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NATIONAL ASSEMBLY

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PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met at 15:03.

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

The SPEAKER: Hon members, before we proceed with the business of the day. I would like to remind members that we are still experiencing network challenges with the Chamber system. There are still a few seats where the screens are not working. Hard copies of the Question Paper and the attendance slips have been placed on these desks. I have also been advised that all the talk buttons are in order and should be used by members as and if they wish to make supplementary questions. The only item on today's paper ... Yes madam!

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Ms H O MKHALIPHI: Speaker, I just want to check one thing because even yesterday these machines were not working and there were no slips that members need to fill in for the purpose of SA Revenue Services as well as it will affect us as members.

The SPEAKER: I have just addressed that, hon member. I have said that there are still some monitors that are not working, but on those that are not working, they have prepared hard copies of question papers and the slips to sign in. However, with regard to talk buttons, I have been assured that they all work. We will ensure that by the time we come back, all the other outstanding monitors are fixed. Can we please proceed to the Order Paper?

Hon members, when you want to ask a supplementary question, you may press the top button. I also wish to remind members requesting for supplementary question, that it will be cleared as soon as the last supplementary is put. So, we proceed to the first question on the Question Paper today.

QUESTIONS FOR ORAL REPLY

PEACE AND SECURITY

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Cluster 1

MINISTERS:

**Relevant operations undertaken by the SA Police Service against
the gangs in the Western Cape**

Question 38:

The MINISTER OF POLICE: There are three relevant operations undertaken by the SA Police Service which are directed against the gangs in the Western Cape, namely Antigang Unit Operations; Operation Lock Down and Operation Thunder. Operation Thunder involves a deployment of extra resources from national and other provinces to the Western Cape gang-affected areas. The Antigang Unit Operations are the rollout of the Antigang Unit that is multidisciplinary and has been established in Western Cape to combat and investigate gangs and gang-related activities.

Operation Lockdown includes the deployment of the SA National Defence Force in support of the SA Police Service. The above operations are integrated and all focusing on the reduction of

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violent crimes, especially murders in the Cape Flats and gang-related crimes.

The lessons learnt from the operations are as follows. All operations require intelligence in order to be successful. The role of community stakeholders is important in that crime happens in the communities. The involvement of the community structures, including the community policing forums, CPFs, is key in fighting gangsterism. The participation of other government departments to perform their mandate is when the actual cause of gangsterism becomes clear, e.g. children on the Cape Flats not attending school is a biggest problem as is it is the breeding ground for gangs. School drop outs becomes readily available to the recruitment as gang members.

The role of departments like Basic Education and Social Development is crucial to community development and the SA Police Service only feature at a later stage. The spatial planning and development of most informal settlements in the Western Cape, like Marikana, make it difficult for policing of

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such communities as it is inaccessible either by foot or vehicles. I thank you.

Ms T M JOEMAT-PETTERSSON: Hon Speaker, hon Minister, we note that the progress has been made by the Antigang Unit. We would like to know from the Minister about the operationalisation of the organised crime threat analysis, OCTA strategy; and whether you were able to identify the root causes of crimes and eliminate the various modus operandi that are being exploited? Thank you.

The MINISTER OF POLICE: Hon Speaker, well, maybe the major answer the lies with the last sentence on the answer: Where the spatial planning also plays a big role in terms of fighting gangsterism. While their operations are intelligence driven and the response of our high trained units, the issue of environmental design plays a big role now, medium and in future. For instance, places like Marikana, Sigalo, Delft and Marcus Garvey are places when you go during the night, you will not see beyond your hand because it is dark altogether, especially Marikana. It was requested that we put eight tall lights. Up to

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this point, there is only one and it is not working. Cameras not working. No routes, no houses, no numbers. So, the analysis at the present moment, while it is intelligence driven, it will need a lot of other departments to work together to make the possibility of reducing or maybe at a long time to come eradicating gangsterism, but policing alone or law enforcement alone are not going to be able to do enough dent in dealing with gangsterism. Thank you very much.

Ms H O MKHALIPHI: Speaker, Minister, there is currently a crisis of xenophobic attacks in Gauteng and very soon it will escalate to other provinces. So, what is the plan for you as a Minister and your department, because it happened before? It is not happening for the first time. It is going to be escalated to provinces like KwaZulu-Natal, KZN, where it happened before. Secondly, the Premier of Gauteng, David Makhura, said he wants a military intervention. Do you agree?

Thirdly, the role of SA Police Service when they were harassing our African brothers with their goods. Don't you think that is it SA Police Service who started that xenophobia in Gauteng by

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harassing our foreign nationals who are our African brothers and sister who are trading here. They don't do anything about crime to Chinese, to Pakistanis and to all other foreign nationals. They are targeting only African brothers. [Time expired.] Don't you think your department is the one which started this problem in Gauteng?

The SPEAKER: Ms MkhaliPhi, your time has expired!

Ms H O MKHALIPHI: But, Speaker, this is very important ...

[Interjections.]

The SPEAKER: It is important, yes, but your ... [Interjections.]

Ms H O MKHALIPHI: So, the Minister must hear!

The SPEAKER: Hon members... No, no, no, order. Hon members you have got your Rules. You do know that a supplementary is timed and a supplementary, hon Minister ... This is my first time taking questions here - a supplementary question. Mrs MkhaliPhi

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has given you three; you under obligation to take one. Please go for it, Minister.

Ms H O MKHALIPHI: Speaker, it is not three questions. It is one question but it needs clarity for the Minister to be able to reply back. We are in a crisis! [Interjections.]

The SPEAKER: Thank you, madam. Please take your seat! Minister, you have a supplementary to respond to.

The MINISTER OF POLICE: Well, I have one, with two clarifications. So, then I will deal with one. [Interjections.] No, it is one! And clarified ...

The SPEAKER: As long as you know you have got two minutes to finish it. Please, proceed!

The MINISTER OF POLICE: The last one is almost similar to the first one of the xenophobia, as termed. Well, unfortunately as the SA Police Service, we are not at xenophobia; we are looking at criminality. It doesn't matter who commits it. If you break

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the laws of the country, whether you are a South African or you are a foreign national, we are going to act as such on you.

On the last question that you raised: There are many foreign nationals that are African and others that are trading legally in South Africa. We have got nothing to do with them whatsoever. We don't even come close to them. However, those who come here without papers and sell illegal goods, we will really come close to them and put them where they are supposed to be.

This is exactly what we have done in one week when we went there to collect those that were not doing justice and not adhering to the laws in the Republic of South Africa. We found many of them that are legal. They have got right papers and are accepted to stay in the Republic of South Africa. [Interjections.] Yes, in Africa. Yes!

The SPEAKER: Hon Minister, please respond!

The MINISTER OF POLICE: Well, I am done; I have responded.

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The SPEAKER: You are done? Thank you, sir. The hon Sibisi has the third supplementary question. The hon Sibisi ... Hon Shaik Emam, are you ... [Interjections.]

Mr A M SHAIK EMAM: Thank you, hon Speaker. I pressed that microphone because I thought mine was still not working. So, it is actually myself.

The SPEAKER: So, it is actually yourself?

Mr A M SHAIK EMAM: Thank you very much. Minister, thank you for that intervention with the defence force and the Antigang Unit that you have got. However, what we have identified in terms of our oversight visit is that the problem seems to be much bigger, compounded by all the other relevant departments that are not playing their roles. I also think you have alluded to somebody talking about electricity. Whether you are talking about housing, whether you are talking about illegal shebeens and other things: What are you doing about a co-ordinated approach with all the relevant departments to areas, because you are not going to be able to do it on your own?

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The MINISTER OF POLICE: Well, most of the crime issues in the Western Cape are also taken on board by the JCPS. Besides the JCPS, we invite other departments to deal with specific issues. For instance, the question of school-going children that do not go to school when they are supposed to go to school has been taken up with the Department of Basic Education.

If you go to Lavender Hills at 11am on Tuesday, you will find that young children are more than the old people in the meeting. So, you take that to the Basic Education Minister. But also, there are issues that are Social Development issues. We have invited the Minister of Social Development issues. We are going with her in the places called Sigalo and Marcus Garvey to deal with those matters.

I want to affirm and agree by saying it will have to be the governmental and many departments' approach to deal with the issue of crime and ill social matters in the Western Cape rather than the police and soldiers alone. Thank you.

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The SPEAKER: The last supplementary question goes to P N Abraham – P N Abraham! Not here? [Interjections.] I am getting confused. The last supplementary question is supposed to go to P N Abraham. If Abraham is not here ... [Interjections.] No! I am sorry; the systems say Abraham. [Laughter.] Did you press the other button? [Interjections.] Okay, if that is the case, then I will take it.

Ms B SWARTS: Speaker, sorry, P N Abraham was pressed by mistake. She is out. Thanks

The SPEAKER: Okay! Thank you. Mr Whitfield!

Mr A G WHITFIELD: Thank you, Speaker, for your indulgence. [Applause.] Mr Minister, the Western Cape has 4 500 fewer police officers than it did five years ago. This has left the province under-resourced to effectively tackle gang violence. As a result, it has been repeatedly stated by SA Police Service that the Western Cape has now been prioritised for additional policing resources given the epidemic of gang violence and high murder rate in the province. This commitment was again made at

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the portfolio committee by SA Police Service management on 21 August 2019. Will the Minister now follow through on this commitment to ensure the Western Cape is adequately resourced with police human resources; and if so, by when? If not; why not?

The MINISTER OF POLICE: Well, one thing that will help on this question, especially from Western Cape, is to increase the skill of listening. This question has been asked and replied to. One, this is the only province that has got Operation Thunder, where we took police, cars and budgets from other provinces and brought it here. [Interjections.] Two, this is the only province that has got Antigang Unit. Three, it is the only province that as a lockdown which we have given soldiers. Four, out of 5 000 students that are at the college, the rest of the country shared 4 000 students, and 1 000 student came from the Western Cape only. We have said, as they finish in December, they will come back here. I hope this question, this time around, will be listened to and understood. [Applause.]

Question 1:

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THE MINISTER OF POLICE: The South African Police Service, SAPS, has on several occasions since 2017 attempted to put a contract in place in this regard. Tenders are advertised as and when there is a need for these kits.

Since the expiry of the contract on 1 March 2017 three tenders were advertised and the details are as follows: 1 – 19/1/9/1/127TD16, this tender was advertised on 2 June 2017 with the closing date of 23 June 2017 however, the bid was cancelled due to responsive bids not have been received; 19/1/9/1/112TD17, this tender was advertised on 2 February 2018 with a closing date of 16 February 2018 however, the bid was cancelled due to an ongoing investigation with regard to the bidder; 19/1/9/1/28TD18, this tender was advertised on 29 June 2018 with the closing date of 20 July 2018 however, the bid was cancelled due to the responsive bid not having been received.

In June 2018 were requested from 21 suppliers with a closing date of 28 June 2018, only two service providers responded by the closing date and their samples were submitted for testing at the forensic science laboratory. However, they did not comply

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with the specifications of the requirements and the quotation was subsequently recommended for cancellation by the SAPS Bid Adjudication Committee.

In July 2018 the quotation process with the closing date of 31 July 2018 was initiated and 19 responses which out of quotations were received within the closing date. Only three suppliers whose samples matched the requirements after testing were recommended for acceptance and approved by the Bid Adjudication Committee, BAC, on 28 September 2018, their kits were delivered in December 2018.

January 2019 a further quotation process was followed for the procurement of kits. Quotations were sourced from ten service providers with a closing date of 25 January 2019. Three suppliers responded and only one service provider met all the requirements of the quote and was recommended for acceptance. However, the amount involved was in excess of the threshold value for quotations and required approval for deviation from normal procurement processes from the national treasurer. The

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national treasurer did not grant approval which further delayed the acquiring of the kits.

In August 2019, quotations were again sourced from a pool of ten service providers with a closing date of 15 August 2019. Only one service provided but they could only offer an incomplete set the kit which would not have been able to address the SAPS requirements.

On 16 August 2019 the contract was signed with the service provider for the supply of delivery of rape and other evidence collection kits for a period of three years. The first consignment at the level of 2 000 was already delivered. The main consignment of these kits will be delivered on 14 October 2019 after which will be distributed to provinces for further distribution to police stations. The supplier indicated that the lead time of eight weeks is required after receiving the order form and that is why the first delivery of the full kits will be on 14 October. Thank you.

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Mr A G WHITFIELD: Minister on 22 July I wrote to the national police commissioner requesting information on the viability of the rape kits of police stations across the country. In official response on 1 August it was revealed that 76% of police stations do not have rape kits in their possession and your response has confirmed that, that is correct or at least you have not denied it.

During an oversight visit to the Jouberton Police Station on 16 August, it was confirmed by the Acting Station Commander that there was not a single rape kit in their possession and if they had rape kits they would be able to respond swiftly and assist victims of rape reporting to the station.

On 12 August the spokesperson for the National Police Commissioner said that there was not crisis and that there was an average of 45 rape kits per station while on 18 August, you acknowledged that there was in fact a problem.

Minister, will you today clarify the issue of whether there were 76% of police stations without rape kits by the end of July or

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not and will you please confirm with this House that if every single police station in this country does not have a rape kit as of today, by when will each individual police station receive rape kits not at the depot, at the police station?

THE MINISTER OF POLICE: Well, indeed there was a 76% non availability of the kits at the different police stations. There are stations that are overloaded when it comes to this kind of crimes. So, the police try to shift those few that were available to those stations. Up to this point, the matter has been resolved. As I have said on 16 August, the contract was signed, that night the delivery or preliminary delivery was started. Up to this point we have delivered between 2000 and 3000 of them waiting for the complete finish on 14 October when all provinces and all stations will have their kits. Thank you.

Ms T BREEDT: Hon Minister do you then not agree that a mission such as the fact that 70% of the police stations did not have these rape kits due to the cancellation of all of these contracts and all of these things show that the safety and

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security of women in South Africa is not a priority for the state? Thank you.

THE MINISTER OF POLICE: No, I do not agree. The question asked if I do agree, I do not agree especially with the last portion of the question. In South Africa the question of the safety of women is taken very serious. That is why we have created and revitalised the Family violence, Child protection and Sexual offences Unit, FCS. For the past four years, the FCS Unit has sent 4200 individuals sentenced to life imprisonment, not just prison but life sentence.

If you speak to the Department of Justice, the conviction is 74% because there is a concentration of these cases. Indeed I'll fully agree with you that the non availability was because there was a suspicion of corruption that had to be investigated. It has been investigated, it has been found that it's clean that's why we are having a full order for the big bulk for the next three years. But, women issues are taken very seriously taken care of.

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Mr A M SHAIK EMAM: Minister clearly there appears to be a problem in terms of supply chain and poor management, what measures are you putting in place to ensure that this never happens again where police stations run out of these rape kits?

THE MINISTER OF POLICE: Well, indeed that is true. We have a new Chief Financial Officer, CFO, in the South African Police Service, a young lady who seems to be doing very well. One thing that she has suggested to both National Commissioner and the Minister is that the supply chain must be professionalised. We shouldn't just take a person because he's a police officer and goes for supply chain management. So, we have requested that she actions that so that we have a very professional supply chain management that we believe we won't have this problem in the future.

Ms N V MENTE: Minister, we know very well the reasons why the contracts were cancelled, it is because of corruption. And we know very well that those people who ordered unnecessary DNA kits at that time and they expired in some storage somewhere and they still serve somewhere in the public service and no one has

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ever arrested them and they didn't even pay back the money the took through that corruption. But, the question here today is that, the 4000 odds that you are attributing to the successes of the FCS, I agree with you but that's just 2%. That is 2% of the conviction rate in South Africa and 10% that goes to trial, 8% falls away, why? Out of the rape kits where you get lucky and get an available rape kit at the police station, it goes to a lab that is dysfunctional like the Pretoria on a lab; it's very dysfunctional, it does not work therefore when it goes to court the evidence is already contaminated with. When are you ever going to engage or embark on a deviation to procure new DNA kits for all police stations and deliver them within a space of this month?

THE MINISTER OF POLICE: I know this subject is very close to your heart maybe that's why you don't listen very well on it. The answer has been given that on 14 October, the complete package will be delivered and the contract is for the next three years. Meaning, at least in the next three years we will not have problems.

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Secondly you asked a question to say 4000 is 2%, I want to repeat, 4000 are lifers and not people who have been sent to prison, they have been sent to prison for life. I have given the answer to say the Department of Justice has a 74% conviction on this matter. That's the answer that I have given, if you have a better research on that then I don't have a problem. I'm giving the figures, 74% conviction, 4200 are life sentences only, not people that are in prison. On 14 October the whole package will be there and will be delivered for the next three years. Thank you.

THE SPEAKER: Hon members, we have Members of Parliament from Uganda, they are sitting up there. They are led by Dr Michael Bukenya who is the Chairperson of the Portfolio Committee of Health in Uganda. You are welcome hon members.

Hon members we proceed with the question put by Ms Msane, the Minister of International Relations and Cooperation

Question 26:

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The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION:

Speaker, the matter referred to relates to the government's long-established commitment to enhancing efforts directed at achieving peace and an end to conflict on the continent. In particular, the project that is being referred to in the question, is related to the specific attention that we are giving to the development of the role of women in the resolution of conflict on the continent and in participation in negotiations that give life to new legislative and other arrangements in countries that have previously been in conflict. The approval of the project, therefore, was on the basis that it is directly aligned to the strategic objectives of the fund which are contained in the African Renaissance and International Cooperation Fund Act 51 of 2000. These objectives are the promotion of co-operation between the republic and other countries particularly between the republic and countries on the African continent; promotion of socioeconomic development and integration. The primary beneficiaries of the project are the over 1 000 women from the continent who will participate in the annual African Women in Dialogue forum which is hosted in South Africa annually. The women - 15 from each country on the African

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continent - represent the most diverse and representative cross-section of their societies. And as I have said, particular emphasis is given to women from communities that are directly impacted by war, displacement, economic deprivation, discrimination based on gender or indeed disability and these categories of communities are targeted for socioeconomic development and support with integration post-conflict.

With respect to the second part of the question, no other applicants came forward to run the initiative. Thank you, Speaker.

Mrs T P MSANE: Speaker, Minister, we do not have a problem with the problem but what we do have a problem with is R37 million which gets awarded to Zanele Mbeki, a spouse of a former Head of State. What we are saying is that there are equally competent organisations run in this country that have no connection to state power that can run these programmes for the women of Africa. So, my question is what perception we are creating to the society out there if we are going to award ...

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IsiZulu:

... kusho ukuthi le mali izohlala ijikeleza la ekhaya.

English:

No women out there or no other organisation can be recognised by this House so that they can benefit in these programmes. Thank you very much. [Applause.]

IsiZulu:

UNGQONGQOSHE WOBUDLELWANO NAMAZWE OMHLABA KANYE NOKUBAMBISANA:

Abafazi engikhuluma ngabo bavela kwizinhlangano eziningi la eNingizimu Afrika namanye amazwe aseAfrika. Ukhipha igama elilodwa, ngithi, abekho abanye abafake izicelo ngoba zonke izinto zenziwa ngokuvulekile, ukufaka emaphepheni uthi, "wozani uma nifuna ukwenza lo msebenzi." [Ubuwelewele.] Uma bengezi ngizobalandela kanjani? Ngakhoke, noma ungakhathazwa yigama, senze isikhangiso, silandele umthetho. Akukhethwanga umuntu, kukhethwe isiphakamiso ehambisana kahle nomsebenzi esifuna ukuwenza. Ngiyabonga. [Ubuwelewele.] [Ihlombe.]

English:

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Mrs T P MSANE: Speaker, on a point of order: The Minister is misleading the House, the African Renaissance and International Cooperation Fund, ARF, did say that they did not request any quotations for this ... [Interjections.]

The SPEAKER: Hon member, if you think the Minister is misleading the House, please forward - to my office - a substantive motion.

Mr M CHETTY: Speaker, the deliberate delaying tactic of presenting the SA Development Partnership Agency Bill before this House by your predecessor is evidence that it is to benefit cadre benefactor organisations, when will your department ensure that the SA Development Partnership Agency Bill is passed as this will regulate ARF funding and also prevent further funding abuse to cadre benefactors. Which unit within the Department of International Relations and Co-operation will be responsible for monitoring this project as the current chief financial officer, CFO has proven to be compromised in view of the allegations of irregular expenditure of R417 million in the Auditor-General's report against him. Thank you.

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The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION:

Speaker, I don't know what the hon member is referring to when he speaks of cadre benefactors; I have no idea what he is talking about. [Interjections.] The response is, as I have stated it, there is a range of initiatives that we undertake. The deputy director-general responsible for the diplomatic training programme and the acting chief operating officer responsible for the implementation of the programme, it is running exceptionally well.

We also have the annual Gertrude Shope Dialogue Forum and it is no cadre beneficiary. What is happening is women on the African continent are receiving training and skills that allow them to participate in negotiations out of conflict and also to ensure that they are not merely peacemakers but that they become part of the Parliaments and governments that follow the achievement of a peaceful status. This is a very important contribution that South Africa is making to women who live in countries that are in conflict; to women who live as refugees; to women who become victims of war; to women who wish to have a role in their

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society. This is what this initiative does. It does not do cadre benefaction. Thank you. [Applause.]

Rev K R J MESHOG: Speaker, looking at how the ARF was spent, it is not only women from countries that are in conflict that have benefitted. As an example, Cuba received an economic package of R350 million and the government of Greece received R53 million and R92 million was given to Malawi towards their social-economic development, South Sudan has also benefitted, and received R96 million from the fund towards humanitarian assistance. Now, I want to know, are these figures wrong and are all these funds that were given to these different countries, were they only toward women or were they used for economic development as the report is stating? Thank you.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: I am sure that the reverend has not looked at the question in the question paper which asks about a Woman in Dialogue programme which is directed at women in Africa and issues of conflict and post-conflict resolution. So, the question in the question paper is about that specific programme. The programmes you referred to

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do go through the ARF processes. There is a review committee that determines allocations to countries that require assistance. It is important to point out that we do not have financial allocations made. It would be humanitarian assistance, purchases - such as with South Sudan - of wheat and other food items for displaced persons and refugees in camps who are victims of conflict. All the aid is humanitarian-linked coming out of the African Renaissance International Cooperation Fund and every allocation falls within the conditions in the statute that gave life to the ARF. Thank you.

Ms N V MENTE: Hon Speaker, Minister, South Africa has had so many dialogues; the Diaspora has had so many dialogues, don't you think that it is time to change the approach because when you are subsidising dialogues for people to go and do a talk shop to victims of rape, victims of all horrendous crimes especially to women and children. Don't you think it is time to build safe homes for women to get away from abusive relationships that they stay in because their men are paying for their children's school fees, they are supporting them and they can't separate themselves from the perpetrators? Don't you think

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it is time to put that money into safe homes? Don't you think it is time put that money into schools that will keep the children of South Africa safely away from rapists? Thank you.

[Interjections.]

The SPEAKER: Hon Mente, your time has expired. Hon Minister, it is a new question but you are at liberty to respond.

[Interjections.] Can I address this? Ms Mente, the question is about women's dialogue on conflict resolution. [Interjections.]

It is ... no, no, no, no; it is outward-looking; you are referring to issues which are very hurtful to us this month, this year inside South Africa and that is why I am saying you are at liberty Minister.

Ms T P MSANE: Point of order Speaker!

The SPEAKER: No, I am not taking any point of order. I have ruled on this matter. Please proceed, Minister.

Ms T P MSANE: It is on a different matter Speaker.

[Interjections.]

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The SPEAKER: No, I am not taking any point of order because ...
[Interjections.] No ... [Interjections.] I am not protecting the
Minister.

Ms T P MSANE: Speaker, I raised the question, and the question
is about Zanele Mbeki receiving R37 million.

The SPEAKER: Exactly!

Ms T P MSANE: The question is not about the programme but about
Zanele Mbeki being a beneficiary of R37 million. Thank you very
much. [Interjections.]

The SPEAKER: Hon Msane, thank you for bringing us back there
because that is the question and the last supplementary does not
address that. [Interjections.] It asks about something which we
are all concerned about ... [Interjections.] no, no. Minister,
please proceed. [Interjections.] Minister, please proceed.

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The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: It is very difficult but let me proceed. Firstly, as you have indicated ... [Interjections.]

IsiZulu:

Hhayisuka nawe! Eish! Yimani! Hhawu! Yu! [Uhleko.]

The SPEAKER: Hon Minister! Hon Minister ... [Interjections.] let me ... [Interjections.] Hon members, let us not go there. [Interjections.]

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: You know ...

IsiZulu:

... Yu!

The SPEAKER: Please continue with your response ma'am.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: Oh!

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IsiZulu:

Yu! Bengimangele.

English:

Speaker let me begin by saying that I can not disagree with Ms Mente. She is correct that much more must be done, not by government or MPs alone, but our entire society to ensure that women are safe wherever they wish to be. This is something I have said in the House before so I fully agree with what she has said. However, when you have a situation of conflict such as in South Sudan, dialogue can never be enough until there is peace and that issue of dialogue for peace can not stop at the point of peace.

What must happen is that women must enjoy the same opportunity you and I enjoy to be in Parliament and to govern our country. This is what we are striving for, that women are not victims, not merely participants around the table dialoguing on peace but are active participants post-conflict in the rebuilding of their society and in all the institutions that manage the society and ensure that it no longer returns to conflict. This is an

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absolutely vital role that I believe South Africa must have an interest in and should execute. As to whether the programmes are good or need to be improved, should there be good ideas, you are most welcome to give us your proposals. But I do not disagree ... [Interjections.] well it is because many people are not used to dialoguing and it is part of what we have got to teach our nation, that you can talk to each other and resolve problems. You do not have to pull out a weapon. You do not have to insult. You do not have to injure. [Applause.]

Question 34:

The DEPUTY MINISTER OF HOME AFFAIRS: Madam Speaker, late registration of births, is the registration births after the legally specified time period. According to section 3 of the Births and Deaths Registration Amendment Act 18 of 2010, all births must be registered within 30 days from date of birth. The department since 2010 has been in a campaign to encourage people to register births within 30 days. The department has made significance advancement, including reducing the number of late registration of births for example in the 2010-11 financial

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year, 586 377 births were registered through the Late Registration Birth, LRB, process.

Those are people below the age of 14 years; whereas the number births registered through the same process has reduced significantly to about 175 659 in the 2017-18 financial year. For those above the age of 18, they were standing at 190 091 in the 201-11 financial year, which was reduced to 25 514 in the 2017-18 financial year. The trend therefore shows that in South Africa there is a pattern of reduction in the number of persons who are registered to the LRB. The significant process is attributed to constant communication drive and awareness programmes to encourage people to register the births of their children within 30 days.

In order to prevent late registration of children, we are now planning to role out The Department of Home Affairs related services centres to other birth centres. Our intention is to immediately register children as and when they are born, this has also been made a ministerial priority. Thank you.

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Ms T I LEGWASE: Madam Speaker, Deputy Minister concerning the progress that has been made thus far by the Department of Home Affairs in providing efficient and effective services; has the department manage to improve its turn around time and processes in issuing the identity documents, the passports and birth certificates? Further more does the department intend in invalidating all fraudulent documented Identity Documents, IDs, citizenship acquired through corrupt means? Thank you.

The DEPUTY MINISTER OF HOME AFFAIRS: Madam Speaker, yes we do enter into investigation in instances where there are cases that are reported to us of people who are in possession of fraudulent documentation to the extent that we even revoke citizenship of anyone who might have obtain those document fraudulently. There are instances where in the past we have had IDs which were fraudulently obtained in terms of being fakes in some instances faces were removed, we have improved from that particular system. Today we issue smart card IDs which are very secure with very strong identification features, which is a highly, highly secure document that we issue which is smart ID card.

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In terms of turn around times we have also prioritise the issue of war on queues to make sure that our citizens get the best service, we are also continuing with the improvement of our services which we must do consistently in order to improve customer care. Thank you.

Ms L L VAN DER MERWE: Hon Speaker, to you hon Deputy Minister on issue of fraudulent documents, well of course it goes without saying if enter South Africa illegally, you don't have the right paper work and so you will probably not be paying your taxes, but Mr Sipho Zungu, the Chairperson of the old Truck Driver Association, recently said that government was allowing companies to employ undocumented migrants to avoid compliance with South African labour laws, creating an unfair advantage for these undocumented migrants. This in part has let to the tensions we have seen in the trucking industry. Do you therefore agree that your department's failure to properly document people coming in and out of the country has been partly to blame for the crisis we have seen in the trucking industry and if so what do you intent doing to solve this crisis, if you can list the intervention your department will be taking? Thank you.

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The DEPUTY MINISTER OF HOME AFFAIRS: Madam Speaker, we have been running operations with reference to illegal truck drivers. One of them we conducted them in various toll gates around the country and in instances where we found illegal immigrants who are working without the necessary set document of papers, we do take them and deport them to their necessary countries, we also ensure that we fine the necessary employers who have employed people who do not have documentation. Just about two weeks ago, we ran an operation here in Cape Town and inspectorate division continues to carry out that responsibility. Thank you.

Mr A M SHAIK EMAM: Hon Speaker, Deputy Minister, I know that you are new to the department and the department faces various challenges in lot its Department of Home Affairs branches. Can you tell us whether you have sat down, went through to these different branches and establish what is really the problem and what mechanism are you putting in place to try and deal with challenges at the different Department of Home Affairs branches, particularly Umgeni Road and others? Thank you

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The DEPUTY MINISTER OF HOME AFFAIRS: We have sat down with the various units of the department, we have developed the strategies to deal with the issues and recently we had a strategic session where we are planning on how to deliver better service. In some of the areas we have made, we gone directly to the branches in question and made interventions. For instance in Umgeni Road, I am very proud that after having identified some of the issues, we have the youth of the Department of Home Affairs that actually spent a weekend dedicating their time for free to assist young people. So we are not just talking, there are interventions that are being made in the immediate whilst we are dealing with long time strategies. Thank you.

Mr W M THRING: Speaker, the ACDP welcomes the establishment of the service points at hospitals to assist with the registration of the births of infants but noting that the Department of Home Affairs has become lightning rods for criminal elements. Many ordinary citizens that seek the services of the Department of Home Affairs have been assaulted robbed of their belongings and this includes senior members of the Department of Home Affairs officials, for example in Pinetown. What combined measures with

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the South African Police Services as well as other crime fighting units have been taken if any, to keep our citizens safe in and around the Department of Home Affairs Offices throughout the country? Thank you.

The DEPUTY MINISTER OF HOME AFFAIRS: If there are incidents where the member is saying there are the Department of Home Affairs officials who have been involve in wrong doing. We encourage the member to come forward and give us that information so that we can act decisively on those members. Part of the services that we do, is that we do conduct surprise visit to various branches to make sure that our employees in those branches are kept, feeling the pressure that we are there to monitor at any given moment and time. Thank you.

Mr W M THRING: Speaker, sorry on a point of order!

The SPEAKER: What is your point of order?

MR W M THRING: I think the Minister misunderstood my question. I did not say that members from the Department of Home Affairs who

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are in wrong doing. I said that officials from the Department of Home Affairs have also been victims of being assaulted by criminal elements. So the question is: What is being done to improve the safety of our citizens? What measures have been taken by the Department of Home Affairs together with other crime fighting units to improve the safety our citizens. That was the question- I think misunderstood me. Thank you.

The SPEAKER: Deputy Minister is that how you understood it?

The DEPUTY MINISTER OF HOME AFFAIRS: Yes ...

The SPEAKER: So you misunderstood the supplementary?

The DEPUTY MINISTER OF HOME AFFAIRS: Yes.

The SPEAKER: You are putting me in a fix.

The DEPUTY MINISTER OF HOME AFFAIRS: No, I think the question is that there are members who are employed by the Department of Home Affairs who have been victims of criminal activity, in some

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instances, for instance, I think in the past couple of days there was one of our offices that was destroyed in Johannesburg and I believe that the issue of crime and policing falls within the Ministry of Police. We do have security in our offices to deal with making sure that we provide a safe working environment for all of our employees. Thank you.

Question 33:

The MINISTER OF POLICE: Hon Speaker, on 24 July 2019, Mr Mbuyazi who originates from Kwambonambi, was stabbed and killed nearby the Richards Bay taxi rank which triggered anger within the community that sympathised with the deceased. Subsequently, the community included operators from the taxi industry mobilised to avenge the killing.

The suspects were the homeless people and the community was convinced that the murder was linked to illegal drug use. The combination of the South African and foreign nationals are suspected to be dealing in drugs and are suppliers of such to the homeless people in the Richards Bay central business district, CBD.

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In August 2019, two homeless people were assaulted. One died as a result of the injuries sustained and one was severely injured and hospitalised. Again on 19 August, members of the SA Police arrested one suspect for possession of dangerous weapon, after a group was seen assaulting homeless people.

Angry community members subsequently stormed the Richards Bay Police Station demanding the release of the suspect. They were dispersed and eight arrests were made. However, the group mobilised again and blocked roads in the CBD. The SA Police Service, SAPS, deployed the Public Order Police, POP, resulting in the further 22 arrests. The suspects appeared in court on 21 August 2019 and were remanded in custody until the 27th. They have appeared again and were remanded, and some released.

Several meetings were held at uMhlathuze, involving various several stakeholders, including SAPS, the Department of Community Sector and Liaising, the Department of Home Affairs, the uMhlathuze Municipality and the Richards Bay Taxi Association were involved that resulted in the defusing of the situation.

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The community concerns regarding drugs are being addressed. Intelligence-led operations are being conducted targeting drug dealers in Richards Bay.

There has been a marked decrease of crime in Richards Bay since the homeless people have moved away from the area. Operations to address the concerns of the community and ensured public safety will continue. The SAPS deployment has been increased. The SAPS members from other stations and units within the cluster are being used as force multipliers. Detached POP members from other units have also been deployed in Richards Bay. At the present moment, that is the situation, hon Speaker.

Ms Z MAJOZI: Hon Speaker and hon Minister, following up to that: What further steps will be taken against the police officers who ran away because they were ill prepared for the situation in Johannesburg? Furthermore what will happen to those who have taken forfeited goods to sell to other vendors and shops?

In terms of the recent diplomatic actions taken by the presidents of Rwanda and Malawi of not attending the World

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Economic Forum in our country, in Cape Town and in the cancellation of the Zambia against Bafana Bafana match. What measures are being taken to mitigate further flare ups of looting and protesting in our country? What kind of measures is intelligence working on to ensure that we put an end to the attacks? Thank you.

The MINISTER OF POLICE: Hon House Chair, well the question of the presidents who are not here, really, really is a diplomatic matter. It will be answered. And if they do come, they are going to be given protection. If they do not come, life is easier.

[Laughter.]

The question of the police if I am not making a mistake the hon member is asking about the police in Joburg who retreated. They did not run away, but they retreated. Absolutely they did not.

[Interjections.]

They retreated which is part of the training and the orientation that when the situation does not favour you then you retreat and mobilise and come back. Some of us who are trained understand

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the terms. So, you will pardon us. You will pardon us that there is a difference between running and retreating. They went, mobilised, came back and they did the very good job. They arrested 640 people without a single bullet and without any rubber bullet. That means they were very much prepared for that.

For those nine police officers, who stole the stolen goods they have been arrested as you have seen and the processes are going forward. Most of them are on bail, but they trial is continuing. For us they are not just officers, they are criminals and we will treat them as such; as criminals when they break the law like any other criminal. Thank you very much.

Mr A G WHITFIELD: Hon House Chair and hon Minister, given the recent escalation of violence committed against foreign nationals and the escalating scapegoating of foreign nationals using unverified information: Will the Minister now instruct the National Police Commissioner to establish the National Joint Operational and Intelligence Structure in order to ensure a co-ordinated intelligence driven approach to the ongoing violence

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so that we can get to the root cause of the problem and deal with it decisively? If he will not do so, why is that the case?

The MINISTER OF POLICE: Hon House Chair, well I would not instruct the National Police Commissioner to establish something that exist. The co-ordinating structure called the National Intelligence Co-ordinating Committee, Nicoc, exist that co-ordinate all the bodies of the intelligence in the Republic Of South Africa. So, if the member can just scratch around and understand that, he would not have a reason to ask this question. [Laughter.]

Having said that indeed we are looking at the matter and I have halved answered this question. That from the side of the SA Police at the present moment we are looking at the criminality of the matter rather than the xenophobic side of the matter. For instance, there is this narrative to say that the shops of the foreign nationals are burnt down. I visited where this thing started at Jeppe, there is a long line of burnt shops. Shops that are burnt there are your Shoprite, your Jet stores, your Pep stores and your Usave. The last time I checked those are

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South African shops. So, it is the criminality that is destroying the property and is looting from all other shops. We have arrested up to this morning at six o'clock, 280 people for getting involved in such activities. We believe that the matter will be going and coming down, and surely we will be working with communities and other departments to make sure that we deal with the matter and it comes to an end. Thanks.

Mr W T I MAFANYA: Hon House Chair and hon Minister, the raid by the police on foreign-owned shops in the Johannesburg CBD started this whole mess we are seeing in Gauteng where Africans are targeted by criminal elements. What would you say to the view that these violent attacks on African nationals are ... [Inaudible.] ... sponsored that at the centre of it all is this government's hatred of our siblings from the rest of the continent?

Number two: What measures are in place to safeguard the safety of South Africans in other African countries? An eminent retaliation by foreign nationals in their respective countries is looming. Thank you.

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, I just want to remind you before the Minister respond that there is room for one supplementary question and not a number of supplementary questions. Hon Minister.

The MINISTER OF POLICE: Hon House Chair, well in response to the last question the Bible called the Constitution, instructs this Minister to police within the borders of the Republic of South Africa. What happens on the other side is absolutely not much of the Minister of Police to look at it, except if there is member that has been approved from the Republic of the South African government going to the other country that their life is in danger we will allow the SA Police to accompany that member.

However, the question about what the Minister of Police is really doing about that we will be breaking the Constitution to go beyond and police the borders of the Republic of South Africa.

The second one that the police started by raiding the people no, we did not raid the people that are innocent and people that

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obey the law. We were raiding the criminals and for that we are not apologising. And for that we repeat again we will raid them time and again until they obey the law and make sure that the law of the Republic is obeyed. Thanks. [Applause.]

Mr A M SHAIK EMAM: Hon House Chair and hon Minister, in Johannesburg with the challenges that were experienced, there was a very reckless statement made by David Makhura when he said that foreign nationals will not be allowed to have any informal businesses in Gauteng particularly. What effect does that had with the violence in Gauteng?

The MINISTER OF POLICE: Hon House Chair, I definitely do not have a barometer to measure that how much damage happened on that matter. However, what I know, the Premier of Gauteng did emphasize the point of having correct papers and the legitimacy in the Republic of South Africa that is the point we are following.

If you come to South Africa, respect the laws, get proper papers and follow all processes that South Africans follow if you open

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a business and all of that. However, if you go beyond that and you do not follow the law, it will be regardless whether you are a South African or you are a foreign national if you break the law, I repeat, we will not retreat and we will not apologise for that. [Applause.]

Question 43:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Chairperson, let me thank the hon member for the question. The official closing date for the purposes of section 8(1c) of the Demobilisation Act of 1996 was 31 March 1999. Initially, the closing date for the integration of various armed forces into the SA National Defence Force was to be concluded towards the end of 1996. However, due to unforeseen circumstances such as persons who were in prisons, abroad and studying it was moved to 31 December 2002. I thank you, Chair.

Ms M MODISE: Hon House Chair, it is from hon Moleboheng Modise.

The HOUSE CHAIRPERSON (Mr C T Frolick): Will you do the follow up question on her behalf? Okay, thank you.

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Ms M MODISE: Hon Minister, concerning the process of integration of former non-statutory forces and other forces into the SA National Defence Force, was the department able to transform our defence force into a credible force that reflects the demographics of our country and promotion of gender parity in terms of rank and file? Thank you.

Ms E N NTLANGWINI: Hon House Chairperson, on a point of order: Hon Beukes is in the House. It was said on the last question time in the House that we must indicate if the member is in the House and she is in the House. By right she should have taken the follow up question unless they have changed.

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, you are absolutely correct hon member. There is also an expectation that the Presiding Officers are informed before the time that such an arrangement has been made for a question to be answered. That usually happens in the absence of the member who has asked the question. So, I would like the ANC Whips to pay attention to that so that we do not see a repeat of this. It is not correct.

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The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon House Chairperson, the SA National Defence Force came into existence on 27 April 1994 after the integration of the seven former opposing statutory and non-statutory forces. The department managed to successfully integrate these seven forces that were hostile to one another into a single defence force that all patriotic South Africans hold in highest esteem. The process was indeed fair and comprehensive.

Of course, the issue is whether in fact the SA National Defence Force reflects the demographics of the country? Yes, it does, at all levels, starting from the military command council down to the lowest of the units of the army. I thank you Chair.

Mr M L SHELEMBE: Hon Minister, in the year 1992, the SA Cape Corp was disbanded and its members were never afforded an opportunity to the integration process and as a result they were deprived their right to access the benefits under the Military Veterans programme whilst Apla, MK and SADF were favoured by the process. Is the Minister prepared to review and recognise the members of the old SA Cape Corp and give them an opportunity to

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the integration process, granting them the last chance and fair opportunity? If yes, when will be that and how? I thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: No, but hon member you know that you are asking a very unfair question. I have just indicated to you when the demobilisation process was closed. With your saying that we should allow old SA Coloured Corp to be integrated, I do not understand what that means. Not only that; but the Cape Coloureds Corp was part of the SADF. They were not just part of the SADF but some of them were integrated through the SADF and were actually given force numbers.

Now 25 years down the line those who did not integrate should be integrated. I really think that it is an unfortunate question that you are raising. I think it is an unfair demand which you are making. Thank you.

IsiZulu:

Inkosi R N CEBEKHULU: Ngiyathokoza Sihlalo, mhlonishwa ngesikhathi kuhlangukiswa le mibutho, kuliqiniso ukuthi bakwazi

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ukucoshakala ezinhlangothini zombili lezi ngokomlando ezaziye ngaphandle ekudingisweni ziyolwela inkululeko. Kodwa uma ngabe umuntu elandela, abazange baphathwa ngokulingana nangokufana sebengaphakathi embuthweni. Kunalenselelo ekhona yokuthi ikakhulukazi amalungu e-Apla awazange akhushulelwa ezikhundleni eziphezulu ezibafaneleyo ngendlela ngengoba bekwenzeka kumalungu oMkhonto Wesizwe. UNgqongqoshe angathini kulolu daba ukubhekela ngoba basekhona abayingxenye abasakhulayo emsebenzini wombutho. Ngiyathokoza.

English:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon member, I think that is an unfair example you have used because if there any cadres who have performed very well and who have risen high up into the ranks of the South African National Defence Force, is Apla members. Maybe you should have used a different example. They have done extraordinary well. In fact, one of the recently retired generals who was responsible for the logistics of the SA National Defence Force is General Nonkonyane who has done extremely well.

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Those who are now out of the system are people who have retired and most of them retired as generals, precisely because of the advantage they had during the liberation struggle of having trained in different countries including in conventional warfare. So, that example is an unfortunate one. Thank you.

Mr B H HOLOMISA: Hon Minister through you hon House Chair, I think defence integration went well to a certain extent.

IsiXhosa:

Nangona kunjalo, akufuneki ukuba sixokise abantu, sifihle izinto apha. Umcimbi weenombolo zokuqashwa emkhosini (force service numbers) ngulo ukhalazelwa ngamajoni ntsuku zonke xa sijikeleza kweza nkampu. Nawude nibeneenombolo ezifanayo nini, niphelise lento yokuba lo wayekwi-SADF, APLA, MK, TDF, njalo-njalo? Kutheni ningenzi uhlobo olunye lweenombolo? Kaloku kuthethwa ngaloo nto qho xa sisiya kweza nkampu. Yithi ndiyaxoka.

The MINISTER OF DEFENCE AND MILITARY VETERANS: General, I cannot say that you are lying because it is true that we have got

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different force numbers. However, if you are suggesting that it is about time now that we actually integrate the system.

Mr B H HOLOMISA: Hon House Chairperson, on a point of order: The Defence Service Commission recommended that integrate all these forces and do not discriminate them with numbers.

IsiXhosa:

Ingxaki kwezi nombolo abanye kunzima ukuba banyuselwe. Musani ukuxoka.

English:

The MINISTER OF DEFENCE AND MILITARY VETERANS: No, but that is an insult General. [Interjections.]

Mr B H HOLOMISA: I withdraw.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you very much.

The HOUSE CHAIRPERSON (Mr C T Frolick): Order hon members.

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The MINISTER OF DEFENCE AND MILITARY VETERANS: It is a matter which is being considered, General. But the question I have for you is how do you do it? You know that some of the people were given force service numbers prior to 1994, and then you have this grouping which has post 1994 numbers. What difference does the number make? What is important is that they enjoy the same conditions of service as all other soldiers and there is no discrimination on the basis of the number which you have.

The reality is that people have joined the defence at different phases of the struggle and post our democracy.

Mr B H HOLOMISA: Hon House Chairperson, the Minister asked a question but I am going to merely that...

IsiXhosa:

... apha Mphathiswa ohloniphekileyo, awusixeleli nyaniso kuba iingxaki ezivela ezinkampini zithetha ngezi nombolo. Phaya, abantu bacalulwa ngezi nombolo xa kuvela amathuba okunyuselwa. Nawe uyayazi le nto ndithetha ngayo.

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English:

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, please take your seat. Take your seat now. Hon Minister, I do not know if you wish to respond to that. We have had four supplementary questions but the member now wants to ask for more.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Maybe I should deal with this issue of discrimination. One thing that the General is aware of is the fact that in terms of promotions within the service; in terms of ranking within the service, the defence force is one amongst the best. Do not be taken about the complaints which people have. People may not be happy with the levels of the ranking which they have been given. It is not as though there was no process which was embarked upon for promotions and ranking of members of the SANDF.

Unlike for instance what you have in the police which was not done and now being raised. In the case of the SANDF this was done and you know it but the unfortunate thing is that not everybody was satisfied with the rank which was given to them. That is the issue.

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Question 8:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House Chairperson, I rise as a man in black in solidarity with the South African women and call upon South African to stand up, that it should not be done in our name, and also Chairperson, I want to state that I don't have any question with relation to gender-based violence. I have been misquoted that I am calling for death penalty for perpetrators. I want to say that, that would be unconstitutional. I have never said that.

Immediately after the appointment of the special tribunal by the president in March 2019, the department commenced with the process of creating the administrative structure to support the tribunal and the drafting of regulations that the tribunal requires to carry out its mandate. The drafting of regulations became a tedious and a protected process that was not anticipated.

The department has also sought assistance from a senior council to ensure that the regulations and the rules of procedure of the tribunal are watertight, in order to avoid the legal

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technicalities and loopholes that exposes various special tribunals with litigation. Our past experiences have shown that persons who has stolen and siphoned public funds through corruption and maladministration will not hesitate to litigate against the tribunal, in order to frustrate its processes and efforts to recover ill-gotten gains.

House Chairperson, it is for this reason that more time and energy have been put in the development of the regulatory framework so as curb any potential move to frustrate the work of the tribunal. The tribunal will become operational as the required regulations and the rules are published in the government gazette. I can assure this House that the drafting team is working steadfastly to finalise the regulatory framework for the tribunal to commence with the work without delay. Thank you. [Applause.]

Adv G BREYTENBACH: Through you hon House Chair, hon Minister, bearing in mind now that the tribunal is not going to come align in the possible future, and while you are busy drafting rules and regulations, would you bear the following in mind: One Judge

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has been appointed as the President of the special tribunal for the three year term; additional judges have been appointed to sit on the tribunal, but there are also sitting judges in other divisions. So, what provisions are in place to ensure that the effect of this will have on court rolls in those divisions, as well as on the role of the tribunal is mitigated, and would it not be more productive to subpoena Judges to the tribunal for fixed periods instead?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House Chairperson, the tribunal will start operating in the foreseeable future. I can assure the House that it is going to happen very soon. We have also put these measures to ensure that the judges are able to focus on their work. Chairperson, you will remember that we have got experience with the land court with regard to it not having permanent appointees, and this country is facing a serious issue of corruption and money that has been siphoned.

So, you need people who are dedicated and who are going to give full time attention to these matters. So, it is going to

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operate. The members who have been appointed are going to do their job and also it is going to enable us to expedite the issue of the recovery of the money. That's why we need full time capacity. Thank you very much.

Ms L H ARRIES: Through you hon House Chairperson, hon Minister, the misappropriation of state funds was done by all of those that served under Zuma administration. Some of those are pretending to be holy under the Ramaphosa regime. They pretend as if they have never worked with Zuma, and they still defend Zuma. What guarantee can you give the South Africans that the stolen state money will be recovered, I mean the public money, and that it will not be done in a factional way and even by those that are in the Ramaphosa regime that they will be brought to book? I thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon House Chairperson, no one is above the law in this country. It doesn't matter where you come from. The money is going to be recovered from wherever and from whoever is involved in the siphoning of

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the money. [Interjections.] This will be done without any fear, favour or prejudice to anyone. Thank you. [Applause.]

Mr S N SWART: House Chair, rising from your response, hon Minister, the ACDP welcomes the establishment of the special tribunal. However, we regret that it has taken so long, given the extent of state capture and corruption that is taking place. But we do appreciate the need to ensure that the regulations are tight and that they are not subject to further litigation. We are also acutely aware of the dire financial constraints that are courts are facing.

Will the hon Minister give the House the assurance that the special tribunal will be given sufficient capacity, meaning, will it be fully funded to operate optimally? As I've indicated, we are fully aware of the challenges that our courts are facing, and the special tribunal must be able to speedily hear Special Investigating Unit, SIU, matters when they are able to kick in. Thank you.

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The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House Chairperson, I am happy that the hon member recognises that if we do it in haste, the tribunal will be shooting itself in the foot and we need to ensure that all proper considerations are put in place, due diligence and ensure that all the regulations are in place, so that the tribunal is not frustrated by litigation. Some of it may be frivolous.

When you deal with issues of corruption, the people you are dealing with are well funded and well resourced. Therefore, they are going to get the best representation. We then need to stand ready and ensure that the processes are waterproof and watertight. Indeed, it needs full time capacity, that's why we are giving the tribunal all the support in order for it to start functioning. I can assure the House that it will start very soon in the foreseeable future.

Prof C T MSIMANG: Hon Chair, I do appreciate the fact that the Minister is speeding up the setting up of the tribunal, and I've no doubt that this will go a long way in making good progress in the entity. However, what is lacking in the NPA is not only this

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tribunal, but there are many other challenges. Therefore, I would like to prioritise the question of the budget. This department is lacking in funds, and I would like to know from the Minister, how is he helping NPA to get sufficient funds to make sure that it is fully operational? I thank you.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House Chairperson, it's a different question, but I will answer it. We are in the process of helping the NPA. The Director-General and the Director-General of the National Treasury are in the process to find some ways to help the NPA, and we have in the department already found some money that has enabled the NPA to start the process to start the special tribunal.

If I am not mistaken, it's about R47 million that we have been able to find and we are helping the NPA to get some kind of positions that will enable them to be resourced to do their job without fear or favour to anyone. Thank you.

Question 46:

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The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: Thank you very much, Chairperson. The recent confirmation of signature by a majority of African countries into the African Continental Free Trade Area Agreement is a very progressive step for the African continent and provides significant economic opportunities not just for South Africa but for the continent in its entirety.

Our biggest trading partners in Africa are countries in Southern Africa as well as East Africa. This Free Trade Area Agreement opens up opportunity for us to find market opportunities in West Africa as well as in the Sahara in the North of Africa where our trade relationships are rather limited. Of course, what we are hoping to do is to have greater export of value added goods. We are really looking to expand both our manufacturing and industrial capabilities in South Africa so that we become a truly effective producer of quality goods and trade with the African continent. So, we do see that this agreement will provide the Republic with opportunities to expand its export-led business activities. What is exciting however, are the opportunities provided for other countries on the African

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continent because the free trade areas doesn't mean only South Africa benefits, means we will also purchase goods from other countries on the continent.

So, this integration and industrialisation that we have been talking about to a great degree as part of Agenda 2063 is going to be given a dynamic push by the agreement once implemented their whole host steps that we still need to undertake. But as the question poses, this does augur well for our economy and for growth of economies on the African continent. Thank you very much, Chairperson. [Applause.]

Mr B S NKOSI: Thank you, House Chair. Thank you Minister for the comprehensive responds. In view thereof, is the closer co-operation between the Department of International Relations and Co-operation and the Department of Trade and Industry to enable effective management of all processes related to the implementation of the agreement?

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION:

Chairperson, the two departments are working very closely

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together. In fact, we were both departments and Ministries present at the most recent extraordinary summit of the African Union where the subject of discussion was the Continental Free Trade Area Agreement. So, there is collaboration, we have to work very closely together. Finance or Treasury are also an important partner because all the tariffs setting and other measures of common automated systems and so on would have to be led by those two departments in partnership with the Department of International Relations and Co-operation. Thank you very much.

Mr A M SHAIK EMAM: Thank you, hon House Chair. Minister, given the fact that we are having a serious challenge in our country for foreign nationals and xenophobia and with this trade agreement that have been entered, with Zambia and Nigeria already threatening to want to get rid of South African businesses from their respective countries. What impact is this going to have on South Africa and the benefits of this particular trade agreement? Should this continue?

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The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: Thank you very much, Chairperson. The law enforcement agencies of South Africa are working very hard to ensure that we arrest all those that are involved in looting and attacks of foreign-owned businesses and the assaults of foreigners from other African countries living in our country and we must intensify these law enforcement efforts. In addition, we must undertake as both politicians and broadly civil society to encourage a greater understanding of the value of Pan-Africanism and social cohesion within our broader population.

So, I think we stand challenged to ensure that we achieve that level of understanding that in the end as Africans; we must stand as one if we are to confront the world successfully. I believe African leaders understand this but we may not be doing enough as politicians or other leaders in society to make this something that our nation fully understand.

I believe we stand or fall by the degree to which Pan-Africanism will be a success and we need to convey that to our nation. We will survive by virtue of how well we do in ensuring that we

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trade well with Africa, we work and partner to develop our continent together because South Africa as an island on her own cannot achieve progress. So, we are working hard to address these matters. Countries on the continent that have African businesses presenting them understand that as South African companies are significant employers do make a contribution to the tax space of those countries, do make a contribution to greater productivity and do make a contribution to revenue generations. So, I think they appreciate the value but they want to see us ensuring protection of their people in our country. So, we have work to do much as they also have work to do in industrialisation. [Applause.]

Ms E N NTLANGWINI: Thank you, hon Chair. Minister, if the African Continental Free Trade Area does not at the same time strictly emphasise that the freedom of movement of goods and services in the continent must be that of African manifested goods then I fear we will be opening the continent as a dumping ground for goods that have been produced elsewhere. What specific actions are being taken in the country to promote manufacturing and production of South African goods and what

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plans has your department put in place to ensure that the continent doesn't become dumping side of goods that are produced elsewhere and not in Africa? Thank you.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: Thank you very much Chairperson and thank you to the hon Ntlangwini for this question because the matter of Africa as a dumping ground for cheap goods was discussed very directly at the most recent summit of the AU. So, we are fully alert to this being a problem, hence one of the first steps that are being looked at in terms of preparing for the operationalisation of the agreement is to address the issue of customs and exercise and to ensure that at the point of entry, we are able to determine the origins of particular goods and have tariffs that address that origin. So, this is part of the agreements that are contained within the decisions that have come out of the African Union.

In terms of Africa produce goods, clearly the tariffs setting will address some of that. We want a free trade area, there will be different tariffs set for a wide range of goods but we are

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committed that our continent must become a base of productivity of manufacturing of industrialisation.

We want our own factories. We know that it is possible for us as Africans to produce a wide range of different textiles. We don't have to be importing from other parts of the world. We may very well have competition which is important but our goods must be of a quality that makes them of greatest interest to African consumers. So, we have work to do to ensure we have really good products. We also must understand as South Africa, the aspects will give up so that other countries on the continent produce particular goods so that the trade is operational and fairly shared. But that matter of dumping is absolutely critical that we address it, otherwise we won't be competitive nor will we address the core objectives that lie behind the Free Trade Agreement. [Applause.]

Mr D BERGMAN: Thank you, Chair. Minister, would you agree at this stage that the foreign policy of South Africa for Africa is in meltdown? We cannot secure our borders. We are not stimulating the economy to ensure growth. Infect, people are

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fleeing from other countries to come here for safety and once trapped in our web; we allow criminals to loot and harm them and their belongings. We have disgraced ourselves and as hon Emam has said, Zambia has cancelled the soccer match, Nigeria has sent a special envoy and countries are alleged to be boycotting the World Economic Forum, WEF. Minister, what are we doing to allay fears of the other governments currently? I know you have spoken about the long term plan but currently in this week of panic, what we are doing to allay those fears? Thank you.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: Thank you, Chairperson. I wish you would ask a question that I would agree to. I am afraid I can't agree with you on this one.

However, the steps we are taking are to ensure that all our missions represented are in touch with the government so that they do indicate to them the steps that we are taking. I believe Minister Xele spoke to those earlier and you were in the room and heard what he said. He referred to the arrest. He referred to the fact that we have ongoing efforts to address and ameliorate the situation with which we were confronted.

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Then of course, I would not agree that our foreign policy is in meltdown. It is not us as government that is initiating the actions that we see out there. What we need to do is really focus much more cogently on our economy and ensure that we are taking the steps that give our people real opportunities and real livelihoods so that they don't feel thus to have this antipathy toward other Africans in our country.

We have to address the matters that Deputy Minister Nzuza referred to of ensuring that our emigration policy is exercised appropriately and assist us both in protecting our borders as well as protecting the integrity of our country. That gentleman, Chairperson, is in front of Mr Bergman which is outside the Rules.

The House Chairperson (Mr C T Frolick): Yes, hon member, you are blocking the line.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: But I believe I have answered the question. Thank you very much.

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Question 47:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House Chairperson, the maximum centre has been the source of controversial incidents since 2014, such as assaults on both offenders and officials contraband prevalence and lack of management diligence.

The stabilisation interventions that are indicated in response to this question have resulted in the curtailment of such activities at the maximum centre.

The regrettable incident of the past weekend, which resulted in the injury of an official and the death of an inmate, occurred at the Medium B correctional facility, which houses offenders at a lower risk profile. This incident is currently being investigated by Department of Correctional Services, DCS, management.

The relevant bail protocols are implemented as a mechanism to reduce overcrowding in the remand detention facilities such as requesting courts to reduce bail or amendment of the conditions

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of bail imposed in line with the Criminal Procedure Act 51 of 1977.

With regards to overcrowding at the maximum correctional centres, sentenced offenders are continuously transferred to other correctional facilities within and outside the region; hence, overcrowding is managed at a manageable security level.

In the maximum centre, a stabilisation plan has been put in place from July 2019. This involves the deployment of a national task team, consisting of highly trained officials in the security operations emergency support. This has had the effect of increasing the official to offender ratio; improving offender management; increasing searches on offenders, officials and members of the public, this resulted in the seizure of drugs to the value of approximately hundred thousand rand; better securing the management area precinct; and improving access control. Consequence management is being exacted in all officials found guilty of contravening laws of the country and the policies of the department.

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A national task team of eighty Emergency Support Team, EST, members has been deployed to ensure stability in the management area. In addition, sixty ex-officials have been re-employed and commenced on 1 August 2019, as well as 49 learners who have commenced experimental learning on 19 August 2019, after completing three months theoretical training.

Eighteen officials that have been on injury on duty are in the process of being placed alternatively within the management area. Collaboration with SA Police Service Crime Intelligence to combating illegal activities with regards to the 39 state patients, 24 has been transferred to Komani Psychiatric Hospital and only 15 remains, but arrangements are in place to transfer them as soon as the space is available.

Plumbing, electrical repairs, and renovations will commence upon delivery of ordered materials. Procurement has being finalised of R5,6 million and has been allocated for this immediate intervention. A comprehensive repairs and renovation project has been registered, but trolling and intensive searches conducted daily to minimise contraband in the correctional centres.

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Violence and assaults in the management area have been reduced to intensive searching and continuous patrolling of the facilities. Yes, it has been improved based on the interventions made above. Thank you House Chairperson.

IsiXhosa:

Mnu Q R DYANTYI: Masibulele kuMphathiswa ngale mpendulo, kuyabonakala ukuba usemsebenzini.

English:

Just this morning, we heard from the department that the number of inmates far exceeds the beds that are available. In fact, department told us that the SA Police Service combat crime and create a crisis for correctional services. The question therefore Minister is given the fact that this has become a national crisis. How are we going to deal with it by building a social compact so that we are able to mobilise the entire society, because the problem goes beyond correctional services? Otherwise, the entire nation will be in jail if we don't deal with it.

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The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House Chairperson, we are expanding our initiatives to enhance partnerships with various community service structures, like faith-based organisations, traditional leaders, community development structures, and family structures.

We also engage with communities in order to ensure that society welcome offenders in their communities after they have been rehabilitated in our cells.

We also mobilise business structures and other government departments as well to organise business to ensure that we create employment opportunities after the offenders have been rehabilitated and offered skills, but also some of the offenders are able to create employment on their own as the skills they learn enables them to be self-employed, such as plumbing, boiler making and various skills that they have.

All these elements are aimed at increasing the potential creativity of offenders in an attempt to reduce the repeat of

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being offenders, which also alleviate overcrowding. Thank you, House Chairperson.

Ms M R MOHLALA: House Chair, Minister, one of the main reasons why ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, can you just hold? Hon members, may I ask those who are moving in and out, when a member is asking the question, please don't walk pass the member, because you break the line.

Ms M R MOHLALA: ... I am saying Minister, one of the main reasons why prisons are overcrowded is the issue of overpopulation in prisons due to the fact that detainees are reminded, and who at the times are held in prison for close to or over five years. So, what is your understanding of why it takes so long for criminal's trials to be concluded? The other thing is, what do you think must be done to lower the load of our courts, so that these cases can be concluded in time? Thank you.

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The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Chairperson, there are various mechanism that are put in place to deal with the backlog in terms of the case management that includes a management committee that involve the judiciary, the National Prosecuting Authority, NPA, correctional service, and court management that must deal with the court roll. This is also part of our programme of modernising the judicial processes.

Our criminal justice system in terms of having technology that must help us with the entire court roll, including the inmates management. So, the cases are gradually being handled in a manner that is going to be expeditious and some of them unfortunately the reasons of the delay are beyond our control, for example there could be delays in terms of investigations and the police are still doing their own investigations. There might still be reasons of the laboratories. There are other reasons which are outside what we can term issues of our control. It is issues of concluding investigations, but where it is possible to conclude the matters and fast track the process, the enhancement committees that are sitting in various provinces do their best to ensure that the court roll doesn't have a huge backlog.

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Adv G BREYTENBACH: House Chair, hon Minister, St Albans is a prison that has been judged for human rights abuse by the United Nations Human Rights Commission as long ago as 2010. Nothing has been done to improve the conditions in that prison cells. It is practice to place that particular prison in what is referred to as lock down over the Christmas period, which means the offenders are locked up with 23 hours daily for almost two weeks due to shortage of warders. This gives rise to the type of fatal incidents that have recently taken place there.

In September, one inmate was killed and one warder was injured and just last week three inmates were killed. What is being done to ensure that as we approach December again, that will not be the case this year?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Chairperson, as I have already stated, we have deployed eighty members of the EST, which is a specialised team to handle issues at St Albans. We have also increased patrol and various issues that the United Nation has raised including issues that have been raised by our courts and the report of Judge Froneman.

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We have responded to such issues and that is why if you look at the last incident, it didn't happen at the maximum facility. It has happened in the Medium B, because on the maximum facility we have been able to squeeze out acts of criminality and of impunity. So, because that has happened, the offenders now shifted to the other side to conduct illegal activities and I can state that because of the procedures that we have been able to put in place such have been arrested and there is stability as we speak today. Thank you.

Prof C T MSIMANG: House Chairperson, Mr Minister, the cases that are cited in the judgement in question, are quite serious indeed, including violence and abuse of drugs. One may also add the repeat crimes which results in released inmates going back to our centres within a short space of time. The question then is, while this is happening after a shift from a punitive approach to rehabilitation. Is rehabilitation yielding the expected results, in other words, are we winning the war against crime by the use of rehabilitation? I thank you.

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The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House Chairperson, indeed rehabilitation is yielding the desired outcomes. We are having about seventeen thousand inmates that are undergoing various skills. As I have said previously, most of them when there are released, they become economically viable and they contribute positively into their society.

Indeed, there are those when they are released, they again commit crimes, which are isolated incidents that then give all the offenders a stigma of repeat offenders, but most of them in their numbers who were given skills in term farming, plumbing, boiler making and various skills. They are able to use them including cooking, and baking. These are members of the community who are looked at very positively. What we wish to call for is for communities to welcome them work with them so that this people become sustainable in whatever activities that they embark upon during their release. Thank you very much.

Question 20:

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION:

Chairperson, the department has already taken steps in respect

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to this matter by invoking the provisions of section 14(3) of the Public Service Act. And the letter which relates to clause 4.1 of the letter of transfer signed by ambassador Koloane. In terms of that section of the act I have decided that it would be in the public interest to transfer ambassador Koloane back to head office in Pretoria. A letter to this effect was sent to him on the 12th of August.

In terms of the provisions of the law, we allowed the ambassador an opportunity as to why he should not be transferred back. He responded as it is his right in a letter at the end of July. After considering his representations I decided to transfer him back to head office on the basis that it was in the public interest to do so. Because the matters revealed in the inquiry he gave evidence at were of such a nature that I believe that they brought our government and country into disrepute.

His transfer has thus been done in terms of the act and he has a one month notice in order to return to the country and he should be back here by the middle of September. Subsequent to that, he

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tendered his resignation from the department and will be resigning from service.

Mr D BERGMAN: Minister, thanks and that is good news and that has stifles my next question somewhat. But to me it was alleged that the ambassador's position was given to ambassador Koloane as a demotion from his position. Government seems to insinuate that ambassador positions are given or handed to guilty or faulty officials in the patronage system. Can the Minister confirm that Bathabile Dlamini is being considered by the President as an ambassador and which other ex Minister's applications are being considered? Thank you.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION:

Chairperson, I repeat that I wish the hon Bergman would ask me a question I could agree to. I am unable to confirm what he has said. I do not appoint ambassadors. It is a prerogative that resides with the President and I am sure he will make an announcement at the appropriate time. But seeing that I am smiling I am sure you know why I am smiling. Thank you.

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Mr B S MADLINGOZI: Chairperson, Minister, if it was easy for someone who has abused his powers of the office in charge of the national key point to be whisked away and be made an ambassador. Why did it happen? I know that he has been recalled now but, why did it happen and how adverse are the misdeeds of others who are promoted and how safe is our country?

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: Hon Chairperson, hon Madlingozi, our country is safe now. I have taken the actions that we have indicated and I had not taken the actions that you referred to but I believe what has been done by this government is what should be done. Thank you very much, Chairperson.

Ms B SWARTS: Chairperson, what is the Minister going to do with the officer in question once transferred back to the department considering the serious nature of the reasons he is being recalled for from posting as an ambassador. Thank you.

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The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION:

Chairperson, hon Swarts I don't have to do anything. The soon to be former ambassador has resigned.

Ms M O MOKAUSE: House Chairperson, it clearly shows that our country is not safe. Minister Naledi Pandor was a Minister back then, why didn't she take necessary steps at the time to make sure that what happened, the person who did that has been taken care of because she was in Cabinet.

The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION:

Chairperson, I operate on the basis that the members who stand before the Chief Justice and swear oath to uphold the Constitution have read it before they so swear. As I indicated, the President appoints diplomats and not Cabinet, not Ministers. Thank you very much.

Question 23:

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, order! We now move to question 23 asked by the hon Pambo of the EFF to the

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Minister of Home Affairs. Hon Minister ... the Deputy Minister will take the questions. Thank you.

The DEPUTY MINISTER OF HOME AFFAIRS: The answer is no. The Electoral Commission of South Africa, IEC, did not make any request to the Department of Home Affairs before the 2019 national elections for additional funding.

Ms H O MKHALIPHI: House Chairperson, he is not a Minister but a Deputy Minister. Please correct that.

The HOUSE CHAIRPERSON (Ms M G Boroto): I corrected that, you didn't listen.

Ms H O MKHALIPHI: Don't get your hopes up, chief. Deputy Minister, Nzuza, the IEC is accountable to your department. After it was discovered that this ink was removable, what action did you take, if you did? If you didn't, why because it nearly collapsed elections in South Africa when it was discovered that this thing was removable? Secondly, has anyone fallen in the

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Department of Home Affairs? If not, why? Do you love or hate this country? Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Deputy Minister, before you respond I just want to remind members about the one follow-up question rule. Continue hon Deputy Minister.

The DEPUTY MINISTER OF HOME AFFAIRS: Can I first seek clarity around the issue of fallen?

Ms H O MKHALIPHI: Yes, Chairperson, I am very glad to give you clarity. You are supposed to make sure that the official from your department, who was supposed to appoint a person to ensure that the ink is not removable, has fallen in the department. Did he or she fall? If not, you are going to fall.

The DEPUTY MINISTER OF HOME AFFAIRS: I almost got confused if the hon member was talking about movies such as "The eagle has fallen" and "London has fallen". But I now understand her question. I must cite that ... [Interjections.]

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Ms H O MKHALIPHI: On a point of order, house Chair. We are not playing here. Oros has fallen in this Parliament.

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, order!

Ms H O MKHALIPHI: Oros, your president has fallen so you are going to fall. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, when you ask questions you expect answers. Can we allow the Deputy Minister to respond?

The DEPUTY MINISTER OF HOME AFFAIRS: Yes, we also expect the questions to be dignified so that we can answer in a dignified manner. I must emphasise that the ... [Interjections.]

Ms N V MENTE: On a point of order.

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, hon member.

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Ms N V MENTE: We can throw insults as well but we are not going to be insulted. Can that Deputy Minister withdraw what he just said? He cannot say that the question is not dignified.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member?

[Interjections.]

Ms N V MENTE: No! He cannot say that. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, I hear you.

[Interjections.]

Ms N V MENTE: He cannot say that; he cannot insult a deputy secretary general, DSG. He can't do that.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, please take your seat. Can we get a response, hon Deputy Minister?

[Interjections.]

Ms N V MENTE: No, he must withdraw the statement he made first.

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

[Interjections.]

Ms N V MENTE: No, he must withdraw it. It is an insult.

The HOUSE CHAIRPERSON (Ms M G Boroto): I don't take it as ...

Continue, hon Deputy Minister.

The DEPUTY MINISTER OF HOME AFFAIRS: Thank you, House Chair. I think the fact that we have the IEC as the independent electoral commission means that the Department of Home Affairs exercises no control over the department. That is the first issue and that is why we have the independent electoral commission. What we do as Home Affairs as our responsibility is to house the financial structure in the vote system for the Department of Home Affairs.

I note the question as asked by the member. I will then forward it to the IEC and offer a written response in that regard. Thank you.

Ms H O MKHALIPHI: House Chairperson?

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The HOUSE CHAIRPERSON (Ms M G Boroto): Yes?

Ms H O MKHALIPHI: I forgive him because he is still new. The IEC is an entity of Home Affairs and therefore accountable to you, chief. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon MkhaliPhi, do not do that. Please don't. Hon Roos, it is your time.

Mr A C ROOS: House Chair, to the Deputy Minister, the IEC already engaged with Treasury to seek additional funding for a system that will assist with registrations and with the double voting. Now, we have been told the double voting wasn't such a big deal but now that people know about it, it becomes a crisis and a risk. So, would you agree, Deputy Minister, that if this funding is not made available by Treasury the integrity of the next election will be compromised with outdated zipzip machines potentially failing and not able to catch double voting as it happens?

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The DEPUTY MINISTER OF HOME AFFAIRS: Indeed the IEC is in discussions with Treasury to resolve some of the baseline issues with regards to their budget and such a provision can be made by Treasury. In terms of the impact on their operational efficiency is an issue that we will then have to check with the IEC and then respond to you properly in writing.

Ms N V MENTE: Thank you very much for giving me an opportunity to ask the 35 plus youth league. [Interjections.] Deputy Minister ... [Interjections.] No! You are not going to say anything; we were insulted in front of you and no one said anything.

Deputy Minister, a service provider which was paid with the appropriation to your department to the IEC produced or sold this country and your department fake ink. What happened to that service provider? Was it blacklisted? What happened to the person who authorised the fake ink and the procurement of the service provider, the IEC and the Home Affairs?

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The DEPUTY MINISTER OF HOME AFFAIRS: I think I must repeat myself with regards to this. There is something called a vote structure and the Department of Home Affairs hosts the vote of the IEC. We are not responsible for transactions that are done by the independent electoral commission. The independent electoral commission does its own transactions and if there are issues that members are raising with regards to the operations of the votes pertaining to the vote of the IEC we will have to defer those issues to the IEC to provide us with records. I hope members will go and learn more about what we call a vote structure in government.

Ms N V MENTE: On a point of order.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mente?

Ms N V MENTE: Can I address you, House Chair? I think the office of the Deputy President in terms of governance must do proper orientation and appropriation. What is an entity?

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you.

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Question 35:

The MINISTER OF POLICE: Hon Chairperson, the answer is yes.

Firstly, an operational plan is being developed in the Western Cape, to deal with the withdrawal of the South African National Defence Force when the time comes so that the policing continues in the Western Cape. Secondly, good co-ordination and daily planning with integrated role-players shifted and reduced crime patterns. The overall impact of the presence of South African National Defence Force has enhanced the visibility of law enforcements and better working conditions. Thanks.

The HOUSE CHAIRPERSON (Ms M G BOROTO): Thank you. The hon Maphatsoe ... I have not been informed about anyone who will be taking charge of the question. If i don't have anyone, then I pass. The next follow-up question will come from hon Shaik Emam.

Mr A M SHAIK EMAM: Minister, there is an anticipation that you are going to have to shed about 23 000 jobs based on budget cuts to your department, that's the first thing. You have admitted that the South African National Defence Force, by assisting, has brought some calm in the area and reduced the levels of crime

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but they are expected to leave shortly. Now, with your budget cuts, together with the underestimation of the problems of gang violence, particularly in the Western Cape, how do you intend dealing with such a huge numbers cut as a result of the budget, with the problems persisting?

The MINISTER OF POLICE: Chairperson, the cut will be very much considerate. We will work on it when the time comes. We will work on the understanding that operational matters of policing must not be affected by the cuts. And we will continue as we are. We will continue by training 5000 students this year, 7000 next year and 7000 the other year. We will make sure that we fill those posts where people took early pension. We will fill those posts, especially from administration, with operational people. We don't think that operation of the South African police will be very much affected. Thank you very much.

Mr A G WHITFIELD: Minister, section 13(7) of the SAPS Act, gives sweeping powers to the National or Provincial Police Commissioners to act in the systematic fashion by cordoning off of specific areas for no more than 24 hours in order to conduct

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targeted search and seizure operations in known gang hotspots. Given the imminent departure of the South African National Defence Force from the Cape Flats, will the Minister now instruct the National Police Commissioner to implement section 13(7) of the SAPS Act, in order to proactively cordon off and search areas affected by gang violence? If not, why not?

The MINISTER OF POLICE: Chairperson, the South African National Defence Force, joined the police that were on operations to support the police to continue with their operations, when they withdraw, the operations will continue. So there is no need of instructing the Police Commissioner who have long started with the operations in the Western Cape. I have mentioned these operations. We have Operation Thunder and we have brought more people from outside the province and more cars. We also have Operation Anti-Gang Unit that started here and the support will find us on the way. We are walking with the support and as they withdraw, we will continue with the Operations. Thank you.

Mr H A SHEMBENI: Hon Minister, one of the reasons why the South African Police Service, SAPS, is unable to combat crime in the

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cape flat is that some of these police officials are found to be corruption; leaking the information, the operational plans and the information to the gangs or the gang leaders. Why? Because they are on the payroll of these gang leaders. What are you doing to eliminate those corrupt officials in the SAPS? Thank you.

The MINISTER OF POLICE: Well, thanks hon member. I don't want to thank you because they accuse me of patronising you as I am saying thanks to the ... I like the way the question was put that some members of the SAPS are corrupt. That is how the question should always be asked rather than saying that the South African Police Service members are correct because there are those that are good. They are doing a very good job including those in the Western Cape.

In the Western Cape, we have a long list of life sentences of gangsters and the leaders of the gangs. As we speak, there are 20 of the middle management of gangs that are appearing before the courts. Since the operation lockdown started, we have arrested 1004 of those gangsters and 806 with outstanding cases

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are out on bail. About 403 of them are locked inside and some of them are appearing in court. Therefore, there are good police that are doing their job here.

Those that are not doing their job, we will deal with them like ordinary criminals, like I have said before. As it happened, in one operation where two young men who happened to be in the Anti-Gang Unit, when they were raiding, instead of doing their work, they stole R15 000 from that house. We have arrested them. They are undergoing a case and we will send them to prison. So, some are doing a very good job. And few of them that are bad, will be dealt with accordingly just like criminals. Thanks.

Ms S PATREIN: Hon Minister, is there any interdepartmental co-operation and support between policing and defence? Thank you.

The HOUSE CHAIRPERSON (Ms M G BOROTO): You got it hon Minister?

The MINISTER OF POLICE: I was still listening. I didn't get it very well but if it is what I thought I heard, then the answer is yes.

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Question 48:

The DEPUTY MINISTER OF HOME AFFAIRS: Chairperson, the business requirements and functional specifications were developed and signed off. The end to end system has been developed inclusive of integration to the Government Printing Works. The printing of the cards will be finalised this financial year. The cards have been designed and procured accordingly. We are planning to start the roll-out process during the 2020-21 financial year.

The HOUSE CHAIRPERSON (Ms M G Boroto): I am informed that the follow up question for Ms Legwase will be taken by hon Moela.

Mr D L MOELA: Deputy Minister, noting the progress made thus far in issuing of smart card identity documents to SA citizens, does the department have timelines for rolling out live capture system for smart card identity documents for people granted refugee status in our country? If not, when is the department planning to roll-out smart card identity documents for refugees living in South Africa? Thank you.

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The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mkhaliphi, I see you miss each other from the youth league. So, don't disturb us.

Continue, hon member.

Ms E N NTLANGWINI: Sorry Chairperson, no, I think there is no missing. This people couldn't ... [Interjections.] able to legalise, instead ... [Inaudible.]

The HOUSE CHAIRPERSON (Ms M G Boroto): No, hon member, please, I didn't expect your answer ... please, sit down, sit down.

Continue, hon Deputy Minister, Nzuza.

The DEPUTY MINISTER OF HOME AFFAIRS: Chair, as indicated, the end to end system development which includes the integration with Government Printing Works - because the Government Printing Works is the one that is ultimately responsible for the actual print out - will be completed this current financial year. In the next financial year we will then start issuing these particular cards to the said refugees. That will be in the 2020-21 financial year. Those are the timelines that we are dealing with. Thank you very much.

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Mr J J McGLUWA: Deputy Minister, as you are aware that connectivity is a huge problem within the Department of Home Affairs, it is reported in our recent portfolio committee that when it comes to downtime we have lost more than 8 000 hours in production and as a result we have also lost 207 000 smart cards that were supposed to be printed, you and I know we had this conversation that the elephant in the House is State Information Technology Agency, SITA, my question is; what are you doing to address the downtime and also the online problems as far as the connectivity is concerned? I thank you.

The DEPUTY MINISTER OF HOME AFFAIRS: Chair, indeed we have problems with regard to connectivity that result into a number of hours being lost as a result of the unavailability of the system. In the immediate term, we are in engagements with the Sita to request them to improve the connectivity and to ensure that we offer a more detailed service. Unfortunately, the issue of connectivity is an issue that we rely strongly on Sita and our role is to engage Sita to make sure that they improve the service. That is exactly what we are doing. Thank you.

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Mr P P KEETSE: Thank you very much hon Chair. Deputy Minister, I think you will agree with me that the antagonistic attitude that your department's officials continue to have on African migrants is the one that is causing the problems that we are experiencing today in this country. Perhaps we must ask you in terms of the short and medium plans that you have to really address the smart card identity documents issue for these migrants; perhaps we must get that, wena (you) 35 and half years of age. [Laughter.]

The DEPUTY MINISTER OF HOME AFFAIRS: Chair, I know my age and I am comfortable in my age. I am not 35 and half or anything like that. I have an age. As indicated; one, we do not discriminate against our African brothers and sisters. In fact, South Africa has waived visas for most of the Southern African Development Community, Sadec, countries with the exception of the Democratic Republic of Congo, DRC. We have recently even gone further by waiving other visa requirements for other countries. We actually do not even entrap our asylum seekers who are seeking to be refugees. We integrate them into society.

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All that we are asking for is that everyone who comes in the country must do so in a legal manner. In fact, we are very advanced now, in assisting refugees by making sure that they get the smart card identity documents and we have explained the plan towards making sure that by the financial year 2020-21, we issue them with the relevant set of documentation. Thank you.

Ms L L VAN DER MERWE: Hon Deputy Minister, recently your department confirmed that not even one out of six asylum seekers seeking refuge in South Africa are granted refugee status. Does your department have a tracking mechanism in place to ensure that those whose refugee status is denied are deported back to their countries? What we often see is that people will come into the country and claim asylum, they apply for refugee status, they open businesses and once you have denied them that status they continue running their businesses illegally. That is the case that we often find for example, in the N1 City Shopping Mall. But also, I think it is what has led to some of the frustrations that we have seen on the streets of Johannesburg and Pretoria of late. So, please, can you list the interventions that your department takes in this regard?

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The DEPUTY MINISTER OF HOME AFFAIRS: Chair, we do keep records that I must make clear. Secondly, our process is such that if a person is not happy with the outcomes of their application they can appeal to the relevant bodies, so that there is proper verification. The problem that we face with regards to the number of applications is of the people who come into the country saying that they are refugees, whereas they are actually commercial immigrants. As a result, that makes our process to be stifled and makes us not to process all the applications with the speed it deserves. That is why we always plead that people who are here for commercial reasons must go through the commercial process and those applying for refugee status must be legitimate so that we can process their request easily. But, those that are unsuccessful we do keep records of those. Thank you.

Question 44:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Chairperson, hon member, the status of aircraft maintenance measures in the Department of Defence is not at the required level. This obviously negatively affects the operational capability of the

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South African Airforce. What measures have been put in place? The Airforce and the Armaments Corporation, Armscor, have since 2017, embarked on an effort to change the contracting model and to build an eternal and local capability to support our systems. A case in point is the change in the maintenance approach to the inquasi, which is the Boeing Business Jet, BBJ, which is now managed in-house, together with a state-owned entity, the South African Airways Technical. Thank you.

Sepedi:

Mna T M MMUTLE: Modulasetulo, naa le mo kae? Le be le reng?

[Disego.]

English:

The HOUSE CHAIRPERSON (Ms M G BOROTO): Hon Mmutle, please ask your question.

Sepedi:

Mna T M MMUTLE: Modulasetulo, potšišo ya ka e ka tsela ye. Tona, ka ge re tseba nna le wena gore mašelang ao a abetšwego kgoro ya gago ga a nene, bjale o tlile go netefatša bjang ...

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English:

The HOUSE CHAIRPERSON (Ms M G BOROTO): Hon Mmutle, please wait. Hon Minister, are you okay with the language or are you still putting on your earphones? Can you repeat? Can we restart the time? I realise that the Minister will struggle to hear.

Sepedi:

Mna T M MMUTLE: Potšišo ya ka e re, "Ka ge re tseba nna le wena Tona gore mašelang ao a abetšwego kgoro ya gago ga a nene, bjale kgoro ya gago e tlile go dira bjang go netefatša gore didirišwa tšeo go bolelwago ka tšona mo - difofane, di a lokišwa gore maphelo a badiriši ba tšona a bolokege? Gape, kgoro ya gago e tlile go netefatša bjang gore mošomo wa kgoro ya gago o tšwela pele? Naa ba ikemišeditše go phethagatša taba ye bjang ka fase ga kgatelelo ya mašelang yeo kgoro ya gago e lebanego le yona?

English:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Chairperson, hon member, firstly, there is a need to have a viable defence industry with a capacity to maintain the deeper level maintenance of air assets. At this stage, the defence industry

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is struggling with Denel being the major player in this situation. I must say that, at this point, I should commend the Minister of Public Enterprises for the cash injection for Denel, because this will impact positively on the entire defence industry of the country.

Yes, there is a need to have a viable technical capacity, which operates at an optimal level within the Air Force itself.

However, at this stage, we have a challenge because we do not have enough engineers and technicians. We suffer from long-lead times of delivery of spares. The money allocated for the actual spare parts for the aircrafts is there and it is ring-fenced.

There are budgetary constraints for the South African National Defence Force, but in the main, it has to do with what I have already alluded to, which is capacity. Thank you.

IsiZulu:

Inkosi R N CEBEKHULU: Sihlalo, ngicishe ngangasukuma ngenxa yoku ngakufaki endlebeni lokhu okukhulumayo.

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English:

Anyway, Minister, my question ... Firstly, I must thank the Minister for having answered the question on the challenges regarding aircrafts in a very acceptable manner. Is there a policy in your department that deals with the disposal of outdated aircrafts, as it was written in the media that the department once donated the spare parts of a helicopter to the Zimbabwean government? Is there a clear policy on the disposal of the outdated machines? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Yes, there not been a disposal of aircrafts lately. The matter that you are raising about giving some helicopters to the government of Zimbabwe happened some years ago. The helicopters that were given to them, at the time, were not serviceable. Zimbabwe has the capacity for engineers within their own airports. they have enough capacity for pilots, including general mechanics. They are a highly skilled nation.

Therefore, when we gave them the helicopters at the time, the idea was that they would be able to firstly, repair, maintain

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and service all of the helicopters which were given to them. However, we have not disposed of the assets now.

Mr W M THRING: House Chair, Minister, while maintenance of our aircraft cannot be compromised, on our recent oversight visit to the infamous Waterkloof Air Force Base, it was brought to our attention that there are numerous sinkholes on and around the base. Is the Minister aware of these sinkholes, where the air force base is built on dolomite rock features, and if so, what are the long-term sustainable and cost-effective solutions that are being provided to ensure that risk is minimized? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon member, yes, I am aware that there are sinkholes and that there is dolomite in the area. However, it is not a matter that you can deal with overnight. Remember, this is a new thing that we have been aware of. All along, we have been utilizing Waterkloof and I am sure that you are aware that even the renovations of Waterkloof and some of the new facilities, including the runaway is a new structure.

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I don't know how it could have been missed by people, at the time, that it is a dolomite area. So, it is not going to be a matter of packing up and leaving the area immediately. Some work would have to be done and unfortunately, this happens at a time when there are fiscal constraints in the country, which negatively affects the Department of Defence.

Ms N V MENTE: Hon Chairperson, apologies, it is for my colleague.

The HOUSE CHAIRPERSON (Ms M G BOROTO): Who?

Mr D F MTHENJANE: Minister, the South African army is in a serious state of decay because of the inability to avail the budget it needs to secure the borders, patrol oceans, respond to disasters and to take part in peacekeeping operations. What impact does the trimming down of the budget have on the ability of the South African National Defense Force to maintain its fleet? How will you work around the budget limitation to still ensure that the SANDF is able to protect the borders of our country? Thank you.

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The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon member, I would not say that it is in a state of decay, but obviously, there are challenges as a result of our inability to secure adequate budget for some of the things we would want to do.

You are raising matters such as peacekeeping, training, humanitarian support, disaster management, and it is true that, to a certain extent, they are affected. However, the one area that is a big problem is the one that you are concerned about, which is border control and border management. We are not responsible for border management, but we are responsible for border control. All of us acknowledge that there are porous borders precisely because one, you need more companies to deploy to the borderline. We had put on standby, ... We had agreed on 22 companies and currently, we have 15 companies on the borderline. It all has to do with our budgetary constraints.

The biggest worry all of us should now have is the fact that the challenges of finance are likely to impact negatively on the core mandate of the South African National Defence Force, as a result of the reduction in allocation for training. If you have

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a defence force that is not properly and adequately trained, it will become a big problem in the future.

For now, I would not say that it is in a state of decay. We are obviously desperate for more money, because some of the deployments require of us to inject some money into the Defense Force. Thank you.

Question 18:

IsiZulu:

UNGQONGQOSHE WEZOBULUNGISWA NOKUHLONYULELISWA KWEZIMILO: Umama uKhawula ngathi usedinga ukuphumula. [It seems as if Madam Khawula needs to rest now.]

English:

Firstly, it is important to note that the regulations which strengthen the enforcement of maintenance orders and the operationalisation of section 11 of the Maintenance Amendment Act came into effect on 5 January 2018. Following the coming into operation of these regulations, the department commenced with the development of an information technology, IT, system

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called the Integrated Case Management System, ICMS, for maintenance purposes of recording the details of maintenance defaulters.

Since the IT system became operational at the beginning of August 2019, a total number of 332 maintenance defaulters have been recorded on the system. The system cannot capture backlogged cases from January 2018. This will require a manual process if required and it will be a mammoth task.

It is also important to note that the department is only able to record the particulars of maintenance defaulters in the system if maintenance beneficiaries come to court to report to the maintenance officers that the person against whom an order has been made has failed to comply with such an order. The reason is that the department has migrated from an old manual payment system to an electronic fund transfer and in many other instances the court orders prescribe that payments be made directly into the beneficiaries banking accounts.

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It is therefore not feasible to detect defaulters until such time that maintenance beneficiaries have come to report to the maintenance officers that they have not received their maintenance monies.

Nonetheless, it is important for all to know that in terms of the Maintenance Act, failure to comply with a maintenance order by any person who has been ordered by the court to pay maintenance will render such a person a defaulter after a period of 10 days when the payment has become due. A warrant of execution against any such maintenance defaulter may then be initiated forthwith.

The department has to date not yet submitted particulars of any maintenance defaulter to firms involved in determining the credit rating of persons. The reason is that in terms of the regulation under the Maintenance Act there are two instances under which the department must submit the particulars of such persons, namely where the court has authorised a warrant of execution or for the attachment of emoluments and attachment of the debt against the maintenance defaulter and where the court,

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at the request of the maintenance officer or the maintenance clerk, has authorised that such information be so furnished where a maintenance defaulter has been convicted of the offence of failure to comply with the maintenance order.

If either of the two requirements specified in the regulation has been met, the department will henceforth furnish such to firms that determine the credit ratings of the persons. The IT system we have developed will greatly assist in this process and in synchronising to enable us to identify the defaulters immediately or in real time. Thank you.

Mr W HORN: Thank you, Madam Chair. Yes, Minister, about half of South Africa's children grow up in a house where there is only one parent present, and anyone who has visited any of our courts on any given day would be left without a doubt that our maintenance system is stretched to breaking point every day.

So in fact it's not good news to hear that this government took four years after this House approved the amendment Bill to get to the point where the stopgap measures, which we all agreed

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were contained in that amendment Bill, is ultimately on the point of being implemented.

At the time we were promised a complete overhaul of the maintenance system in order to assist those struggling parents who must drag a delinquent ex-husband or ex-wife or ex-partner to court. Since then we have been met with dead quiet about the review and overhaul of our maintenance system. When will that happen?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you, hon House Chairperson. The process has already begun. The Law Reform Commission is looking at what hon Horn is asking. Soon we will be able to table a report in that regard and how it is going to be effected.

Mr M N PAULSEN: Thank you House Chair and Minister. Minister, you spoke about the empowering provisions of the Maintenance Act; things that can be done when men don't pay their maintenance.

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Often the people who are at the receiving end of these defaulters are ordinary, poor women. What is your department doing to tell women about the options available to them?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: The department runs campaigns in this regard in our various courts and in communities, and we also use some of the facilities with the Department of Social Development. Thank you.

Mr A M SHAIK EMAM: Thank you, hon House Chair. Minister, you make it sound very easy and simple, and I must admit it is not. You know, if you talk to people on the street, particularly the victims ... they go to these courts and their opinion is that your officials are not sympathetic to their cause. All they are interested in is in closing the files. Matters are repeatedly postponed again and again. They cannot afford legal representation and particularly, there are men that hide behind paying maintenance where they say they are self-employed or not employed.

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How do you evaluate your maintenance officers, and particularly evaluate the matters before them, especially the cases in front of them, to see their performance, and how often do you do that?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you, House Chairperson. Indeed, there are challenges with the system. Challenges arise in any new system that you develop. However, the system is steadily improving and all the processes are being checked in terms of reviewing and monitoring the system. We do that on a regular basis through our IT processes and through the courts.

We are also alive to what the hon member is raising with regard to some of the officials that might not be doing it in line with the principles of Batho Pele. The department is engaging across the country to ensure that this system becomes a success, and that the officials do so with empathy and the due diligence expected in terms of the Batho Pele principles.

So in a nutshell, this is a system that is still under development, which we will request some kind of help ... As and

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when issues are identified they can be brought to our attention so that the system is improved for the benefit of everyone.

Adv G BREYTENBACH: Hon Minister, amongst the other innovations that were introduced with the new child maintenance law was the ability to blacklist and imprison defaulters. Do you know if anyone has been blacklisted or imprisoned? Also, cellphone records can be used to trace defaulters. That might be particularly useful with defaulters in this House. Do you know if such innovations have been put to use?

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Not yet. As I've said, the system needs to be improved so that we are able to track and find them in real time.

As we have seen, in terms of the 10 days period of waiting for the defaulter, it makes it a bit difficult for the officials to track because sometimes, before the 10 days end, the person may pay. And then, to determine when and how is a defaulter ...

Those are the procedures that the department is still cleaning

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out. We will be able to effect the processes as we are able to clear that line. Thank you.

The House adjourned at 17:56.