

WEDNESDAY, 18 SEPTEMBER 2019

PROCEEDINGS AT JOINT SITTING

Members of the National Assembly and the National Council of Provinces assembled in the Chamber of the National Assembly at 14:06.

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

The Speaker of the National Assembly announced that the President had called the Joint Sitting of the National Assembly and the National Council of Provinces in terms of section 84(2)(d) of the Constitution of the Republic of SA, 1996, read with Joint Rule 7(1)(b), in order to discuss gender-based violence.

ADDRESS BY THE PRESIDENT ON GENDER-BASED VIOLENCE

The PRESIDENT OF THE REPUBLIC: Speaker of the National Assembly, Ms Thandi Modise, Chairperson of the NCOP, hon Amos Masondo and hon members, I have called this special

Joint Sitting of the Houses of our Parliament because there is a dark and heavy shadow across our land. The women and children of this great country are under siege.

There is a very violent and brutal war that is underway against the women of South Africa. Last year, 2 700 women of our land and over 1 000 children died at the hands of another person. Every single day the police receive over 100 cases of reported rapes. This does not count the many more cases of rape and sexual assault that are not reported.

Research by Statistics SA shows that one in five South African women older than 18 years has experienced physical violence by a partner. South Africa is one of the most unsafe places in the world to be a woman, with levels of violence that are comparable to countries that are at war.

While it has its own specific causes and features, gender-based violence reflects a broader crisis of violence in our society. As one writer wrote this week:

We conveniently refer to the attack on women as gender-based violence. This is just too vague, too euphemistic, and too simplistic. We should call it what

it is. It is the despicable and deplorable violent attacks by men on women, girls and babies. It is more appropriate to refer to it as male-perpetrated violence.

[Applause.]

Over the past two weeks, we have also witnessed acts of violence against both South Africans and foreign nationals, a situation worsened by the circulation of fake and incendiary messages designed to sow panic amongst our people.

Lawlessness is corroding the fabric of our society and it manifests itself through violent crime, destruction of public and private property; vehicles and trucks are destroyed and burnt on our roads and highways, and business operations are violently halted as people demand economic benefits from business deals.

There are many people in our country who have increasingly shown scant regard for the state, the police, the rule of law, the community, religious leaders, institutions, elders and for each other.

There are many who have lost respect for the values that define our very essence as Africans – the protection of women and children, tolerance and the accommodation of difference. We need to restore the human rights of others – a principle that so many South Africans fought for, and a cause for which so many people in our country gave their lives.

Regardless of where we stand across the political divide, each of us here today recognises the reality that we are confronting a serious crisis of violence and intolerance. We have to act now before anger, hopelessness and despair engulfs our country.

I am today calling on all Members of Parliament and all political parties gathered here to come together to signify the magnitude of the challenge we face, and the importance that our Parliament should attach to it.

This morning I was honoured by leaders of all political parties when we had a meeting to discuss this challenge that our country faces. I am able to report ...

[Applause.] I am able to report that there was unanimity of consensus and a deep feeling, amongst all of us, about our rejections of violence, particularly violence that is perpetrated against the women of our country.

I am thankful to the leaders of all our political parties for having set aside time to meet with me this morning. We evolved a consensus on a number of issues that we now need to respond to. I expect that all parties today will be able to speak and bring forward solutions and proposals on what we should do.

Confronted with this bad situation, the women of our country are demanding that we have a state of emergency which perhaps will enable us to deal more effectively with this scourge. In my address to the nation two weeks ago I said I would be approaching Parliament, as I now do, to determine what emergency measures can be put in place to address this crisis more effectively.

Ordinary people and civil society organisations have been waging this struggle. Many women's organisations have been fighting what I would call a rearguard battle, at times with meagre resources to stem this scourge. And for the most part, most of those women's organisations have been fighting this battle alone.

Now, it is time for all of us as political parties to place violence against women at the centre of our concerns. Today I am looking forward to hearing concrete

proposals, from all of us who will speak, on how we can tackle these challenges together.

In this Parliament there are leaders and members who are both men and women; the voices of men and women alike must be heard. I invite all of us to work together to turn the tide around.

Outside of this Parliament, on the streets of our country, we have heard the demands of women that they want to be safe. We cry with the parents who have lost their daughters, the children who have lost their mothers and the friends who have lost their classmates. We feel their pain as fathers, mothers and as grandparents. We affirm here what they have been saying when they marched to Parliament in their thousands of thousands a week or two weeks ago and they were saying, unanimously with one voice: "Enough is enough".

The people of this country want action now. Women should not have to protect themselves from men. They should feel safe and secure with us as men. They have the right to feel safe. To enhance the safety of women, we are going to have to take a number of steps. As a matter of urgency, we need to make the necessary amendments to our

laws and policies to ensure that perpetrators of gender-based violence are brought to book.

We will make substantial additional funding available for a comprehensive funding package of interventions to make an immediate and lasting difference. We will also complete the implementation of the decisions that were taken at last year's Presidential Summit on Gender-based Violence and Femicide.

In line with those decisions, and following consultation between government, business, traditional leaders, the media, Chapter 9 institutions and civil society, we have developed a draft strategic plan which will be finalised shortly. Given the urgency of the situation, we have developed what we would call an emergency action plan which will be implemented over the next six months.

The plan strengthens existing measures and introduces new interventions in five principal areas: Firstly, how we should go about preventing gender-based violence; secondly, how we should strengthen the criminal justice system; thirdly, the steps we should take to enhance the legal and policy framework; fourthly, what we should do to ensure adequate care, adequate support and healing for victims of violence; and fifthly, what measures we should

take to improve the economic power of women in our country.

This emergency action plan will be driven by an interim steering committee located in the Presidency and co-chaired by government and civil society organisations. The steering committee will co-ordinate rapid response at national level. In this way, problems at places like police stations and courts, and challenges such as availability of rape kits and delays in DNA testing can be channelled to the relevant authorities very quickly.

As we have done with our response to HIV and Aids, I believe that we should be able to establish appropriate structures in various levels of our government, in the offices of the premier and the mayor to work with social partners to drive and co-ordinate our efforts to end gender-based violence.

I think this is necessary because throughout our country we always hear about really disturbing stories of women who have been violated or raped and when they go to report at police stations, they are delayed and sent from pillar to post. We also often find that our police stations are not well-kitted and do not have the necessary tools to deal with this challenge.

In implementing our prevention measures, we must recognise that violence against women is not a problem of women but a problem of men. [Applause.] Our young men and boys are exposed daily to patriarchal attitudes and practices, and are often encouraged to prove their masculinity through domination of women and through violence and forcing themselves on women.

As part of our emergency response and with a view of embarking on prevention measures, we are going to launch a mass media campaign that will target communities, public spaces, workplaces, campuses and schools, as well as recreational spaces like taverns and similar places.

The focus will be on men's groups and formations, youth at risk and offenders inside prisons. This will be matched with prevention education in schools. Women's rights and gender power relations will be part of Life Orientation in the school curriculum. [Applause.]

As part of this campaign we are going to provide gender sensitivity training to law enforcement officials, prosecutors, magistrates and policy makers, and ensure that those who are found in breach of their responsibilities in this regard are held to account.

[Applause.]

We will undertake a mass mobilisation programme to train and deploy prevention activists to all our 278 municipalities across the country. They will engage in household visits and community interventions focused on changing harmful social norms.

The second part of our response is to strengthen the criminal justice system. This is to ensure that justice indeed is served, perpetrators are held to account, survivors do not suffer secondary victimisation and that the law acts as a deterrent.

We will therefore be directing resources to improve the functioning of Sexual Offences Courts, Thuthuzela Care Centres and the Family Violence, Child Protection and Sexual Offences units of the SA Police Service.

Funding has already been approved for the establishment of an additional eleven Sexual Offences Courts over the next financial year. [Applause.] The Department of Justice and Constitutional Development is already working on measures to clear the backlog of criminal cases for rape and other forms of gender-based violence. These measures include the establishment of special courts, hiring additional court staff and the clearing of backlogs at forensic labs.

Since the advent of democracy we have enacted a number of laws and undertaken a number of programmes to tackle gender inequality in our society, to promote human rights and to enable effective action against gender-based violence. We have a Ministry in the Presidency for Women, Youth and Persons with Disabilities. We have a Commission for Gender Equality. In this Parliament, there is a Portfolio Committee and a Select Committee on Women, Youth and Persons with Disabilities.

Government itself has launched many interventions over the past decade. All these initiatives have been well-intentioned but have not really, if we are to be honest with ourselves, delivered the outcomes we had hoped for.

In many respects, however, these measures have fallen short of what is needed to confront the severity of the challenges we face. We will, therefore, as our third area of intervention, be proposing a range of legal and regulatory reforms to this Parliament to strengthen the response of the state to gender-based violence.

We will propose to Parliament the necessary legislative changes to ensure that all crimes against women and children attract harsher and heavier minimum sentences.

[Applause.]

We need to engage with the judiciary on the role that it can play in supporting the national effort to end gender-based violence. Abusers, rapists and murderers must know that they will be caught and that they will face the full might and the consequences of the law for the actions they perpetrate.

We affirm our position that the state should oppose bail for suspects charged with the rape and murder of women and children ... [Applause.] ... and that those who are found guilty of such crimes should not be eligible for parole. [Applause.] If sentenced to life, this must just mean what it is - life in prison. [Applause.]

This is so because those who violate, rape and murder women actually end the normal lives of their victims. A young woman who is raped basically becomes completely disoriented, her life almost comes to an end once that rape action has taken place. We are saying that we need to be harsher, therefore, against those who perpetrate such actions.

We are also going to give urgent attention to strengthening programmes to rehabilitate offenders and youth at risk. It is also important that legislation like the Victim Support Services Bill is finalised as it will

strengthen support for gender-based violence programmes and services. We call on all parliamentary committees to prioritise these areas of legislative reform and ensure that we have effective legislation in place without delay.

As part of our fourth area of intervention, the care, support and healing for victims of violence, we will standardise the framework for funding civil society organisations working with survivors of gender-based violence. Through our emergency action plan, we will provide post-rape training for health care providers and lay counsellors who provide care and support to victims and survivors.

We will work with the private sector, concerned individuals and other institutions to substantially increase the number of Thuthuzela Care Centres across the country from the current 54 to over 100 centres by 2025.

[Applause.]

During our visit to the O R Tambo District yesterday to launch the district development model, we found that there are only three such centres serving a population of 1,5 million people in the district. As part of taking initiatives to address the challenges in the district, we

have decided to establish a further five Thuthuzela Care Centres in the district which will be spread amongst the towns in that district. [Applause.]

We are planning to meet with representatives of the private sector to discuss the establishment of a gender-based violence and femicide fund to increase support to survivors, including persons with disability and the LGBTQI+ community.

I will be meeting with representatives and leaders of the private sector in the next few days. I am going to raise the setting-up of this fund with them. I believe this is a worthy course that the private sector can fund and I will be requesting them to lend a hand to our effort to bring an end to gender-based violence.

Drug and alcohol abuse do tend to fuel gender-based violence pandemic. The Department of Social Development has therefore been tasked with increasing the visibility of substance abuse awareness and education, and prioritising funding for more treatment facilities.

Institutions of higher learning require a particular focus. They are important sites of socialisation of young people, but they are also places where sexual harassment,

victimisation of women students and rape are also rife. We are therefore going to resource the gender-based violence framework in universities and colleges, which will include the establishment of gender equity offices in these institutions.

The vice chancellors of our universities have asked to meet the President and the Minister to discuss violence against women on campuses. We will be having a meeting with them together with Dr Nzimande to come up with initiatives that are focused on what we should do at institutions of higher learning.

Women are often hostages in abusive relationships because of poverty and unemployment. Young women in particular are vulnerable to exploitation from older men with financial resources. By tackling unequal economic power dynamics we can reduce the vulnerability of women to abuse.

Government will continue to prioritise women when it comes to access to employment, training opportunities and procurement of services. We also call upon the private sector to do precisely the same. In other words, when there are opportunities for procurement for establishing

small and medium enterprises, we call upon them to prioritise women to get into those opportunities.

Government is committed to reach its target to set aside 30% of the value of its procurement for women-owned businesses ... [Applause.] ... and we would like to see this moving progressively forward even up to 40%.

The landscape of South African business would fundamentally change if the private sector made a similar commitment. We will continue to prioritise support and training for women who engage in small business and informal sector activity, and call on established business to be part of this effort.

All government departments will be expected to adhere to gender-responsive planning, budgeting, monitoring and evaluation. [Applause.]

We are also going to improve the collection and analysis of data to monitor our gender-based violence programmes. As part of this, a national gender-based violence prevalence study will be commissioned in the general population as well as a specific survey to monitor gender-based violence in the LGBTQI+ community.

Gender-based violence is a societal problem, and as such, all sectors of society must become involved. We could, for example, harness the Youth Employment Service initiative to recruit young South Africans to boost staffing at police stations, shelters and counselling centres. The private sector should come on board to fund and capacitate rape crisis centres at hospitals, clinics and victim support centres at our police stations.

The extraordinary and immediate response that is needed to turn the tide against gender-based violence and femicide will need to be matched by a substantial and urgent reallocation of resources. Cabinet, this morning, resolved to direct R1,1 billion in additional funding in this financial year to the comprehensive response to gender-based violence. [Applause.]

It is government's intention that the funds appropriated for this programme will be raised from within the current budget allocation and will not require any further appropriation or additional borrowing. In other words, every department that will be affected by this will be asked to mainstream precisely the funding for fighting gender-based violence so that it is not a task of one department alone.

So, within the budget parameters that we have, we are going to resource this effort and make sure that there is reallocation, and Treasury will be monitoring this together with the Presidency. [Applause.]

Hon members, no man is born a rapist, a woman-batterer or a murderer. Men and boys are being exposed to violence at a young age, some becoming victims of violence themselves. The phenomenon of absentee fathers means that boys often grow up without positive role models and positive expressions of masculinity, leaving them at the mercy of the streets, and susceptible to involvement in crime and gangs.

The perpetrators of these crimes are the products of a brutalised society – a society still suffering the effects of centuries of dehumanisation. We are now at a point where we need to break this cycle. As men we must play an active role in the movement against gender-based violence. We must lead by example in showing women respect and decency. We must be positive role models to our sons and our daughters. When we witness acts of violence against women, we must not look away or walk away. [Applause.]

Many years ago, South Africa was swept by a revolution in how black people thought about themselves and about their place in society. Like many others, I was involved in the Black Consciousness Movement championed by Steve Biko and others. It changed how we viewed the world and our place in it. No longer would we accept injustice inflicted on us because of the colour of our skin. This revolution, we must admit, is incomplete and it is still living.

I believe we are living through another such a revolution in terms of consciousness today, but this time it concerns the injustices under which women of our country have long had to labour under. Protests driven by women, and particularly by our young women these past few weeks, have broken a spell.

Less than a decade ago we were able to turn the tide on the Aids pandemic around because we were able to work together. There was clear commitment from leadership, funds were mobilised and there was solidarity right across society. We knew then that we had to respond to the HIV/Aids pandemic and we put our hands together and decided that we are going to push it back.

We have the same situation now. But this time we also have the means to end violence against women and

children. I believe that now is the time to unite to turn the tide around. We must realise the spirit of our Constitution. The rights of women and men alike must be protected. This time we must act differently. We, South Africans, must be different.

Hon members and hon Speaker, the recent public violence directed against both South Africans as well as foreign nationals exposed not only the levels of intolerance in our society but also the extent to which so many of our people are frustrated about their social and economic conditions.

In responding to these acts of violence and criminality, we must address both the intolerance that a number of our own people are displaying towards others, both foreign nationals and our own South African citizens. But we also need to deal with their own frustration that is given rise to by economic conditions and situation that our people are exposed to.

As we tackle racism and xenophobia, so too must we reinvigorate our efforts to grow our economy - an economy that is inclusive, and build a state that is capable as well as developmental. We must deal firmly with any and all acts of criminality.

Violent service delivery protests, the destruction of public facilities, cable theft, illegal electricity connections, truck hijackings and construction site invasions disrupt essential services and put lives and livelihoods of our people at risk and this must be brought to an end. [Applause.]

All these acts destabilise communities and inhibit or stop economic activity as investors flee and say they will not invest in a country that is so given to violent protest and activity.

At the same time, we must attend to the concerns that our people have. We know that our people are concerned about those who have come into our country illegally and about some foreign nationals being involved in criminal activity.

We understand the concerns of local businesses struggling to compete against businesses that get involved in the importation of counterfeit goods that are sold at prices that are way below what they can match. We share the frustration that some South African employers are employing foreigners over locals to undercut wages, turning worker against worker. [Applause.]

This is where the real problem is because as they employ those they believe they can pay slave or much lower wages, they are essentially turning workers against workers and that is where the confluence of violence takes place.

We proceed from the principle, as does every other sovereign state, that all who live in South Africa must be legally permitted to do so. [Applause.] That is why government has prioritised border control and security, and ensure that we tighten up regulations to deter this illegal immigration.

Police and immigration officials are said to be taking bribes in return for making cases go away, for releasing impounded goods and issuing fraudulent documents. Those who participate in this must be dealt with very firmly.

South African employers, be they in the trucking industry, hospitality or agriculture, must obey the law. [Applause.] All who operate businesses in this country must be registered and meet the requirements of the law.

I am able to say that one of the Presidents who came during the World Economic Forum met with citizens from their country. They listened to their own citizens who

have come to our country. There were a lot of complaints and concerns that they are now no longer being allowed to do business.

This President asked his citizens who have come here and said:

Can you imagine a situation where a number of people from this country would go to our country ...

And I would not name the country -

... and start operating and not obey the laws. How would that grab you?

They all looked down and said it would not make them happy. This proved the point that we are putting forward. We should consider, as many other countries have, the regulations on how foreign nationals can own and participate in certain types of businesses within the small and medium enterprise sector.

One of the issues raised quite genuinely by communities is the proliferation of drug trafficking in various localities, in urban and rural areas. Both South Africans and foreign nationals are involved in this; it is not

only people from other countries but even our own people. In fact, the majority of people who are involved in this are themselves South Africans. We should also acknowledge that there are certain parts of our country where we need to have specific focus around this issue. This needs to be dealt with as a law enforcement matter, irrespective of nationality - whether you are South African or not.

The illegal actions of a few must not lead us to turn on all foreign nationals, the majority of whom are decent and law-abiding. We have had a lot of interactions with diaspora forums. Many of them have said we have come here to settle legally, we love this country and we are law-abiding citizens. We need to give recognition to that.

Our fortunes are linked to those of our fellow Africans. This country was built on the labour of not just South Africans, but migrants from India, China and the entire Southern African region. We are a diverse multicultural society that draws on the rich experiences and capabilities of people from across the continent and across the world. This makes us a better, much more tolerant and prosperous nation.

Rather than retreating into a laager, we must embrace African integration and the benefits it will bring to our

economy and those of our neighbours. The African Continental Free Trade Area agreement will fundamentally reshape the economies of our continent, and we need to be prepared to take advantage, as South Africans, of the opportunities that this agreement is going to create for us.

We are the most industrialised nation on the continent and by dint of that, we are the ones who will most benefit from the free Africa trade as we integrate and co-operate with others and allow them to come and set up businesses here, and as we also go out into their own countries to set up businesses and sell our goods and services.

This week I despatched envoys to a number of African countries to discuss concerns that have been raised by reports of their citizens who are being attacked. The messages they conveyed to the African leaders they have met have been well-received.

Earlier today, I spoke to former Minister, Jeff Radebe, who told me that he was well-received by President Muhammadu Buhari who expressed great support for the efforts that we are taking to deal with this matter. But he also confirmed, as he and I had agreed, that he will

definitely be coming to South Africa for a state visit not withstanding what has happened, and I really appreciated that. [Applause.]

Following a decision by our Cabinet to set up a fact-finding mission about the situation that has engulfed our country, and to get the mission to interact with the African Union, precisely with the Peace Security Committee of the African Union, today at midday I spoke to former President, Jakaya Kikwete, of Tanzania to ask him to herd this fact-finding mission and come to South Africa and work together with former President Joaquim Chissano of Mozambique.

They have accepted the request and we would like to have them in our country to conduct a fact-finding mission so that the truth of what has happened here can also be told to the entire African continent. [Applause.]

They accepted this mission and said:

We cannot say no to you President and we cannot say no to South Africa. We want to be here to support the efforts you are meant to make to move your country and the continent forward.

They would then make recommendations on the measures we can take to prevent such incidents in the future. We are going to work with local and international humanitarian organisations as well as the various diaspora forums on an initiative to tackle intolerance and xenophobia.

Such a campaign must be aimed at eradicating stereotypes, encouraging cross-cultural understanding and promoting social cohesion between us as South Africans as well as those who have come to our country from other countries.

There is no place for xenophobia in South Africa. In fact, we can say that South Africans are not xenophobic. [Applause.] South Africans do not hate nationals from other countries nor is there any place for criminality, whether it is committed by foreigners or by our own citizens.

From history we know that there is a fine line between turning on foreigners and turning on each other. We have all heard the story of a Shangaan man from Limpopo who was attacked in last week's violence because when he was asked, he was unable to pronounce the word "elbow" in isiZulu and that led to him being attacked. We cannot tolerate this.

This is where the problem is: Once we show any form of intolerance against certain people, we begin to show it against ourselves. When I addressed a huge crowd of people in Ekurhuleni in Shangaan, there was a group of people who responded almost very aggressively against my speaking in Shangaan. Then I also addressed them in my own language, Tshivenda, and I also experienced precisely that.

That immediately showed me that, as we show intolerance towards those from other countries, it begins to mutate and manifest itself in tribalism amongst ourselves.

[Applause.]

I then asked them that, if you are responding in this way and saying that Shangaans and Vendas must go away from here, you will also be saying the Pedis, the Tswanas, the Sothos and the Xhosas must leave, who then would you be left with because in no time it will also be said that everyone must then go back to what apartheid defined as our enclaves? I said we cannot and we will never accept that form of tribalism. [Applause.]

I said that form of tribalism was actually destroyed by our forebears who, when they formed the ANC in 1912, said we must kill and destroy the demon of tribalism, and we

will continue to do precisely that. We will never accept tribalism in South Africa. [Applause.]

I told those colleagues and compatriots that this country belongs to all of us. Here in Ekurhuleni anybody can come and live just as much as anybody can come and live here in Cape Town, and just as anybody can go and live in Durban. We, as South Africans, are free to go and live anywhere. Therefore, we need to demonstrate our diversity and unity as one nation.

We will not allow this country to be sucked into a maelstrom of primitive nationalism and tribalism. We will courageously and actively resist, with all our might and being, any attempts that seek to divide us as Africans from each other.

We must devote the same energy to eradicating lawlessness in all its forms. In this regard we must join and support our community policing forums. The ward committees and local structures of our political parties must also step up and do their part in making our communities safer.

Everyone must see to it that their duty is to speak against crime and to report misdeeds. Criminals must have nowhere to hide.

In my meeting with the leaders this morning hon Groenewald said that the point right now in this country is that criminals are not afraid of the law or the police. We must now, collectively as this Parliament, make sure that we strengthen the criminal justice system and that criminals must be afraid of police and know that police will act against them if they do not act in accordance with the law. [Applause.]

Communities must support initiatives to reintegrate foreign nationals. There is this wonderful example of the way in which hostel indunas and community members in Jeppestown were able to talk to each other and find a way to reopen Jeppe Park Primary school following a week of violence. We want to see more of this dialogue.

Our nation, I believe, is at a crossroads. Our actions now will determine whether we rise or sink into the abyss. But I know that none of us sitting here wants to sink into any abyss. Therefore, we are then called upon to rise so that we do not sink into the abyss.

Violence against women is not the problem of one province, one community or one political party. It does not wear a green and yellow doek, a smart suit or a red uniform. I call upon this Parliament to consider these

and other emergency measures without any form of delay so that all government departments, agencies and civil society formations can begin with implementation.

I call upon all the citizens of our country to extend the hand of friendship to the immigrant community who just want to make a better life for themselves and their families in our country. Many of them have fled war and persecution in their own countries, and see South Africa as a safe place for them and their children. Let us show them the spirit of Ubuntu and show empathy for their situation.

At the same time, we need to continue to work through the African Union to strengthen democracy and good governance across the continent and silence the guns of war and conflict. We must remove the cancers of gender-based violence and xenophobia, so that we can hold our heads up high among the community of nations.

I believe that the time for talk is over. We now need to get down to action. It is time to restore the hope and faith of our people. Working together, we can turn this moment of crisis into a moment of opportunity to renew ourselves and return to the values of respect for the rule of law and of human rights for all.

Working together we can be a nation at peace with itself and with our neighbours. We can be a nation that confronts its challenges, and challenges we have in great numbers but we can also be a nation that decides to confront these challenges and turn them into opportunities. Working together, we can indeed heal our nation and unite our people. I thank you. [Applause.]

Mr N F SHIVAMBU: Hon Speaker, on a point of order!

The SPEAKER: Hon Shivambu, are you on a point of order?

Mr N F SHIVAMBU: Yes.

The SPEAKER: What is your point of order?

Mr N F SHIVAMBU: Earlier today, an hour before the sitting of this House, I called the Secretary to Parliament to ask her specifically what the purpose of this sitting is. Then, she sent me a letter from the President, sent to her on 12 September, which says that in light of the issues of gender-based violence, the President has used section 84(2)(d) of the Constitution to convene this Joint Sitting to discuss gender-based violence.

The Order Paper says that we are going to discuss gender-based violence. But it looks like now the framework has been expanded to discuss other issues. There is no wrong with that. In terms of parliamentary process there has to be prior notice of what is the sitting all about so that we prepare ourselves adequately as the Whippery or Whips of different political parties.

The Order Paper says something else and what seems to be the discussion now is different. Please address this.

The SPEAKER: Thank you, Mr Shivambu. Hon members, order! I don't think that the issue that is on the Order Paper was not addressed. I think it was addressed. I think that we should respect the pain that this country is going through by continuing with this debate. [Applause.] [Interjections.]

Mr J S MALEMA: On a point of order!

The SPEAKER: What is your point of order, Mr Malema?

Mr J S MALEMA: Hon Speaker, we have to be very professional, especially at this level.

The SPEAKER: Yes.

Mr J S MALEMA: We do not disagree with what the President has said. We are saying you should note the incompetence we have been subjected to here, because coming here, we ought to prepare and do research about the issues that the President is going to speak about. And if the President has two issues to address, those matters should be brought to us in advance so that we can prepare. We don't just wake up and get into busses to come here. So, all we are saying ...

The SPEAKER: Your point is taken, Mr Malema ...

[Interjections.]

Mr J S MALEMA: ... is that, in future, Speaker, please get your office in order! That's what we are saying. We are not saying the matter is not urgent as raised by the President here. Don't create an impression that we do not take the issues the President raised very seriously. We take them very seriously. That's why we want to be told in advance to prepare thoroughly so that we speak to facts and not just come here and waffle.

The SPEAKER: Thank you. Hon members, order! Hon members, the item on the agenda is the one we called the Joint Sitting for on behalf of the President. The fact that the

issues of xenophobia were addressed, I take note if that is the issue that's being raised.

Hon members, you are at liberty in your debates not to address those issues if you want a specific debate on xenophobia. But the majority of the address was pitched towards dealing with the item on the agenda. Can we proceed? As we proceed, I invite the hon Deputy Chairperson of the NCOP.

Die ADJUNKVOORSITTER VAN DIE NRVP: Agb Speaker en agb President, my oupa kom van Cofimvaba af. Toe hy daar in die Boesmanland in Kennard kom, toe kan hy nie "ag-en-tagtig" sê nie. *(Translation of Afrikaans paragraph follows.)*

[The DEPUTY CHAIRPERSON OF THE NCOP: Hon Speaker and hon President, my grandfather comes from Cofimvaba. When he got there in Bushmanland in Kenhardt, he couldn't say "ag-en-tagtig" [eighty-eight]]

Now, this elbow story makes me think of my grandfather because ...

... ag-en-tagtig ... *(Translation of Afrikaans sentence follows.)*

[... eighty-eight ...]

... was the difference between him and starvation because

...

... hy het nie gepay [betaling gekry] as hy nie "ag-en-tagtig" kon sê nie. Hy het "tag-en-tag-en-tag" gesê.

(Translation of Afrikaans paragraph follows.)

[... he didn't get paid if he couldn't say "ag-en-tagtig" [eighty-eight]. He said, "tag-en-tag-en-tag".]

I was really just reminded of when we grew up, how apartheid also discriminated against our people for not being able to say ...

... "ag-en-tagtig". Hoor daardie muis wat daar piep.

(Translation of Afrikaans paragraph follows.)

[... "ag-en-tagtig" [eighty-eight]. Hear that mouse squeaking over there!]

The Speaker of the National Assembly, Chairperson of the NCOP, the President of the Republic of SA, members of the National Assembly, permanent and other delegates of the NCOP, distinguished guests, ladies and gentleman, hon

President, a national emergency calls for a national emergency response.

Really, for us as Parliament, we are very much honoured to participate in this debate. The year 2019 marks 65 years since the adoption of the 1954 Women's Charter and 25 years since the adoption of the 1994 Women's Charter for effective equality. By its very nature, the Women's Charter depicts key milestones in history of women's activism, women's struggles and the united fight by women against all forms of oppression and discrimination.

Sixty-five years to date, women have demonstrated a collective resilience to unite across race and political doctrines in order to fight against patriarchy and discriminatory laws and practices. This unity of purpose culminated in the adoption of the 1954 and 1994 Charters respectively. With both Charters serving as the backdrop to the development of a comprehensive policy and legislative regime, women have continued to make remarkable strides through the advancement and adoption of a broad continuum of policy, legislative and systemic advances.

Despite the notable advances that have been made towards the advancement of the women's rights regime, the

struggle terrain for women has shifted significantly to intensify a new set of challenges. Today women face the onslaught of an oppressor with a different face and mandate. Whereas 65 years ago the iron grip of the oppressor manifested through the apartheid regime and its repressive laws, today the face of the oppressor is patriarchy and violence, which is meted out in our homes, our streets and our communities.

Today the oppressor is not only the societal culture that has entrenched violence against women by the men they live with, but it's also a culture of oppression that is further given expression and intensified through toxic forms of masculinity, which aggressively deny women the right to exercise autonomy over their bodies. The mutilated bodies of our mothers, sisters and daughters vividly demonstrate the disturbing levels of violence, at the hands of an oppressor who is determined to subdue women and deny them their constitutional rights.

Whereas 65 years ago a revolution was sparked by women to fight all forms of discrimination, particularly as they pertain to restricted movement, ironically, today the struggle against freedom of movement still persists because women and our girl-children live in fear. They are terrorised in their homes, brutally attacked in

public spaces and savagely killed in the most unsuspecting places. For God's sake, Uyinene was killed in a post office.

This brutal onslaught seeks to keep women bound, restricted and relegated to the fringes of society, as if they have no place of belonging. The movement of women today is still restricted. Hon President and hon Speaker, this Joint Sitting is taking place at a time after Parliament hosted its first Women's Parliament of the sixth dispensation.

Given the recent spate and escalation of gender-based violence and femicide in the country, it is no coincidence that the 2019 Women's Parliament was convened to decisively respond to this matter of national importance. Our Parliament as women in the very same Chambers was convened under the overarching theme: A Twenty-Five Year Review of the Women's Charter for Effective Equality, with the subtheme being, 'Gender and Institutionalism: Towards Strengthening the National Gender Machinery as a response to addressing Gender-Based Violence in South Africa.

Hon members, the Women's Parliament took place within the contextual framework of assessing the progress made on

giving effect to the Women's Charter for effective equality which was adopted in 1994. Furthermore, set against this backdrop, the Women's Parliament discussions focused on strengthening the National Gender Machinery through engagement with women across the spheres of government.

We had Ministers, Deputy Ministers including the hon Bavelile - may her soul rest in peace - MECs, MPs, MPLs and councillors, civil society organisations, all political parties represented in Parliament, the Progressive Women's Movement, ordinary South African women, and we engaged with members of the public on the resourcing of the National Strategic Plan on Gender-Based Violence and Femicide, NSPGBVF.

Hon President and hon Speaker, the National Gender Machinery was discussed to give input into policy and programmes for women's empowerment and gender equality, as well as hold government accountable in this regard. To this end, the National Gender Machinery is a key stakeholder in the fight against gender-based violence, both as it relates to creating awareness and advocacy, and in holding government service provision and resourcing for gender-based violence to account.

However, despite this important mandate, structures of the National Gender Machinery continue to experience challenges which hamper its effectiveness. It is important to emphasise that in order for the machinery to make an impact in addressing gender-based violence, the challenges and weaknesses of the National Gender Machinery need to be addressed.

Key challenges experienced by the National Gender Machinery which require review and intervention include the following: A lack of co-ordination and synergy in terms of planning and programming between the various structures; a lack of co-ordination between the structures; a perceived overlap in terms of the mandates of the various structures, and a lack of authority in terms of the placement and powers vested in the structure, particularly in relation to the gender focal points.

Furthermore, some of the structures do not have the requisite financial and human capacity for them to be able to carry out their mandates. The Women's Parliament further reiterated the importance of addressing these anomalies that continue to hamper the effective functioning of the National Gender Machinery, which

impedes concerted responses to end gender-based violence and femicide.

Regarding the issues that emerged in relation to the resourcing of the NSPGBV, participants at the Women's Parliament also noted that the extent of gender-based violence has become a national crisis and it needs a response that demonstrates our collective commitment to respond to it. President, that is why we are saying that we appreciate today's response because it is a situation that needs an urgent response. They expressed the need for us to develop a culture of consent where men should understand that 'no' indeed means 'no'.

Participants also expressed that gender-based violence is so widespread, it can be described as being a physical and psychological warfare waged on women and lesbian, gay, bisexual, transgender, intersex, queer and LGBTIQ+ persons, older persons and our children. It has a negative impact on everyone in society and must be addressed at all levels.

The action areas that were focused on were the following:
The Women's Parliament noted the following key action areas in relation to strengthening the resourcing of gender-based violence, that is, legislation and policy.

While there was an appreciation that we seem to have the requisite legislation and policy framework in place, the review of existing legislation dealing with gender-based violence would assist in identifying possible policy and legislative gaps.

The Women's Parliament also strongly echoed the fact that the legislative sector should play a decisive and active role in ensuring that the existing legislation is being implemented. We also need to have specific legislation and policy areas that respond to the issues of femicide.

But also in political accountability, there is a need to find the appropriate mechanisms to ensure accountability. At a parliamentary level, this could potentially include the creation of a specific oversight committee on issues of gender-based violence. Oversight in relation to gender-based violence at Parliament must be more targeted and co-ordinated. Parliament should consider developing an intersectoral oversight plan in this regard.

We need to link service delivery to government budgets. Parliament needs to improve upon its mechanisms for engaging in gender-responsive budgeting by ensuring that government is held accountable in providing services and in integrating gender-based violence into budgets and

ensuring that it is linked to planning, monitoring and evaluation initiatives. [Applause.]

Budgets need to be ring-fenced for gender-based violence. Through its oversight initiatives, Parliament should also interrogate government budgets and advocate for the ring-fencing of monies allocated to gender-based violence. Ideally, government should look at creating a basket fund, pulling in a range of funds from different sources to support specific pillars of the National Strategic Plan.

President, I just want to repeat that these were discussions on Women's Parliament that took place on 28 August here in the Chambers. We should also look at the strengthening of the services provided by the government on gender-based violence. In order to do this, Parliament should engage with the costing of providing services for both addressing and prevention of gender-based violence.

This should be used, for example, to engage with what is being spent on services such as the provision of shelter services and victim support services, also the resourcing of Thuthuzela Care Centres that need urgent attention. The violence against women and children sector remains constrained by shortage in skilled staff. The most

important of these is the sensitivity training for frontline staff in the police and medical services, and the provision of ongoing training and support services for social workers dealing with violence against women and children.

Better data collection and management for violence against women and children is required, so as to enable effective planning and delivery of programmes and services. We are continuing with the role of the legislative sector in addressing the uprooting of gender-based violence. Hon members, as the arm of state that is seized with the responsibility of overseeing the implementation of policies and legislation aimed at uprooting gender-based violence, Parliament has a particularly important role to play in this fight.

In order give greater impetus to the resolutions of the 2019 Women's Parliament, the following strategic actions can be infused into Parliament's oversight processes: We must infuse a quarterly, issue-based and gender-based violence and femicide oversight into our committee oversight week ambit. This will provide a platform for tracking the implementation of commitments made, while advancing outcome-based oversight. [Applause.]

We must also infuse the annual Gender-Based Violence Provincial Week into the NCOP programme. This issue-based provincial week will allow Parliament to assess the mechanisms and resources in places such as shelters for victims while assessing how allocated gender-based violence budgets are actually spent towards response programmes in each province. [Applause.]

It is important to note that SA Local Government Association, Salga, has also quite a number of progressive commitments to address endemic levels of gender-based violence across our districts and localities. These commitments must also be synergised into the broader national response plan to gender-based violence and femicide.

Furthermore, the SA National AIDS Council, Sanac, the Men's Sector is also currently hosting a series of Men's Parliaments across all districts in the country, in order to deliberate on issues that relate to gender-based violence across provinces and localities. This NCOP Gender-Based Violence Provincial Week will seek to strengthen partnerships with all key stakeholders, so as to accelerate and give impetus to the fight to eradicate gender-based violence and femicide. [Time expired.]
[Applause.]

The LEADER OF THE OPPOSITION: Bagaetsho, dumelang. [Good day, compatriots.]

Hon President, firstly, let me thank you for honouring our request for a meeting today and we hope that it's not the last of its kind because all of us must recognise, fellow South Africans, that our country and our state is busy collapsing.

We have lost the rule of law as a nation. Violent acts against women, children and foreigners are becoming too often daily occurrences. And I think we must dare never deny the fact that we must all condemn xenophobic violence in the strongest terms, we must take practical actions such as ensuring that we secure our borders so that anybody who enters our country has the appropriate documentation. And furthermore, we must ensure that we share intelligence across all sectors of government so that we can be much more effective at policing.

Fellow South Africans, let's ensure that we build an inclusive economy so that opportunities for men and women, citizens and noncitizens are created in our country.

Equally so, the scourge of violence against women is a dark stain in our nation. Every single day 114 women report that they have been raped.

Mr President, I think the greatest tragedy is that no one actually gets arrested. The conviction rate is less than 5%; that's not good enough in our country.

And therefore, when many of these take place, we must call them out by name, and we must improve conviction.

Bomme ba rona jaaka bo ... (*Translation of Setswana sentence follows.*)

[Our women, like ...]

... Valencia Farmer, Meghan Cremer, Karabo Mokoena, Uyinene, and many others; these are victims and we should dare never forget them.

I really want to say, fellow South Africans, that we must return to the rule of law as a country and I join all the women who stood outside here and we say enough is enough, genoeg is genoeg; it must end here. [Applause.]

Sonke [All of us] must play our part. It's not just the police, the courts, and the leaders, but it's every single one of us.

We must become better parents to our boys. We must, in fact, teach them that they must treat girls and women with respect. We must show our boys with our actions that we stand strong as men and say not in our name and we must give dignity to women in this country. [Applause.]

Mr President and fellow South Africans, Kenya introduced a programme called "No means NO" in their schools. I welcome your call; we must introduce a similar programme to Life Orientation in our classes so that we radically educate our students. [Applause.]

We must, furthermore, speak out against every single injustice; we can't allow tribal culture, tradition, and religion to be a place where we can hide the committing of such crimes, but we must stand up as a society.

[Applause.] It requires all of us, hon members, because this evil has spread everywhere.

I also want to say this House has a responsibility. We must establish an ad hoc committee to investigate the systemic causes of gender-based violence and map up long-

term solutions. It's our job to shape legislation in order to protect women from abuse. And right now, let's be honest, our laws are not good enough.

The Act that deals with domestic abuse is 20 years old and out of touch. We need to replace the Domestic Violence Act and the Protection from Harassment Act with a single piece of legislation that is better suited to this challenge.

And as the DA we'll be introducing a Gender-Based Violence Bill by the end of this year to do exactly that. [Applause.] In fact, it will have language that includes all forms of abuse, and the substantive parts will be written in simple, non-legal terms so that ordinary South Africans can understand it.

The Bill will deal with applying for and enforcing protection orders from the court. It will also call for an online register of these domestic violence court orders so that this information can be accessed across cities and towns.

The Bill will make it possible for us to increase our conviction rate for gender-based violence. It will be

tabled soon enough.

And we must ensure, Mr President, that there's no substitute for good police. In our current form, the SA Police Service, SAPS, are also complicit. We hear of many of these crimes. We must reform our policing, professionalise them, train them and ensure that they're placed better under provincial control so that we can merge them with Metro Police to fight crime. [Applause.]

Right now, Mr President, 16% of police stations in our country meet the United Nations, UN's, police-to-population ratio of one to 220.

Ko ke tswang teng ko Dobsie [Dobsonville] ...

(Translation of Setswana sentence follows.)

[Where I come from in Dobsie [Dobsonville] ...

... in truth, the ratio between police and citizens is already sitting at one to 1 090.

Mr President, now if we compare that to VIP Protection, that number is 81 policemen to every one VIP.

Surely that can't be right. We must take that money and spend it on things like rape kits and ensure that 76% of our police stations actually have rape kits. [Applause.]

At this point, we already spend R350 per day to keep an inmate in prison; but only R70 a day to, in fact, keep a woman safe in a shelter. We must get our priorities right, hon members. [Applause.]

What we need is more dedicated detectives, and our police officers need to be trained to deal with the trauma of victims; they need real victim-friendly rooms in order for us to do so.

But beyond training of our police, we must deal decisively with the corrupt ones. The ones who are corrupt in the force, we must take them out so that they don't help in the delivery of drugs, illicit goods and issues that put victims in danger.

Finally, Department of Justice must deliver on its promise to deliver sexual offenses courts. We must do that and this programme must be accelerated. It's simply not good enough that these courts are not there in areas that they are most needed, and they must be properly equipped.

So, hon members, I want to call upon all of us here, and I agree with you, President, that time for talk is over; we must turn our good intentions into good outcomes, and we need actions. Let's put aside political differences; let's act now with the severity of the crisis in our country; let's respect the safety of women and our girls, and let's act now. Ke a leboga. [Thank you.] [Applause.]

Ms N V MENTE: Deputy Speaker, the president of the EFF, the caucus of the EFF led by the deputy president Floyd Shivambu, the secretary-general and the deputy secretary-general, and fellow South Africans, let us welcome the initiative to join both Houses and respond to the phenomenon of rape, abuse and murder of women in our country.

It is important to immediately state that this triangle of suffering imposed on women of this country, black women in particular, Africans, is not new at all. The idea that it has only reached the crisis level is also not true.

The problem of rape, abuse and murder of women has been normalised crisis over many decades. This is because in the townships and rural areas, there's never been law enforcement. You will never, ever find a law enforcement

bakkie in a rural area and a township. In townships and rural areas, the police were, from the beginning, only trained to ensure blacks stay where they have to stay, which is the rural and the township, and never pose risk to the white communities and their properties.

Therefore, it is the law of the jungle that rules. The law of the jungle that we are subjected to as women in South Africa. This has been allowed and made possible by the colonial and the apartheid states and it's continued by the government of today.

In the townships we've been killed anytime, anywhere, by anyone with impunity because there's no law enforcement. This means the first thing we all have to admit is that, if we do not build a reliable decisive police force within black areas, we will never achieve justice for victims of gender-based violence.

Police are the first to recommend that families must go back home and talk about their issues; when the husband has beaten a woman, or even mishandled a child, they are sent back home to talk about the issues. Talk about the issues where, when your own family has failed you? It's the system at home that fails you, that you end up going to the police station to report.

Also, the police and many conservative amongst us like to think that the resolution of the problem lies within our families; it's not true. You cannot tell women who are being abused to go and sort it out with their families. As a result, we need a psychological shift in the police and law enforcement in general which says, the state has a duty to enforce the law even against the wishes of parents and partners who go and withdraw the cases because their husbands feed them. [Applause.]

The mere fact that the child is yours does not mean that you can violate or abuse her/him. The mere fact that the wife is yours does not mean that you can force sex or beat her; it's our vaginas, and we can do what we want with them; it's our bodies. [Applause.]

Therefore, there's no quick fix to the problem. What will only help is a successful prosecuting, tough sentencing and working prisons. We'll stay with the problem for as long as we do not fix this system.

Mr President, you said earlier on that you need tough laws to keep people in jail. The legislation that exist is prioritising the rights of rapists, murderers, child beaters, and children's murderers above those of the

victims; they get bail because they have rights but my right is not recognised. [Applause.]

We, therefore, recommend a parliamentary joint standing committee to sit each week and get the briefing of all the cases that have been reported in South Africa. We need a call centre here in Parliament where women can call and report that, "I have a rapist in my house"; [Applause.] we need a call centre here in Parliament that's going to attend to children who are being mistreated; we need a Parliament that's going to ensure that there are shelters where police are going to refer women who go and report, not shelters at home where the family stature has already failed us.

As regards xenophobia, which is actually Afrophobic, we are not xenophobic but we hate Africans; we hate our brothers. Let's separate criminality from the people. Criminals, even if they are Africans, must be sent to jail. Police must do their job to separate the criminals who are Africans, even us South Africans, and send them to jail so that we do not have a problem of South African fighting another African brother in South Africa. We need ... [Time expired.]

Lastly, sorry Deputy Speaker. Mr President, can you confirm here today that in the past 25 years of this democratic dispensation you have never laid a hand on a woman? And all men here must confirm that they have never laid hands on women. You are all part of the problem.

[Time expired.] [Applause.] [Interjections.]

Ms L L van der MERWE: Deputy Speaker, at the weekend, the devastated mother of a 24-year-old woman, whose body was found dumped in Gugulethu, said that she had hoped that her tears would not be in vain. I mention her, because she was speaking to you, Mr President, to our government and to all of us seated in this House today.

I mention her, because when Anene Booysen died, when Karabo Mokoena died and when little Courtney Pieters died, we were promised that the tears of their families would not be in vain.

The government pledged then that things will change. But the reality is that as we convened this urgent Joint Sitting today and our nation now faces a national crime crisis, nothing has changed.

Mr President, we commend the initiative you took today and the intentions you have outlined, including the

emergency action plan. You have asked for our support and we pledge our full support and commit our focused attention to this fight.

But Mr President, I sometimes wonder whether the state of our nation keeps you and our government up at night. I ask this because the reality is that millions of South Africans don't sleep at night because they live in fear for their lives. They live in fear for their lives because as you have admitted at the weekend, you lead a lawless nation, a country, which now resembles a war zone, where our lives mean nothing and where criminals are in charge, where women face war on our streets, at home, at the workplace and at schools, even at the post office.

To date, the disjunction between what our women face and what our government does in response has been alarmingly inadequate. So, it's my hope that the funds that you have pledged today, hon President, will be made available without further delay.

Hon Speaker, let me be clear, we don't need more promises. What we need now is a government that will deliver on its promises. Beyond the rhetoric, we need action. Beyond the outrage, we need urgent change today.

Some of our solutions are very practical, Mr President, we need a social worker in every community. We need to fund and expand shelter services. It cannot be that this government spends R10 on a woman in a shelter but R350 on a man in jail. It doesn't work.

We need to fund NGOs. We need to capacitate the Police Force. We need to enforce the rule of law. We need to empower the Department of Women in the Presidency. We need to hold to account departments that fail our women – starting with the Justice Department. We need an ad hoc committee to deal with South Africa's national crime crisis here in Parliament. We need to lead a campaign of moral revival in our communities. We need to strengthen our Thuthuzela Care Centres, Mr President. We can't just expand the required services. We need rape kits at all police stations and gender equality must be taught at school level as a start.

Mr President, we have tasked the rank and file of the IFP, every councillor, every mayor, every MP and MPL to prioritise the fight against gender-based violence.

Let me also take this opportunity on behalf of the IFP to thank each and every person who took to the streets in recent weeks united in their resolve to end this crisis.

Mr President, it is clear that arresting the economic decline, the violence, the hate, the racism and lawlessness that have besieged our nation will be the biggest test of your Presidency.

By announcing the interventions you have outlined today, you have shown that you have the courage to act. What remains to be seen is whether you and your government have the courage to govern, the courage to do what is right and the courage to save our nation from becoming a failed state. We stand ready to help you in this fight. I thank you. [Applause.]

Dr P J GROENEWALD: Agb Adjunkspeaker ... (*Translation of Afrikaans sentence follows.*)

[Dr P J GROENEWALD: Hon Deputy Speaker ...]

Hon President, from your first state of the nation address, I stood on this podium and I said there's a constitutional obligation on you to ensure nation-building. You have just told South Africa how you were deeply disturbed by what happened when you spoke in Xitsonga and your mother-tongue language which is Tshivenda.

Hon President, that is what I experienced since 1994 ...
[Interjections.] ... because we are under threat when we speak in our mother-tongue language and our children are also under threat when they receive their education in their mother-tongue language.

What I am saying is that, if we want to ensure that we address the issue of violence in South Africa, especially when it comes to women and children, there should be one central word, respect - respect for yourself and respect for each other. But most importantly, if we respect our differences, then there will be progress.

If you look at the latest crime statistics, the causes of domestic violence or death were arguments or differences in opinions. In this House, how do we differ on our opinions? What example do we set for the people of South Africa? This is why I said, if we want to do something, we have to ensure that we create respect in South Africa.

You were right; I referred to the criminal justice system that criminals do not fear the police, our courts or correctional services.

Die strafregstelsel in Suid-Afrika het die mense van Suid-Afrika in die steek gelaat. Hoekom is misdadigers

nie bang vir die strafregstelsel nie? Jy kan een woord daaroor skryf - as gevolg van korrupsie. As dit nie die polisielid is wat deur korrupsie omgekoop word nie, dan is dit die staatsaanklaer, selfs landdroste. As hulle in die tronke beland, dan bedryf hulle hul misdadigheid vanuit 'n beskermde posisie. So, as jy dit wil aanspreek, sal jy korrupsie moet aanspreek. (*Translation of Afrikaans paragraph follows.*)

[The criminal justice system in South Africa has failed the people of South Africa. Why are criminals not afraid of the criminal justice system? You can write one word about it - because of corruption. If not the policeman bribed by corruption, then it is the public prosecutor, even magistrates. If they end up in prison, they operate their criminality from a protected position. So, if you want to address that, you will have to address corruption.]

Another aspect is that we will have to remove the bad apples. There are too many bad apples in our criminal justice system. May I make one proposal to improve in the police? I said it many times. We can start by creating a specialised unit specific for murder and violent crimes.

As ons weer teruggaan na moord en roof en dit direk aanspreek, dan verseker ek u dat daar 'n gesindheidsverandering sal ontstaan.

Laastens, dis ironies dat daar vandag 'n hofuitspraak deur die Grondwethof is wat sê dat jy nie jou kind by die huis 'n pakslae mag gee nie. Ons wil dissipline hê, ons wil respek kweek, en so, die VF Plus sê dat 'n goeie pakslae op die regte tyd en op die regte manier, respek sal afdwing en dissipline sal handhaaf. [Tyd het verstryk.] *(Translation of Afrikaans paragraphs follows.)*

[If we go back to murder and robbery and address it directly, I assure you that there will be a change in attitude.]

Finally, it is ironic that today there is a court ruling by the Constitutional Court that says you may not spank your child at home. We want discipline and to cultivate respect and so, the FF Plus says that a good hiding at the right time and in the proper manner will command respect and maintain discipline. [Time expired.]

The DEPUTY SPEAKER: Before the Premier of the Western Cape comes to the podium, hon Groenewald, if you have evidence of a magistrate taking bribes, go and report it

to the police. The Chief Justice ... I didn't say you must come here. [Laughter.] The Chief Justice has properly requested that if anyone of you has evidence of a magistrate taking a bribe or being corrupt, take that evidence to the police. [Interjections.]

Dr P J GROENEWALD: Point of order, hon Deputy Speaker. This morning ...

The DEPUTY SPEAKER: No, no, no. [Interjections.]

Dr P J GROENEWALD: No, no, no.

Die ADJUNKSPEAKER: Nee, nee. Moet dit asseblief nie nou doen nie. Nee, nee. [Tussenwerpsels.] Ek sê nee. Moet dit asseblief nie nou doen nie. Nee, nee. [Tussenwerpsels.]

Dr P J GROENEWALD: Ons vra vir die agb Minister van Polisie. *(Translation of Afrikaans paragraphs follows.)*

[The DEPUTY SPEAKER: No, no. Please don't do it now. No, no. [Interjections.] I say no. Please don't do it now. No, no. [Interjections.]

Dr P J GROENEWALD: We ask for the hon Minister of Police.]

The DEPUTY SPEAKER: Take it to the police so that the Chief Justice's call is complied with.

The PREMIER OF THE WESTERN CAPE: Mr President, thank you very much for calling this Joint Sitting of the National Assembly and the National Council of Provinces. Mr President, I would like to start off by taking this House back to 21 November 2014. There was a debate in this House of a Joint Sitting of the National Assembly and the National Council of Provinces. In that debate, they debated 16 Days of Activism for No Violence Against Women and Children. Mr President, if you read that Hansard, it is like déjà vu. Mr President, if you read that Hansard, it reminds me of talk shops.

I thank you for calling this session, but we need to be very clear. Talk shops around fact-finding missions, talk shops about last year's Summit on Gender-Based Violence, and talk shops about forums, commissions, committees, reviewing of legislation and interventions. Talk shops must end, Mr President. [Applause.]

I also stand here today to express my condolences, but also stand here today with anger in my heart. I stand here today and think of Valencia Farmer and the talk shop that followed her brutal murder and death. I think of

Anene Booysen who has been mentioned here today. I think of Uyinene. I think of Jesse Hess and so many more women who have actually sparked this anger that I feel and the anger that I think our country is feeling and it is evident.

Mr President, I stand here to say that the time for talking must stop. Therefore, I want to say that tomorrow I, along with the Western Cape government, will make an announcement. We will make an announcement of the biggest, the most comprehensive, and the most expensive ... [Interjections.] ... I say again the biggest, the most comprehensive and the most expensive safety plan of any province ever in South Africa. [Applause.]

Mr President, I say that as a province, we do not have the constitutional mandate of the criminal justice system or policing. I have mentioned before that I do believe that has to change. I really, really do believe that has to change. We will do and we will use funding and we are going to have to stop programmes and projects in our province in order to fund this plan - but we will do it because ... [Interjections.] ... [Inaudible.] ... has ended and we must move to action ... [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, the hon Minister Zulu has now twice shouted out the word "you lie." [Interjections.] It is not parliamentary to accuse any member participating in this debate of being a liar. Therefore, I will ask that you ask her to withdraw that and conduct herself like a Minister of state and not a backbencher. [Applause.]

The DEPUTY SPEAKER: Hon Zulu, did you say that? [Interjections.] Order, hon members, I'm not asking you. I'm asking the Minister. You keep quiet, we want to hear. Order!

The MINISTER OF SOCIAL DEVELOPMENT: Hon Deputy Speaker, yes, I did.

The DEPUTY SPEAKER: Withdraw that, Mme [Madam].

The MINISTER OF SOCIAL DEVELOPMENT: I withdraw it, but he's still lying.

The DEPUTY SPEAKER: No, no, hon Minister. Hon Minister, you can't say that. You withdraw unconditionally, please - unconditionally.

The MINISTER OF SOCIAL DEVELOPMENT: I withdraw unconditionally. This is a serious debate, but he's not telling the truth.

The DEPUTY SPEAKER: Hon Minister, with the greatest of respect, can you just withdraw and not say any more than that.

The MINISTER OF SOCIAL DEVELOPMENT: Okay, I withdraw. I will see him and talk to him outside.

The DEPUTY SPEAKER: I think, hon Minister, you are being contemptuous and that is out of order. [Interjections.] Frankly, you are out of order. Withdraw or leave.

[Interjections.] Order, hon members! [Interjections.] Hon members of the DA, you will be in order. [Interjections.] Hon Minister, you do the right thing. [Interjections.]

Mnu L M NTSHAYISA: Inzwi! Inzwi bantu bakuthi, inzolo, inzwi! (*Translation of isiXhosa sentence follows.*)

[Mr L M NTSHAYISA: Order! Order hon members, Order, order!]

The MINISTER OF SOCIAL DEVELOPMENT: I withdraw.

The DEPUTY SPEAKER: Thank you. Proceed ...

[Interjections.]

Dr P J GROENEWALD: Abg Adjunkspeaker, op 'n punt van orde ... [Tussenwerpsels.] (*Translation of Afrikaans sentence follows.*)

[Dr P J GROENEWALD: Hon Deputy Speaker, on a point of order ... [Interjections.]]

The LEADER OF THE OPPOSITION: Hon Deputy Speaker, I want to bring to your attention that South Africans are watching this particular debate. We can conduct ourselves in as many different ways as possible, but if we are actually serious about this, I want to call upon all the members in this House to conduct ourselves in a manner that ... [Inaudible.] ... the dignity of that. We must stop this conduct. It is out of order. Can I ask you to address ... and let's be orderly?

The DEPUTY SPEAKER: Hon Maimane, take your seat. Hon Groenewald!

Dr P J GROENEWALD: Ek het nou net gevra: Wat is die voorbeeld wat hierdie Huis stel as hulle geskille en verskille het. Dit is hoe dit gaan as ons van mekaar

verskil. Daar is geen respek nie. Dit is onaanvaarbaar.

(Translation of Afrikaans paragraph follows.)

[Dr P J GROENEWALD: I just asked: What is the example this House sets when they have disputes and differences? This is how it goes when we differ from each other. There is no respect. This is unacceptable.]

The DEPUTY SPEAKER: Yes. Hon members, can you be in order, please. All of you are out of order. None of you is innocent. [Laughter.] Hon members, be in order! [Interjections.] Go ahead, hon premier. [Interjections.]

Mr J S MALEMA: No, on a point of order, Deputy Speaker.

The DEPUTY SPEAKER: Yes, hon member.

Mr J S MALEMA: We don't accept that ruling because you can't generalise. We are not part of this mess.

The DEPUTY SPEAKER: I'm talking about people whom I have addressed. Take your seat. [Interjections.]

Mr J S MALEMA: But, you can't say all of you.

The DEPUTY SPEAKER: Hon member, I'm talking about ...

[Interjections.]

Mr J S MALEMA: You must be specific.

The DEPUTY SPEAKER: No, no, hon Malema, take your seat. I have addressed this House and I'm talking and referring to people who have spoken here. Take your seat ...

[Interjections.]

An HON MEMBER: You mustn't do that!

The DEPUTY SPEAKER: Just listen. Just listen to that. Just listen to that, and you want to plead innocence. [Interjections.] Please, can you be in order. Hon premier, go ahead, please.

The PREMIER OF THE WESTERN CAPE: Thank you very much, Mr Deputy Speaker. I will once again say that I am going to launch the biggest safety plan that has never been launched in any province in South Africa. [Applause.] I'm also doing that with funding that I'm going to have to take away from other projects in order to make this happen. I'm doing that because of the failure of the ANC in this country ... [Interjections.] ... with regard to the criminal justice system and the policing system of

keeping us safe in this country. [Interjections.] I also stand here today and I would like to thank specifically the men ... [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order, hon member! Go ahead, hon member.

The PREMIER OF THE WESTERN CAPE: Thank you very much, Deputy Speaker. I stand here today and want to commend the women and men who have stood up to say, "enough is enough". However, I want to go further than that, that men in this country need to take responsibility. I stand here and I, as a father, a husband and a man in this province and in this country, I take responsibility myself. But, I also take responsibility as an elected public representative who has sworn oath to the Constitution of this country. That is why I will be making this announcement tomorrow.

I will be making this announcement because the time is now that we have to stop talking and we have to move forward in this country. Enough is enough, Mr President and Mr Deputy Speaker. I listened to the President and what he also did was to speak about a four-point plan. He spoke about a future, and we need to make sure that this

is not another talk shop, Mr Deputy Speaker and hon members of this House.

You know, he spoke about responsibility. I have just mentioned that men need to take responsibility in this space. [Interjections.] The President spoke about who needs to take responsibility in this plan, but what I didn't hear is who in this House is going to take responsibility for this plan, Mr President. [Applause.]

Mr President, you as the President, need to take responsibility. Your Ministers need to take responsibility. We have just heard the crime statistics in this country. Year after year, the statistics get worse and worse. Who is responsible, Mr President? Whose head is going to roll as it gets worse and worse, Mr President? [Interjections.] [Applause.] We need to make sure that we in this House, the leadership - and I agree with those who stood up and say this House is the leadership in our country, and look at how we behave. We need to take that responsibility, Mr President. This is not going to be a talk shop; it is going to be action. Then heads need to roll when we do not see a change in our country, Mr President. [Applause.] Heads need to roll because I agree with the people of South Africa, "enough is enough". Thank you. [Applause.]

Rev K R J MESHOE: Deputy Speaker, on behalf of responsible men, fathers and husbands, I want to strongly condemn violence that has been directed at women and children in our country. The ACDP is on record for always condemning sexual and gender-based violence whenever the subject has been raised and our position on this issue will never change. This is an endemic that government must prioritize and tackle head-on.

We do not believe that government has done enough to stop gender-based violence. Government has not acted harshly particularly against politicians who have been found to be committing acts of violence or sexual abuse against women. In May 2016, during a clash between EFF MPs and Parliamentary Security Officers, the nation was shocked to see a female security officer who fell to the ground during a scuffle being assaulted and repeatedly kicked by some Members of Parliament.

More than three years have passed since that assault and nothing has been done about it. It is a shame and hypocritical for politicians to stand here in this House and condemn gender-based violence while they turn a blind eye to it when it happens amongst them. Where is justice for this female security officer who was kicked when she was on the floor?

In the brief time remaining I would like to offer some solutions that if implemented would help to effectively address the scourge. Firstly, I believe government would go a long a way in restoring the dignity of women by banning all forms of pornography which objectifies women as sex objects. The ACDP has for years said that pornography is the theory but rape is the act.

Secondly, there must be harsher punishment for rape and rapists must be denied bail and parole. This would help send a clear message that our justice system is serious about fighting gender-based violence. Our justice system must be given stronger teeth to swiftly and effectively deal with cases of rape and sexual violence.

Thirdly, victims of rape must be protected from corrupt and immoral police officers who sometimes abuse and mistreat them when they come to report cases of rape. These officers must be purged from our police service and face the full might of the law. The ACDP says victimising of victims of rape and sexual abuse must stop.

Lastly, I want to remind all men that our responsibility is to protect and love women and children and not to harm them. They must know that we care for them and we will do

our outmost to protect them and not to harm them. I thank you. [Applause.]

Mr B H HOLOMISA: Deputy Speaker, hon President and hon members, I think, Mr President, you spoke like a Commander-in-Chief today and we should thank you for that. [Applause.] The UDM commends the fact that Parliament is debating solutions on matters of gender-based violence, child abuse and rampant crime in general as well as lawlessness.

We are here today in response to the brave women of this country who said, no more. This House and the executive must prioritise finding solutions even if it means we must reconsider budget allocations, as the President has already indicated. Everyone living in this country must, at all times, be protected and should feel safe in their homes and in our streets.

For the executive to act decisively and to make manifest the constitutional mandate of safety and security for the people, it might mean that our civil liberties could be affected. One other matter which I would like to raise is that of striking an accord between SADC countries to address security and Home Affairs issues. Cross-border crime, moving stolen vehicles and livestock as well as

the banning of trade goods should be a thing of the past. Our economies must be protected for if one country is unstable, all are affected.

Regarding the recent xenophobic attacks, we condemn them in the strongest possible terms. I however wish to mention that South Africa is the only country that does not have refugee camps with non-South Africans being integrated, as we all know since 1994. We indeed have people from the rest of the continent, Europe, America and Far East who live peacefully and prosper in South Africa.

Finally, Mr President, if one looks at the vast amount of money that is siphoned away through corruption, our absolute military equipment, poor training and equipping of our security services and the criminal justice system, it is clear that we still have much work to do. I thank you. [Applause.]

Mr V ZUNGULA: Thank you, Speaker.

The DEPUTY SPEAKER: Deputy.

Mr V ZUNGULA: Yes, Deputy Speaker, maybe I am promoting you. [Laughter.] I really hope that today we will put our

political differences aside and focus on the monster called gender-based violence instead of focusing on who is saying what. We have a gender-based violence that is five times higher than the global average. Therefore, it cannot be business as usual.

Our approach to deal with the gender-based violence must be a combination of preventative, responsive and punitive measures. We must prevent gender-based violence by instilling humanness and respect for women in boy-children so that they do not grow up to be monsters. There must be a focus on teaching young boys on gender-based violence in order to have a gender-based violence-free society in the future.

In places of worship, schools and homes boys must be taught on gender-based violence. Police officers must be trained and sensitised on the issues of gender-based violence and how to handle them. Women and children must not be further traumatised in the process of reporting cases.

Ufumanisa ukuba umama xa esiya kwisikhululo samapolisa ukuya kufaka ityala, ipolisa liye limbuze ukuba ebenzeni ntoni na umama kuqala. Kutheni lento angamxoleli

ummangalelwa... (*Translation of isiXhosa paragraph follows.*)

[Sometimes when a woman goes to a police station to report a case, she is asked by police officers whether she is somehow responsible for what had happened to her, and whether she would consider dropping the case against the perpetrator ...]

... instead of dealing with the case. The seriousness with which the legal system treats rape cases needs to be sympathetic to women and children. All police stations, clinics and hospitals at all times must have raped kits. It is an embarrassment that last month only 76% of police stations did not have adult rape kits and a further 69% did not have child rape kits. We must make it easier for women and children to report sexual assault.

Let us understand that longer prison sentences are simply not good enough and have, in fact, failed dismally to reduce perpetrators. Inmates serving those prison terms are still going to be fed, clothed and educated by their victims. I really do not understand what type of a justice system is it that the victims have to pay for the livelihood of the perpetrators. [Applause.]

In our prisons there is a Moses Sithole who raped and killed 40 women and Samson Madala who is serving two life sentences for raping and killing prison warders earlier this year whilst inside. Therefore, we need to send a strong message that we do not tolerate gender-based violence by having a death penalty for heinous crimes against women and children.

Malawi has got a zero tolerance for the killing of people living with albinism. We must not tolerate and justify the actions of people who have no regard for human life. If you repeatedly kill, you must be deemed to have revoked your own right to life. We cannot have a government that is academically protecting perpetrators. Thank you. [Time expired.] [Applause.]

The MINISTER OF PUBLIC WORKS AND INFRASTRUCTURE: Deputy Speaker, hon members and hon President, as Good we welcome your emergency plan and the R1,1 billion towards that. I think now we have reached a turning point in our country. For the first time there is a clear plan of action for all of us. I hear that we are talking about this "we" and "we". "We" includes all of us; all of the leaders in South Africa. Our women and children are under the attack in our country and our country is bleeding. So, we have had enough of the mourning. We have been

sympathising with the women who were raped in our country but it is a responsibility that rests with all of us.

Just three months ago, all of us as political leaders crossed the length and breadth of this country asking our people to vote for us. We must now go back, all of us, and preach antigender-based violence message to the very same people who have voted for us. [Applause.] Then, people will take us seriously in this country. So, all of us have a responsibility and I speak now as the Minister of Public Works and Infrastructure.

Already, we are beginning to identify buildings so that we can convert them into safe spaces. Many women stay in these abusive relationships because they have nowhere to go. [Applause.] We all have to work together and all three spheres of government must release buildings for safe spaces. [Applause.] Also, Mr President, these messages must be for 365 days a year. I am just concerned that once the violence has subsided, then the message is also stopped. We need to develop strong billboards and we will use all government-owned buildings to put those billboards up so that we have a message in the faces of those monsters on a daily basis. [Applause.]

This scourge in our country calls for mass mobilisation of all of us. If we do not rise to the occasion now, history will judge all of us. I thank you. [Applause.]

Mr A B CLOETE: Deputy Speaker, through you, what are we doing with our hands?

President, hoe het ons by die punt gekom waar ons oor geweld teen vroue moet praat? Dit behoort 'n gegewe te wees in 'n land waar goeie waardes geld. (*Translation of Afrikaans paragraph follows.*)

[President, how did we get to this point where we have to talk about violence against women? This should be a given in a country where good values apply.]

Parliament should be working towards answers to service delivery, poverty and unemployment, yet here we are debating something that should never have been an issue. Like the President said, this is indeed a dark shadow in the country.

Speaker, soos enige vorm van geweld, mag geweld teen vroue nie welkom wees in Suid-Afrika nie. Maar elkeen van ons het 'n verantwoordelikheid om iets daaraan te doen.

Ons kan nie net meer praat nie. (*Translation of Afrikaans paragraph follows.*)

[Speaker, like any form of violence, violence against women must not be welcome in South Africa. Each one of us has a responsibility to do something about it. We can't just talk anymore.]

To the women who have been victims of gender-based violence, this government needs to say sorry for failing you, but also sorry that we have become a nation of double standards. We cannot have the secretary-general of the ruling party degrading people by referring to them as – and I think I need to say, pardon my language – *kwerekwere*, without a word from the President, whilst others are renowned for firing guns in public and tweeting photos of the late president Robert Mugabe with the words, the only white man you can trust is a dead white man. What would happen if all South Africans acted upon their impulses as some do and shove anyone around? Then this country is doomed.

Anyone debating today who is not consistent in what they say and what they do is reducing this debate to mere virtue signalling. Deputy Speaker, you cannot raise one hand for the end to violence in one form and show a fist

of violence in another form. What are we doing with our hands? Are we helping or are we hitting? Are we building or are we breaking, looting and stealing? Are we taking responsibility for ourselves and our future or are we pointing at others? We should start doing the right thing and do good to each other. That's a real solution. That's the real solution we are looking for, Mr President. Thank you. [Time expired.]

Mr A M SHAIK EMAM: Through you, hon Deputy Speaker, Mr President, on behalf of the NFP, allow me to commend you for your intervention. I think it's been long overdue that we needed to have dealt with this. We come here, year in and year out, particularly in women's month ... On Women's Day we debate these things but ... very little action and I think it is time.

However, let me start off by saying that many of us in this House, particularly wherever we govern, must take responsibility for where we are today. You know, the Premier of the Western Cape said that he's going to spend a lot of money, and rightfully, you should be spending a lot of money because the challenges that the people face in the Western Cape are exactly because of you and what you have done to the people in the Western Cape.

[Applause.] So, let us be very, very honest about it.

I mean, for the last nine years in the Western Cape, or the last 10 years, or whenever you've been governing ... even before that ... if you look at the challenges ... the spatial planning in the Western Cape, particularly in the City of Cape Town ... and rightfully, like the Minister of Police said earlier today, you wouldn't find these things in Constantia, Bishopscourt ... in those areas. [Applause.]

So, the question I want to ask is, in all that money you are planning on spending, are you going to take some of our people, our poorest of the poor, and move them to Constantia ... [Interjections.] [Applause.] ... so that they can also live and enjoy the fruits of living in a decent environment?

Mr President, with regard to the issue of xenophobia, let me tell you where it also comes from. ... the reckless utterances that are made by leaders and politicians. In this country we started talking about the white man. We talk about the Indian man. We talk about the coloured man who does not have rights ... that nothing belongs to him. It only ... What is that doing? It is actually encouraging this racial divide. After the whites, you went to the Indian; you went to the coloured and now you are going to the foreigner.

Mr President, you were correct when you said that now it's going to be a Zulu thing and a Xhosa thing. That's where it's going to go to. A lady said to me that two of her very close colleagues were talking ... no, no, no, don't put that lady on that list because she is Xhosa; we are Zulu speaking. So you can see where it comes from.

However, Mr President, let me say that the issue of violence in the country is really going out of proportion. Very importantly, the other day a lady said to me that she has a two and a half year-old child and she wants to leave the country. However, she said to her husband, if I'm going to stay in this country then you have to employ security to take my child to and from school. That is the fear that our people in the country live with day in and day out.

However, very quickly Mr President, I think I just want to speak about some of the solutions. I think we need a national crime strategy, and to sit down and identify all the challenges that we face in the ... Shebeens ... the taverns, particularly in the City of Cape Town, are one of the greatest causes of crime, particularly at night. So, we need to have a specific time ... close them at night throughout South Africa and half your crime rate is

down according to the statistics of the SA Police Service. [Applause.] That's the other thing ...

Your criminal justice system appears to be a serious challenge, particularly ... it is now ... Earlier on the Minister even confirmed that a great percentage ...

[Inaudible.] ... very close to every criminal is going to become a repeat offender, and if we don't deal with that, there is no place in the prisons. The NFP supports your initiative. Thank you very much. [Time expired.]

[Applause.]

Mr M P GALO: Deputy Speaker and hon President, our research data indicates that the last time we had a special Joint Sitting was in 2005 when former President Thabo Mbeki addressed Parliament on the release of former Deputy President Jacob Zuma of his responsibilities.

Fourteen years down the line, His Excellency President Ramaphosa has, in terms of section 84(d) of the Constitution, called this Joint Sitting to debate the scourge of femicide and gender-based violence.

Hon President, perhaps we need to face things as they are. We are missing the point here, hon President, because we are sitting with an enemy, and if we do not

defeat this enemy, which is poverty, we are still going to have these challenges in our country. It can't be correct that after 25 years of the so-called democracy we still have people ... I repeat this ... we still have people starving to death.

From 2014 there were Ministers here who were getting 50 000 a month. Just imagine if that money was directed to the needy people of this country. Mr President, we need to do something here otherwise we are in danger.

I'm not going to repeat the statistics by the Police Ministry of what it is that we are faced with. This anomaly is progressively surging at breakneck speed.

The root causes of gender-based violence are vast and distinct. We will not recount them here but we must emphasise that our attention has not attracted the subject of moulding the boy-child. For example, the work of the National Institute for Crime Prevention and the Reintegration of Offenders, Nicro, which is a private nongovernmental organisation, only focuses on diverting youth and adult offenders away from the normal criminal justice system into specialist developmental therapeutic programmes.

We only enter the fray – all of us – when the boy-child is already an offender, and fail to mould young and responsible men before they engage in criminal activities. The lack of strong family units in our country is a cause for concern. Thank you very much.

[Time expired.]

Mr S E MFAYELA: Hon Deputy Speaker, the President and all members, South Africa is experiencing gender-based violence like an uncontrolled sickness. In fact, calling violence against our women a sickness does not adequately express my disgust for gender-based violence.

In fact, we must simply see this for what it is, a disease that is taking control of our nation and brings shame to our country.

The police have to be effective in dealing with this scourge. The justice system has to improve as well. But can we just sit back and say our work is done? The answer is, no. Who have we become that we have to be guided by the police not to harm our wives, children and ourselves? When are we going to make an effort to deal with who we have become? The longer we postpone that task, the harder we make the work of the police and the justice system and delay the healing of our society.

We do shameful things that even animals cannot do. We need to sit down as a nation and ask ourselves as to whom we have become. The issue of xenophobia, because you have touched on it in your speech ...

... ngifuna ukuthi kuwe, phuthuma, shaya umthetho oqinile ovimba ukuthi abafowethu nodadewethu bangaphandle babizwe ngamakwerekwere ngoba yicala lelo. Siyazi ukuthi kunamagama amaningi angasabizwa manje ayekhona ngobandlululo, yingani leli lingashayelwa umthetho ukuba livalwe ngoba ... (*Translation of isiZulu paragraph follows.*)

[... I want to say to you, be quick to pass a strict law that would prevent reference to our brothers and sisters who are the foreigners in this country as the kwerekweres because that is a crime. We know that there were countless names that were used during apartheid, but are no longer used now. Why is there no law that is passed for this one that it should not be used because ...]

... anybody who comes from any country in Africa is our brother and sister. I thank you. [Time expired.]

Mr M G P LEKOTA: Deputy Speaker, Mr President and the House, I have been thinking for a considerable time as

the debate is going on as to what is it that we are not doing, that we are not recognising progress on this question.

And I think that it is clear to all of us, at least those of us who have been looking at our society, the problems must be starting at home. If the father is a drunkard, the children will definitely be drunkards.

[Interjections.] They will be. Yes, it is so. It is so because of the first lesson ... [Interjections.]

The DEPUTY SPEAKER: Please, order, hon members.

Mr M G P LEKOTA: I don't understand why you are objecting. It is so if the father is a drunkard because that is the first lesson; the child looks at you as the father or mother. If the parents are drunkards, what are you going to expect from the children? It is like that. We must attack this problem in the homes.

And I am going to say this, if all of us were to wake up and say, every day, because my mother was a woman, I will not strike a woman, and because my mother was a woman, I will respect all other women. Because my sister is a mother of tomorrow, I will not strike my sister. I don't

want to teach or show something that I will regret tomorrow.

How can you say I am wrong? I can't be wrong when I am saying your behaviour is what you teach your children. Can we agree that when we leave here, tomorrow, the day after, every day, in the communities, we must be the leaders who say to our people, because my mother was a woman, I will not strike a woman. [Interjections.]

HON MEMBERS: Yes!

Mr M G P LEKOTA: If you do not want to say that, you must say the opposite. You must say I am still going to strike women. Let us say, we are going to say that to our children, communities, followers, because my mother was a woman I will not strike a woman. Because my daughter is a mother of tomorrow, I will not strike my daughter and I will teach my sons, don't strike your sisters; they are the mothers of tomorrow. I thank you. [Applause.]

Mr M NYHONTSO: Deputy Speaker and comrade President, the PAC expresses the deepest sympathy and heartfelt condolences to all the families who lost their loved ones through gender-based violence and femicide, including the survivors who walk with the scars.

The murder of women in South Africa over recent weeks has ignited public outrage and street protests rightfully so. The murderer is someone's son, father, or brother. What are we as the society doing about this?

Why must we condone this barbaric violation of women's rights as a society? All the perpetrators come from our families and neighbourhoods, yet we see no reason to hand them over to the relevant authorities that will deal with them.

This is no longer a problem that must be tackled and resolved by government alone ... [Interjections.]

The DEPUTY SPEAKER: Hon members, let's proceed. There are people there who will ask them to leave.

Mr M NYHONTSO: ... our communities must be part of the solution. The PAC supports the call for urgent drastic measures to be taken against all perpetrators.

The PAC is concerned with the slow pace the government is taking to implement stringent actions ...

[Interjections.] ... against those who commit gender-based violence.

Lest we forget, women are very important; they gave birth to all of us. Women deserve to be treated far better than how we treat them. Gender-based violence has reached extreme levels which can no longer be tolerated.

We support the creation, updating and monitoring of the sex offenders' register and make it public so that the world will know the devils that are hell-bent on destroying the good name of our beautiful country. A man who rapes a woman, a child and babies destroys their lives. What type of a person rapes a nine-month-old baby still in nappies? What type of a person rapes an 80-year-old woman? What type of a person rapes his wife and daughters? What type of a person rapes and murders women who are looking for employment? What type of a person kills his wife and children?

The law must be amended to include femicide and rape cases to carry a heavy sentence as a deterrent as well as to support the resolutions of National Gender-Based Violence against Women and Children. The Beijing Declaration needs to be reconsidered, as it is still relevant. The government must ensure that there is effective interdepartmental co-ordination mechanism to offer a continuum of services to the victims.

As Africans, we need to go back to the drawing board and review where we went wrong. The principles of humanity must be brought back and emphasised in all spheres of our operations especially respect in communities. The naming and shaming of perpetrators must be a deliberate programme in fighting this scourge. Our responsibility as this Parliament is to find solutions and be of service to Africa. Men should develop and show a true respect for African womanhood and demonstrate in practice the theory of gender equality in our country. Gender-based cases must be fast-tracked and no bail, no parole must be given to offenders. I thank you. [Time expired.] [Applause.]

Ms M O MOKAUSE: Deputy Speaker and commander-in-chief and president of the EFF, one of the bravest young leaders of our time from the benches of the EFF and its entire membership, we know for sure that you have long been committed in fighting gender violence. You are committed and even said in all platforms that perpetrators of gender violence do not have space in our society and the entire membership of the EFF.

Mr President, we have cried, our mothers have cried, our sisters have cried, our daughters have cried and we are saying enough is enough. Even when we say enough is enough, we know for sure that we are next. We know that

we are next because the war has intensified. Women and children living with disability are also victims of the war that men have waged in South Africa on defenceless women and children. Mr President, it is war. There is no other term for it. There is no other way to call it and we cannot continue ignoring it.

While men in South Africa have declared war against women and children including children living with disability, your government continues supporting them. We say that your government continues supporting them because police stations do not have ramps for wheelchair users and are not accessible for women and children using wheelchairs. Police stations do not have basic information on Braille material for people living with visual impairment.

Mr President, right here in this very House, yesterday during the Provincial Week in the North West provincial legislature, one of our members could not access the building because there is no such facility for wheelchair users. Are we still continuing to say that your government is going to make sure that buildings are accessible whilst simple buildings where even lawmakers need access are not accessible?

When we are raped, beaten and molested, we cannot go to the police stations and clinics because there are no such facilities of wheelchair users. Hospitals and clinics do not provide basic information on Braille material. Nurses and doctors are not trained to assist people with visual impairment. Mr President, when you are busy with the Minister of Health and the Minister of Police fixing these things that shouldn't have been a problem for a very long time, let's agree that next time when you come here to this very same House - and we know it will be next year - you need to tell us that your government has a record of all women and children living with disability in South Africa. You need to tell us that all women and children living with disability do access government buildings where they need to get help. You need to tell us that women and children living with disability do have houses and their children are at school with no challenges.

We need to agree and speak in one voice that "ukuthwala" [abduction] is women abuse. An abduction of young girls is therefore a serious crime. Let us speak openly about these issues. All men who have abducted young women in the name of marriage must be arrested and sent to jail. We need to act, and we need to act now.

Mr President, gender-based violence is reinforced by poverty, joblessness and terrible conditions in which our people live. We must transform the lives of the people from the life of violence including violence against women and children living with disability. We need to know what we are dealing with here. Mr President, tell us; we want to know from you if in your lifetime, and most recent time, you have neither laid a hand nor raged against a woman. We must know, Mr President.

Not long ago we had a similar debate in this very same House in your absence and the absence of the Minister of Police and the Minister of Intelligence. From the EFF benches we raised this issue and said your benches do not take matters of national importance seriously. Your benches are only doing lip service. Maybe you need to admit that you have an incompetent Cabinet - the Cabinet that does not take our people seriously. Maybe you need to come clean and tell us if you have lost the battle of presidency. Do we have an incompetent President together with his Cabinet? Come clean, Mr President. We want to know what we are dealing with here. Thank you.

[Applause.]

Mr M G E HENDRICKS: Hon Chair, we all know the atrocities committed against women in Bosnia. The Sheik of Bosnia

visited us at Mountview Mosque in Hanover Park and told women to train to defend themselves as they cannot depend on men to protect them.

Hon Chair, the President has acted swiftly to make resources available to address gender oppression. Women have been oppressed during apartheid and it is not right that they continue to be oppressed during the Fifth Parliament. The Sixth Parliament is set to leave a legacy that they introduced special measures to stop the oppression against women. I don't think the President will have a quarrel to work with all political parties to use the extra resources and introduce special measures. For men who rape women and a girl-child and then murder them, a life sentence or black listing is not a deterrent. Al Jama-ah wants hard labour in addition to the life sentence from the first day of sentencing. We want men in particular to see the perpetrators engaged in hard labour. This will be a deterrent no matter what democratic human right nongovernment organisations, NGOs, will say. If this is going to dent the image of democracy, let it be. The Sixth Parliament has set an example to strengthen the gender machinery especially during August. This has inspired Al Jama-ah to set up a unit with five pro bono desks at its parliamentary office to assist women who are physically abused.

Al Jama-ah thanks the President for the decisive measures he has put in place. Yes, political parties including Al Jama-ah, this morning gave their support to the President. Hon President, you can count on Al Jama-ah. It looks like you cannot count and depend on the Official Opposition.

We heard about the safety plan for the Western Cape and I fear that the plan will only make the leafy and beachy suburbs safe at the expense of the Cape Flats and Khayelitsha. [Applause.] The Western Cape government must work with the President. That money must go towards the new national plan that has a clear plan of action like hon De Lille stated. We must not try to outsmart other provinces. [Applause.]

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES:

Chairperson and hon President of the Republic, I accept the challenge from the President to man up as South African men kill the demon that lives in us as men, that is the demon of beating, abusing and raping women. It is a challenge that all of us as men of South Africa must accept. [Applause.]

This past Friday I had the privilege to open the Sibasa Sexual Offenses Court, which is the 94th Sexual Offenses

Court in the country since the Department of Justice and Constitutional Development started re-opening the Sexual Offences Courts in 2013. We will add 11 more Sexual Offences Courts before the end of this financial year.

In the year 2000, we had a conviction rate of 48%, and today, the Nation Prosecution Authority, NPA, has a conviction rate of 74%. This has been authenticated by the Monitor Research Group, hon Maimane. The less than 5% conviction rate is not a true reflection of the work of the NPA. There can't be a conviction rate if there is no arrest, as Mr Maimane says. If there are no arrests, where does the less than 5% conviction rate come from? Let us use the evidence-based approach to strengthen and make an efficient criminal justice system.

The Chief Justice has concurred with the regulations with regard to the Sexual Offences Courts and the regulations will be gazetted soon. These regulations are going to make the minimum standards of the Sexual Offences Courts operational. These Sexual Offences Courts are the notions which use modern technology, the notion of testifying in front of offenders can be mitigated through a closed-circuit television camera. Furthermore, what has become even clearer to us is that there is correlation between

the establishment of these Sexual Offences Courts and the conviction rates.

In the last two weeks, the Sexual Offences Courts have meted out heavy sentences. An offender was sentenced to four life sentences for four counts of rape by the Hammanskraal Magistrate Court. Another one was sentenced to life imprisonment and 50 years more. Another one was sentenced to seven life sentences plus 76 years by KwaZulu-Natal Sexual Offences Courts.

In evaluating the prosecution of sexual offences, it is to be noted, that for the fourth consecutive year, a national conviction rate of above 70% was achieved, both in relation to sexual offences prosecutions in relation to the Thuthuzela Care Centres. This conviction rate of above 70% is a substantial improvement since 2000. In perspective, the quantity of sexual offences cases finalized with a verdict equals 6 353, with 4 724 convictions. Regarding the Sexual Offences Courts, there were 1 636 convictions and this reflects the work that the Thuthuzela Care Centres have been able to help us with.

We agree that there are challenges but we need to help to strengthen these Thuthuzela Care Centres, and the work of

the NPA through the process that the President has announced.

From the Thuthuzela Care Centre cases of over the past two financial years, 612 life imprisonment sentences, 368 sentences for 20 to 25 years' imprisonment and 1 463 sentences of 10 to 19 years imprisonment were handed down. These sentences are exclusively on rape offences - schedule 1 of the Criminal Procedure Act - in line with the minimum sentence regulations.

Hon members, I believe the statistics I have quoted here reveal that the collaboration we have with civil society organisations and NGOs, the Department of Social Development, SA Police Service and other stakeholders through the Thuthuzela Care Centres, is essential.

We need all South Africans to help us to work more because our statistics reveal that about 23% of people who go to the Thuthuzela Care Centres do not want to open dockets. And this is what we need to work on so that our people have confidence in opening the dockets and proceed. Also many in society don't want to open dockets. This evidence must help us to encourage members of society to join in with the police, NPA and everyone to fight this scourge of gender-based violence.

This has shown us that nothing can beat a nation working together. This is what will deter many people from committing crimes in particular gender-based violence. A nation that collectively deals with criminality will be able to defeat any scourge of crime. It will not be the death penalty because it has already been declared unconstitutional. It will not pass the constitutional muster. We have evidence and let's use evidence-based ... to develop policy in response to this matter. We have the statistical evidence.

The Thuthuzela Care Centres ensure that matters which are reported to them are prosecutorial-driven investigations with in-house social workers and various victim support mechanisms including Court preparations and support to make the victims familiar and comfortable with the court process.

It has become evident that we have to work towards decreasing the withdrawals of matters that are reported. As it stands, about 37% of the victims withdraw some of the matters that are reported. In that same vein, government has invested a great deal of resources to understand what stops victims from reporting or withdrawing such crimes.

The evidence gathered over a period of five years thus far illustrates that having faith and understanding of the justice system is immensely important. Our victim-centred approach is beginning to yield results. Let's build from this approach and I think the measures announced by the President will help us to strengthen this approach which has proven to work.

Another area which requires a great deal of improvement is the finalisation rate of sexual offence matters. There is certainly room for ample improvement across the entire justice system from investigations to prosecutions, social workers, judicial officers, medical and legal practitioners. The actions upon which we agree should be taken to this end. To this end, we will be looking into clearing the backlog of cases in our courts on gender-based violence. We will put in place procedures and measures to review complaints against police personnel and prosecutors who fail our people who fail our people on the gender-based violence matters. We will also ensure that the laws that address the economic plight of women that the President has already spoken about are prioritised. The Victim Support Services Bill will also be quickly finalised in this House.

We have also introduced the Recognition of Customary Marriages Amendment Act to equalise the distribution of assets when husbands and men who were married customarily are divorced. The Bill is now in this House. We will introduce a Gender-Based Violence and Femicide Bill, Domestic Violence and Harassment Bill and review of the Sexual Offences Amendment Bill. All the above will be done during the current financial year.

Hon Chairperson, as we speak, we are sitting with 20 333 inmates who have been convicted for sexual offences. In partnership with the University of Limpopo, we have developed a rehabilitation programmes for offenders of sexual offenses which include training programmes on dating as well as psychological assessments of these offenders in partnership with the Department of Social Development. I have called on the department to conduct an evaluation report to help us assess how effective these programmes are and what can be done to enhance them because we sometimes see our parolees being involved in or committing crimes. And this is a worry because this study is aimed at helping us respond and turn the tide of our parolees going back to criminal activities again.

Hon members, gender-based violence is a product of many facets of our society. The criminal justice system is

just one part of the puzzle which can only manifest itself once an incident has occurred. Whilst we would want survivors to have more faith in the justice system, we need to have faith in our social structures first, the nongovernmental organisations, NGO, civil societies, sports bodies and churches; all of them need to help us play a role in defeating this scourge.

If we are to really embody Thomas Sankara's assertion that, "There is no true social revolution without the liberation of women", then we must regard the scourge of gender-based violence ... Thank you very much. [Time Expired.] [Applause.]

The PRESIDENT OF THE REPUBLIC: Chairperson of the NCOP, before I proceed with my brief response and remarks, I wish to express with a sense of deep sorrow on behalf of all South Africans, the sudden and tragic passing of Deputy Minister, Bavelile Hlongwa.

As a nation and as a Cabinet, we have been robbed of an outstanding and committed South African patriot. We extend our deepest condolences and sympathies to her family, colleagues, comrades, and friends.

She was one of the rising bright sparks of our government. I had occasion to see and hear her at work in our Cabinet and in various committees and I was always so impressed. It is a real loss to all of us who knew her and we do indeed extend our condolences. Let us dedicate all the measures that we agreed to during the course of this administration and also the course of the life of this Parliament to her memory. May her soul rest in peace!

Hon members, I also would like to extend my gratitude to those who participated in the Joint Sitting in this debate. It is clear from the debate that has taken place that we do have a vibrant Parliament, even those who are watching at home would have seen that and even as we discuss matters of great importance, it is a vibrant Parliament. They shouldn't be alarmed even as they watch from home. This is how democracy works and this is how democracy rolls. The situation the country is facing demands that we adapt and evolve in response to the changing circumstances.

Mathata ao re shebaneng le ona mona naheng ya rona a hloka hore ka nnete re ikemisetse, re bontshe ka nnete hore ha re dutse mona, re baemedi ba setjhaba kaofela. Ha ho hlaha mathata a tjena, re tla kgona hore re dule mme

re buisane hantle, re bontshane hore re e isa kae naha
ena na. (*Translation of Sesotho paragraph follows.*)

[The problems that we are facing in our country require us to be truly determined, to show that all of us here are the representatives of the entire nation. When problems like these arise, we will be able to sit down and talk to one another properly, and together find a way of taking this country forward.]

This was also happening in France and Spain, so that we should never think that we are alone in this, and a number of other African countries have been dealing with this problem as well. France announced a number of measures and interventions after they too experienced a spate of deaths of women at the hands of men. Spain has also done exactly the same. They have come up with a number of measures and they, like us, have also committed a number of resources to address this scourge.

A few African countries have also been dealing with precisely this challenge and so, we are not alone, but we are different. We are different in that our incidents of femicide and rape are much higher than in many other countries in the world. It is for this reason that we have had to come up with this emergency plan and the

broader strategic plan is still being worked on by the various structures that we have set in place. It will come, but we felt that we shouldn't wait. We should address this challenge with the immediacy that it requires.

Where something has worked, it must be strengthened. There are quite a number of initiatives that we have taken that have worked and we would like to see how we strengthen them. Where what we have tried has not really worked - and the women of our country are absolutely correct in raising their frustration, their anger, and their concern about measures that we have adopted and embarked upon in the past which they believe and feel have not worked - we must therefore either abandon them and also close the loopholes. But we must reinforce our commitment to addressing the challenges that the women of our country are facing.

Today, various speakers have pointed to policy disjuncture in a number of areas relating to our efforts on gender-based violence. It is clear that we must conduct an audit of national legislation and policies to address the shortcomings, duplication, and even conflicts and mismatch.

Hu toḁea uri hezwi ri tshi sedza zwithu hezwi zwoḁhe na milayo ine ra vha nayo na mashumele ane ra vha nao kha hezwi zwe ra zwi ita kale, ri sumbedzane uri ndi ngafhi hune ra khou kundelwa hone u bvela phanḁa zwavhuḁi kha hezwi zwe ra pfana khazwo.

Hu a toḁea uri zwithu zwoḁhe zwine ra ḁo zwi ita ri lwise hezwi zwine zwa khou itea hafha shangoni ḁashu zwa u vhulaha vhafumakadzi na zwa u tzipa vhafumakadzi na vhana vhaḁukuḁuku, ri zwi ite nga u ḁalifha na u sumbedzana zwavhuḁi uri ri ḁo zwi itisa hani.

(Translation of Tshivenda paragraphs follows.)

[What is needed is for us to look at all these things together with the laws we have and our interventions in the past, so that we can remind one another about where we are struggling to move forward and to fulfill our commitments.

It is necessary that whatever we plan to fight against in our country, such as the killing and raping of women and children, we must be very tactical and help one another in respect of how we are going to accomplish this.]

We must also enhance the capacity of Parliament. Yes, to do what even hon Maimane said, like to initiate

legislation. When it comes to a matter like this, I would like to invite all of us to pay attention even if it may come as a members' Bill. This should be dealt with as a common problem right across. That's what we should be able to do. [Applause.] I was very attentive as hon Maimane highlighted and pointed out the areas that they would like this Bill to cover and I would like to say, let us debate that. Let us engage with what would be brought forward so that we tighten up the loopholes and the laws that we have.

So, I am really encouraged that the leaders of the parties represented in this Parliament have said yes, they will champion the eradication of gender-based violence. I welcome, yes, the proposal also of establishing a structure of this Parliament, be it an ad hoc committee on gender-based violence or an oversight committee. I think that is the right way to go and I would say yes, the governing structures of our Parliament should look at this, so that we can demonstrate to the women of our country ...

... ukuthi sizimisele ngempela ukuthi lokhu okwenzekayo lapha okokubulawa kwabantu besifazane nokuhlukunyezwa kwabantu besifazane iyona into esizoyilwisa siyiPhalamende yaleli lizwe lakithi.

Sizobabonisa kahle uma leli komidi umhlonishwa u-Maimane nabanye abekade bekhuluma ngalo ukuthi libekhona.

Ngiyakuvuma lokho ukuthi malibe khona lelo komidi sizokwazi ukubonisa kahle ukuthi sizimisele. [Ihlombe.]

(Translation of isiZulu paragraphs follows.)

[... that we are really committed to what is happening here which is the killing and harassment of women; that is what we are going to fight against as Parliament of this country.

We will show all those who fought for the existence of this committee - the hon Maimane and others - that it does its job well. I agree that this committee should be there so that we can display that we are committed to protecting them. [Applause.]]

We agree that we need a reliable and decisive police service. One of the issues that many of our people are complaining about ... We honour the members of the SA Police Service in our country who are continuously dedicated to the work they do, and who in many ways are also putting their own lives at risk to protect our nation and investigate crimes. And we honour them for that and thank them. Sometimes, they even do thankless tasks, but at the same time, when we go around the

country and talk to our people, they always complain about some members of the police service who they believe are not as committed as they would like to see them; where they believe that they are either lackadaisical in the way that they investigate some of these challenges that the women of our country face or where if rape is reported, the police officers just take it very lightly and even discourage victims of rape and violence from reporting those. And we want to call upon all the police in our country to demonstrate that they are really dedicated and are there to serve the women of our country. It is for this reason that we say there needs to be retraining of our police officers. The training of police officers has become a very important issue to me so that the service that they give should be the type of service that will serve the women of our country well.

One of the things we have to look at is strengthening coordination and information sharing to ensure that perpetrators don't sleep between the cracks. Offenders who have protection orders or cases pending against them are being granted bail because the courts are not even aware of them. As a result, they go out, offend once again and sometimes even continue with their killing spate against women and vulnerable people.

Women are dying with protection orders in their homes and we therefore need to pay attention to all these.

Modernising the criminal justice system is critical if we want to see real progress in the fight against gender-based violence. Because we are still using outdated technology and practices, we have problems with victim statements not being recorded accurately or even vanishing- - docket just disappear and so forth - and the perpetrators go loose.

The lengthy days in investigating some of these sexual offences are often the result of poor evidence collection and bad management of evidence.

Several members have noted here the task of investigating and prosecuting acts of violence against women is undermined by the lack of resources. Resources in the form of the tools the trade that our police need to have, but also not having sufficient numbers of the police officers to be in place to be able to deal with this scourge.

We know for instance, there are shortages of police kits and we are absolutely right in saying that we need our police stations to have rape kits in great numbers, but there are also some of our areas that are experiencing

shortage of, for instance, laboratories for Deoxyribonucleic Acid, DNA, testing.

Yesterday, I was in the Eastern Cape and the Premier Mabuyane was saying in the Eastern Cape they don't even have DNA testing and they have to send DNA specimens to Durban in KZN or to the Western Cape. As part of the action plan that we are talking about, we have agreed that we are going to establish one in the Eastern Cape this year, in fact, within the next few months.

[Applause.] We needed to do this because quite a number of acts of rape and abuse of women continue to happen in the Eastern Cape in greater numbers.

On victim support, we must work to avoid survivors being treated badly when they report crimes. We must expedite the distribution and implementation of the revised guidelines for the management of survivors of sexual violence and each investigating officer must not only have a copy, but they must be trained in how they should utilise those guidelines.

Charge office staff and investigating officers should also be trained and these guidelines need to be utilised to facilitate the handling of these sexual assault cases properly.

One of us mentioned the issue of corporal punishment. Now, today the Constitutional Court has handed down an extremely significant judgement declaring corporal punishment in the home to be unconstitutional. When we talk about violence against children, we focus on sexual abuse, but the battering of children is a very serious problem that must also get sufficient attention.

Children do need and must be protected from all forms of violence, whether it is in the home, streets or in the schools. That is what the Constitution of our country dictates. This judgement will send a strong message that beating of children will not be tolerated at all cost. So, that is what our court has decided. [Applause.] [Interjections.]

Mr J S MALEMA: On a point of order!

The PRESIDENT OF THE REPUBLIC: In interpretation of our Constitution ...

Mr J S MALEMA: Chair! On a point of order, Chair!

The CHAIRPERSON OF THE NCOP: What is the point of order?

Mr J S MALEMA: All these people are guilty of what you are talking about, beating children. These ones hear.

[Interjections.] [Laughter.]

The CHAIRPERSON OF THE NCOP: That is not the point of order.

The PRESIDENT OF THE REPUBLIC: ... what this debate has also shown is that we all need to come together to find solutions to this problem of gender-based violence and that this movement that is being led by women should be a movement that we appropriate. We must all of us join in. We must have a clear understanding that our role is to support this effort that our nation must now take up so that in the end we do bring an end to gender-based violence.

On drugs and alcohol abuse, the hon Shaik Emam has drawn attention to how drug and alcohol abuse is playing a devastating role in exacerbating high levels of gender-based violence. It impairs judgement leading to crime and is associated with vulnerable women being trafficked and becoming involved in commercial sex trade. In the same manner that there should be harsher sentences for crimes of gender-based violence, so too must there be harsher sentences against drug-related offences.

Now, Shaik Emam has raised the issue of the closure of these taverns and drinking dens at a particular time. This is a matter I would like this Parliament to discuss. We should remember that Jabu Baloyi in Pretoria lost his life trying to stop a drug dealer from selling drugs to a young person. Our people are fed up with seeing drug dealers operating openly with impunity ruining their lives. Our people are so fed up that they would like all of us here to be seen to be taking serious action.

Loko vanhu va vona vana va vona va dzaha nyaope na ku titlhava hi swidzidziharisi engatini ya vona, nghingiriko lowu vuriwaka "bluetooth", va hi vona tanihi vanhu lava nga tiyimiselangiki ku va pfuna evuton'wini. (*Translation of Xitsonga paragraph follows.*)

[When people realise that their children smoke nyaope and inject themselves with drugs, an activity known as "Bluetooth", they perceive us as individuals who are not keen to assist them in life.]

Now, this is what we now need to pay attention to. The gender machinery has also been raised and hon Lucas raised the issue of how the gender machinery needs to be attended to and the lack of co-ordination and the lack of resources. We are hoping that with the money that we are

going to make available, the gender machinery will be able to work properly to address this issue.

Now, clearly the challenges that our people face are poverty and hunger and this is one of the key challenges that we need to address, particularly as it relates to how our people are responding to people from other nations. As a country, we have to strike a healthy balance on the issue of migration.

I said earlier in my earlier input, we need to be so well-balanced that we need to give recognition to the fact that migration is something that is always going to happen. People are always going to migrate from one country to another and as South Africa we have become an oasis. We have become a country that has a pull factor and attracts a number of other people and many of them come here because they are economic refugees, coming here for economic opportunities. We therefore need to debate the issue of migration in a balanced way because it has a number of aspects to it and it is quite complex.

At the same time, we do need to attract skilled immigrants and embrace those who come into our country legally and can contribute to our economy. What we must emphasise is that immigration control is the role of the

state and citizens shouldn't engage in acts of vigilantism and in rounding up immigrants. We need to be quite structured in the way that we deal with this matter.

Hon Holomisa raised the issue of having a Southern African Development Community, SADC, accord and yes, this is something that we obviously need to debate at the SADC level to have an accord that deals with issues of migration. The continent is now moving towards ensuring that there is free movement of people throughout the continent.

Now that we have adopted the African Continental Free Trade Area agreement, the next step that now comes is that, as goods and services move on our continent, it must follow that people must also be able to move freely. But of course we will want people who move freely to be documented - to move freely in a legal way.

Hon Holomisa also spoke about refugee camp. We are one of those countries that have never really set up a refugee camps to receive people who come as refugees to our country. It is a matter that clearly needs to be addressed.

In conclusion, compatriots and hon members, this has been a difficult and trying time for our country. We have seen our resolve tested and felt ourselves weakened. There was a time when as South Africans, we felt like we were truly losing this whole battle, both in terms of gender-based violence and also the challenge that we face in relation to the attacks that were being launched against South Africans as a well as foreign nationals. But it is often in moments of crisis that a nation's true mettle is tested. It is often at a time like this when a nation's ability to pick itself up and move forward is really tested. We shouldn't forget that still one of the strongest mettles is forged in fire and it is in this period that we should say through this fire, this difficult moment, we will be able to emerge and be stronger because we have been put through fire and a very difficult moment.

In his famous speech given in the dock, on the opening of the Rivonia Trial on 20 April 1964, the founding father of our nation, Nelson Mandela said and I quote:

The time comes in the life of any nation when there remain only two choices - submit or fight. We are not a nation that submits. We have come too far to surrender to intolerance, misogyny and to violence.

That we have come together here today united by our determination to overcome this problem, shows the strength of our resolve to surmount our challenges. We have been able to discuss this matter recognising upfront that this cuts right across party lines.

This is the time for all of us South Africans to speak with one voice and to be united. We know we have political and policy differences, but the severity of the problem should compel all of us to speak yes, with one voice. Let us strengthen our resolve to build a South Africa where a neighbour lives side by side with a neighbour, in harmony and not in mistrust.

Let us also strengthen our resolve to build a South Africa where women of our country don't live in fear. We have come through the worst of times. Let us then go ahead and work together. In Parliament let us set up these committees that we were talking about.

Let us take forward the discussions in those committees or ad hoc committee and let us take the discussions also as we craft legislation. But then again, let us ensure that the discussions do cascade into our own parties as hon De Lille said.

Let us spread it out. Let us go out and talk to our people about these issues and have a genuine debate like we sought to do with Premier Makhura in Ekurhuleni where we had thousands and thousands of people and we sought to engage in debates with them. These are difficult issues to deal with, but at the same time it is when it is difficult that all of us as leaders must get our people to engage in those debates. So, let us work together so that our people may experience the best of times. Thank you very much for this debate. [Applause.]

The CHAIRPERSON OF THE NCOP: I now take this opportunity to thank the hon President for his wonderful address. That concludes the President address on gender-based violence. Members are reminded that the sitting of the National Assembly will commence directly after adjournment. That is 10 minutes after adjournment to look at questions.

The Joint Sitting adjourned at 17:15.