multilingualism Project

The CRL Rights Commission organised and facilitated the dialogue on the importance of multilingualism in promoting and deepening social cohesion and nation building in democratic South Africa during the year in review. Dick Stanley's definition of social cohesion was summarised as the "process whereby a society of people with diverse origins, histories, languages, cultures and religions come together, within the boundaries of a sovereign state with a unified constitution and legal dispensation, a national public education system, an integrated economy, shared symbols and values, as equals, to work towards eradicating the divisions and injustices of the past, to foster unity, and promote a

countrywide conscious sense of being proudly South African, committed to the country and open to the continent and the world". Nation building aims at the unification of the people within the state so that it remains politically stable and viable in the long run. This definition is in line with the mandate of the CRL Rights Commission in promoting and protecting the linguistic rights of communities to foster, peace, unity and nation building.

The objectives of the dialogue were to:

1. Promote multilingualism;
2. Create the conditions for the promotion and equal use of all official languages;
3. Promote and create the positive environment for multilingualism in general, and includes, but is not limited to, the official languages;
4. Facilitate the receptive environment for the promotion of multilingualism;
5. Find ways to ease channels of communication by insisting that our languages are used in public contexts for high-level functions so that their profiles increase and they are heard;
6. Reassess the over-estimated use and reliance upon English as a lingua franca;
7. Recover and build on the existing functional use of African languages (including South African Sign, Khoe and San languages) in this country;
8. Engage in the development or elaboration of African languages;
9. Explore and build on the ways in which the users of cognate languages apply their multilingual skills to communicate;
10. Create the conditions for extending the use of these languages; and to foster the environment in which organs of state and civil society, with an interest in language development, use and service provision, are encouraged to coexist.

Public Engagement on Rights of Communities concerning Graves

During the year in review, the Commission for the Promotion and Protection of the Rights of CRL Communities has been on a mission to protect the rights of various communities concerning the graves of their members across the country. Several people and groups had submitted complaints that either they were denied access to burial grounds where their members were buried; developers had destroyed graves and built over them; graves that were in formal cemeteries had been vandalised, re-used or recycled or they were neglected and unidentifiable. The various forms of complaints raise questions about the ownership of graves, the centre of management of these graves, the cultural and religious significance, and the constitutionality of the legislative as well as policy frameworks that are in force.

For most people, the place where a loved one is buried is a sacred site and a spiritual point of reference. Most people want to know where their loved ones are buried so that they can pay them some visits and perform rituals at their graves, even long after the burial. That is why many believe that their ancestors connect them with God. The ancestors are believed to be those who have died, who exist in some usually undefined and unknown place to which the living have no access. There they look after their descendants welfare and expect their cooperation in return and in times of personal difficulty many go to their ancestral graves to pray and ask for help. The CRL Rights Commission held a public engagement which served as a precursor to investigations and complaints by some people, organisations and communities in different provinces concerning graves.

Communication and Marketing

The CRL Rights Commission continued to use the platform of exhibitions organised by different stakeholders as another way of reaching out to the communities to inform them about its work. Several people who visited the exhibitions appreciated the work of the Commission but also asked a series of questions to seek clarity on some projects that the organisation had been executing in the 2017/18 financial year. We were delighted when they left our stall with smiles after our team managed to give them answers to some of the life experiences they go through related to the CRL rights of their local communities.

Furthermore, the communication strategy of the CRL Rights Commission directed us to continue using different media platforms to convey the messages on CRL rights of Communities with ease.

Cultivating organisational efficiency

Although the Commission did not have the luxury of human or financial resources, it continued to improve its internal controls and managed to improve its document filing systems as was the challenge in previous years. The State Security Agency also raised this as a risk in their assessment report of the organisation. Therefore, the organisation had to prioritise this matter to secure all documents of the Commission.

In conclusion, I would like to thank all employees and Commissioners for their tireless efforts to ensure that the Commission achieved its targets in the 2017/18 financial year. To keep the organisation focused on both human and financial capital challenges is not easy. The organisation has to juggle with what it has, although not sustainable. The lack of the sufficient resources, calls for employees to do more as the organisation is not able to fill vacant positions. Thus, financials are prioritised towards programmes as their operating budget is too low. On this note, I again thank the employees for all their efforts to help the organisation in achieving its targets. We are making a difference in the lives of CRL communities with whom we serve our country.



Mr TE Mafadza
Chief Executive Officer
CRL Rights Commission

6. Strategic Overview

6.1 Vision

A South Africa that respects diverse cultural, religious, and linguistic rights of all communities.

6.2 Mission

To foster principles of respect, equality, non-discrimination and free association among and within cultural, religious and linguistic communities.

6.3 Values

The Commission subscribes to the following organisational values in the execution of its mandate:

- Integrity
- Transparency
- Accountability
- Professionalism
- Impartiality
- Responsiveness
- Respect

7. LEGISLATIVE AND OTHER MANDATES

7.1 Constitutional Mandate

The CRL Rights Commission is a constitutional institution established in terms of Section 181 (1) (c) of the Constitution of the Republic of South Africa, 1996 to strengthen constitutional democracy. This Commission was established to protect and promote the rights of cultural, religious and linguistic communities, with a mandate that is achievable through a proactive and reactive approach.

In terms of Section 185 (1), the CRL Rights Commission must:

- promote and develop peace, friendship, humanity, tolerance and national unity among cultural, religious and linguistic communities, on the basis of equality, non-discrimination and free association;
- promote respect for the rights of cultural, religious and linguistic communities; and
- recommend the establishment or recognition [of community councils in accordance with national legislation of cultural or other council or councils for a community or Communities in South Africa.

7.2 Legislative Mandate

The duties and functions of the CRL Rights Commission are defined in Section 5 of the CRL Rights Act.

These include:

- (a) conduct information and education programmes to promote public understanding of the objects, role and activities of the Commission;
- (b) conduct programmes to promote respect for and further the protection of the rights of cultural, religious and linguistic communities;
- (c) assist in the development of strategies that facilitate the full and active participation of cultural, religious and linguistic communities in nation building in South Africa;
- (d) promote awareness among the youth of South Africa of the diversity of cultural, religious and linguistic communities and their rights;
- (e) monitor, investigate and research any issue concerning the rights of cultural, religious and linguistic communities;
- (f) educate, lobby, advise and report any issue concerning the rights of cultural, religious and linguistic communities;
- (g) facilitate the resolution of conflict between and within cultural, religious and linguistic communities or between any such community and an organ of state where the cultural, religious or linguistic rights of a community are affected;
- (h) receive and deal with requests related to the rights of cultural, religious and linguistic communities;
- (i) make recommendations to the appropriate organs of state regarding legislation that impacts, or may impact, on cultural, religious and linguistic rights of communities.
- (j) establish and maintain a database of cultural, religious and linguistic community organisations and institutions and experts on these communities; and
- (k) bring any relevant matter to the attention of appropriate authority or organ of state, and, where appropriate, make recommendations to such authority or organ of state in dealing with such a matter.

7.3 Policy Mandate

The CRL Rights Commission aims to pursue its mandate informed by the following policies:

The National Development Plan in Chapter 15 provides that South Africans should:

- Foster a feeling of belonging, with accountability and responsible behaviour.
- Ensure different cultures are respected, and equal citizenship for all is guaranteed, thus reversing the Apartheid legacy of devaluing and erasing the heritage of black South Africans. Build trust, which is associated with stronger economic performance.
- Craft and implement a social compact based on mutual benefit and mutual sacrifice. Societal division impedes forming a consensus to develop, change or even implement policy.
- Create a society with a shared South African identity, without detracting from our multiple diverse identities.

National Heritage & Cultural Tourism Strategy of March 2012:

In Section 1 of this Strategy, the guiding principles and values of sustainable tourism, sustainable development, social cohesion, public participation, and public private partnership acknowledge stakeholder mandatory roles and responsibilities. As such the Strategy refers to:

- Communities rights to be consulted and to participate in the management of their cultural, religious and language heritage.

Cultural Charter for Africa:

Article 1 of the Cultural Charter for Africa has as its aims and objectives the following:

- to liberate the African people from socio-cultural conditions which impede their development to recreate and maintain the sense and will for progress, the sense and will for development;
- the rehabilitation, restoration, preservation and promotion of the African cultural heritage;
- the assertion of the dignity of the African and of the popular foundations of his culture;
- the combating and elimination of all forms of alienation and cultural suppression and oppression everywhere in Africa, especially in countries still under colonial and racist domination including apartheid;
- the encouragement of cultural co-operation among the States with a view to the strengthening of African unity;
- the encouragement of international cultural co-operation for a better understanding among peoples within which Africa will make its original and appropriate contribution to human culture;
- promotion in each country of popular knowledge of science and technology; a necessary condition for the control of nature;
- development of all dynamic values in the African cultural heritage and rejection of any element which is an impediment to progress.

The South African Charter of Religious Rights and Freedoms October 2010:

Stipulates the following:

- Every person has the right to believe according to their own convictions and to make choices regarding their convictions and religious affiliation (art 1).
- No person may be forced to believe, what to believe or what not to believe, or to act against their convictions (part 2).
- Every person has the right to the impartiality and protection of the state in respect of religion (part 3).
- Every person has the right to the private or public, and individual or joint, observance or exercise of their convictions (part 4).
- Every person has the right to freedom of expression in respect of religion (art 6)

8. SITUATIONAL ANALYSIS**8.1 Performance Environment**

The Commission has reasonably managed to perform its functions because of the above strengths, which present a framework within which the Commission operates. The existing human capacity has allowed the Commission to perform its functions in a professional manner and with relevant stakeholders.

The Commission has also identified opportunities which justify its continuing existence. Notwithstanding the identified strengths and opportunities, the Commission has also identified various weaknesses and threats which have a potential to impede the achievement of its mandate. Proper controls need to be put in place to mitigate the above weaknesses. Engagement at leadership level also needs to take place to alleviate the identified threats.

8.2 Organisational Environment

Management has identified general and specific risks associated with its organisational environment. As in every organisational environment, specific risks related to the culture of resistance where the introduction of innovative change management becomes difficult because of bureaucratic abuse and reactionary attitudes. On the other hand, general risks associated with the Commission relate to a low desire and ability of staff to move beyond their current mindset and realities.

Management is engaged in trying to introduce change management based on performance management principles. On the other hand, the Commission does not have enough resources to discharge its mandate. In some instances, Programmes have funds to spend, while others do not have funds, or the Programmes need to cut down on their expenditure. Certain key factors that should be present in an organisational environment with respect to meeting objectives include the following:

- Leadership qualities
- Improved productivity
- Transformed workplace
- Employee contribution
- Designed and developed organisational environment.

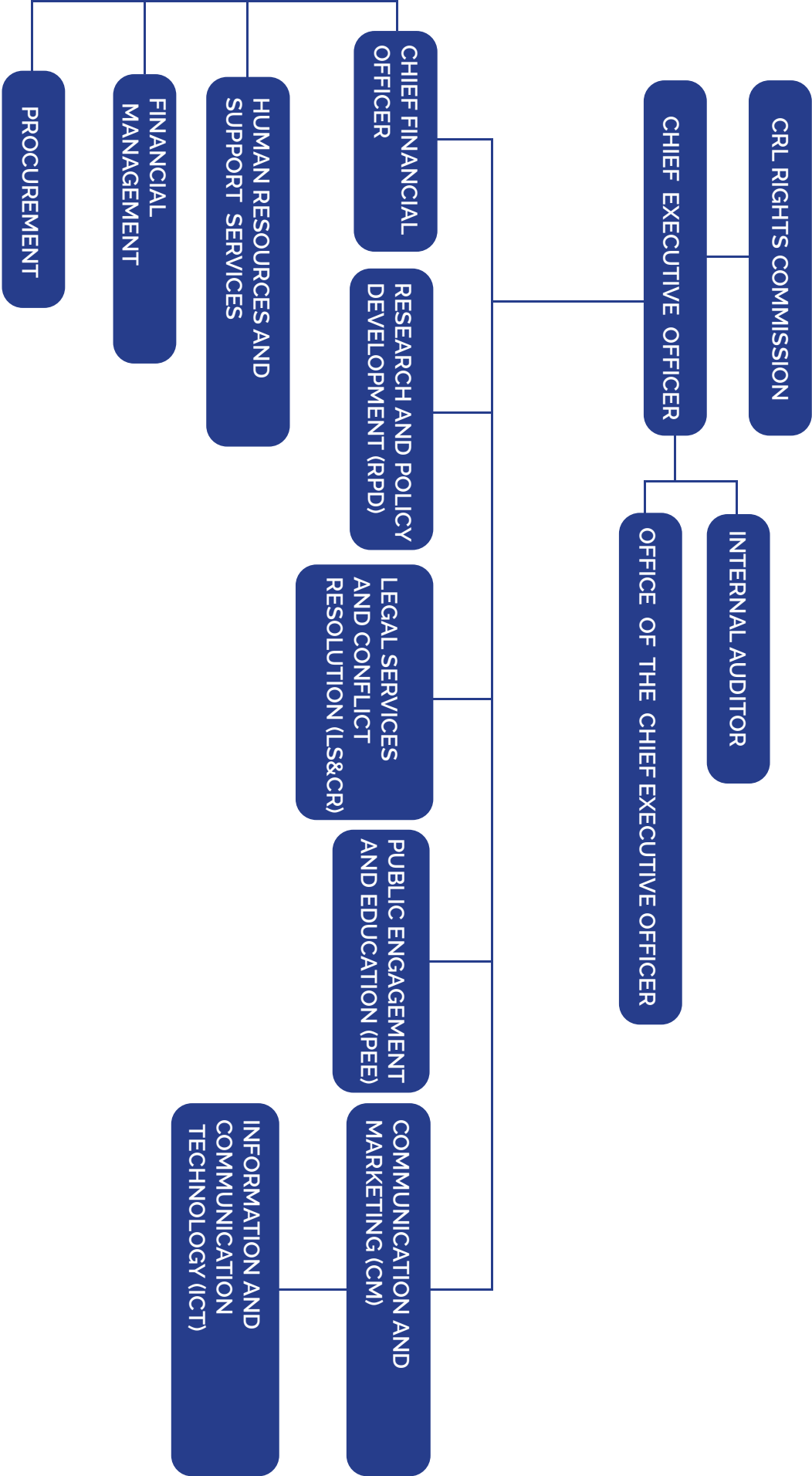
8.3 Description of the Strategic Planning Process

The CRL Rights Commission was able to consider the external environment by identifying and assessing strengths and weaknesses, opportunities and threats in the external environment and the internal component (SWOT). Planning is a critical component of good management and governance. Through the strategic planning effort, the CRL Rights Commission was able to identify questions and matters needing to be addressed.

The Commission was able to define or review its organisational values, vision and strategies while including the identification of goals and outcomes. The CRL Rights Commission was further able to develop a series of goals describing the organisation over five (5) years. Strategies have been agreed upon to reach goals, which need to be measured against the environmental factors. These include the development of a broad strategic direction regarding current and new programmes, advocacy, collaborations and other approaches.

Goals, specific objectives, and business plans are being developed annually. The development of objectives and annual work plans requires Commissioners and staff input, with staff taking responsibility for programme-related goals. A finalised written strategic plan with outputs of each action was formalised. The implementation of an agreed strategic plan that can be measured against the external environment of the Commission included the final two phases, monitoring and evaluation.

9. ORGANISATIONAL STRUCTURE



9. ORGANISATIONAL STRUCTURE

9.1 Commissioners



Chairperson
Thoko Mkhwanazi
-Xaluva



Deputy Chairperson
Luka David Mosoma
(Prof)



Commissioner
Julia Mabale



Commissioner
Raymond Trollip



Commissioner
Anton Knoetze
(Dr)



Commissioner
Renier Schoeman



Commissioner
Nomalanga
Tyamzashe



Commissioner
Richard D Botha



Commissioner
Pumla P Madiba



Commissioner
Bernadette
Muthien



Commissioner
Sheila Khama



Commissioner
Sicelo Dlamini

9.2 Section 7 (Act 19 of 2002)

The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Rights Commission) in the year under review conducted public hearings on some challenges that lead to the deaths and injuries at initiation schools in South Africa

The idea to conduct public hearings was decided after observing what was happening in the country in our initiation schools after several reports of deaths and amputations. The Commission then decided to summon initiation school principals, community members, traditional leaders, government structures and all affected parties. Those who appeared before the Committee were informed ahead of time to prepare presentations on number of issues which included amongst others the following:

- Deaths of initiates at initiation schools
- Botched surgery
- Illegal initiation schools
- Penile amputations
- Assaults and injuries at initiation schools
- Hospital admissions because of botched circumcision
- Arrests and prosecutions
- Legislation and its implementation
- Designated land for initiation practice
- General challenges in relation to the initiation practice
- Viable solutions

As part of the investigations and in order for the Commission to unearth some of the issues raised above and to compile a comprehensive report the Commission had to conduct public hearings in six provinces which included Gauteng, Eastern Cape, Free State, western Cape and Limpopo.

The Commission set up a Section 7 Committee and then issued out summons were issues to ensure that witnesses and other role players will appear before the Committee and that they produce documents in their possession as outlined in the summons. The summons were send to ensure that we use powers of the CRL Rights Commission as stated in Section 41 of the CRL Act 19 of 2002. Section 41 states that it is an offense to fail to appear before an investigation committee and to answer or produce documents specified in the summons. This Section further state that any persons convicted of one or more of these offences are liable to a fine or to imprisonment for a period not exceeding one year.

Furthermore, the CRL Rights commission, during its initiation public hearings, stated that no one was to be prejudged in the process of this hearings. However, each leader or organisation was given an opportunity to state and/or respond to questions which the Committee presented to them. Thus, all the responses were considered when the Commission compiled the final report with recommendations that will lessen high rates of deaths in initiation schools.

9.3 Oversight by Section 22 Committees

The CRL Rights Commission continued to provide oversight through Section 22 Committees. This enhanced work of the Commission and impacted positively as reflected by evaluation forms as gathered from cultural, religious and linguistic communities during interactions between commissioners and targeted groups for a particular project

One of the oversight committees is the Corporate Liaison and International Linkages (CLIL) chaired by Commissioner Renier Schoeman. The Committee successfully established contacts and supported Embassies in the country and in a way contributed meaningfully in raising Commission's Profile internationally. In a significant way, the corporate liaison unit was able to network and maintained very fruitful relations with the following Organisations:

- Konrad Adenauer Stiftung (KAS)
- The Institute for Justice and Reconciliation (IJR)
- Southern Africa Liaison Office (SALO)
- FW de Klerk Foundation
- South African Institute of International Affairs (SAIIA)
- Nelson Mandela Foundation
- Centre for constitutional Rights (CFCR)
- Human Scientific Research Council (HSRC)
- Centre for International Teacher Education (CITE)
- And Institutions of Higher Learning

The Corporate successfully organised and hosted two National Multilingualism Conferences in partnership with Konrad Adenauer Stiftung (KAS).

Notably, this unit provided support to the projects run by the Office of the Chairperson, namely, Commercialisation of Religion and by doing follow-up meetings with Religious Leaders in the drafting of concept papers and other related documents such as the code of ethics and others.

PART B: PERFORMANCE INFORMATION



10. STRATEGIC OUTCOME-ORIENTED GOALS**Table 1: The Commission's strategic outcome-oriented goals**

Strategic Outcome 1:	Effective communication and marketing
Strategic Outcome 2:	Strengthened and empowered communities
Strategic Outcome 3:	Appropriation of C-R-L into law
Strategic Outcome 4:	Financial management systems and mobilisation of resources
Strategic Outcome 5:	Cultivate organisational efficiency



11. 2017/18 FINANCIAL YEAR FINANCIAL ANALYSIS

Monthly period report reflected in a 13 month trend graph from a single source.
Each individual month shows the Clip volumes & AVE volumes by service percentage

Monthly Period Statistical Report

31 Mar - 30 Mar 2018



CRL Rights Commission

Period
13 Months

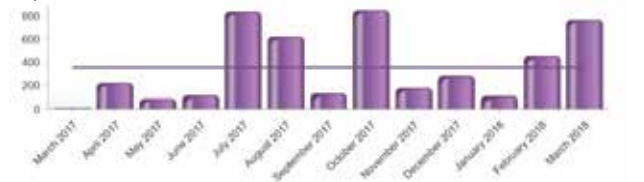
Total Units
4 614

Average / Month
354

Total AVE
R 120 664 608.44

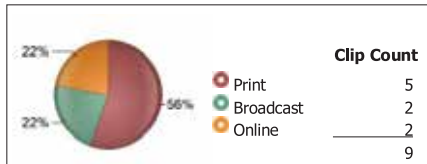
Estimated Circulation
2 118 058 750

Clip Count



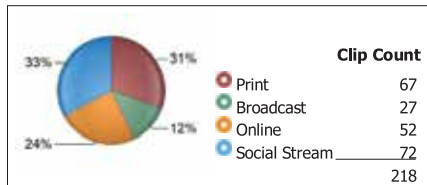
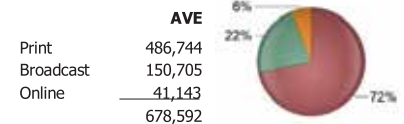
31 Mar - 30 Mar 2018

	Clip Count	AVE
Print	965	44 621 241
Broadcast	878	46 774 713
Online	817	24 177 606
Social Stream	1 954	5 091 048
Total	4 614	120 664 608



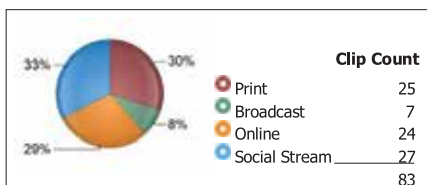
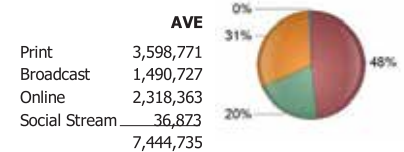
March 2017 (1 Mar - 31 Mar)

Clip Count: 9
AVE: R 678 592.19
Circulation: 7 283 933



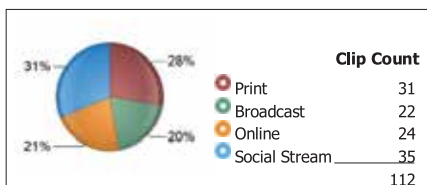
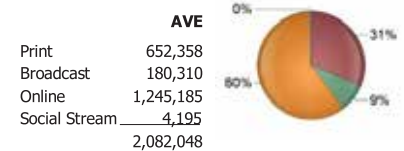
April 2017 (1 Apr - 30 Apr)

Clip Count: 218
AVE: R 7 444 734.69
Circulation: 72 923 850



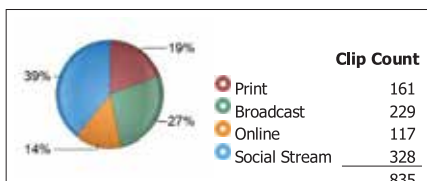
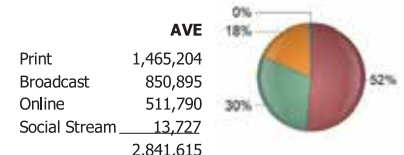
May 2017 (1 May - 31 May)

Clip Count: 83
AVE: R 2 082 047.67
Circulation: 37 401 259



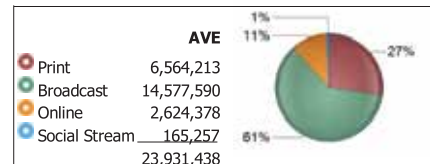
June 2017 (1 Jun - 30 Jun)

Clip Count: 112
AVE: R 2 841 615.41
Circulation: 41 135 525



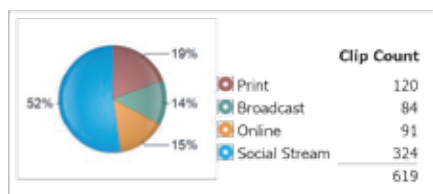
July 2017 (1 Jul - 31 Jul)

Clip Count: 835
AVE: R 23 931 438.11
Circulation: 355 934 422



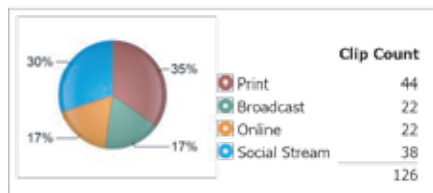
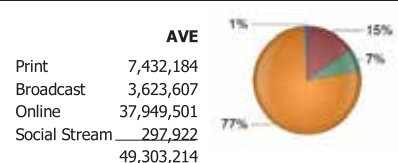
Monthly Period Statistical Report

31 Mar - 30 Mar 2018



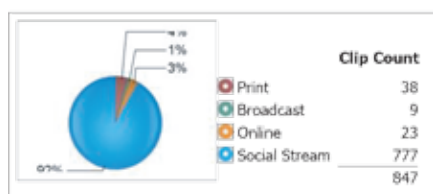
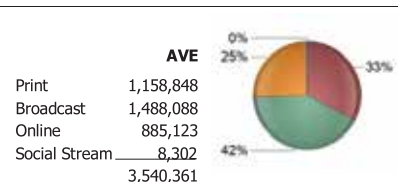
August 2017 (1 Aug -31 Aug)

Clip Count: 619
 AVE: R 13 450 801.85
 Circulation: 260 012 375



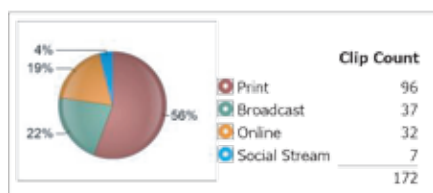
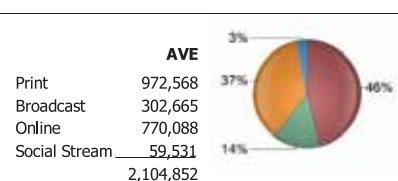
September 2017 (1 Sep-30 Sep)

Clip Count: 126
 AVE: R 3 540 360.52
 Circulation: 16 402 456



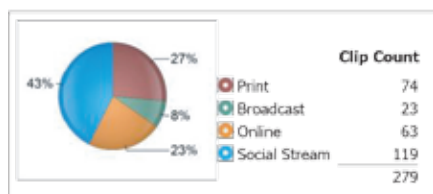
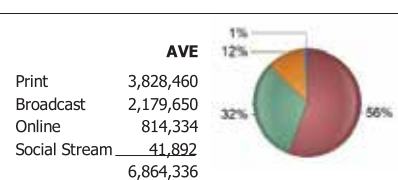
October 2017 (1 Oct -31 Oct)

Clip Count: 847
 AVE: R 2 104 852.07
 Circulation: 16 402 456



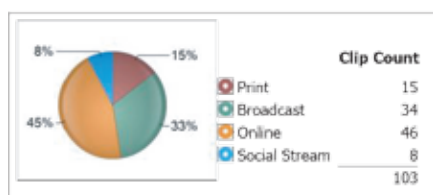
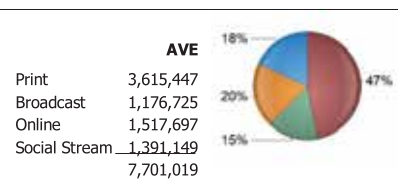
November 2017 (1 - 30 Nov)

Clip Count: 172
 AVE: R 6 864 336.09
 Circulation: 97 195 588



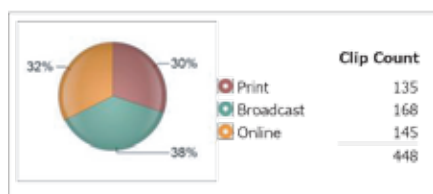
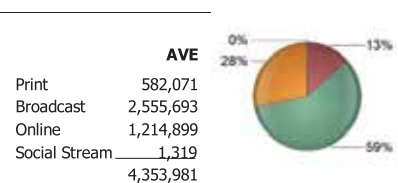
December 2017 (1 Dec- 31 Dec)

Clip Count: 279
 AVE: R 7 701 018.93
 Circulation: 144 914 637



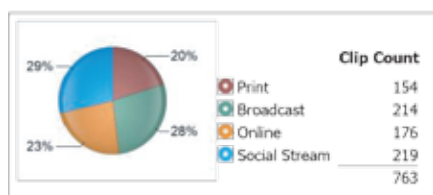
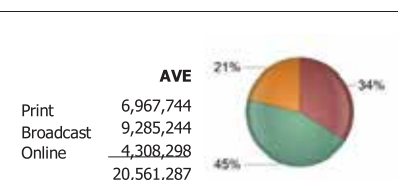
January 2018 (1 Jan -31 Jan)

Clip Count: 103
 AVE: R 4 353 981.49
 Circulation: 122 170 881



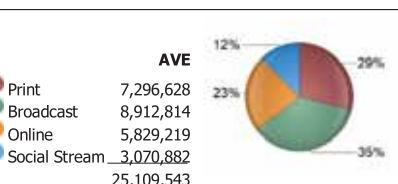
February 2018 (1 Feb- 28 Feb)

Clip Count: 448
 AVE: R 20 561 286.54
 Circulation: 447 158 075



March 2018 (1 Mar - 31 Mar)

Clip Count: 763
 AVE: R 25 109 542.88
 Circulation: 464 043 576



Monthly Favourability interpretation report, separated by interpretation, also showing three months favourability movement by individual service

Yearly Statistical Report
1 Apr 2017 - 31 Mar 2018 (365 days)

CRL Rights Commission

1 Apr - 31 Mar 2017

1,993



1 Apr - 31 Mar 2018

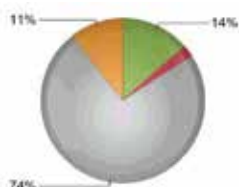
2,651

Overview:

Overall clip count for CRL Rights Commission increased in 1 Apr - 31 Mar 2018 compared to 1 Apr - 31 Mar 2017 by 658 mentions or as a difference of 33%

1 Apr - 31 Mar 2018

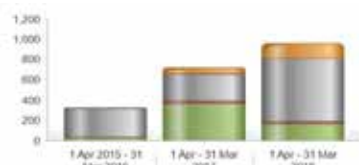
Positive	361	13.6%
Negative	61	2.3%
Neutral	1,949	73.5%
Mixed	280	10.6%
	2,651	



Favourability Movement

1 Apr - 31 Mar 2018's results shows that positive has decreased by 597 (62%) clippings to 361, negative is up by 1 (2%) to 61, neutral is up by 1,120 (135%) to 1,949, and mixed increased by 134 (92%) to 280.

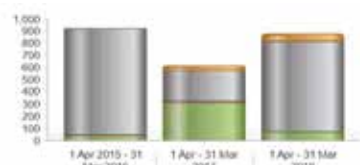
Print



Mar 2016 Mar 2017 Mar 2018

Positive	25	370	168 ▼
Negative	6	25	28 ▲
Neutral	287	257	617 ▲
Mixed	9	60	147 ▲
	327	712	960

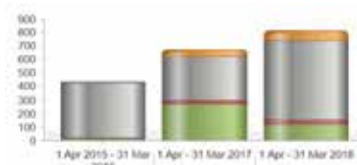
Broadcast



Mar 2016 Mar 2017 Mar 2018

Positive	40	314	69 ▼
Negative	5	15	5 ▼
Neutral	873	245	742 ▲
Mixed	6	37	60 ▲
	924	611	876

Online



Mar 2016 Mar 2017 Mar 2018

Positive	10	274	124 ▼
Negative	6	20	28 ▲
Neutral	408	327	590 ▲
Mixed	8	49	73 ▲
	432	670	815

Print by Favourability

This year, positive sentiment decreased to 168 clips and negative, with 28 units, increased

Broadcast by Favourability

This year, positive sentiment decreased to 69 clips and negative, with 5 units, decreased

Online by Favourability

This year, positive sentiment decreased to 124 clips and negative, with 28 units, increased

Monthly Favourability interpretation report,
by service of processed metadata,

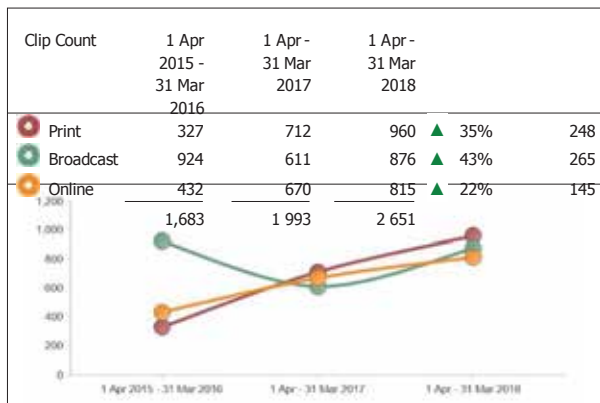
Yearly Statistical Report
showing three months

movement and direction 1 Apr 2017 - 31 Mar 2018 (365 days)



Overview:

Overall clip count for CRL Rights Commission increased in 1 Apr - 31 Mar 2018 compared to 1 Apr - 31 Mar 2017 by 658 mentions or as a difference of 33%



Clip Count

1 Apr - 31 Mar 2018's individual service result shows that print has increased by 248 (35%) clippings to 960, broadcast is up by 265 (43%) to 876, and online increased by 145 (22%) to 815 - The total combined clip count for 1 Apr - 31 Mar 2018 was 2,651, up on the previous month of 1,993.

Favourability - Mar	1 Apr 2017 2016	1 Apr - 31 Mar 2018	1 Apr -		
Positive	75	958	361	▼ 62%	-597
Negative	17	60	61	▲ 2%	1
Neutral	1 568	829	1 949	▲ 135%	120
Mixed	23	146	280	▲ 92%	134
	1,683	1 993	2 651		

Favourability Movement

1-Apr 31 Mar 2018's results shows that positive has decreased by 597 (62%) clippings to 361, negative is up by 1 (2%) to 61, neutral is up by 1,120 (135%) to 1,949, and mixed increased by 134 (92%) to 280.

Print

Clip Count 960
AVE R 44 134 496.45
Publication Daily Sun (Free State/Northern Cape) (28)
Media Type Daily Newspaper (639)
Media Group Daily (878)
Region South Africa (233)
Byline Zamokuhle Mdluli (36)

1 Apr - 31 Mar 2018

Broadcast

Clip Count 876
AVE R 46 624 008.26
Media Type PBS (275)
TV Station ENCA (73)
Radio Station 702 (57)
Region South Africa (370)

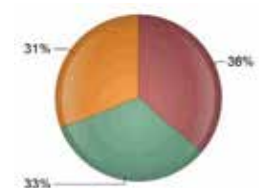
Online

Clip Count 815
AVE R 24 136 463.30
Website IOL (82)
Byline None (30)

Total combined monitoring units for CRL Rights Commission

1 Apr - 31 Mar 2018

Print	960	36%
Broadcast	876	33%
Online	815	31%
	2,651	



13 Monthly Statistical Reports, by Service +plus Favourability

Monthly Period Statistical Report

31 Mar - 30 Mar 2018



CRL Rights Commission

Period

13 Months

Total Units

4 614

Average / Month

354

Total AVE

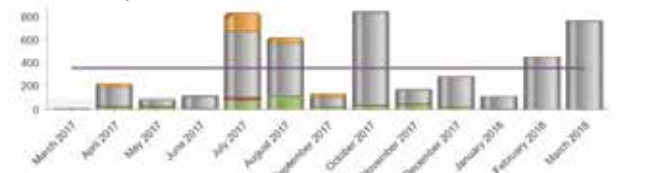
R 120 664 608,44

Estimated Circulation

2 118 058 750

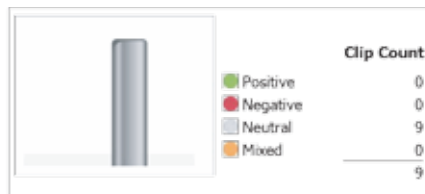
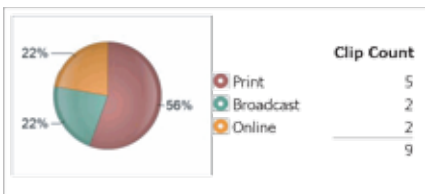
Favourability

Clip Count



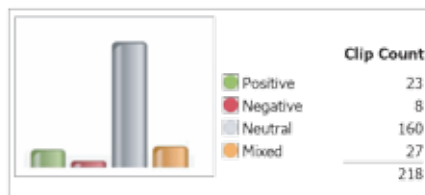
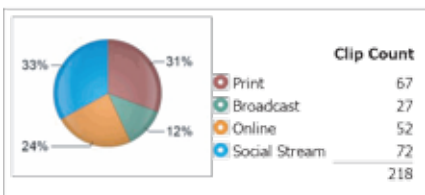
31 Mar - 30 Mar 2018

	Clip Count	AVE
Print	965	44 621 241
Broadcast	878	46 774 713
Online	817	24 177 606
Social Stream	1 954	5 091 048
	4 614	120 664 608



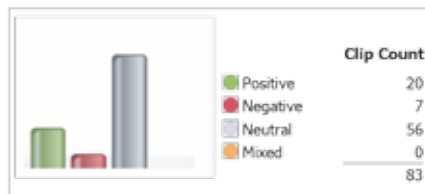
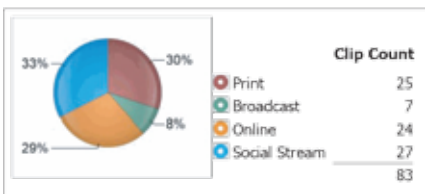
March 2017 (1 Mar - 31 Mar)

Clip Count: 9
 AVE: R 678 592.19
 Circulation: 7 283 933



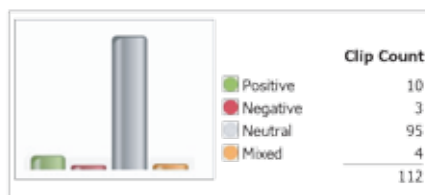
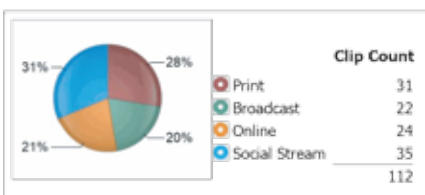
April 2017 (1 Apr - 30 Apr)

Clip Count: 218
 AVE: R 7 444 734.69
 Circulation: 72 923 850



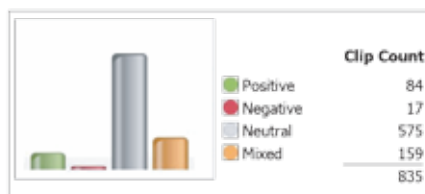
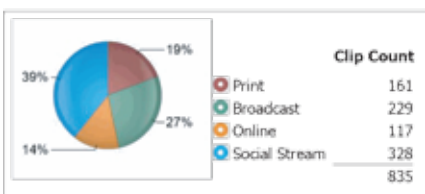
May 2017 (1 May - 31 May)

Clip Count: 83
 AVE: R 2 082 047.67
 Circulation: 37 401 259



June 2017 (1 Jun - 30 Jun)

Clip Count: 112
 AVE: R 2 841 615.41
 Circulation: 41 135 525



July 2017 (1 Jul - 31 Jul)

Clip Count: 835
 AVE: R 23 931 438.11
 Circulation: 355 934 422

Monthly Statistical Report 31 Mar - 30 Mar 2018

<p>Clip Count</p> <ul style="list-style-type: none"> Print: 120 Broadcast: 84 Online: 91 Social Stream: 324 <p>619</p>	<p>Clip Count</p> <ul style="list-style-type: none"> Positive: 102 Negative: 9 Neutral: 461 Mixed: 47 <p>619</p>	<p>August 2017 (1 Aug - 31 Aug)</p> <p>Clip Count: 619</p> <p>AVE: R 13 450 801.85</p> <p>Circulation: 260 012 375</p>
<p>Clip Count</p> <ul style="list-style-type: none"> Print: 44 Broadcast: 22 Online: 22 Social Stream: 38 <p>126</p>	<p>Clip Count</p> <ul style="list-style-type: none"> Positive: 22 Negative: 2 Neutral: 76 Mixed: 26 <p>126</p>	<p>September 2017 (1 Sep - 30 Sep)</p> <p>Clip Count: 126</p> <p>AVE: R 3 540 360.52</p> <p>Circulation: 51 482 173</p>
<p>Clip Count</p> <ul style="list-style-type: none"> Print: 38 Broadcast: 9 Online: 23 Social Stream: 777 <p>847</p>	<p>Clip Count</p> <ul style="list-style-type: none"> Positive: 31 Negative: 10 Neutral: 800 Mixed: 6 <p>847</p>	<p>October 2017 (1 Oct - 31 Oct)</p> <p>Clip Count: 847</p> <p>AVE: R2 104 852. 07</p> <p>Circulation: 16 402 456</p>
<p>Clip Count</p> <ul style="list-style-type: none"> Print: 96 Broadcast: 37 Online: 32 Social Stream: 7 <p>172</p>	<p>Clip Count</p> <ul style="list-style-type: none"> Positive: 44 Negative: 5 Neutral: 112 Mixed: 11 <p>172</p>	<p>November 2017 (1 Nov - 30 Nov)</p> <p>Clip Count: 172</p> <p>AVE: R 6 864 336.09</p> <p>Circulation: 97 195 588</p>
<p>Clip Count</p> <ul style="list-style-type: none"> Print: 74 Broadcast: 23 Online: 63 Social Stream: 119 <p>279</p>	<p>Clip Count</p> <ul style="list-style-type: none"> Positive: 23 Negative: 0 Neutral: 256 Mixed: 0 <p>279</p>	<p>December 2017 (1 Dec - 31 Dec)</p> <p>Clip Count: 279</p> <p>AVE: R 7 701 018.93</p> <p>Circulation: 144 914 637</p>
<p>Clip Count</p> <ul style="list-style-type: none"> Print: 15 Broadcast: 34 Online: 46 Social Stream: 8 <p>103</p>	<p>Clip Count</p> <ul style="list-style-type: none"> Positive: 2 Negative: 0 Neutral: 101 Mixed: 0 <p>103</p>	<p>January 2018 (1 Jan - 31 Jan)</p> <p>Clip Count: 103</p> <p>AVE: R 4 353 981.49</p> <p>Circulation: 122 170 881</p>
<p>Clip Count</p> <ul style="list-style-type: none"> Print: 135 Broadcast: 168 Online: 145 Social Stream: 0 <p>448</p>	<p>Clip Count</p> <ul style="list-style-type: none"> Positive: 0 Negative: 0 Neutral: 448 Mixed: 0 <p>448</p>	<p>February 2018 (1 Feb - 28 Feb)</p> <p>Clip Count: 448</p> <p>AVE: R 20 561 286.54</p> <p>Circulation: 447 158 075</p>
<p>Clip Count</p> <ul style="list-style-type: none"> Print: 154 Broadcast: 214 Online: 176 Social Stream: 219 <p>763</p>	<p>Clip Count</p> <ul style="list-style-type: none"> Positive: 0 Negative: 0 Neutral: 763 Mixed: 0 <p>763</p>	<p>March 2018 (1 Mar-31mar)</p> <p>Clip Count: 763</p> <p>AVE: R 25 109 542.88</p> <p>Circulation: 464 043 576</p>

12 PERFORMANCE INFORMATION BY PROGRAMME

12.1 Communication and Marketing

The Marketing and Communications Unit has continued to ensure successful profiling and repositioning of the CRL Rights Commission's work in various media platforms as well as through stakeholder engagements, shows and exhibitions.

During the year in review, the Marketing and Communications Unit managed to significantly set the agenda and enhance ongoing dialogues through print, broadcast and online media in relationship to various religious, cultural and linguistic matters. The success and impact of this enhanced communication and marketing function were confirmed through the media tracking and analysis services which the Commission has put in place to monitor the public discourse related to its work and mandate. Through the monitoring of this discourse, the CRL Rights Commission has continued to follow up on issues that impacted its work or mandate.

Furthermore, the Commission has continued to have a vibrant relationship with various media houses whereby most of them reported fairly on issues touching the CRL communities.

The Commission also took part in the Durban Business Fair, Rand Easter Show and the Department of Public Works Mamelodi Expo. At all these events, several visitors who showed interest in the Commission's work as well as others who specifically sought clarity on various cultural, religious and linguistic matters. Engaging with these visitors was done in a manner that advances one of the Commission's objectives, which is to resolve conflict and promote peace among and within CRL communities. As a result, several information cards, pamphlets or booklets were also distributed to all those who visited our stalls. Various issues brought to the attention of the Commission at these shows and exhibitions were accordingly processed.

The Information Technology (IT) Section successfully supported all the Units of the Commission for them to carry out their tasks efficiently and successfully in a secure network environment. Among other things, this was facilitated through a network speed analysis, network upgrade, network protection, replacement of network switches and installation of new fire detectors in the server room to ensure the safety of equipment and networks. Furthermore, we have increased network and telephone points and power switches in compliance with the safety regulations.

To ensure effective compliance, a comprehensive operational manual has been developed.

Table 2: Communication and Marketing: Strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline 2016/17	Actual Performance 2017/18			Reason for Variance
				Target	Activity	Actual Target Achieved	
1 Implemented integrated Communication and Marketing Strategy and approved IT Framework and Strategy	Implemented Integrated Communication and Marketing Strategy	1 checklists of approved and implemented integrated Communication and Marketing Strategy per annum	4 quarterly checklists of implemented integrated Communication and Marketing Strategy	Checklist on reviewed and implemented integrated Communication and Marketing Strategy per annum	Review and implement integrated Communication and Marketing Strategy	Checklists of reviewed and implemented integrated Communication and Marketing Strategy	No variance
	Approved IT Framework and IT Strategy	1 checklists of approved and implemented IT Framework and IT Strategy	4 quarterly checklists of implemented IT Framework and IT Strategy	Checklist on review and implemented IT Framework and IT Strategy per annum	Review and implement IT Framework and IT Strategy	Checklist of reviewed and implemented IT Framework and IT Strategy	No variance

12.2 Legal Services and Conflict Resolutions

During the 2017/2018 financial year, the Legal Services and Conflict Resolution Unit (hereinafter referred to as the LSCR Unit) focused on the following objectives.

12.2.1 Legislative Drafting: Bills

In the financial year 2017/2018 the LSCR Unit made comments on the following proposed bills:

12.2.1.1 Traditional Leadership and Khoi San Bill.

The following are highlights of some of the cases that the commission dealt with in 2017/18 financial year

12.2.1.2 Customary Male Initiation Bill.

12.2.2 Conflict Management

12.2.2.1 Religion

a) Unfair dismissal of pastors by the founders of churches

A number of churches have been founded by individuals and as they grew, junior pastors have been invited to serve some of these churches under the leadership of the founder or senior pastor. Then, when a conflict arises between a junior pastor and the founder, most of the junior pastors would be unfairly dismissed and kicked out of the churches premises and houses. As a result of this, the CRL Rights Commission has received a number of cases/ complaints against the founders or senior pastors who unfairly dismissed the junior pastors from the church, sometimes even without giving them notice. Although this might be seen to be an employer and employee relations issue, the complainants plead with the CRL Rights Commission to intervene and mediate in these cases. In dealing with cases/ complaints of this type, the CRL Rights Commission has encouraged and emphasised the importance of each religious institution establishing proper governance and disciplinary committee structures wherein disputes could be internally discussed and resolved.

b) Dominance of one religion on public radio and TV

Other complaints the CRL Rights Commission received were about the dominance of one religion, in particular Christianity, on radio and TV. The crux of the complaints is that this dominance by Christianity is at the expense of other religions in the country. While the complainants agree that Christians are in the majority in South Africa, they at the same time complain that their other religions are not allocated a fair airtime by the SABC, in particular. Some complainants argued that this dominance shows the SABC biased towards other religions. Some even went further to complaint that this practice by the SABC, is contravening section 31 of the Constitution of the Republic of South Africa which states that persons belonging to a cultural, religious or linguistic communities may not be denied the right, with other members of that community to enjoy their culture, practice their religion and use their language. The CRL Rights Commission has engaged the

SABC on this matter and as a result, the SABC has started its public hearings on their broadcasting policies including their religious programmes.

c) Name Calling and Physical and Sexual Abuse of some church members by the Leadership of the Church.

The CRL Rights Commission has also seen a rise in a number of complaints pertaining to name calling, intimidation, humiliation and sometimes even physical abuse by the religious leaders. Some people complained that some pastors have called them witches in church, during their preaching for example, and this has led to their church members believing the pastors prophesy and isolating them as a result. The CRL Rights Commission views this name calling in a very serious light as according to the witchcraft amendment act 50 of 1970; it is an offence punishable by up to 20 years of imprisonment to call someone a witch. The CRL Rights Commission has gone at great lengths to publicly conscientious the communities about this act and its implications and also tried to mediate in cases involving some pastors by asking them to make a public apology. Those that do not desist from calling people names, we advise them to open up criminal cases citing the witchcraft act. In matters that involve sexual abuse by some pastors, the CRL Rights Commission has encouraged the victims of sexual abuse to open up criminal cases against such individual pastors. In cases where they already have, the CRL Rights Commission pledged to support the victims by giving them moral support during their trial.

d) Fraud, Corruption, Misuse of Church Funds

The number of cases around issues of the misuse, fraud, corruption and self-embezzlement of the church funds, by the pastors and sometimes by other people in leadership positions, has also increased. People complained that they are always told to pay money for this particular intention or the other and yet they never receive reports about what the money has been used for. They accuse their pastors or church leadership of taking the church monies and using it on themselves without any accountability to anyone. This was something that the CRL Rights Commission found during its investigative hearings on the Commercialisation of Religion and the abuse of the people belief systems. The recommendations made by the CRL Rights Commission, for this type of cases is to encourage pastors and churches to establish independent finance committees which shall account for all the finances of the churches and hold regular finance meetings to inform the congregants about the church finances and how they have been spent. In cases where there is money laundering or pure corruption, the CRL rights Commission recommends the opening of criminal cases against the perpetrators.

e) Denial of a Right of access to a place of Prayer

The CRL Rights Commission has received a number of cases from complainants, who are part of a breakaway church, and who still want to visit the shrine or place of worship where the original founder is buried. The complaint is that the members who are still part of the original church or body, do not want to allow the breakaway church members to visit the site or even come closer to the main church as they are seen to no longer be members. The breakaway church members argue that even though they have broken away, they still show allegiance to the original founder. The CRL Right Commission in trying to solve these types of cases has been playing a mediatory role between the warring parties.

f) None compliance with proper church governance structures

Some congregants have complained about the lack of proper church governance structures and in cases where they exist, they complained about none compliance. Complaints in this area ranged from the same people have been in leadership positions over the years or those who are in leadership positions are friends of the pastor or have been appointed by the pastor. The CRL Rights Commission during its investigative hearings on the Commercialisation of religion and the abuse of the peoples believe systems did establish that in many churches there is little or lack of proper governance structures. Even in cases where they exist, there is a tendency of proper none compliance. The CRL Rights Commission believes that proper training on issues of governance should be given to churches that need them. The CRL Rights Commission has initiated talks with the Department of Social Development, which is currently registering these churches can assist in ensuring that training is provided to pastors on issues of governance.

g) Brain Washing and Demon Possession

A number of concerned parents came forward to complain about some church pastors who have brain washed their daughters to the extent that some of them no longer respect or listen to them. They complain that whenever they try to admonish their daughters, in particular, they are told that they are possessed by the devil. Some parents also complain that the changed behaviour of their kids is more devils like. While the pastors summoned to account to these complaints, they deny the accusations, the CRL Rights Commission has since sort and established a group psychologists to assist with the counselling and evaluation of the state of well being of these kids.

h) Rape Matters

A number of rape cases by pastors are beginning to emerge from young ladies who for a long time have been scarred to speak out against some powerful pastors out of fear of not been believed or out of fear of intimidation. In such matters, the CRL Rights Commission has encouraged the victims to lay complaints with the police and worked hard to secure a protection order from the hawks for most victims who go ahead to lay charges against such pastors. Again, the CRL rights Commission has been engaging the Police and hawks about those cases that have been opened up and nothing has been done about them.

i) Non-observance of municipal by-laws in terms of noise and street parking

The mushrooming of churches has far outpaced the structural and land allocation for places of worship by the municipalities. As a result of this mushrooming, many churches tend to occupy and use and available space for worship purposes. This action leads to the problem of parking and noise control as in some cases there is violation of municipal bylaws. The CRL Rights Commission has been getting complaints pertaining to the issues of illegal parking and uncontrolled noise from people living in areas where places of worship has been established without the municipal approval. The CRL Rights Commission has been mediating between Municipalities and these places of worship to see how to resolve this impasse without violating any communities right to freedom of religion and right to peace and privacy respected

12.2.2.2 Language**a) The Rights of Access, Destruction, Exhumations and Desecration of Graves**

The issues of economic developments, like the building of new shopping malls, housing, discovery of new platinum and coal mines, the selling of farms, throughout the country, contributed to an increase in a high number of complaints around issues of rights of access, destruction, exhumations and desecration of graves. The complainants, who see graves not only as graves but places of honour, respect and sacred to their communities asked the CRL Rights Commission to intervene and assist them against the big mining, municipalities and business companies that intend or in some cases had already desecrated their family graves.

Some complaints were around the issue of denial of access, especially on private farms, to their family members' old graves. The CRL Rights Commission intervened in a number of these cases by playing a mediatory role. This mediatory role has in some cases seen the families allowed access to their family members' graves and in some cases, especially where there has been destruction of graves, the companies concerned paying for the cleansing ceremony which the families wanted to see performed. It is this mediatory role of the CRL Rights Commission which further managed to stop the municipalities from recycling graves.

b. The Abductions and Deaths at Initiation Schools

A high number of abductions and deaths at Initiation schools, especially in the Gauteng Vaal area, also led to many complaints from parents and concerned citizens about their children's safety and the protection of the cultural right of initiation. The CRL Rights Commission decided to intervene by first trying to understand what is being done in the name of cultural. The investigative hearings, revealed a lot of wrong things happening in the name of initiation. The situation in Gauteng was so untenable that the CRL Rights Commission placed a ban on all Initiation related activities in Gauteng for the whole of the year 2018. The CRL Rights Commission told municipalities and all relevant stake holders to use this time to keep their house in order. The CRL Rights Commission has called a meeting with the stakeholders to check how ready they are to the reopening of the initiation season next year. Our mediatory role is to see the reduction of abductions, deaths and the proper carrying out of the initiation ritual in a proper and protected space.

c) Traditional Leadership dispute

Although falling outside our mandate, the CRL rights Commission received complaints around the issue of the traditional leadership disputes. The cases around the leadership disputes were referred to the National House of Traditional Leaders, with whom the CRL Rights Commission has an MOU, for their resolution.

d) Traditional Healers Practices and Disputes

The CRL Rights Commission has also received a number of cases/complaints wherein some people masquerading as traditional healers are accused of false healing, promises, delivery, claims and robbing people of their money for nothing. The mediatory role played by the CRL Rights Commission has seen some of these cases resolved and as for the bogus traditional healers, they were exposed and reprimanded. Other cases have been referred to the police as their matters were pure criminal acts than traditional healing.

12.2.2.3 Culture**a) Development and Recognition of none official languages**

Complaints were received by the CRL Rights Commission from communities who want their languages of communication to be developed and recognised as official languages by the state. These are languages like Xhosa, Sign Language and Khoisan Language. The CRL Rights Commission has since after receiving these complaints held dialogues and advocated for the recognition of these languages. The CRL Rights Commission has also been to parliament to advocate for the promotion of these languages. Since then, plans have already been established to push sign language as an official language. As for the Nama and Xhosa language, PanSALB has been engaged a couple of time by the CRL Rights Commission to work on the development of these languages

b) Usage of one language at the exclusion of other non-language speakers

This is a case where an employee complains that at his work place; only one language is used and allowed as a mode of communication by everyone at a work place. The complainant argues that this is contrary to the spirit of the constitution which recognises the 11 languages as official. Others complain that, in some instances, language is used to discriminate other group or to exclude other groups, like in schools. The CRL rights Commission is busy talking to the institutions concerned about these complaints.

12.2.3 Litigation

The LSCU Unit further managed litigation of a case about the regulation of Muslim marriages in South Africa. In this matter, the CRL Rights Commission joined as amicus curiae.

Table 3: Legal Services and Conflict Resolution: Strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline 2016/17	Actual Performance 2017/18			Reason for Variance
				Target	Activity	Actual Target Achieved	
1	Indigenisation of the law-making process	Draft guidelines on indigenisation of law-making process	Draft guidelines on indigenisation of law-making process	Guidelines on indigenisation of law-making process	Review and reform draft guidelines on indigenisation of law-making process	Draft guidelines on indigenisation of law	Target met
2	Review and influence legislation, policies and programmes in line with cultural, religious and linguistic rights	Review legislation that impacts on the mandate of the Commission per annum	5 draft Bills were produced	A report and inputs on legislation that impact on the mandate of the commission per annum	Review and input on legislation that impacts on the mandate of the Commission per annum	Reports and inputs on legislation that impacts on the mandate of the Commission per annum.	Target met
3	Conflict resolution management	100% of cases received- handled in line with complaints handling manual per annum	100% of identified, prioritised, urgent cases, registered and acknowledged in line with complaints handling manual	100% of cases received- handled in line with Complaints Handling Manual per annum	Process cases in line with complaints handling manual	100% of all cases received- handled in line with complaints handling manual	Target met
4	Provide legal advice	100% response to all queries annually	100% of registered legal opinions finalised	100% response to all requests	Draft responses per request	100% responses to all queries	Target met

12.3 Research and Policy Development

12.3.1 The Challenges and Problems of Male Initiation

The recent problems (e.g., deaths, amputations, injuries, and gangsters) occurring in male initiation schools have resulted in negative perceptions of the practice. Perceptions which find expression in criticism directed at the initiation schools, especially represent those of outdated cultural practice. Furthermore, the initiation schools are seen by many as death-traps for young people.

As we progress through life, we are being confronted with issues that force us to re-examine our ways of doing things, and as historical memory of these cultural practices begins to fade, this reality creates opportunities for opportunists to take undue advantage of our communities.

Years of cultural erosion has undermined traditional lifestyles. Some communities have had to reinvent and reconstruct the practice of initiation from a blurred "historical memory", and many insist that culture should change and adapt to modernity. The question is what aspects of culture and cultural practices need revision within the context of the initiation practice?

During the hearings (held in Gauteng, Eastern Cape, Western Cape, Mpumalanga, Free State, and Limpopo) on the problems at initiation schools, we heard communities insisting that changes should not run too far ahead of the people. While this inquiry was directed to deliberate on the causes of deaths, amputations and injuries, among other things, it has become a national debate on the viability and relevance of the practice of the initiation rite of passage.

Contemporary South African society requires initiation practitioners to re-examine their activities if they are to be responsive to their changing social environment. In the exercise and enjoyment of cultural rights, the challenge is not to negatively impinge upon the rights of others or modern values. Furthermore, while we are increasingly open to shared cultural space, we should allow individuals and groups to enjoy their specific cultural rights. This latter view should not, in turn, deprive others of their cultural rights.

The report highlights the following findings:

1. The urbanisation phenomenon in the new dispensation meant that people left their rural homes for the towns and cities, contributing to a collapse in the management of the practice.
2. The conventional role and status of traditional leaders and elders as principals and overseers of initiation schools, especially in urban areas, have either collapsed or declined.
3. The collapse or loss of the significance of the traditional authority structures in many communities has led to the assertiveness of young people as important role players when coming for initiation.

4. In this new climate, many young people are finding ways of making money out of the initiation practice.
5. Many of the youth have assumed active roles in many aspects of cultural practices, including the initiation rite, which in some instances, is carried out by inexperienced traditional surgeons and principals.
6. The rise of unemployment and the lack of access to economic participation among young people have also contributed to the proliferation of initiation schools in the urban areas.
7. The schools have become a vehicle for gain.
8. Another disturbing trend is the emergence of touts, who go around recruiting and kidnapping potential initiates for a fee.
9. The essence of the practice is being lost along with its cultural value, secrecy, and sacredness.
10. The initiation rite and initiation schools require holistic rather than cosmetic intervention.
11. Inexperienced people are now responsible for setting up these schools.
12. Consent is a critical/ethical issue in the initiation rite.
13. The incompetent performance of the circumcision ritual at the initiation schools was singled out as the main cause of penile amputations and initiates' deaths.
14. The laws, by-laws and policies applied in various provinces and municipalities regarding initiation and initiation schools differ.
15. Different provincial legislations regulate medical, environmental, and governance aspects of the institution.
16. Several health conditions affect male initiation/circumcision, viz., pneumonia, meningitis, gangrene, dehydration, and hunger.
17. Noted in, this report, is that the deaths, penile amputations, injuries and fatalities resulting from the practices in some initiation schools, have caused the initiation rite virtually to become a matter of public health.
18. In Limpopo, for example, where the Dikgoshi appear to function more prominently as overseers for the opening and running of initiation schools, malpractices seem to be under better control.
19. There is an expressed serious need for the provision of municipal land for communities to practice their respective initiation activities.

20. Some of the submissions indicated that police interference should be prompt, especially in cases of abductions, assaults, deaths and the closing of unauthorised schools.
21. In some cases, drugs, liquor and dangerous weapons are carried around at initiation schools.
22. Some Amakhankatha are responsible for abusing the initiates.
23. The many reported cases of physical abuse and violence at the schools are, allegedly, not investigated.
24. Those who are arrested either have their cases dismissed or are struck off the roll because of a lack of evidence or witnesses.
25. Municipal and provincial cross-border challenges.
26. The lack of proper nutrition for initiates before, especially those from deprived families, during and after undergoing an initiation school, needs to be investigated.
27. The role of the Department of Social Development as per S.12 of the Children's Act is not clearly understood in most provinces.
28. Some initiates, in the Vaal area, have taken over school toilets and charge all those boys who have not been to initiation schools a fee to use these toilets.
29. Some recruitment happens at schools.
30. Gangs are formed at some schools.

The following recommendations are made in the Report:

1. Communities should set up Traditional Initiation Leadership structures that would oversee initiation schools. Such structures could also serve as support systems and help the police to root out criminality.
2. Practice guidelines should be developed to specify what should and should not be done in establishing an initiation school, including support infrastructure.
3. Traditional surgeons, traditional nurses and principals should be trained, registered and accredited, and their competences regularly evaluated by a relevant accreditation body.
4. The national legislation should allow age limits to be determined by each province.
5. The Children's Act 38 of 2005 should also be amended as such.
6. Parental/Guardian informed consent for all underage boys should be given in writing before they enter an initiation school.

7. Traditional councils and municipalities should register all initiation activities taking place in their area.
8. The Department of Social Development should provide food parcels where necessary.
9. Traditional councils and municipalities should designate areas where Ulwaluko/Koma/Lebollo/Mophato could be set up, taking into cognisance the necessary infrastructure, e.g. security, clean water, and cultural sensitivities.
10. Prospective initiates should go through a series of prescribed medical check-ups and immunisation before they undergo initiation.
11. Medical and psycho-social support should be provided to all concerned in case of a botched circumcision, penile amputations or death of an initiate.
12. Further research on penile transplants should be supported by the Department of Health with the aim of mainstreaming this service to all young men who had penile amputations.
13. Further research, in partnership with other research institutions and institutions of higher learning, should be done on the issue of female initiation.
14. There should be a special focus on the protection of initiates coming from single female-headed households.
15. Suspension of all the initiation-related activities in the entire Gauteng Province until the end of December 2018.

The Commission hopes that the age-old cultural rite of Initiation shall be promoted and respected. Again, the CRL Rights Commission hopes that this report will be used to create awareness of the modern-day challenges leading to unnecessary deaths of some young men. The CRL Rights Commission further believes that if the recommendations are implemented, the country can see a drastic decline in the number of deaths of young men at initiation schools.

12.3.2 Gender and the Role of Women in Christian Religion

The roles of women in Christianity can vary considerably today as they have varied historically since the third century New Testament Church. This is especially true in marriage and in the formal ministry positions within certain Christian denominations, churches, and para-church organisations.

Many leadership roles in the organised church have been restricted to males. In the Roman Catholic and Orthodox churches, only men may serve as priests or deacons, and in senior leadership positions such as the pope, the patriarch, and bishop. Women may serve as abbesses. Most mainstream Protestant denominations are beginning to relax their longstanding constraints on ordaining women to be ministers, though some large groups, most notably the Southern Baptist Convention, are tightening their constraints in reaction. Most Charismatic and Pentecostal churches were pioneers in this matter and have embraced the ordination of women since their founding.

As the spiritual home for many women, the church has a role to play regarding the dilemma faced by women trapped between warped understandings of sacred texts and the perceived understanding of their cultures.

Some views raised:

1. Women (and men) need to be re-educated as a consequence of the problematic education received from the traditional male leadership or male-identified women leadership and its teachings.
2. Theological education should be geared towards women empowerment.
3. The redefinition and transformation of the African culture in a way that will be life-giving to all members, women and men (for example, re-dressing the issue of the sacrificial female-selves within the context of the spirit of African communality).
4. As part of the education process, educators should expose patriarchy in the African culture and in the Christian Church for what it is. Specifically, an evil system which has been used and continues to be used by the church to perpetuate inequalities between people who have been equally created in the image of God irrespective of their race/ethnicity, class, and gender among others. As has been revealed in the preceding discussion, the main problem with patriarchy is that it idolises one sex at the expense of the other.
5. A need to critically revisit the androcentric interpretations of the Bible since they have contributed to the perpetuation of the view that the female is inferior, and that the latter is God-ordained. Such a view has enabled dangerous cultural sayings reinforced by apparently similar sayings from the Bible to be applied indiscriminately to powerless members of the Household of God.
6. The preceding women-unfriendly Bible interpretations should be substituted with empowering life-giving ones that will show that women, just like men, have a role to play in God's divine plan for the world. They should include definite attempts to redefine important aspects of women's lives, for example, what ideal Christian womanhood is.
7. The legitimate power to interpret the sacred texts is given to all the devout Christians, irrespective of their gender, those who choose to agree with the Apostle Paul, that they are not their own, but were bought with a price.
8. The Jesus who loved them to the extent of giving Himself for them has come that his sheep may have life and in abundance.
9. Through his dialogue with the woman, Jesus gradually leads her to transcend the barriers of prejudice and the stigmas of racism and sexism, and to know and accept God's free gift in himself who offers to all who believe in his salvation, "living water" and the Holy Spirit (4:7-10; 7:37-39). In the scheme of values portrayed in this periscope human traditions of worship cede place to God's action in the individual's life. Therefore, it is no longer a question of worshippers seeking God, but God

seeking people who will worship him the way He desires, "in spirit and in truth" (4:24). Such worshippers surrender their lives to God, making Him the organising principle of their lives and receiving the salvation that comes with the divinising gift of the Holy Spirit – freely given to all who follow Jesus (1:12-13). This worship, neither in Jerusalem nor on the Gerizim Mountain, transcends race, class and gender (Gal 3:28). On receiving this message, the woman is freed from the socio-cultural shackles that bind her (Gal 5:1-2) and is able to lead her own townspeople to the same freedom. (Okure, Teresa S.C. Okure), "Jesus and the Samaritan Woman (Jn 4:1-42) in Africa." *Theological Studies* 70 (2009): 401-418/ [cdn. Theological studies.net](http://cdn.Theologicalstudies.net) (accessed January 16, 2016).

The CRL Rights Commission hopes that this report will contribute and inform the public discourse during our Public Education and Awareness Unit activities on issues of culture and religion, and again on issues of religion and language, which the Commission promotes and protect.

12.3.3 Religion and Cults

The issue of the difference between religion and cults became a talking point after the CRL Rights Commission met with a religious group based in the Eastern Cape, called the Seven Angels Ministries. The description of this religious organisation's lifestyle and way of doing things, left the Commission wondering if they really are a religion or a cult. Again, the CRL rights Commission kept on receiving complaints from the public about cult-like religious organisations operating in other parts of the country. To understand better the distinction between religion and cults, the Commission embarked on a study on cults. Specialists in religion, sociologists, psychiatrists, religious leaders, university professors, social workers and other interested members of the public were consulted to hear their views on this subject and help the CRL Rights Commission come up with a working definition of what a cult or sect is.

According to Wikipedia, the term cult usually refers to a social group defined by its religious, spiritual, or philosophical beliefs, or its common interest in a particular personality, object or goal. The term itself is controversial and has divergent definitions in popular culture and academia, and it also has been an ongoing source of contention among scholars across several fields of study. In the sociological classifications of religious movements, a cult is a social group with socially deviant or novel beliefs and practices, although this is often unclear. Other researchers present a less-organised picture of cults on the basis that cults arise spontaneously around novel beliefs and practices. Groups said to be cults range in size from local groups with a few members to international organisations with millions.

English-speakers originally used the word "cult" not to describe a group of religionists, but to refer to the act of worship or to a religious ceremony. The English term originated in the early 17th century, borrowed via the French *culte*, from Latin *cultus* (worship). The French word, in turn, is derived from the Latin adjective *cultus* (inhabited, cultivated, worshipped), based on the verb *colere* (to care, to cultivate). (The word "culture" also derives from the Latin words *cultura* and *cultus*; "culture" in general terms refers to the customary beliefs, social forms and material traits of a religious or social group).

While the original literal sense of the word in English remains in use, a derived sense of "excessive devotion" arose in the 19th century. The terms cult and cultist came into use in the medical literature in the United States in the 1930s for what would now be termed "faith healing", especially as practised in the US Holiness movement. This usage experienced a surge of popularity at the time and extended to other forms of alternative medicine too.

In the English-speaking world, the word "cult" often carries derogatory connotations. It has always been controversial because it is (in a pejorative sense) considered a subjective term, used as an ad hominem attack against groups with differing doctrines or practices.

In the 1970s, with the rise of secular anti-cult movements, scholars began abandoning the term "cult". According to The Oxford Handbook of Religious Movements, "by the end of the decade, the term 'new religions' would virtually replace 'cult' to describe all of those leftover groups that did not fit easily under the label of the church or sect."

Prof. Alex Asatikipti from Monash University talks about the Destructive Cults, Domsday Cults, Political Cults, Polygamist Cults, Racist Cults, Terrorist Cults and Religious Cults. He further spoke about the characteristics, functions, recruitment into cults, functions and regulations of cults.

Although different, he says, cults throughout the world have the following characteristics:

1. recruitments are secret;
2. rituals are done in secret;
3. people live in isolation;
4. encourages members not to reveal to others what they do;
5. there is firm commitment and obedience to leaders and maintaining the hierarchy; and
6. opposes critical thinking.

When speaking about the functions of cults he says that they:

1. claim that they have answers;
2. promise an ideal;
3. use formal and informal methods of control to the leader;
4. not allow internal disagreement; and
5. avoid external scrutiny.

He says that the recruitment into these cults is normally:

1. through a pyramid scheme;
2. through friends and family;
3. coercive persuasion;
4. by abduction;
5. through an internet programme.

The functions and regulations of cults, he says, are that they all:

1. claim to have answers to the eternal "whys" of life;
2. promise an ideal life for members;
3. use formal and informal methods of control to sustain members' obedience and demand absolute obedience to the leader;
4. forbid internal disagreement; and
5. avoid external scrutiny.

He says that in Africa, one only needs to look at organisations or societies like, Satanism, Ogboni, Poro, Sande "cults", Al-Shabaab/Boko Haram, Afrikaner brotherhood and the Pirate confraternity to see some characteristics that define what a cult is.

He says one sees the proliferation of cults during a period of rapid change (globalisation/Westernisation), the institutionalisation of poverty and the widening inequality gap and lastly during the collapse of morality and the rise of hedonism?

Professor Maria Frahm-Arp from the University of Johannesburg says that the reason why we see cults like churches in South Africa is because of the following reasons:

- youth unemployment 52% at the end of 2017;
- economic disenfranchisement for many but wealth for a few;
- rise in witchcraft in Limpopo and the Eastern Cape; and
- the rise in Pentecostal type Christianity from Africa and Latin America (Universal Church of the Kingdom of God).

Professor Frahm-Arp further shared that she did a study of over 100 Pentecostal-like churches in Johannesburg and found that they all preached a gospel of individual prosperity, progress in life and material wealth.

She says that some of the signs of a cult-like organisation or society are:

1. opposition to critical thinking;
2. isolation of members and penalising them for leaving;
3. emphasising special doctrines outside scripture;
4. seeking inappropriate loyalty to their leaders;
5. dishonouring the family unit;
6. crossing Biblical boundaries of behaviour (versus sexual purity and personal ownership); and
7. separation from the Church.

Through this report, the CRL Rights Commission aims to educate the young people and society in general about the cults and thus identify what the goal of new religious movements is today. By so doing, the Commission hopes to continue to raise the discourse in the public domain to demystify the idea of a cult.

12.3.4. Corporal Punishment

The issue of corporal punishment made headlines after Judge Raylene Keightley, from Gauteng High Court in Johannesburg, on 19 October 2017 ruled that the defence of reasonable chastisement is not in line with the Constitution and no longer applied in our law. The judgment arose from an appeal by a father who had been convicted of assault for beating his 13-year-old son in a manner which exceeded the bounds of reasonable chastisement. He accused the child of watching pornographic material on the family iPad. The teenager denied this, but the father persisted in giving him a severe spanking. His son suffered several bruises to his legs. The lower court earlier postponed the passing of sentence against the father for five years.

The judgment did not create a new offence, as hitting a child, whether your own or someone else's, has always been assault under the country's criminal law. However, in the past, a parent who spanked a child had a special defence of reasonable chastisement to plead. They stood to be acquitted of assault if they could prove that the chastisement was moderate and reasonable.

Judge Raylene Keightley, in a ground breaking judgment for the rights of children, found the defence that allowed parents to physically discipline their children was inconsistent with the Constitution. The Judge emphasised that the intention was not to charge parents with a crime, but to rather guide and support them in finding more positive and effective ways of disciplining children.

The Judge pointed out that the whole orientation of the Children's Act was towards prevention and early intervention and to guide parents towards more positive and effective parenting of children, rather than using violence. The court said protecting children was particularly important in the context of the high levels of child abuse and violence that prevailed in society. The Judge emphasised that South Africa was not the first African country to do away with corporal punishment in the home. She said half of the countries in Africa had publicly committed to doing so. Countries such as Kenya, Tunisia and South Sudan had abolished corporal punishment in all settings.

Again, the Judge said that under the common law it was up to the parent to decide on the level of physical force the child deserved as punishment. She said that "Many parents may believe they are behaving reasonably. However, given the levels of child abuse and domestic violence in our country, it is likely that many a child is subjected to levels of physical punishment that, regardless of their parents' belief, they are unable to withstand". She continued by saying that this was out of line with the child-centred model of rights demanded by the Constitution. She concluded that she could find no reasonable justification to permit parents to assault their children for disciplinary purposes.

After this judgement, the question raised for most proponents of corporal punishment became what are the alternatives to corporal punishment. The CRL Rights Commission met with Child Law experts, NGO's dealing with children, the National Department of Social Development, Psychologists, concerned parents, religious leaders, social workers, the Police, and traditional leaders to try and find out the available alternatives to corporal punishment. This process was not concluded and will be dealt with in the new financial year.

Table 4: Research and Policy Development: Linked strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline 2016/17	Actual Performance 2017/18			
				Planned Targets	Activity	Actual Target Achieved for 2017/18	Reason for Variance
1 Documented and published diminished and diminishing heritage	4 research reports	4 research reports per annum	4 research reports per annum	4 research reports per annum	Data gathering, analysis and report writing	4 research reports were produced	Target met

12.4 Public Engagement and Education

Introduction

The Public Engagement and Education Unit is established in terms of Sec 5 (1) (a) (b) (c) and (f) of the CRL Act of 2002. This section deals with conducting public information and education programmes to promote public understanding about the objects, roles and activities of the Commission. Furthermore, as one of the core businesses of the Commission without which the very objects cannot be achieved, it conducts programmes to promote respect for and further the protection for rights of CRL communities.

Throughout the 2017/18 financial year in review, the Commission made an informed decision to run with the projects that have been researched by the Research and Policy Development (RDP) Unit which then became the educational programmes of the Public Engagement and Education. Other projects were informed by cases registered with Legal Services and Conflict Resolution Unit. Thus, making sure that whatever information is taken to communities is researched and investigated information which carries substance.

12.4.1 Capacity Building Workshops

The Unit conducted capacity building workshops in KwaZulu-Natal in the area of KwaMashu, Mpumalanga in Sabie, Hlau-Hlau and Malelane, and Limpopo Province in Giyani, Thohoyandou and Tzaneen. Some were conducted in North West Province in Mabeskraal, Lethabong and Rustenburg. Others were in Rankuwa, Mohlakeng, Ivory Park, Soshanguve and Diepkloof in Soweto, and Tshwane in Gauteng Province. Since the Commission is based in Gauteng and does not have a presence in other provinces, it should be noted that it is impossible to reach out to all communities in a given financial year. Although this hinders the Commission to perform its work to the maximum, through this Unit, the Commission does its utmost best to reach as many communities as possible.

The focus during these workshops was on Chapter two of the Constitution of the Republic of South Africa (Bill of Rights) as well as proposals outlined in the Commission's Commercialisation of religion and abuse of peoples believe system report as published.

Objectives of capacity building workshops are as follows:

- To capacitate religious community councils on programmes such as project management, basic financial management and governance.
- Instigate dialogue on the challenges with which communities are faced, such as succession planning in their organisations when their founders pass on.
- Capacitate religious leaders on various sections of the Constitution, mainly the Bill of Rights which guarantees that:

- everyone has inherent dignity and the right to have their dignity respected and protected;
- everyone has the right to freedom of religion, belief and opinion that Section;
- everyone has the right to choose their trade, occupation or profession freely. The practice of a trade, occupation or profession may be regulated by law
- Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community to enjoy their culture, practice their religion and use their language; to form, join and maintain cultural, religious and linguistic associations and other organs of civil society.

During these workshops, religious leaders were made to understand that as much as they have all the freedom as outlined in the Bill of Rights, they have the responsibility to balance their rights with those of their fellow man. They also need to know that they have to respect human dignity and make sure they do not subject their members to bad treatment. They were capacitated on the promotion of the values that underlie an open and democratic society based on human dignity, equality and freedom.

Another aspect that was emphasised during these workshops was Section 22 of the Constitution which says every citizen has the right to choose their trade, occupation or profession freely. This Section further dictates that the practice of a trade, occupation or profession may be regulated by law. In our encounter with religious leaders, it was noted that they did not think that this Section included them.

They did not think that they are professionals in a trade or an occupation in which they are engaged. Their argument is that they are called and therefore not in a profession; they do as God dictates to them to do. This Section of the Constitution dictates that a profession, trade and occupation may be regulated by law. Teachers, nurses, lawyers and other professionals are in fact organised and regulated by various and respective bodies/councils. If all other professions are subjected to a form of regulation, why not the religious sector. If a teacher can be punished and struck off the roll, why is it difficult for religious leaders to be subjected to the same?

Below were observations and issues raised during these capacity building workshops:

- Churches are different and subscribe to different principles and as such should not be clustered in the same group. Charismatic, African Traditional Religion and Mainline churches differ greatly and should belong to separate and different umbrella bodies.
- What will happen to a pastor who does not want to belong to a fraternal or an umbrella organisation?
- Why are women easy targets and subjects of abuse in the hands of the religious leaders? Why are they so vulnerable?
- How can we verify and authenticate a legitimate religious leader?

- What is in it for religious leaders that will be serving in some of the structures that are proposed in the CRL Rights Commission report? Concerns are that the Commission operates with a skeleton staff, how are all these proposals going to be sustained?
- The Commission should deal with foreign religious leaders as most of the troubles revolve around them until then the Commission must leave the church alone.
- How is the Commission going to manage the umbrella organisation? The fear is that religious leaders occupying positions might be too powerful and may victimise others and cause conflict within the body.
- How will the Commission or umbrella bodies be able to verify that allegations levelled against a particular religious leader are legitimate and not a smear campaign against the other?

12.4.2 Nation Building Dialogues

12.4.2.1 Cultural dialogue- 16 days of no violence against women and children

One of the most important dialogues was conducted during the 16 days of no violence against women and children with traditional leaders and other stakeholders in Gauteng.

The theme of the dialogue was not in the name of culture will women and children be abused. During this particular dialogue, various traditional leaders and other Chapter 9 institutions were invited to share with the Commission what could be done to make sure that a male child is raised and taught to understand that women are supposed to be treated well and not to be abused. Programmes which aim to prepare the girls for adult life, and how they should stay chaste are put in place, yet nothing is done for the boys to prepare them for adult life. The girls are subjected to virginity testing while the boys live anyhow, something needs to be done for the boys.

The following were observed during the dialogues:

- During this dialogue, various traditional leaderships represented, reiterated the importance of grooming the boys and starting programmes that will nurture and prepare them for adult life that will help them respect and protect women and children.
- Programmes such as virginity inspections are there for the girls and yet nothing is done for the boys.

12.4.2.2 Dialogue to define cults, sects and a church

The Unit engaged in a dialogue conducted with the RPD, seeking to define cults, sects and a church. The purpose of this dialogue was to do critical introspection on issues such as the challenges and marginalisation by the broader South African communities when it comes to traces of cults and sects within churches.

The aim of this dialogue was to identify the signs within a church that construct a cult and sect to proactively deal with situations leading to religious institutions being used as instruments of criminal activities. This dialogue will be duplicated throughout the country to start a national discourse on what constitutes a sect and cult and how one is able to spot one from a distance. To deal with the sect and cult practices and to curb the threats that come with these practices, the dialogues came up with the following conclusions:

- elderly people should be part of the church establishments wherein an eye can be put on any strange practices that are introduced in the church;
- a code of conduct and regulatory body should be established to deal with issues emanating from cult and sect practices; and
- awareness campaigns should be intensified to educate people about the dangers of sect and cults and to deal with early warning signs.

12.4.2.3 Multilingualism dialogue

During the multilingualism dialogue, it was noted with serious concern that African languages, although being elevated to official language status, this was only on paper rather than reality. According to Statistics South Africa, it has been estimated that 76% of the South African population speaks languages from the Nguni and Sotho groups as a home language. Of first language speakers within the Nguni and Sotho, 63% know a language in the other groupings as second or third language. Afrikaans speakers form about 12%, while English mother-tongue speakers form about 8% of the population. The smaller and non-cognate languages are spoken by about 4% of the population. Sign Language and the Khoisan languages, non-official South African languages, are used in certain official circumstances in limited areas where their prevalence has been determined.

The most disturbing is that so many years into democracy, the dominance of English, one of the languages spoken by the least as a home language, has been boosted at the expense of all others in the country. Afrikaans spoken by about 12% of the population, compared to English has lost its stature. The African languages, among which IsiZulu and isiXhosa are the two most spoken languages and mutually intelligible, continue to be completely neglected. In fact, the nine African languages are probably in a weaker position today than they were before the 1990s. More than three-quarters of the population speak these languages.

During this dialogue, the South African Democratic Teachers Union (Sadtu) indicated that UNESCO had proclaimed "International Mother Language Day" with the intention to promote and

protect multilingualism across the globe. Sadtu in its presentation indicated that as in the context of South African, the Constitution clearly stated that everyone has the right to receive education in the official language of their choice. However, 23 years into democracy, South Africa is still grappling with issues of language because only minority languages receive privilege as Sadtu sadly reported.

Sadtu believes that language is a powerful tool, and either used to achieve a particular empowering agenda or it is disempowering. The Union believes language is used in line with neo-colonialism efforts to homogenise and standardise English which is perpetuated exclusion and inequality. In short, it stressed the fact that language denial is knowledge denial.

Sadtu further shared with the audience during the dialogue that the high failure rate in schools is caused by language barriers. The reason behind this is because most African learners have to grapple with content and then with the language. While Sadtu acknowledged that multilingualism is important, it advocated for the use of indigenous languages as languages of instruction as it was resolved by UNESCO. Furthermore, it argued that in most township and rural schools the teachers are using English and African languages during learning and teaching, but assessments are done strictly in English. The cardinal question Sadtu posed to all was, why is learning, teaching and assessment not done in African languages? Sadtu concluded its presentation by asserting that every learner is capable of realising its potential in the language of their choice.

During the multilingualism dialogue, the Congress of South African Student president argued that the issue of multilingualism should be taken to another level. He argued that those who study through their mother tongue do better in their grades compared to those who study through the borrowed languages. He further argued that as Congress of South African Students they would want to engage with the Department of Basic Education to investigate the possibility of having dual-medium question papers. In this case, teachers were requested to mark content and not the language, as was done with Afrikaans learners in parallel-medium schools. He argued that this would improve the grades of all learners in Grade 12.

One of the speakers during this dialogue, Professor Kwesi Prah, drove the Congress of South African Student point home by indicating that no society on earth ever progressed and developed economically, culturally and otherwise through a borrowed language. Professor Prah simplified the South African language dilemma by indicating that languages in the country could be combined and developed as groups instead of developing them individually. He indicated that isiZulu, IsiNdebele and IsiXhosa could be clustered into one standard language that can be used in schools across the provinces that speak these languages. The other languages that can also be combined are the Sotho language family of Sepedi, Sesotho and Setswana. Speakers of these languages can converse with one another without any difficulty. Of the 11 Official languages, six could be reduced and taken care of in these two groups. The struggle with the remaining five languages could continue, and a mechanism found for synchronising these.

12.4.2.4 Restoration of the Khoi and San diminished and diminishing heritage

The Unit further conducted a dialogue on the restoration of the Khoisan heritage with the objectives to:

- understand what the CRL Rights Commission has done to promote and protect the Khoi and San culture, religion or faith, and language rights over the years;
- solicit from each of the participants, research experts, what they have done in these areas, especially on culture and religion or faith; and
- establish a baseline that will assist the researchers, the Commission and the country to not duplicate, but instead to build on what already exists, to better promote and protect the Culture, Religion or Faith, and Language of the Khoi and San.

This dialogue is a specialist meeting to look at who is doing what within the country, especially in terms of research, documentation and knowledge building and knowledge management.

After this meeting, the CRL Rights Commission will develop a work plan outlining how it will work on the process that will lead to the resuscitation of the Khoi and San people's culture, religion and language. At first, the outcome will be a document outlining the culture, religion or faith, and languages of the Khoi and San. Then we will embark on a public awareness process with the Khoi and San people about their culture, religion or faith, and language.

Hence this meeting will first outline what the CRL Rights Commission has done over the years and investigate what other researchers have done. Following this consultation, CRL Rights Commission will develop a work plan to promote and protect and restore Khoi and San culture, religion and language.

12.4.3 Educational Awareness Campaigns

Finally, the Unit conducted 18 awareness campaigns in communities around the country during the period in review. Four important issues that had all South Africans talking and will continue to be talking points for quite a long time are:

- The commercialisation of religion and abuse of people's belief systems;
- Recognition of South African Sign Language as an official language;
- Access to graves and burial sites; and
- Publicising the Initiation Report.

12.4.3.1 Commercialisation of religion and abuse of people's belief systems

The report of the commercialisation of religion and abuse of people's belief systems is something that will not easily be part on the ash heap of history. Much responsiveness is needed to be done on the findings and recommendations made to Parliament with reverence to report. The more awareness is conducted, the better communities are made aware of some of the dangers that come with a lack of accountability on the part of religious leaders.

The Unit conducted awareness campaigns in communities of Spruitview, Vosloorus and Hammanskraal in Gauteng Province and in Free State Province in the Qwaqwa area as well as in Witbank, Mpumalanga.

Campaigns were meant to make communities aware of what needs to happen when confronted with some of the sinister things uncovered during the public hearings such as being treated in an inhumane manner and human rights abuses in general.

12.4.3.2 Observations and issues raised

- Members are being encouraged to report cases of abuse to law enforcement agencies while waiting for the implementation of the recommendation of commercialisation report and regulation of religious leaders.
- Religious leaders using faith products should have disclaimers on the packaging to say that patients should not stop doctor's medication that will exonerate them in cases of death.
- What is the stance of the Commission regarding staunch religious formations such as the Baptist Church that does not allow women leaders in its ranks?
- How is the Commission going to minimise chances of corruption within umbrella bodies?
- Democracy has to be blamed for all social ills in the country. There are just too many rights.
- The Commercialisation Report is biased, concentrating on charismatic churches only.
- The commission is not explicit what mechanisms to employ whereby religious practitioners and worship centres register.
- The Commission is commended for taking a stance in protecting Christianity as a religion against abuse by some religious leaders.
- The Commissioner assigned for a province should be visible and take part in provincial and municipal structures.
- Is Satanism a religion? Is it promoted and protected like other religions?
- What grievance procedures are put in place for a religious leader to follow when abused by an organisation he is meant to lead?

12.4.3.3 Recognition of Sign Languages as an official language

The Commission through the Public Engagement and Education Unit launched an awareness campaign on the recognition of Sign Language as one of the official languages.

Campaigns were conducted with deaf communities in the Eastern Cape in Mdantshane in collaboration with organisations such as Deaf South Africa (Deafsa), the South African National Deaf Association (SANDA) and Pan South African Language Board (PanSALB) to ensure that the message reaches wide and far. Other awareness campaigns were conducted in Johannesburg, Gauteng in collaboration with South African Human Rights Commission and PanSALB. We have pleasure in reporting that after the presentation to the Constitutional Review Committee and the awareness launch, a recommendation was made to the National Assembly and Council of Provinces to amend the Constitution South African. Sign Language is now/being included as one of South Africa's official languages.

Observations from the engagements on Sign Language are as follows:

- The church is not accommodative of the deaf community there are no deaf pastors and ministers.
- Most members of the deaf communities are illiterate.
- Most members of the deaf community are unable to access tertiary education.

12.4.3.4 Access to graves and burial sites

The CRL Rights Commission has been on a mission to protect the rights of various communities concerning the graves of their members across the country. Several people and groups had submitted complaints that either they were denied access to burial grounds where their members were buried; developers had destroyed graves and built over them; graves that were in formal cemeteries had been vandalised, re-used or recycled or they were neglected and unidentifiable. The various forms of complaints raise questions about the ownership of graves, the centre of management of graves, the cultural and religious significance and the constitutionality of the legislative as well as policy frameworks that are in force. To address the above, the CRL Rights Commission employed a two-pronged approach by engaging communities, groups of affected people, and municipal officials including politicians. The CRL Rights Commission also held structured investigations in line with Section 7 of its enabling legislation that it may conduct investigation in terms of Sec 5(1)(e).

The Commission held a public engagement with communities in Durban to serve as a precursor to an investigation into the complaints about graves by some people and organisations. The gathering attracted representatives of several categories of communities such as traditional healers, traditional leaders, religious leaders, civic organisations and ordinary residents of the EThekweni Metropolitan Municipality.

Deliberately, the purpose of the gathering was briefly tabled as an open dialogue among the attendees to establish the issues affecting communities regarding the system of burials locally and how they can be addressed. As it would be expected, the very first speaker expressed a concern that the cart was already in front of the horse, as undesirable changes in the system of burials were already in force. He implied that it would be of no use to discuss the violation of people's cultural and religious rights concerning the graves of their members by the government. Nevertheless, the gathering was convinced by an explanation that it is never too late to fix, and vibrant discussions ensued.

12.4.3.4.1 Submissions

Inputs ranged from presentations of what used to happen in some cemeteries when space was depleted, government's failure to plan holistically, families' neglect of ancestral graves; rising criminality, and the relationship of the dead with the living.

12.4.3.4.2 Historical Perspective

During this engagement, it was interesting to learn that in Chesterville and one known as Wiggins Road or Ezinkawini cemetery which was established in the early 1940s recycling used to happen when there was a shortage of space. The remains of older graves would be dug out and cremated to provide ones for new burials. Although there was no direct response to the above input, there was an outcry that in the current situation the communities were not consulted to determine whether re-use and recycling bodes well with them. Questions were raised if it is culturally and religiously proper to dig out burial remains and cremate them to bury somebody else in the empty grave? Is it acceptable to bury more than one body in a grave? Also, can multiple bodies of unrelated people be buried in a grave?

- **Do Graves Matter?**

There was a unanimous view that it is African culture and religion to bury the dead in accordance with customs and manage and protect graves. The reason being there is a strong belief that the deceased must rest in peace and forever connect with the living. A traditional leader remarked that some families neglect their graves. When they decide to relocate to other communities, they leave graves of their members who passed on behind and never visit these. His input suggested that to some people the graves accommodate the mortal and matter not but the spirits matter and are portable.

- **Do the Dead Continue to Live?**

Traditional healers expressed strong views that the dead continue to live and contribute to the lifestyles of their living relatives. A diviner narrated a case where the remains of a deceased head of a family were cremated and kept in the house where his family lived. She said because of the anger of the deceased, a descendant suffered from continual nose bleeding.

Although the discussion was limited to graves and the tangible, it would be worthwhile to discuss the protection of the intangible spirit and whether it is separable from the tangible remains. Such a discussion would test the motivation for or against re-use and recycling of graves, what it entails, and whether some people would support it if at all they were consulted. In this regard, the critical question is the meaning and significance of African pre- and post-burial rites. Does the ritual of 'ukubuyisa' (transferring of the spirit) enjoin as well as separate the spirit from the body and how relevant is the traditional ritual of 'ukulanda/ukubuyisa' in the current situation of dire lack of space for burials?

- **Criminal Activities in Sacred Spaces?**

A former headmaster of a school and a resident of Wentworth, raised a security challenge that vagrants stay among graves at a local cemetery. Whether they commit crimes against visitors to the cemetery or some violent criminals hijack cars, kill and rob these people of their belongings is uncertain. He said women are more vulnerable as they may be raped and killed. Also, cemeteries are used as places for exchanging drugs and other undesirable goods. Therefore, he said, since the dawn of democracy in South Africa, cemeteries are no-go areas.

He also made an important point that the Wentworth cemetery caters for all cultural and religious groups. Therefore, it is a place of various kinds of sacredness according to different cultures and religions. This point challenges the policy of re-use of graves particularly when members of more than one family share the same grave. Whatever is performed by one living family may not be amenable to the families of the others in the same grave.

- **Grave 'Gold' Digging?**

More than one speaker said it is common to find defaced or destroyed graves and the explanation is that thieves search for expensive coffins. Hence an emerging practice to protect the inside of the grave with bricks and concrete mix.

- **Is Cremation Culturally Acceptable?**

Regarding the introduction of cremation of human remains to address the challenge of the diminishing space for burials, one speaker expressed her reservations and submitted that cremation is foreign to African cultural and religious practices. She said even if one would not mind being cremated and made a Will, his descendants may decide otherwise as they may be influenced by their own beliefs that a dead person must 'rest in peace'.

12.4.4 CONCLUSIONS

The day-long engagement of communities in Durban provided insights for a focused approach to the investigation and resolution of the various complaints which had been submitted to the CRL Rights Commission the next day.

The discussion revealed that the policy and legislation framework for the system of burials in the Ethekwini municipal area is highly contested by their various communities. They cite lack of consultation in the process of legislating as the source of the alleged violation of the Constitutional cultural and religious rights relating to traditional and historical systems of burials.

Furthermore, several communities cite inadequate management and protection of cemeteries. Consequently, graves are vandalised, and, in some instances, they are turned into illegal residential areas or areas of criminal activities. Communities are extremely aggrieved by the non-democratic system of leasing graves, re-use and recycling.

In attempting to respond to challenges such as the rapid population increase, inevitable death, and the increasing rate at which this occurs, space for burials is resolute. Therefore, innovation must be coupled with cultural sensitivity and there cannot be shortcuts to the involvement of the affected communities. Public participation is the backbone of our Constitutional democracy and the people must determine their destinies.

12.4.5 Recommendations

Based on the above it is recommended that the CRL Rights Commission considers:

- documenting the traditional community systems of burials to establish the key aspects which form the core characteristics of each community and must be promoted and protected;
- engaging communities on the need to balance their needs – the need to restore their identities and other basic needs for survival such as housing and food security among other things, all which compete for space;
- alerting the affected government departments of the importance of thorough consultation with communities in policy formulation and legislation to prevent violation of community cultural, religious and linguistic rights;
- exploring options for restorative justice for damage done to the rights of families whose graves have been tampered without their consent.

This project will continue into the new financial year, with the aim to engage communities and determine what challenges they face regarding access to graves and burial sites.

12.4.6 Initiation report

Other awareness campaigns were conducted to publicise the findings and the recommendation as contained in the report produced by the Commission on the causes of death in initiation schools. An awareness was conducted with Babina Noko Traditional Council under the leadership of Kgoshi Madire Mounkangwe II in Siyabuswa. Other traditional leaders in the neighbourhoods were present during this engagement. This campaign will be conducted continuously with other communities which practice initiation as a rite of passage. The aim is to make sure that the number of deaths in initiation schools is reduced and lives are saved.

Observations and issues raised during the engagements

- No broadcast of the traditional rite of passage such as initiation should be done.
- If anything must be broadcast relating to culture, custodians of culture must be consulted, and approval granted.

- One community member indicated that initiation messed up his life, he announced his wedding date before the initiation season. The initiation dates occurred on the same as his wedding. The question is what takes preference?
- Bakone ba Lebala are a Bapedi tribe living in Verina with AmaNdebele nation after being forcefully removed from their land. They are unable to conduct initiation according to their customs because they have to request permission from another chief who gives them approval of terms and conditions. Sometimes they are forced to graduate their initiates ahead of time to give the chief time to initiate his own people.
- There is a problem regarding demarcations between Mpumalanga and Limpopo, when tribes living on the border request approval to conduct initiation, they are sometimes sent from one provincial administration to the other.



Table 5: Public Engagement and Education: Strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline target 16/17	Actual Performance			
				Planned Targets 2017/18	Activity 2017/18	Actual Target Achieved for 2017/18	Reason for Variance
1 Capacity building of community councils	Report on capacity building workshops	18 capacity building workshops: establishment of the constitution, NPO registration process, financial management workshops conducted annually	18 capacity building workshops: establishment of the constitution, NPO registration process, financial management workshops conducted annually	18 capacity building workshops: establishment of the constitution, NPO registration process, financial management workshops conducted annually	Workshop on registration and development constitutions for community councils	18 capacity building workshops: establishment of the constitution, NPO registration process, financial management workshops conducted annually	Target met
2 Facilitation of active participation of communities in nation building	12 Nation Building Dialogues	12 nation building dialogues	9 conflict resolution clinics	12 nation building dialogues per annum	Organise and facilitate nation building dialogues	12 nation building dialogues per annum	Target met
	Report on awareness campaigns conducted	18 awareness campaigns per annum	10 awareness campaigns	18 CRL rights campaigns organised and conducted per annum	Organise and conduct awareness campaigns on cultural, religious and language rights	18 CRL rights campaigns organised and conducted per annum	Target met

12.5 Finance and Corporate Services

Overview

During the 2017/18 financial year the Support Services Unit managed all its objectives. Achievements and challenges will be discussed in the following paragraphs

Achievements

The Unit made improvements to the quality of financial statements issued quarterly. These improvements also improved the quality of the annual financial statements, which was achieved by applying a more rigorous review process. Attention was also paid to the allocation of expenses before the issue of the final Trail Balance. The integration of transactions from the Payroll to the Accounting systems was automated, which enhances the accuracy of the accounting records and eliminate human error.

Vacant positions were also filled with the approval of the Executive Office. These vacancies include the Assistant Manager Corporate Services, Procurement Clerk and IT Administrator and temporary positions of Legal Clerk and Asset Clerk.

Monitoring of compliance Improvements was also achieved by the reliance on the Central Supplier Database of National Treasury. Compliance in respect of leave management was also achieved by the implementation of an Employee Self Service system.

Management of the cash flow at the CRL Rights Commission is of a high standard, as we managed to pay all suppliers and staff on time. The Commission also successfully managed the delivery of services to remain in the allocated funds for the prolonged period since its inception in 2004.

Challenges

There was an overpayment made to SARS which occurred in the 2015/16 tax year. The CRL Rights Commission is negotiating with SARS to have this matter resolved. The overpayment relates to the deduction of PAYE. Management is confident that the matter will be resolved, and the funds recovered from SARS during the 2018/19 tax period.

The review of policies is a time-consuming matter that has currently added responsibilities to existing staff members, as the CRL Rights Commission does not have a dedicated officer for this task. The situation is expected to prevail during the 2018/19 financial year, as the CRL Rights Commission is not able to expand its establishment because of financial constraints.

Challenges were experienced in respect of the timely issuing of monthly financial statements. This matter will receive more attention in the 2018/19 financial year.

Table 6: Finance and Corporate Services: Linked strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline 2016/17	Actual Performance 2017/18			Reason for Variance
				Target	Activity	Actual Target Achieved	
1 Identify critical financial processes to deliver value added proposition to the stakeholder	Annual, quarterly and monthly financial statements	Timely, reliable and accurate report to management, plenary and stakeholders which comply to all regulatory frameworks viz. Treasury Regulations and Guidelines. GRAP Standards and ISA	1 set of annual financial statement.	1 set of annual financial statement	Compile annual financial statement	1 set of annual financial statement	Target met
			Quarterly financial statements	4 quarterly financial statements	Compile quarterly financial statement	4 quarterly financial statement	Target met
			Monthly financial statements	Set of monthly financial statements	Compile monthly financial statements	12-Monthly financial statement	Target met
2 Identify critical financial processes to deliver value added proposition to the stakeholder	Creditors management report	Monthly reviews of creditors age analysis	12 Creditors age analysis performed monthly	12 Creditors age analysis reviewed by the end of each month	Review creditors age analysis monthly	Monthly reviews of creditors age analysis were performed	Target met
		Monthly creditors reconciliation	12 Creditors	12 Creditors reconciliation performed monthly	Compile monthly creditors reconciliations	Monthly creditors reconciliation were done	Target met
3 Mobilisation or resources in cash and in kind	Risk management in compliance with standards set for risk management	Risk management report	1 risk workshop	1 risk workshop per annum	Conduct risk workshop	1 risk workshop was conducted	Target met
			1 risk register	1 risk register	Provide updated risk register	1 risk register was updated	Target met

				1 approved risk management policy	1 approved risk management policy	Revise risk management policy	1 risk management policy was approved	Target met
4	Identify critical financial processes to deliver value added proposition to the stakeholder	Expenditure reports produced	Monitor spending in accordance with approved allocation and strategic plan as revised from time to time-- expenditure report	12 Expenditure reports per annum	12-Monthly expenditure reports compiled monthly	Compile expenditure reports	12 Expenditure reports were compiled	Target met
5	Identify critical financial processes to deliver value added proposition to the stakeholder	Development of policies	Departmental Accounting policies, procedures and processes that are continuously streamlined to improve procedures	Accounting policies	Review and draft accounting policies and procedures annually	Draft new policies on demand and revise policies annually	New policies were drafted	Target met
6	Identify critical financial processes to deliver value added proposition to the stakeholder	Procurement in line with and compliant to laws and regulations	Procurement in compliance with laws and regulations	100% of procurement done in compliance with laws and regulations	100% procurement done in compliance with laws and regulations	Provide procurement advice on requests and process submissions with 48 hours from the time of request	100% of procurement was done in line with procurement prescripts	Target met
7	Development of resource allocation	Approved budget	Approved annual budget in accordance with strategic priorities	Approved budget for 2017/18	Approved budget for 2017/18	Draft budget and submit for approval after the receipt of final allocation letter	A budget was approved	Target met

				Submission of budget proposal to National Treasury at the set dates	1 budget proposal to National Treasury by the published date	Prepare budget proposal to National Treasury	Approved budget was sent to National Treasury	Target met
8	Identify critical financial processes to deliver value added proposition to the stakeholder	Reports on UIFWE to National Treasury	Report on unauthorised, irregular, and wasteful expenditure or losses resulting from criminal activity	12 Reports to National Treasury on unauthorised, irregular, fruitless and wasteful expenditure per annum	Monthly reports to National Treasury on unauthorised, irregular, fruitless and wasteful expenditure	Draft report on unauthorised, irregular, fruitless and wasteful expenditure per annum	There were no unauthorised, irregular, fruitless and wasteful expenditure incurred in the year under review	Target met
9	Identify critical financial processes to deliver value added proposition to the stakeholder	Updated contract register	Maintain contract register in compliance with procurement standards per annum	Register contracts in the contract register by end of each month	Updated contract register by end of each month	Maintain contract register in compliance with procurement standards	Contract register was maintained	Target met
10	Identify critical financial processes to deliver value added proposition to the stakeholder	Maintain supplier database	Maintain supplier database in accordance with prescripts per annum	Register new suppliers within 5 days from receipt of registration documents	One supplier database maintained per annum	Register new suppliers within 5 days from receipt of registration documents	New Suppliers were registered upon receipt of documents	Target met
				Update supplier information in the database within 5 days from the receipt of documents	Updated supplier information in the database within 5 days from the receipt of documents	Update supplier information in the database within 5 days from the receipt of documents	Supplier information was updated as and when it is received	Target met

11	Identify critical financial processes to deliver value added proposition to the stakeholder	Updated audit findings register and resolved queries	Resolved audit queries raised by external and internal auditors	Updated audit findings register quarterly	Updated audit findings register quarterly	Updated audit findings register quarterly	Update audit findings register per annum	Audit findings register was updated, and all queries resolved	Target met
12	Identify critical financial processes to deliver value added proposition to the stakeholder	Asset reconciliation and verification report	Sound asset management function in compliance with legislation per annum	Monthly asset reconciliation compiled by the 5 th of every month	12 Asset reconciliations compiled per annum	Compile 12-monthly asset reconciliation	Monthly asset reconciliation was compiled	Target met	Target met
13	Develop aligned and focused structure and increased capacity	Approved organisational structure	Approved organisational structure	Approved structure in accordance with revised strategic plan by 31 March 2018	1 revised organisational structure per annum	1 assessment of useful lives of assets performed per annum	Perform 1 asset verification per annum	Asset reviews were done	Target met
14	Develop incentive policies	Improved organisational performance through implementation of performance management policy	Performance assessment conducted for all staff members in line with policy annually	Performance moderation conducted, and rewards facilitated	Conduct performance moderation and rewards facilitated	Conduct performance moderation and rewards facilitated	Revise structure in accordance with revised strategic plan	1 reviewed organisational structure	Target met

15	Develop plan and evaluate departments, positions and workload capacity	Develop Human Resources Policies	Departmental Human Resources policies, procedures and processes that are continuously streamlined and implements improvement in systems and procedures	Approved and revised Human Resources policies	Review and draft human resources management policies	Draft new policies on demand and revise policies by 31 st March 2018	Policies were developed as the need arose	Target met
16	Develop skills competencies motivation to enhance performance	Report on leave reconciliations	Management of leave in accordance with policy	Monthly leave reconciliations	Monthly leave reconciliations compiled	Compile monthly leave reconciliations	Leave reconciliation was done	Target met

12.6 Programme: Office of the Chairperson

Commissioners through the Office of the Chairperson provide oversight regarding the activities in the organisation. Commissioners have been allocated committees according to their skills and expertise. For the Commission to meet its obligation, it has established committees. The committees are designed according to the units in the Commission and are as follows:

- Research and Policy Development Committee
- Public Education and Engagement
- Legal Service and Conflict Resolution
- Support Services
- Community Liaison and International Linkages
- Communication and Marketing.

The purpose of these committees is to help the Commission to provide oversight responsibilities regarding various functional areas in the organisation to fulfil its mandate as per the dictates of the Constitution and other relevant legislation. Committees hold quarterly meetings and report back at Plenary wherein decisions are made.



REED DANCE

Table 7: Office of the Chairperson: Linked strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline target 16/17	Actual Performance 2017/18			Reason for Variance
				Planned Targets 2017/18	Activity 2017/18	Actual Target Achieved for 2017/18	
1	Enhanced and stable governance systems	Good governance through effective internal governance	4 plenary and 4 Section 22 Committee meeting minutes	4 plenary meetings	Conduct plenary meetings	4 plenary meetings conducted	Target met
				4 Section 22 Committee meeting minutes	Conduct Section 22 meetings	4 Section 22 Committee meetings	Target met

12.7 Programme: Office of the Chief Executive Officer

The Office of the Chief Executive Officer is responsible for all the planning and monitors the implementation of and adherence to the organisational policies, achieving set goals, objectives, and performance targets. Furthermore, this office seeks to continually improve the effective and efficient running of the Commission.

This Office is responsible for monitoring and implementing the Annual Performance Plan and the Strategic Plan and reviewing performance against the targets set for the organisation.

The CEO's Office is responsible for the functioning of the Internal Audit function as per Section 38 of the PFMA in ensuring that controls are in place under the auspices of the Audit Committee. The CEO ensures that all recommendations made to management by the Audit Committee are adhered to and are implemented.



Table 8: Office of the Chief Executive Officer: Linked strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline target 2016/17	Actual Performance 2017/18			
				Target	Activity	Actual Target Achieved	Reason for Variance
1 Implementation of performance monitoring and evaluation systems	Business evaluation reports	Approved quarterly performance information reports	4 business reports	Approved quarterly reports	Consolidate quarterly performance information reports	4 approved business reports consolidated and compiled	Target met
		Consolidated Annual Report submitted to Parliament and other legal deposits	1 Annual Report	1 Annual Report consolidated and submitted to Parliament and other legal deposits	Prepare and consolidate Annual Report	1 Annual Report consolidated	Target met
		Annual performance information report submitted to the Auditor-General of South Africa	1 annual performance information	Annual performance information signed by Accounting Officer and submitted to the Auditor-General of South Africa for inclusion in	Prepare and consolidate annual performance information	Annual Performance Information consolidated	Target met

2	Develop planning processes to ensure integrated organisational operation	Approved strategic plan	Approved strategic plan submitted to parliament and National Treasury	1 strategic plan for the Commission	Strategic plan submitted to Parliament by end of March 2018	Prepare and consolidate a strategic plan for the Commission	Strategic plan approved	Target met
		Approved annual performance plan	Approved annual performance plan	1 annual performance plan	Annual performance plan submitted to Parliament by end of March 2018	Prepare and consolidate annual performance plan for the Commission	Annual performance plan approved and submitted	Target met
		Approved three-year rolling plan and internal audit plan	Approve three-year rolling plan and internal audit plan	1 three-year rolling plan	Approved audit rolling plan reviewed and audit action plan implemented	Draft a three-year rolling plan and internal audit plan	Audit Rolling plan reviewed and approved	Target met
		Operational strategy	1 approved operational strategy	1 operational strategy	Approved operational strategy	Develop an operational strategy	Operational strategy approved	Target met
3	Develop a plan to assess competitive environment and impact of the programmes	Approved monitoring and evaluation tool	Evaluation report of the Commission events	Implementation of evaluation and monitoring tool annually	Implemented monitoring and evaluation tool annually	Implement monitoring and evaluation tool	Monitoring and evaluation tool implemented	Target met

PART C: GOVERNANCE



13. Introduction

Governance is all the processes of governing, whether undertaken by a government, market or network, over a social system (family, tribe, formal or informal organisation, a territory or across territories) and whether through the laws, norms, power or language of an organised society. Governance relates to “the processes of interaction and decision-making among the actors involved in a collective problem that lead to the creation, reinforcement, or reproduction of social norms and institutions.” In lay terms, it could be described as the political processes that exist between formal institutions.

A variety of entities (known generically as **governing bodies**) can govern. The most formal is a **government**, a body with its sole responsibility and authority to make binding decisions in a given geopolitical system (such as a state) by establishing laws. Other types of governing include an organisation (such as a corporation recognised as a legal entity by a government), a socio-political group (chiefdom, tribe, family, or religious denomination), or another informal group of people. In business and outsourcing relationships, governance frameworks are built into relational contracts that foster long-term collaboration and innovation.

Governance is the way the rules, norms and actions are structured, sustained, regulated and held accountable. The degree of formality depends on the internal rules of a given organisation and, externally, with its business partners. As such, governance may take many forms, driven by many different motivations and with many different results. For instance, a government may operate as a democracy where citizens vote who should govern and the public good is the goal. A non-profit organisation, on the other hand, may be governed by a small board of directors and pursue more specific aims.

The Commission is given powers by the CRL Act 19 of 2002, and governance of the Commission is further applied through the Public Finance Management Act (PFMA).

14. Executive Authority

14.1 The Commission

The CRL Rights Commission is established in terms of CRL Act, Act 19 of 2002. Members of the Commission are appointed for a term of five years. The present members of the Commission are shown in Table 9.

Table 9: Members of the Commission

Name	Date of Appointment
Ms TN Mkhwanazi-Xaluva	01 March 2014
Prof LD Mosoma	01 March 2014
Ms HL Mabale	01 March 2009
Mr S Dlamini	01 March 2014
Ms N Tyamzashe	01 March 2014
Ms B Muthien	01 March 2014
Mr R Schoeman	01 March 2014
Dr A Knoetze	01 March 2009
Ms PP Madiba	01 March 2014
Ms S Khama	01 March 2014
Mr R Botha	01 March 2014
Mr R Trollip	01 March 2014

14.2 Risk Management

The Commission is committed to maintaining an effective, efficient and transparent system of risk management as enshrined in its Risk Management Plan and Policy. The plan is guided by a strategy that ensures the risk register is updated and monitored by all risk owners. The owners are encouraged to monitor risks and assess its impact on the efficient functioning of the Commission. The Risk Management Committee has been appointed and is headed by an external person who reports directly to the Audit Committee.

14.3 Fraud and Corruption

The CRL Rights Commission remains committed to fighting fraud and corruption to deliver quality service continually and at all costs. Efforts are intensified to combat fraud and corruption in its operations and to ensure that perpetrators of such deeds are brought to book. The Commission has embarked on making staff aware of the Corruption Hotline, which is placed on notice boards at its office and the Intranet website.

14.4 Minimising Conflict of Interest

The Commission ensures that all employees declare their business interests to safeguard that employees do not do business with the state. Furthermore, management is registered with Companies and Intellectual Property Commission (CIPC) to track that no supplier employed by the state does business with the state.

14.5 Code of Conduct

The Commission subscribes to the good Code of Conduct, and all employees are work-shopped on new policies to familiarise them with the content.

14.6 Internal Audit and Audit Committees

The Audit Committee, which is made up of external members and one member of the Commission, operates with an approved Audit Committee Charter in line with prescripts of the PFMA and Treasury Regulations. The function of the Committee is to monitor the Commission's compliance with relevant legislation and other governance processes and continually assess the performance and finances of the organisation. The Audit Committee reviews and considers reports from internal audit and external auditors. The Audit Committee further ensures that management takes remedial action in respect of audit findings. The Auditor-General does an external audit.

The Internal Audit functions within an approved Internal Audit Charter in line with prescripts of the PFMA, Treasury Regulations and the Standards for the Professional Practice of Internal Auditors issued by the Institute of Internal Auditors. Internal Audit provides objective assurance to the Commission regarding effective management, control and governance processes to assist the organisation in achieving its objectives. Internal Audit reports directly to the Audit Committee.

Table 10: Section 22 Committee: Oversight Committee

Communication and Marketing Committee	Helen Julia Mabale - Chairperson Sicelo Dlamini Nomalanga Tyamzashe Senior Manager
Research, Policy development Public Engagement and Education Committee	Pumla Madiba - Chairperson Raymond Trollip Bernadette Muthien Senior Manager
Legal Services and Conflict Resolution Committee	Sheila Khama - Chairperson Richard Botha Sheila Khama Senior Manager
Finance and Corporate Services Committee	Thoko Mkhwanazi-Xaluva Luka David Mosoma CFO CEO
Community Liaison and International Linkages	Renier Schoeman- Chairperson Anton Knoetze Senior Manager

Table 11: Audit Committee

MM Madliwa	Chairperson
HG Hlomane	Member
NT Baloyi	Member
LD Mosoma (Prof)	Commissioner
TE Mafadza	CEO
CM Smuts	CFO

Table 12: Risk Committee

Moshabi Potu	Independent Chairperson
Kgositsoi Sedupane	Senior Manager – LSCR
Brian Makeketa	Senior Manager – RPD
Cornelius Smuts	CFO
Obed Semono	Manager & acting senior manager: PEE & Secretary of the committee

Table 13: Management Committee (Manco)

TE Mafadza	CEO (Chairperson)
Cornelius Smuts	CFO
Brian Makeketa	Senior Manager: RPD
Kgositsoi Sedupane	Senior Manager: LSCR
Mpiyakhe Mkholo	Acting Senior Manager: C&M
Israel Hlatshwayo	Manager: Finance
Obed Semono	Manager & acting senior manager: PEE & Secretary of the committee

15. Audit Committee Report

We are pleased to present our report for the financial year that ended on 31 March 2018.

Audit Committee Members and Attendance:

The members of the Audit Committee are listed below and should meet at least four times per annum as per the approved terms of reference. During the 2017/2018 financial year, four (4) meetings were held.

Audit Committee	Member Number of Meetings Attended
Mr B.Madliwa (Chairperson, appointed 1 January 2017)	6 of 6
Mr T. Baloyi (Appointed 1 January 2017)	5 of 6
Mr H.Hlomane (Appointed 1 January 2017)	4 of 6
Prof. L.D. Mosoma (Appointed 1 March 2014)	2 of 6

Audit Committee Responsibility:

We have operated and performed our oversight responsibilities independently and objectively and adopted appropriate formal terms of reference in our charter in line with the requirements of Section 38(1) (a) of the PFMA, No. 1 of 1999 and Treasury regulation 3.1. We further report that we conducted our affairs in compliance with the charter. The External Auditor has brought our attention to the fact that members should sign declaration forms for every Audit Committee meeting attended in line with best practice, which we have since accepted and implemented the recommendation.

The Effectiveness of Internal Controls:

In line with the PFMA and the King III Report on Corporate Governance requirements, Internal Audit provides the Audit Committee and management with assurance that the internal controls are appropriate and effective. This is achieved using the risk management process as well as the identification of corrective actions and suggested enhancements to the controls and processes.

The Audit Committee would like to report that the systems of internal controls implemented by management were assessed to be adequate to mitigate the risks identified. However, in some reviews conducted, the controls were found to be ineffective in mitigating the risks identified by management because of a lack of commitment to implementing those controls and ensuring that these were working as intended. Management has accepted recommendations from Internal Audit and undertaken to implement all the necessary improvements.

Despite some of these controls being ineffective, the Audit Committee is of the view that the system of internal controls will be effectively addressed by concerted effort and hard work from management and officials.

Internal Audit:

The internal audit activity is outsourced. This is helpful because the service provider provides all the skills needed to conduct an internal audit function. Based on the reports presented by the internal audit and their ability to execute audits in accordance with the approved annual audit plans, we believe the internal audit function is satisfactory.

Risk Management:

The CRL's Risk Management Committee has been appointed and has conducted meetings to look at the factors that might pose a risk to the operations of the Commission. The Audit Committee believes that management is committed to ensuring that the process is adequate and that it is prioritised in management meetings and Plenary Meetings of the Commission. An external and independent person who reports directly to the Audit Committee chairs the Risk Management Committee.

The quality of in-year management quarterly reports submitted in terms of the PFMA:

The Audit Committee is satisfied with the content and quality of the quarterly reports prepared and issued by the Accounting Officer of the Commission during the year in review. The content and quality of performance information matters and financial disclosures require further attention, as certain discrepancies were noted and corrected by management.

Evaluation of Financial Statements:

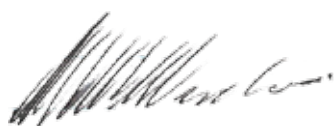
The Audit Committee has reviewed:

- the audited annual financial statements to be included in the Annual Report;
- the AGSA's management letter and its responses;
- and discussed with management the performance information of the entity;
- the Commission's compliance with legal and regulatory provisions;
- changes in accounting policies and practices; and
- significant adjustments resulting from the audit.

The Audit Committee concurs and accepts the AGSA's conclusions on the annual financial statements and believes the audited annual financial statements be accepted and read together with the report of the AGSA.

Meeting with Auditor-General South Africa:

The Audit Committee concurs with and accepts the audit report of the Auditor-General



BMM Madliwa
Chairperson of the Audit Committee

PART D: HUMAN RESOURCES MANAGEMENT

ANNUAL REPORT 2017/2018



16. Human Resources Oversight Statistics

Staff Complements

16.1 Human Capital Development

To improve the capacity of the CRL Rights Commission, five new employees were appointed permanently and two on contract.

16.1.1 Skills development

To improve the quality of services, the CRL Rights Commission provided the following training for employees:

- Bid Committee training;
- Sign language;
- Ms Word
- Ms Excel

Table 14: Training provided for the period 1 April 2017 and 31 March 2018

Occupational category	Gender	Number of employees as at 1 April 2017	Training provided within the reporting period		
			Internships/ Learnership	Skills Programmes & other short courses provided	Total
Lower-skilled (Levels 1-2)	Female	2	3	2	5
	Male	0	1	0	1
Skilled (Levels 3-5)	Female	1	0	1	1
	Male	1	0	1	1
Highly-skilled production (Levels 6-8)	Female	2	0	1	1
	Male	2	0	5	5
Highly-skilled supervision (Levels 9-12)	Female	12	0	17	17
	Male	3	0	5	5
	Female	0	0	0	0
Senior management (Levels 13-16)	Male	4	0	0	0
Total		29	4	32	36

16.2 Performance Indicators

Table 15: Performance indicators

Programme / Sub-programme: Administration					
Performance Indicator	Actual Achievement 2016/2017	Planned Target 2017/2018	Actual Achievement 2017/2018	Deviation from planned target to Actual Achievement for 2017/2018	Comment on deviations
Corporate Support					
Indicators					
Number of interns and learners	4	4	4	0	None

16.3 Employment and Vacancies

Table 16: Employment and vacancies by salary band as on 31 March 2018

Salary band	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Lower skilled (Levels 1-2), Permanent	2	2	0	0
Skilled (Levels 3-5), Permanent	2	1	1	0
Highly skilled production (Levels 6-8), Permanent	4	4	0	0
Highly skilled supervision (Levels 9-12), Permanent	17	17	0	0
Senior management (Levels 13-16), Permanent	5	4	1	0
Contract (Levels 13-16), Permanent	1	1	0	0
Total	31	29	2	0

16.4 Filling of SMS Posts

Table 17: SMS post information as on 31 March 2018

SMS Level	Total number of funded SMS posts	Total number of SMS posts filled	% of SMS posts filled	Total number of SMS posts vacant	% of SMS posts vacant
CEO/Head of Commission	1	1	100%	0	0
Salary Level 13	5	4	80%	1	20%
Total	6	5	83%	1	17%

16.5 Employment Changes

Table 18: Annual turnover rates by salary band for the period 1 April 2017 and 31 March 2018

Salary band	Number of employees at beginning of period-1 April 2017	Appointments into the Commission	Terminations	Number of employees at the end of March 2018
Lower skilled (Levels 1-2), Permanent	2	0	0	2
Skilled (Levels 3-5), Permanent	2	0	1	1
Highly skilled production (Levels 6-8), Permanent	4	0	0	4
Highly skilled supervision (Levels 9-12), Permanent	15	2	0	17
Senior Management Service, Permanent	4	0	0	4
Contract (SMS), Permanent	1	0	0	1
Total	28	2	1	29

Table 19: Reasons why staff left the Commission for the period 1 April 2017 and 31 March 2018

Termination Type	Number	% of Total Resignations
Death, Permanent	0	0
Resignation, Permanent	1	3.2%
Expiry of contract, Permanent	0	0
Discharged because of ill health, Permanent	0	0
Dismissal-misconduct, Permanent	0	0
Retirement, Permanent	0	0
Total	1	3.2%
<i>The official left the CRL Rights Commission to start own business</i>		

16.6 Employment Equity

Table 20: Total number of employees (including employees with disabilities) in each of the following occupational bands as on 31 March 2018

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Contract (Top Management), Permanent	1	0	0	0	0	0	0	0	1
Senior Management, Permanent	3	0	0	1	0	0	0	0	4
Professionally qualified and experienced specialists and mid-management, Permanent	2	0	0	0	0	0	0	0	2
Skilled technical and academically qualified workers, junior management,	4	0	0	0	13	0	1	1	19

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
supervisors, foremen, Permanent									
Semi-skilled and discretionary decision making, Permanent	0	0	0	0	1	0	0	0	1
Unskilled and defined decision making, Permanent	0	0	0	0	2	0	0	0	0
Total	10	0	0	1	16	0	1	1	29

16.7 Recruitment

Table 21: Recruitment for the period 1 April 2017 to 31 March 2018

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Professionally qualified and experienced specialists and mid-management, Permanent	0	0	0	0	0	0	0	0	0
Skilled technical and academically qualified workers, junior management, supervisors, foremen, Permanent	1	0	0	0	1	0	0	0	2
Semi-skilled and discretionary	0	0	0	0	0	0	0	0	0

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
decision making, Permanent									
Unskilled and defined decision making, Permanent	0	0	0	0	0	0	0	0	0
Contract (Semi-skilled), Permanent	1	0	0	0	1	0	0	0	2
Total	2	0	0	0	2	0	0	0	4
Employees with disabilities	0	0	0	0	0	0	0	0	0

16.8 Performance Rewards

Table 22: Performance rewards by race, gender and disability for the period 1 April 2017 to 31 March 2018

Race and Gender	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost (R'000)	Average cost per employee
African, Female	4	17	23.5	108	27
African, Male	1	9	9.09	22	22
Asian, Female	1	1	100	58	58
Asian, Male	0	0	0	0	0
Coloured, Female	0	0	0	0	0
Coloured, Male	0	0	0	0	0
White, Female	1	1	100	60	60
White, Male	0	1	100	0	0
Total	7	29		248	167

Table 23: Performance rewards by salary band for personnel below Senior Management Service for the period 1 April 2017 to 31 March 2018

Salary band	Beneficiary Profile		Cost	
	Number of beneficiaries	Number of employees	Total Cost (R'000)	Average cost per employee
Lower skilled (Levels 1-2)	0	2	0	0
Skilled (Levels 3-5)	0	1	0	0
Highly skilled production (Levels 6-8)	1	4	22	22
Highly skilled supervision (Levels 9-12)	6	18	227	38
SMS (13-14)	0	4	0	0
Total	7	29	249	35

16.9 Leave Utilisation

The following tables provide an indication of the use of sick leave and disability leave. In both cases, the estimated cost of the leave is also provided.

Table 24: Sick leave for the period 1 April 2017 to 31 March 2018

Salary band	Total number of employees	Total days	Number of Employees using sick leave	% of total employees using sick leave	Average days per employee	Estimated Cost (R'000)
Lower skilled (Levels 1-2)	2	23	2	100	11.5	12
Skilled (Levels 3-5)	2	16	2	100	8	12
Highly skilled production (Levels 6-8)	4	30	3	75	7.5	37
Highly skilled supervision (Levels 9-12)	16	103	13	81.25	6.4	211
Senior management (Levels 13-16)	5	17	3	60	3.4	60
Total	29	189	23	79.3	8.21	332

Table 25: Annual leave for the period 1 April 2017 to 31 March 2018

Salary band	Total days taken	Number of Employees using annual leave	Average per employee	Estimated Cost (R'000)
Lower skilled (Levels 1-2)	37	2	18.5	21
Skilled (Levels 3-5)	21	2	10.5	16
Highly skilled production (Levels 6-8)	49	4	12.25	59
Highly skilled supervision (Levels 9-12)	243	16	17.36	478
Senior management (Levels 13-16)	90	5	12.86	243
Total	440	29	15.17	817

The following Table summarises payments made to employees because of leave that was not taken.

Table 26: Leave pay-outs for the period 1 April 2017 and 31 March 2018

Reason	Total amount (R'000)	Number of employees	Average per employee (R'000)
Leave pay-out for 2017/18 because of non-utilisation of leave for the previous cycle	0	0	0
Current leave pay-out on termination of service for 2017/18	9716.13	1	9716.13
Total	9716.13	1	9716.13

16.10 Labour Relations

Table 27: Grievances logged for the period 1 April 2017 and 31 March 2018

Grievances	Number	% of Total
Number of grievances resolved	0	0
Number of grievances not resolved	3	10.3
Total number of grievances logged	3	10.3

Table 28: Precautionary suspensions for the period 1 April 2017 and 31 March 2018

Number of people suspended	2
Number of people whose suspension exceeded 30 days	2
Average number of days suspended	170

PART E: FINANCIAL INFORMATION



17. Report of the Auditor-General to Parliament on the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities

Report on the audit of the financial statements

Opinion

1. I have audited the financial statements of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities set out on pages 93 to 122 which comprise the statement of financial position as at 31 March 2018, the statement of financial performance, statement of changes in net assets, cash flow statement for the year then ended as well as the notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, the financial statements present fairly, in all material respects, the financial position of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities as at 31 March 2018, and its financial performance and cash flows for the year then ended in accordance with the Standards of Generally Recognised Accounting Practice (Standards of GRAP) and the requirements of the Public Finance Management Act of South Africa, 1999 (Act No. 1 of 1999) (PFMA).

Basis for opinion

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the Auditor-General's responsibilities for the audit of the financial statements section of this Auditor's Report.
4. I am independent of the constitutional institution in accordance with the International Ethics Standards Board for Accountants' Code of ethics for professional accountants (IESBA code) and the ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the accounting officer for the financial statements

6. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with the Standards of GRAP and the requirements of the PFMA, and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.
7. In preparing the financial statements, the accounting officer is responsible for assessing the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities' ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the accounting officer either intends to liquidate the constitutional institution or to cease operations, or has no realistic alternative but to do so.

Auditor-General's responsibilities for the audit of the financial statements

8. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an Auditor's Report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.
9. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this Auditor's Report.

Report on the audit of the annual performance report

Introduction and scope

10. In accordance with the Public Audit Act of South Africa, 2004 (Act No. 25 of 2004) (PAA) and the general notice issued in terms thereof, I have a responsibility to report material findings on the reported performance information against predetermined objectives for selected programmes presented in the annual performance report. I performed procedures to identify findings but not to gather evidence to express assurance.
11. My procedures address the reported performance information, which must be based on the approved performance planning documents of the constitutional institution. I have not evaluated the completeness and appropriateness of the performance indicators included in the planning documents. My procedures also did not extend to any disclosures or assertions relating to planned performance strategies and information in respect of future periods that may be included as part of the reported performance information. Accordingly, my findings do not extend to these matters.
12. I evaluated the usefulness and reliability of the reported performance information in accordance with the criteria developed from the performance management and reporting framework, as defined in the general notice, for the following selected programmes presented in the annual performance report of the constitutional institution for the year ended 31 March 2018:

Programmes	Pages in the annual performance report
Programme 2 – legal services and conflict resolution	35 – 40
Programme 3 – research and policy development	41 – 50
Programme 4 – public engagement and education	51 – 63

13. I performed procedures to determine whether the reported performance information was properly presented and whether performance was consistent with the approved performance planning documents. I performed further procedures to determine whether the indicators and related targets were measurable and relevant, and assessed the reliability of the reported performance information to determine whether it was valid, accurate and complete.
14. I did not raise any material findings on the usefulness and reliability of the reported performance information for the following programmes:
 - Programme 2 – legal services and conflict resolution
 - Programme 3 – research and policy development
 - Programme 4 – public engagement and education

Other matters

15. I draw attention to the matters below.

Achievement of planned targets

16. Refer to the annual performance report on pages 25 to 74 for information on the achievement of planned targets for the year.

Adjustment of material misstatements

17. I identified material misstatements in the annual performance report submitted for auditing. These material misstatements were on the reported performance information of Programme 2 – legal services and conflict resolution, and Programme 4 – public engagement and education. As management subsequently corrected the misstatements, I did not raise any material findings on the usefulness and reliability of the reported performance information.

Report on the audit of compliance with legislation**Introduction and scope**

18. In accordance with the PAA and the general notice issued in terms thereof, I have a responsibility to report material findings on the compliance of the constitutional institution with specific matters in key legislation. I performed procedures to identify findings but not to gather evidence to express assurance.
19. The material findings on compliance with specific matters in key legislation are as follows:

Annual financial statements, performance report and Annual Report

20. The financial statements submitted for auditing were not prepared in accordance with the prescribed financial reporting framework, as required by section 40(1)(b) of the PFMA. Material misstatements of current assets, current liabilities, expenditure and disclosure items identified by the auditors in the submitted financial statements were corrected, resulting in the financial statements receiving an unqualified opinion.

Expenditure management

21. Effective and appropriate steps were not taken to prevent irregular expenditure amounting to R1,161,000 as disclosed in note 20 to the annual financial statements, as required by section 38(1)(c)(ii) of the PFMA and treasury regulation 9.1.1. The majority of the irregular expenditure was caused by non-compliance with treasury regulation 8.2.1 and 8.2.2.

Consequence management

22. I was unable to obtain sufficient appropriate audit evidence that disciplinary steps were taken against officials who had incurred irregular expenditure as required by section 38(1)(h)(iii) of the PFMA. This was due investigations into the irregular expenditure incurred in the prior year not being performed as management did not have adequate processes and procedures in place to deal with consequence management.
23. I was unable to obtain sufficient appropriate audit evidence that disciplinary steps were taken against officials who had incurred fruitless and wasteful expenditure as required by section 38(1)(h)(iii) of the PFMA. This was due investigations into the fruitless and wasteful expenditure incurred in the prior year not as management did not have adequate processes and procedures in place to deal with consequence management.

Procurement and contract management

24. Some of the bid documentation for procurement of commodities designated for local content and production, did not meet the stipulated minimum threshold for local production and content as required by the 2017 preferential procurement regulation 8(2).
25. Some of the contracts were extended or modified without the approval of a properly delegated official as required by section 44 of the PFMA and Treasury Regulation 8.1 and 8.2.

Other information

26. The accounting officer is responsible for the other information. The other information comprises the information included in the Annual Report. The other information does not include the financial statements, the Auditor's Report and those selected programmes presented in the annual performance report that have been specifically reported in this Auditor's Report.
27. My opinion on the financial statements and findings on the reported performance information and compliance with legislation do not cover the other information and I do not express an audit opinion or any form of assurance conclusion thereon.

28. In connection with my audit, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and the selected programmes presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.
29. If, based on the work I have performed, I conclude that there is a material misstatement in this other information, I am required to report that fact. I have nothing to report in this regard.

Internal control deficiencies

30. I considered internal control relevant to my audit of the financial statements, reported performance information and compliance with applicable legislation; however, my objective was not to express any form of assurance on it. The matters reported below are limited to the significant internal control deficiencies that resulted in the findings on compliance with legislation included in this report.

Leadership

31. The accounting officer did not exercise adequate oversight responsibility regarding financial and performance reporting and compliance as well as related internal controls.

Financial and performance management

32. Management did not prepare regular, accurate and complete financial reports that were supported and evidenced by reliable information.
33. Management did not adequately review and monitor compliance with applicable laws and regulations.

Other reports

34. I draw attention to the following engagements conducted by various parties that had, or could have, an impact on the matters reported in the constitutional institution's financial statements, reported performance information, compliance with applicable legislation and other related matters. These reports did not form part of my opinion on the financial statements or my findings on the reported performance information or compliance with legislation.
35. The Public Protector is presently investigating the following allegations:
- Possible irregular procurement of legal services
 - Possible irregular appointment for consultancy services
 - Possible irregular appointment processes of senior officials

Auditor General

Pretoria
31 July 2018



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

18. Annexure - Auditor-General's responsibility for the audit

- 1 As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements, and the procedures performed on reported performance information for selected programmes and on the constitutional institution's compliance with respect to the selected subject matters.

Financial statements

- 2 In addition to my responsibility for the audit of the financial statements as described in this Auditor's Report, I also:
- identify and assess the risks of material misstatement of the financial statements whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control
 - obtain an understanding of internal control relevant to the audit to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the constitutional institution's internal control
 - evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the accounting officer
 - conclude on the appropriateness of the accounting officer's use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities' ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my Auditor's Report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify the opinion on the financial statements. My conclusions are based on the information available to me at the date of this Auditor's Report. However, future events or conditions may cause a constitutional institution to cease continuing as a going concern
 - evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation

Communication with those charged with governance

- 3 I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in the internal control that I identified during my audit
- 4 I also confirm to the accounting officer that I have complied with relevant ethical requirements regarding independence and communicated all relationships and other matters that may reasonably be thought to have a bearing on my independence and, where applicable, related safeguards.

19. Report of the Accounting Officer on Financial Statements

The accounting officer is required by the Public Finance Management Act (Act 1 of 1999), to maintain adequate accounting records and is responsible for the content and integrity of the annual financial statements and related financial information included in this report. It is the responsibility of the accounting officer to ensure that the annual financial statements fairly present the state of affairs of the entity and the results of its operations and cash flows for the period. The Auditor-General is engaged to express an independent opinion on the annual financial statements and were given unrestricted access to all financial records and related data.

The annual financial statements have been prepared in accordance with Standards of Generally Recognised Accounting Practice (GRAP) including any interpretations, guidelines and directives issued by the Accounting Standards Board.

The annual financial statements are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgements and estimates.

The accounting officer acknowledge that he is ultimately responsible for the system of internal financial control established by the entity and place considerable importance on maintaining a strong control environment. To enable the accounting officer to meet these responsibilities, the Audit Committee members sets standards for internal control aimed at reducing the risk of error or loss in a cost-effective manner. The standards include the proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk. These controls are monitored throughout the entity and all employees are required to maintain the highest ethical standards in ensuring the entity's business is conducted in a manner that in all reasonable circumstances is above reproach. The focus of risk management in the entity is on identifying, assessing, managing and monitoring all known forms of risk across the entity. While operating risk cannot be fully eliminated, the entity endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

The accounting officer is of the opinion, based on the information and explanations given by management that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the annual financial statements. However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or loss. The entity is wholly dependent on government funding for continued operations. The annual financial statements are prepared on the basis that the entity is a going concern and that the CRL Rights Commission has no intention to curtail materially the scale of the entity.

Although the Accounting Officer is primarily responsible for the financial affairs of the entity, he is supported by the entity's internal auditors and management.

The Accounting Officer is responsible for independently reviewing and reporting on the entity's annual financial statements. The annual financial statements have been examined by the Auditor-General. The audited financial statements are set out on pages 92 to 122 and were approved by Accounting Officer on the 31 July 2018.



Mr TE Mafadza
Chief Executive Officer
31 July 2018

20. Statement of Financial Position as at 31 March 2018

	Note	2018 R '000	2017 R '000
Assets			
Current Assets			
Trade and other receivables - exchange transactions	3	644	872
Prepayments	4	1,080	643
Cash and cash equivalents	5	558	1,458
		2,282	2,973
Non-Current Assets			
Property, plant and equipment	6	2,436	2,108
Intangible assets	7	400	393
Trade and other receivables - exchange transactions	3	332	332
		3,168	2,833
Total Assets		5,450	5,806
Liabilities			
Current Liabilities			
Operating lease liability	8	349	281
Trade and other payables - exchange transactions	9	1,076	1,454
Provisions	10	1,545	1,650
		2,970	3,385
Non-Current Liabilities			
Operating lease liability	8	58	327
Total Liabilities		3,028	3,712
Net Assets		2,422	2,094
Accumulated surplus	11	2,422	2,094
Total Net Assets And Liability		5,450	5,806

21. Statement of Financial Performance for the year ended 31 March 2018

	Note	2018 R '000	2017 R '000
Revenue			
Revenue from exchange transactions			
Finance income	12	243	276
Revenue from non-exchange transactions			
Transfer revenue			
Non-exchange transfers from government entities	13	42,447	38,521
Total revenue		42,690	38,797
Expenses			
Administrative expenditure	14	(6,038)	(6,631)
Audit fees	15	(1,610)	(1,614)
Employee costs	16	(22,638)	(19,276)
Other operating expenditure	17	(11,216)	(9,843)
Depreciation and amortisation	18	(860)	(668)
Total expenses		(42,362)	(38,032)
Surplus for the period		328	765

22. Statement of Changes in Net Assets for the year ended 31 March 2018

	Accumulated surplus R '000	Total net assets R '000
Balance at 01 April 2016	1,327	1,327
Changes in net assets		
Surplus for the year	767	767
Total changes	767	767
Balance as at 1 April 2017	2,094	2,094
Changes in net assets		
Surplus for the year	328	328
Total changes	328	328
Balance as at 31 March 2018	2,422	2,422

23. Cash Flow Statement for the year ended 31 March 2018

	Note	2018 R '000	2017 R '000
Cash flows from operating activities			
Receipts			
Cash receipts from transfer payments	13	42,447	38,521
Interest received	12	229	264
		<u>42,676</u>	<u>38,785</u>
Payments			
Employee costs		(21,065)	(19,425)
Suppliers		(21,316)	(17,255)
		<u>(42,381)</u>	<u>(36,680)</u>
Net cash flows from operating activities	19	<u>295</u>	<u>2,105</u>
Cash flows from investing activities			
Purchase of property, plant and equipment	6	(1,138)	(898)
Purchase of other intangible assets	7	(57)	(44)
Net cash flows from investing activities		<u>(1,195)</u>	<u>(942)</u>
Net increase/(decrease) in cash and cash equivalents		<u>(900)</u>	<u>1,163</u>
Cash and cash equivalents at the beginning of the year		1,458	295
Cash and cash equivalents at the end of the year	5	<u>558</u>	<u>1,458</u>

Accounting Policies

1. Presentation of Annual Financial Statements

1.1 Basis of preparation

The annual financial statements have been prepared in accordance with Generally Recognised Accounting Practice (GRAP), issued by the Accounting Standards Board in accordance with Section 89 of the Public Finance Management Act (Act No. 1 of 1999).

Accounting policies for material transactions, events or conditions not covered by the GRAP reporting framework have been developed in accordance with paragraphs 8, 10 and 11 of GRAP 3 and the hierarchy approved in Directive 5 issued by the Accounting Standards Board.

The financial statements have been prepared on an accrual basis of accounting and are in accordance with historical cost convention, except for the cash flow information, which is prepared on a cash basis, unless specifically stated otherwise.

The principal accounting policies adopted in the preparation of these financial statements are set out below.

Assets, liabilities, revenues and expenses have not been offset except where offsetting is required or permitted by a Standard of GRAP.

The accounting policies are applied consistently with those used to present the previous years financial statements, unless explicitly stated. The details of any changes in accounting policies are explained in the relevant policy.

1.2 Critical Judgments and Key Sources of Estimation Uncertainty

The entity makes estimates and assumptions that affect the reported amounts of assets and liabilities within the current and subsequent financial years. Estimates and judgments are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

Significant judgements made include the leave provisions, bonus provision and estimations in respect of the useful lives and residual values of property plant and equipment. The method of calculation applied in respect of provisions is disclosed in accounting policy 1.11.

1.3 Presentation currency

These financial statements are presented in South African Rands since it is the currency in which the majority of the Commission transactions are denominated. The amounts disclosed in the financial statements had been rounded off to the nearest thousand rand.

1.4 Exchange revenue

Revenue is the gross inflow of economic benefits or service potential during the reporting period when those inflows result in an increase in net assets.

Interest income

Exchange revenue constitute interest earned on bank accounts as a result of positive bank balances.

Interest income is recognised on an accrual basis throughout the year, taking into account the cash on hand in approved bank accounts of the Commission using the effective interest rate.

1.5 Non-exchange revenue

The Commission receives its budget allocation in the form of transfer payments through the budget vote of the Department for Cooperative Governance and Traditional Affairs. Revenue from non exchange transactions are generally recognised to the extent that the related receipt or receivable qualifies for recognition as an asset and there is no liability to repay the amount.

Accounting Policies

1.6 Operating leases

Leases of assets where substantially the entire risks and rewards incidental to ownership are effectively retained by the lessor are classified as operating leases. Operating lease payments are recognised on a straight line basis over the lease term. The difference between the amounts recognised as an expense and the contractual payments are recognised as an operating asset or liability.

Operating lease liabilities

Operating lease payments are recognised as an expense on the straight-line basis over the term of the lease. The difference between the amounts recognised as an expense and contractual payments are recognised as an operating lease asset or liability.

1.7 Property, plant and equipment

Recognition

The cost of an item of property, plant and equipment is recognised as an asset when:

- it is probable that future economic benefits or service potential associated with the item will flow to the entity;
- the cost of the item can be measured reliably; and
- the item is expected to have a useful life of more than 12 months.

The cost of an item of property, plant and equipment is recognised as an expense when the cost of an item:

- Is expected to have a useful life of 12 months or less; and
- Cannot be measured reliably.

The cost of an asset is calculated at the value at which the asset was purchased.

Initial measurement

Property, plant and equipment is initially measured at cost.

Subsequent measurement

Property, plant and equipment is stated at historical cost less any subsequent accumulated depreciation and adjusted for any impairment. The condition of an asset is used as a basis for determination of the asset value.

The useful lives of items of property, plant and equipment have been assessed as follows:

Useful lives and residual value

The commission re-assesses the useful lives and residual values of property, plant and equipment annually. Management considers the expected useful life of the individual asset, to determine the remaining period over which the asset is expected to be used. Residual value is determined only in respect of motor vehicles at 20% of cost.

Item	Depreciation method	Average useful life
Office furniture and fittings	Straight line	10 years
Motor vehicles	Straight line	10 years
Office equipment	Straight line	5 - 10 years
Computer equipment	Straight line	3 - 10 years
Leasehold improvements	Straight line	Period of the lease

The residual value, and the useful life and depreciation method of each asset of each asset are reviewed at the end of each reporting date. If the expectations differ from previous estimates, the change is accounted for as a change in accounting estimate.

Useful lives are assessed on annual basis.

Reviewing the useful life of an asset on an annual basis does not require the entity to amend the previous estimate unless expectations differ from the previous estimates.

Accounting Policies

1.7 Property, plant and equipment (continued)

De-recognition of assets

An asset is derecognised and withdrawn from service due to impairment or when the asset is replaced due to it reaching the end of its useful life. The Commission is a not for profit institution and does therefore not manage any of its assets with the objective to generate commercial gain.

The gain or loss arising from the de-recognition of an item of property, plant and equipment is included in surplus or deficit when the item is derecognised. The gain or loss arising from the de-recognition of an item of property, plant and equipment determined as the difference between the net disposable proceeds, if any, and the carrying amount of the item.

1.8 Impairment of non-cash generating assets

The Commission assesses an asset to be a non-cash generating asset when the asset is not managed with the objective generate commercial return.

Recognition and measurement

At the end of each reporting date, the carrying amount of on-cash-generating assets are reviewed to determine whether there is an indication of impairment or reversal of impairment. If such an indication exist, the recoverable service amount of the asset is estimated in order to determine the extent of impairment loss, if any.

Where the recoverable service amount is less than the carrying amount, the carrying amount of the asset is reduced to recoverable service amount. The reduction is recognised as an impairment loss. An impairment loss is recognised immediately in the statement of financial performance.

Impairment of tangible and non-tangible asstes relates to non-cash generating assets of the Commission.

Assets held by the Commission are classified as non-cash generating assets, as they are non managed with the objective generating commercial return.

Reversal of impairment loss

The CRL Commission assess at each reporting date whether there is any indication that an impairment loss recognised in prior periods for an asset may no longer exist or may have decreased. If any such indication exists, the entity estimates the recoverable amount of that asset.

An impairment loss recognised in prior periods on asset is reversed if there has been a change in the estimates used determine the asset's recoverable amount since the last impairment loss was recognised. The carrying amount of the asset increased to its recoverable amount. The increase is a reversal of an impairment loss.

A reversal of an impairment loss for an asset is recognised immediately in statement of financial performance .

In allocating a reversal of an impairment loss for a non-cash generating unit, the carrying amount of an asset is not increased above the the lower of:

its recoverable service amount; and.

the carrying amount that would have been determined (net of amortisationor depreciation) had no impairment loss been recognised for the asset in prior periods.

Accounting Policies

1.9 Intangible assets

Recognition

An intangible asset is recognised when:

- It is probable that the economic benefit associated with the asset will flow to the Commission;
- The cost of an asset or its value can be measured reliably; and
- the item is expected to have a useful life of more than 12 months

The cost item of an intangible asset is recognised as an expense when the cost item; and

- Is expected to have a useful life of 12 months or less; and
- Cannot be reliably measured.

The cost of an intangible asset is calculated at the value at which the asset was purchased.

Initial measurement

Intangible asset is initially measured at cost.

Subsequent measurement.

Intangible assets is stated at cost less any subsequent accumulated amortisation and adjusted for any impairment.

De-recognition

Intangible asset is de-recognised when the separate item of intangible is disposed of, withdrawn from service or replaced.

The gain or loss arising from the de-recognition of an intangible asset is included in surplus or deficit when the item is de-recognised. The gain or loss arising from de-recognition of an intangible asset is determined as the difference between the proceeds, if any, and carrying amount of the item.

The useful lives of intangible assets have been assessed as follows:

Item	Useful life
Computer software	3-10 years

Derecognition of intangible assets

Intangible asset is derecognised when software package is withdrawn from service or replaced.

The gain or loss from de-recognition of an intangible asset shall be included in surplus or deficit when the asset is de-recognised.

The useful lives of intangible assets are assessed on an annual basis.

Intangible assets are de-recognised:

- on disposal; or
- when no future economic benefits or service potential are expected from its use or disposal.

The gain or loss arising from the de-recognised of an intangible assets is included in statement of financial performance when the asset is derecognised.

1.10 Financial instruments

The Commission shall recognise a financial asset or a financial liability in its statement of financial position when, the Commission becomes a party to the contractual provisions of the instrument. Financial assets carried on the statement of financial position include cash and cash equivalents, and trade and other receivables.

The Commission's principal financial liabilities are trade and other payables. Trade and other payables that do not bear interest are stated at amortised cost.

Initial measurement

Accounting Policies

1.10 Financial instruments (continued)

When a financial asset or financial liability is recognised initially, the Commission shall measure it at its fair value plus, in the case of a financial asset or a financial liability not subsequently measured at fair value cost, transaction cost that are directly attributable to the acquisition or issue of the financial asset or financial liability.

Subsequent measurement

The Commission measure all financial assets and financial liabilities after initial recognition using the following categories:

Financial instruments at fair value;

Financial instrument at amortised cost; and

Financial instruments at cost.

All financial instruments are measured at amortised cost, or cost, are subject to an impairment review.

The Commission measure its financial assets at amortised cost.

Impairment

The Commission shall assess at the end of each reporting period whether there is any objective evidence that an impairment loss on financial asset measured at amortised cost has been incurred. If any such evidence exists, the Commission shall determine the amount of any impairment loss. The amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cashflows (excluding future credit losses that have been incurred) discounted at the financial asset's original effective interest rate. The carrying amount of the asset shall be reduced through the use of an allowance account. The amount of the loss shall be recognised in surplus or deficit.

Derecognition

The Commission de-recognises financial liabilities from its statement of financial position when the obligation specified in the contract is discharged, cancelled, expires or waived.

The Commission de-recognises financial assets when:

The contractual rights to the cash flows from the financial asset expires, are settled or is waived;

The Commission transfers to another party substantially all of the risks and rewards of ownership of the financial asset; or

The Commission, despite having retained some significant risks and rewards of ownership of the financial asset, has transferred control of the asset to another party and the other party has the practical ability to sell the asset in its entirety to an unrelated party, and is able to exercise that ability unilaterally and without needing to impose additional restriction on the transfer.

Measurement

Financial instruments are initially measured at fair value, which includes transaction costs. Subsequent to initial recognition these instruments are measured as set out below:

Financial assets

The Commission's principal financial assets are cash and equivalents and trade and other receivables.

Cash on hand and cash equivalents are short term, highly liquid investments that are held with registered banking institutions with maturities of three months or less and are subject to insignificant interest rates risk.

Cash and cash equivalents, trade and other receivables are measured at amortised cost.

Financial liabilities:

Accounting Policies

1.10 Financial instruments (continued)

The Commission's principal financial liabilities are trade and other payables. The trade and other payables do not bear interest and are stated at amortised cost.

1.11 Provisions

Recognition

The Commission recognises a provision when a present legal or constructive obligation exists as a result of past events and it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation. Provisions are recognised at the present value of the estimated expenditure expected to be required to settle the obligation.

Measurement

The amount recognised as a provision shall be the best estimate of expenditure required to settle the obligation at reporting date.

The significant provisions are as follows:

Bonus Provision

Bonus provision is measured on pro-rata basis in respect of service bonus that accrues to each staff member at reporting date. Bonus provision is calculated by dividing the basic monthly salary by twelve months multiplied by the actual amounts the employee has been in the service of the Commission from her/his last service bonus. Employees who are not on structured salaries automatically qualify for bonus. Bonus provision is utilised when the applicable thirteenth cheque is paid out to the employee.

Leave Provision

Leave provision is calculated on the liability for leave credits due to each member as at the reporting date. Leave provision for employees who are on structure salary is calculated by dividing the monthly salary at cost to company by the average monthly working days multiplied by the actual leave credits that has accrued to that employee. Leave provision for employees who are not on a structured salary package is calculated by dividing the basic monthly salary by the average monthly working days multiplied by the actual leave credits that has accrued to the employee. The leave provision is utilised by the leave being taken or the actual leave value paid out to the employee.

Change of provision

Provisions are reviewed at each reporting date and adjusted to reflect the current best estimate. If it is no longer probable that an outflow of resources embodying economic benefit or service potential will be required to settle the obligation, the provision shall be reversed.

1.12 Employee benefits

Contributions to the defined contribution retirement plan and defined benefit retirement plan are charged to the statement of financial performance in the year in which they relate. The Commission has no legal or constructive obligation to pay further contributions in respect of the provident fund once the contributions have been paid because the provident fund is a defined contribution plan. The pension fund is a state plan and is accounted for as a defined contribution plan. Additional contribution to the plan is the responsibility of the state and not of the Commission.

The actual cost of short-term employee benefits, such as vacation leave and sick leave, bonuses and non-monetary benefits are recognised in the period in which the service is rendered.

The expected cost of compensated absences is recognised as an expense in the statement of financial performance as the employee renders services that increase their entitlement.

Accounting Policies

1.12 Employee benefits (continued)

The entity classifies defines the state plan as defined benefit plan under the terms of the plan (including any constructive obligation that goes beyond the formal terms). When sufficient information is not available to use defined benefit accounting for the plan the Commission account for the plan as if it was a defined contribution plan.

Staff members of the Commission by means of election belong to a defined benefit plan which is managed by GEPP, sufficient information in the form of actuarial calculations relating to Commission's employees is not available as the employees are part of larger pension fund plan managed by GEPP. Therefore, the defined benefit plan is disclosed as a defined contribution plan.

1.13 Going concern

The CRL Rights Commission is considered a going concern due to its status as a Constitutional Institution.

1.14 Related parties

Only transactions with related parties that do not arise in the ordinary course of business are disclosed.

Transactions with key management are recognised as related party transactions. Key management is defined as being individuals with the authority and responsibility for planning, directing and controlling the activities of the Commission. All individuals from the level of Senior Managers and Commissioners are regarded as key management in terms of the definition of the financial reporting standard. Senior Managers and commissioners remuneration is disclosed in note 22.

Close family members of key management are considered to be those family members who may be expected to influence, or to be influenced by key management individuals, in their dealings with the entity.

Transactions outside the normal cause of business with related parties are disclosed, recognised and accounted for at actual cost.

1.15 Fruitless and wasteful expenditure

Fruitless and wasteful expenditure is expenditure that was made in vain and would have been avoided had reasonable care been exercised. Fruitless and wasteful expenditure is accounted for as expenditure in the Statement of Financial Performance and where recovered, it is subsequently accounted for as revenue in the Statement of Financial Performance.

1.16 Irregular Expenditure

Irregular expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the value of the irregular expenditure incurred, unless it is impractical to determine, in which case reasons therefore must be provided in the notes. Irregular amount receivables are measured at the amount that is expected to be recovered and derecognised when settled or written off as irrecoverable.

1.17 Contingent liabilities

A contingent liability is a possible obligation that arises from past events and the existence of which will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events that are beyond the control of the CRL Rights Commission: alternatively, a contingent liability is a present obligation that arises from past events but is not recognised because of the following:

- It is not probable that an outflow of resources embodying economic benefits of service potential will be required to settle the obligation; or
- The amount of the obligation cannot be measured with sufficient reliability.

1.18 Events after reporting date

There has been no event that occurred after reporting date which came to the attention of CRL Rights Commission management that requires disclosures on or adjustment of the annual financial statements.

1.19 Prepayments

CRL Rights Commission discloses material payments made in advance on goods or services to be acquired. Prepayments are accounted for as current assets if the goods or services are to be delivered within one year from reporting date and as long term assets if goods or services are to be delivered beyond one year.

Notes to the Annual Financial Statements for the year ended 31 March 2018

2. New standards and interpretations

2.1 Standards and interpretations issued, but not yet effective

The following standards and interpretations have been published and are mandatory for the Commissions' accounting periods beginning on or after 1 April 2018 or later periods, but are not relevant to its operations.

Standard/ Interpretation:	Effective date: Years beginning on or after	Expected impact:
● GRAP 34: Separate Financial Statements	April 1, 2019	Unlikely there will be a material impact
● GRAP 35: Consolidated Financial Statements	April 1, 2019	Unlikely there will be a material impact
● GRAP 36: Investments in Associates and Joint Ventures	April 1, 2019	Unlikely there will be a material impact
● GRAP 37: Joint Arrangements	April 1, 2019	Unlikely there will be a material impact
● GRAP 38: Disclosure of Interests in Other Entities	April 1, 2019	Unlikely there will be a material impact
● GRAP 110 (as amended 2016): Living and Non-living Resources	April 1, 2020	Unlikely there will be a material impact
● GRAP 20: Related parties	April 1, 2019	Unlikely there will be a material impact
● GRAP 32: Service Concession Arrangements: Grantor	April 1, 2019	Unlikely there will be a material impact
● GRAP 108: Statutory Receivables	April 1, 2019	
● GRAP 109: Accounting by Principals and Agents	April 1, 2019	Unlikely there will be a material impact
● IGRAP 17: Service Concession Arrangements where a Grantor Controls a Significant Residual Interest in an Asset	April 1, 2019	Unlikely there will be a material impact
● IGRAP 18: Interpretation of the Standard of GRAP on Recognition and Derecognition of Land	April 1, 2019	Unlikely there will be a material impact
● IGRAP 19: Liabilities to Pay Levies	April 1, 2019	Unlikely there will be a material impact

The Commission has not adopted GRAP 20 but has used it to develop accounting policies.

The Minister of Finance has not pronounced the effective date of GRAP 34 to GRAP 38 and they are not applicable to the Commission.

All other GRAP standards that has been proclaimed by the minister of Finance referred to above are not applicable to the Commission, except for GRAP 20.

Notes to the Annual Financial Statements for the year ended 31 March 2018

	2018 R '000	2017 R '000
3. Trade and other receivables - exchange		
Deposits	332	332
Receivables from suppliers, staff and third parties	644	872
Other receivables consist of overpayments to suppliers, staff and third parties	976	1,204
Non-current assets	332	332
Current assets	644	872
	976	1,204

At year end none of the receivable amounts were past due or impaired.

4. Prepayments

Prepayments	1,080	643
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Prepayments is made in respect of contractual obligations that the Commission is committed to through normal procurement processes.

5. Cash and cash equivalents

Cash on hand	1	1
Cash in call account	482	1,455
Cash in demand deposit account	75	2
Total cash and cash equivalents	558	1,458

6. Property, plant and equipment

	2018			2017		
	Cost	Accumulated depreciation	Carrying value	Cost	Accumulated depreciation	Carrying value
Office furniture and fittings	1,999	(1,071)	927	1,678	(943)	735
Motor vehicles	204	(191)	13	204	(175)	29
Office equipment	1,795	(863)	932	1,685	(782)	903
Computer equipment	1,255	(848)	407	842	(637)	205
Leasehold improvements	581	(424)	157	510	(274)	236
Total	5,834	(3,397)	2,436	4,919	(2,811)	2,108

Notes to the Annual Financial Statements for the year ended 31 March 2018

	2018 R '000	2017 R '000
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6. Property, plant and equipment (continued)

Reconciliation of property, plant and equipment - 2018

	Opening balance	Additions	Depreciation	Total
Office furniture and fittings	735	321	(128)	928
Motor vehicles	29	-	(16)	13
Office equipment	903	332	(304)	931
Computer equipment	205	413	(211)	407
Leasehold improvements	236	71	(151)	156
	2,108	1,137	(810)	2,435

The CRL Rights Commission derecognised fully depreciated assets from which no future economic benefit is expected to the gross carrying value of R223 000. The fully depreciated assets belong to the asset class of office equipment.

Motor vehicles will be depreciated until 80% has been realised and depreciation will stop take into account 20% residual value.

Repairs and maintenance disclosed in note 17 relates to property, plant and equipment.

Reconciliation of property, plant and equipment - 2017

	Opening balance	Additions	Disposals	Adjustment	Depreciation	Total
Office furniture and fittings	721	159	-	(24)	(121)	735
Motor vehicles	46	-	-	-	(17)	29
Office equipment	368	683	-	130	(278)	903
Computer equipment	392	3	(43)	-	(147)	205
Leasehold improvements	274	53	-	-	(91)	236
Total	1,801	898	(43)	106	(654)	2,108

7. Intangible assets

	2018			2017		
	Cost	Accumulated amortisation	Carrying value	Cost	Accumulated amortisation	Carrying value
Computer software (acquired)	523	(123)	400	466	(73)	393

Reconciliation of intangible assets - 2018

	Opening balance	Additions	Amortisation	Total
Computer software (Acquired)	393	57	(50)	400

Reconciliation of intangible assets - 2017

	Opening balance	Additions	Disposals	Adjustment	Amortisation	Total
Computer software	224	44	(36)	175	(14)	393

Notes to the Annual Financial Statements for the year ended 31 March 2018

	2018 R '000	2017 R '000
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8. Operating Lease Liability

Current portion		
Buildings	355	254
Parking	(6)	27
	349	281

Non-Current portion

Buildings	52	296
Parking	6	31
	58	327

9. Trade and other payables - exchange transactions

Trade creditors	483	1,483
Sundry creditors	-	2
Payroll liabilities	592	(31)
	1,075	1,454

Payroll liabilities is amounts in respect of PAYE deducted during the payroll run of March 2018, paid to SARS on the 3 April 2018.

10. Provisions

Reconciliation of provisions - 2018

	Opening Balance	Additions	Utilized during the year	Total
Provision for leave pay	767	400	(53)	1,114
Provision for service bonus	383	431	(383)	431
	1,150	831	(436)	1,545

Reconciliation of provisions - 2017

	Opening Balance	Additions	Utilised during the year	Reversal during the year	Total
Provision for leave pay	519	767	(502)	(17)	767
Provision for service bonus	367	383	(367)	-	383
Provision for legal expenses	-	500	-	-	500
	886	1,650	(869)	(17)	1,650

Some credits that were utilised or forfeited by employees are reversed before the new provision is accounted for.

11. Accumulated surplus

Net surplus for the current year	328	767
Net accumulated surplus brought forward	2,094	1,327
	2,422	2,094

Notes to the Annual Financial Statements for the year ended 31 March 2018

	2018 R '000	2017 R '000
12. Finance income		
Interest from bank accounts -Cash	229	264
Interest from bank accounts- Accrued	14	12
	243	276
13. Transfers from government		
Transfer payment		
Transfer from the Department of Co-operative Government and Traditional Affairs	42,447	38,521
14. Administrative expenditure		
Advert recruitment	117	125
Internal audit	612	529
Insurance	116	89
Legal expenses	1,029	911
Catering	1,251	709
Stationery and printing	1,640	2,664
Venues and facilities	187	326
Acquisition of non-capital equipment	-	328
Bank charges	19	18
Wa ter	39	13
Municipal charges	36	18
Common area electricity	858	770
Plants, flowers and decorations	-	2
Rates and taxes	134	129
	6,038	6,631
15. Audit fees		
Consist of:		
Fees paid for an independent audit by the Auditor General SA	1,610	1,614

Notes to the Annual Financial Statements for the year ended 31 March 2018

	2018 R '000	2017 R '000
16. Employee costs		
Basic Salary	12,106	11,197
Commissioners remuneration	3,322	1,870
Other-non-pensionable allowances	5,420	4,813
Unemployment insurance fund	58	54
SDL	159	149
	21,065	18,083
Post retirement benefits plans		
Pension Fund	786	683
Provident Fund - Defined contribution plan	787	659
	1,573	1,342
	22,638	19,425
Staff compliment	30	33
Post retirement benefit plans		
<p>Staff members of the Commission by means of election belong to a defined benefit plan (state plan) which is managed by GEPPF, sufficient information in the form of actuarial calculations relating to the Commission's employees is not available as the employees are part of a larger pension fund plan managed by GEPPF. Therefore, the defined benefit plan is disclosed as a defined contribution plan as sufficient information is not available to apply defined benefit accounting.</p> <p>Remuneration of the Chairperson and Deputy Chairperson is included in normal employee cost, but has been disclosed with commissioners in the related party transactions note, note 16.</p>		
17. Other operating expenditure		
Staff training and development	903	87
Loss on disposal of assets	-	9
Marketing	204	595
Consultants and special services	2,861	2,624
Software licences	220	37
Photographic services	-	16
Repair and maintenance on PPE	348	124
Travel and subsistence cost	3,774	3,194
Communication and courier cost	420	493
Bad debts written off	12	-
Operational leases	2,469	2,514
Removal of office furniture	5	-
Total other operating expenditure	11,216	9,693
18. Depreciation and amortisation		
Depreciation and amortisation	860	668

Notes to the Annual Financial Statements for the year ended 31 March 2018

	2018 R '000	2017 R '000
19. Net cash generated from (utilised in) operating activities		
Surplus for the year	328	765
Adjustments for:		
Depreciation and amortisation	860	668
(Increase in pre-payments)	(437)	-
(Decrease)/increase in operating lease liability accruals	(201)	49
Increase in provisions	(105)	764
Prior year adjustment	-	(180)
Disposal of assets	-	9
Finance income accrual	14	-
Changes in working capital:		
Decrease in receivables from exchange transactions	227	252
Bad debts written off	(12)	-
(Decrease) in trade and other payables	(379)	(222)
	295	2,105

20. Irregular, fruitless and wasteful expenditure

Irregular expenditure		
Opening balance	6,914	6,870
Incurred during the period	968	44
Incurred in the prior period	193	-
Closing balance	8,075	6,914

Irregular expenditure incurred during the 2017/18 financial year relates to the following:

R 141 210 was incurred in respect of local content that was not put to service providers as a requirement to price quotations.

R 74 188 was incurred in respect of management fees of the travel management company due to delays in awarding the new tender.

R 42 677 relates to services received in respect of off site back up of information of the Commission after expiry of the contract.

R 27 193 relates to services in respect of web-hosting after expiry of the contract.

R 4 064 relates to the late renewal of the contract for hygiene products.

R 663 431 relates to services procured in respect of support services to the financial and payroll systems.

R 207 746 relates to the continuation of cellular contracts during the transition to the transversal contract with Vodacom.

The Commission is currently in the process of investigating the irregular expenditure. No criminal or disciplinary steps have been taken yet.

Fruitless and wasteful expenditure

Opening balance	814	814
Incurred during the year	-	-
Closing balance	814	814

During the reporting period no fruitless and wasteful expenditure was detected.

Notes to the Annual Financial Statements for the year ended 31 March 2018

21. Commissioners and prescribed officer's emoluments

Audit Committee Members

2018

	Appointment Date	Fees R' 000	Other Benefits R' 000	Total R' 000
MM Madliwa - Chairperson	01/02/2014	62	12	74
TN Baloyi	01/02/2014	50	18	68
MG Hlomane	01/02/2014	45	7	52
		157	37	194

2017

	Appointment Date	Fees R' 000	Other Benefits R' 000	Total R' 000
MM Madliwa - Chairperson	01/02/2014	35	7	42
TN Baloyi	01/02/2014	25	13	38
MG Hlomane	01/02/2014	18	3	21
		78	23	101

Non Executive Management (Commissioners)

2018

	Appointment Date	Basic Salary R' 000	Structured Salary R' 000	Pension Provident Fund R' 000	Other Benefits R' 000	Fees R' 000	Total R' 000
TNJ Mkhwananzi - Xaluva (Chairperson)	01/03/2014	723	426	97	7	-	1,253
DL Mosoma (Deputy Chairperson)	01/03/2014	615	427	-	26	-	1,068
AW Knoetze	01/03/2014	-	-	-	53	270	323
NV Tyamzashe	01/03/2014	-	-	-	83	203	286
RS Schoeman	01/03/2014	-	-	-	52	460	512
J Mabale	01/03/2014	-	-	-	2	114	116
PP Madiba	01/03/2014	-	-	-	20	339	359
S Dlamini	01/03/2014	-	-	-	158	177	335
FS Khama	01/03/2014	-	-	-	-	465	465
R Trollip	01/03/2014	-	-	-	2	229	231
B Muthien	01/03/2014	-	-	-	3	523	526
RD Botha	01/03/2014	-	-	-	25	395	420
		1,338	853	97	431	3,175	5,894

Notes to the Annual Financial Statements for the year ended 31 March 2018

21. Commissioners and prescribed officer's emoluments (continued)

2017

	Appointment Date	Basic Salary R' 000	Structured Salary R' 000	Pension/Provident Fund R' 000	Other Benefits R' 000	Fees R' 000	Total R' 000
TNJ Mkhwananzi - Xaluva (Chairperson)	01/03/2014	700	456	91	-	-	1,247
DL Mosoma (Deputy Chairperson)	01/03/2014	595	427	-	2	-	1,024
A Knoetze	01/03/2014	-	-	-	34	136	170
NV Tyamzashe	01/03/2014	-	-	-	6	95	101
RS Schoeman	01/03/2014	-	-	-	42	409	451
J Mabale	01/03/2014	-	-	-	5	164	169
PP Madiba	01/03/2014	-	-	-	21	128	149
S Dlamini	01/03/2014	-	-	-	102	140	242
FS Khama	01/03/2014	-	-	-	-	380	380
R Trollip	01/03/2014	-	-	-	4	166	170
B Muthien	01/03/2014	-	-	-	2	151	153
RD Botha	01/03/2014	-	-	-	18	261	279
		1,295	883	91	236	2,030	4,535

Notes to the Annual Financial Statements for the year ended 31 March 2018

21. Commissioners and prescribed officer's emoluments (continued)

Senior Management Emoluments

2018

Executive management			Appointment Date	Basic Salary R' 000	Structured Salary R' 000	Pension/Provident Fund R' 000	Other Benefits R' 000	Total R' 000
Chief Executive Officer-TE	Mafadza		1/04/2008	662	442	86	33	1,223
Chief Financial Officer-CM	Smuts		1/06/2006	631	356	95	-	1,082
Senior Manager -RM Mkholo			1/10/2015	557	308	83	-	948
Senior Manager-KA Sedupane			1/10/2012	585	343	77	6	1,011
Senior Manager-BR Makeketa			1/12/2012	585	330	88	23	1,026
Acting Senior Manager -	Semano		01/11/2012	415	354	54	58	881
				3,435	2,133	483	120	6,171

2017

Executive management			Appointment Date	Basic Salary R' 000	Structured Salary R' 000	Pension/Provident Fund R' 000	Other Benefits R' 000	Total R' 000
Chief Executive Officer-TE	Mafadza		1/4/2008	604	448	78	23	1,153
Chief Financial Officer -CM	Smuts		1/6/2006	595	392	90	-	1,077
Senior Manager -RM Mkholo			1/10/2015	726	83	27	-	836
Senior Manager -KA Sedupane			1/10/2012	552	367	72	31	1,022
Senior Manager - BR Makeketa			1/10/2012	553	310	83	14	960
Acting Senior Manager -	Semano		01/11/2012	382	323	50	61	816
				3,412	1,923	400	129	5,864

There were no transactions with the related parties or individuals other than those disclosed above.

22. Operating lease

The CRL Rights Commission rents premises with lease rentals of R 160 137 per month according to a lease agreement that commenced on 1 June 2014, with a lease term of five years. The escalation of the operational lease is set at 8.5% per annum.

Minimum lease payments - 2018

	Within 1 Year R' 000	2-5 Years R' 000	Total R' 000
Rental	2,751	63	2,814
Parking	288	7	295
Total	3,039	70	3,109

Minimum lease payments - 2017

	Within 1 Year R' 000	2-5 Years R' 000	Total R' 000
Rental	2,393	2,814	5,207
Parking	251	295	546
Total	2,644	3,109	5,753

Notes to the Annual Financial Statements for the year ended 31 March 2018

23. Financial instruments

Financial risk management

Financial instruments consist of cash and cash equivalents, trade and other receivables and trade and other payables. There are no receivables that are due and not impaired.

Financial assets at amortised cost					R' 000	R' 000
Trade and other receivables					976	1,204
Cash and cash equivalents					558	1,458
Financial liabilities at cost						
Trade and other payables					1,076	1,454
Maturity analysis of financial liabilities 2018	1-3 months	4-6 months	7-9 months	10-12 months		Total
Trade payables	1,076	-	-	-		1,076
Maturity analysis of financial liabilities 2017	1-3 months	4-6 months	7-9 months	10-12 months		Total
Trade payables	1,454	-	-	-		1,454

Liquidity risk

The Commission has no financial liabilities that extend beyond twelve months.

Trade and other payables

The CRL Rights Commission is only exposed to liquidity risk in respect of maintaining sufficient cash to pay creditors as they become due. The Commission manages liquidity risk through an ongoing review of future commitments.

Credit risk

Credit risk is managed by the use of accredited financial services providers as approved by National Treasury.

Credit risk consists mainly of cash deposits and cash equivalents. The Commission only deposits cash with a major bank with a credit rating of Baa3.

The Commission considered the credit rating of the financial services provider and is satisfied with the quality of credit.

The value of the receivables consist of an amount overpaid to SARS. Procedures to recover the overpayment from SARS are at an advanced stage, therefore we believe that the quality of the receivable is high and will be recovered.

The maximum exposure to credit risk for the Commission at year end were as follows:

Financial instrument	2018 R' 000	2017 R' 000
Trade and other receivables	976	1,204

Interest rate risk

As the CRL Commission has no significant interest-bearing assets, CRL Commission's income and operating cash flows are substantially independent of changes in market interest rate risk.

Notes to the Annual Financial Statements for the year ended 31 March 2018

24. Going concern

During the current financial operating period the CRL Rights Commission received a baseline allocation of R40m. These financial statements have been prepared on a going concern basis because the existence of the CRL Rights Commission is protected in the Constitution of the Republic of South Africa. The CRL Rights Commission has an accumulated surplus of R2 422 000.

25. Events after the reporting date

Management of the CRL Rights Commission is not aware of any events or circumstances that occurred since 31 March 2018 that may require any disclosure in the financial statements.

26. Authorization of financial statements

The Accounting Officer of the CRL Rights Commission, Mr E Mafadza, authorised the financial statements for issue.

27. Contingencies

Litigation is in the process in which the Commission is instructed by the court to provide its professional opinion in the religious matter of muslim marriages. The cost relates to the preparation of court documents and argument before the High Court or the Constitutional Court, or both. Management estimate the possible cost to be R 608 000. There is no action against the Commission, but the cost relate to the compliance with the instruction of the Court, and the case should be resolved within the next year.



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