THURSDAY, 14 NOVEMBER 2019

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PROCEEDINGS OF MINI-PLENARY SESSION – NATIONAL ASSEMBLY CHAMBER

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Members of the mini-plenary session met in the National Assembly Chamber at 14:03.

House Chairperson Mr C T Frolick took the Chair and requested members to observe a moment of silence for prayer or meditation.

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS – see col 000.

ESCALATION IN VIOLENT CRIMES IN SOUTH AFRICA AND GOVERNMENT'S RESPONSIBILITY TO PROTECT ITS CITIZENS' LIVES AND THEIR PROPERTY

(Subject for Discussion)

Dr P J GROENEWALD: Agb Voorsitter, ons weet dat in Suid-Afrika het misdaad 'n ernstige invloed op elke individu, en ook op die samelewing en al sy fasette, veral ook die

ekonomie van Suid-Afrika. *(Translation of Afrikaans paragraph follows.)*

[Dr P J GROENEWALD: Hon Chairperson, we know that in South Africa crime has a serious influence on every individual, and also on society and all its facets, especially the economy of South Africa.]

The question that arises is, whose responsibility is it to ensure that we have less crime in South Africa? I want to quote section 205(3) of the Constitution of South Africa which states quite clearly that:

> The objects of the police service are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law.

So, there's actually no doubt as to the question of whose responsibility it is. It is the government of the day, by means of the SA Police Service ... to protect the people of South Africa, their lives as well as their property, when it comes to criminality.

Firstly, I also want to say that the moment you talk about crime, people always think it's only for the

police. Yes, that is what section 205(3) states in our Constitution, but if we in South Africa want to fight crime we must look at the total criminal justice system. That includes the police, it includes the judiciary and it includes correctional services.

Now, let's get to the police. There are many problems when it comes to the police. One has been quite clearly stated by the Judge President of Mpumalanga, Mr Frans Legodi. He said that it had become a feature of the weekly argument or urgent motion roll that urgent applications were made accusing the police of refusing to intervene, even when faced by clear criminal activity, unless they were given a court order directing them to act. Such an attitude by the police would be wrong and would encourage lawlessness. That's exactly what is happening in South Africa. We get situations where there is total inaction on the side of the police.

Kom ek gee vir u een voorbeeld. Daar was nou onlangs 'n geval in KwaZulu-Natal by die Normandien Polisiestasie, waar 'n boer, mnr Anton Pitout, aangeval en met stokke geslaan was. Hy wou 'n klag van ernstige geweldsmisdaad, naamlik aanranding met die opset om ernstig te beseer, gelê het, maar toe is daar 'n ene kaptein Msibi wie geweier het dat 'n klag gelê word. Hoekom? Want kaptein

Msibi van die Normandien Polisiestasie het met die gemeenskap gereël dat sy beeste gratis binne die gemeenskappe kan rondloop. So, hy is eintlik korrup en omdat hy korrup is, weier hy om daardie klag te aanvaar. Ondersoek dit en sorg dat ons die resultaat kry. Anders sou ek dit nie hier gesê het nie.
(Translation of Afrikaans paragraph follows.)

[Let me give you one example. Recently, there was a case in KwaZulu-Natal at the Normandien Police Station, where a farmer, Mr Anton Pitout, was attacked and beaten with sticks. He wanted to lay a charge of serious violent crime, namely, assault with intent to cause serious injury, but then, there was a certain captain Msibi who refused to lay a charge. Why? Because Captain Msibi of the Normandien Police Station has arranged with the community that his cattle can roam free within the communities. So, he is actually corrupt and because he is corrupt, he refuses to accept that charge. Investigate it and see to it that we get the result. Otherwise, I wouldn't have said it here.]

It’s the first time since I’m in Parliament and that’s since 1994 ... even before 1994, that the seven crimes — when it comes to contact crimes and specifically to

individuals — have risen, as far as the crime statistics for 2018-19 are concerned.

Murder increased by 3,4%. A total of 21 022 people were murdered in South Africa. The comparison must be the international standard. The international standard, or shall I say the figure for murder, is seven per 100 000 of the population, but in South Africa the murder rate is 36 per 100 000 of the population. Therefore, you cannot blame people if they say that South Africa is a violent country and it is unsafe in South Africa. If you just look at the crime that's taking place then you will realise that that is the truth.

Die vraag is, wat moet gedoen word? Dit is die regering wat moet optree. Hy moet verseker dat sy polisiediens van misdadigers gesuiwer is. Ons sien dat meer as 4 000 van hulle kriminele rekords het, maar hulle is steeds in die polisiediens. Die swak appels maak dat die diens 'n slegte naam kry, selfs vir daardie lede wat goeie polisielede is en wie hul diens lewer.

Laastens wil ek vir u sê dat ons by 'n situasie kom waar die Minister van Justisie na vore tree ...

[Tussenwerpsels.]

Die HUISVOORSITTER (Mnr C T Frolick): Agb lid, u tyd is verstreke.

Dr P J GROENEWALD: Voorsitter, het ek ses minute gekry?

Die HUISVOORSITTER (Mnr C T Frolick): Ja, ses minute. ’n Volle ses.

Dr P J GROENEWALD: Ek sal nou-nou weer praat. [Tyd vertreke.] *(Translation of Afrikaans paragraphs follows.)*

[The question is, what must be done? It is the government that must act. The government must ensure that its Police Service is purged of criminals. We see that more than 4 000 of them have criminal records, but they are still in the Police Service. The bad apples give the Police Service a bad name, even for those members who are good policemen and who provide their services.

Finally, I want to say to you that we are coming to a situation where the Minister of Justice is stepping forward ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, your time has expired.

Dr P J GROENEWALD: Chairperson, did I get six minutes?

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, six minutes. A full six.

Dr P J GROENEWALD: I will speak again in a moment. [Time expired.]]

The DEPUTY MINISTER OF POLICE: House Chairperson, I should say that we should never generalise, particularly on issues where a police officer refused to take an action, and make it seem like it is the case with the South African Police Services. We agree with hon Groenewald that there might be instances where you have police officers who behave in manner that is unacceptable, and in such cases we have taken decisive actions.

As the ANC-led government we remain sternly committed to the realisation of a better life for all as espoused in the Freedom Charter and enshrined in our Constitution. This commitment includes the combating and prevention of all forms of crime to ensure that we all experience a crime free South Africa, where our citizens and everyone within our borders live without fear of being attacked or becoming victims of criminality.

It is our primary responsibility and obligation to ensure that our citizens, especially women, children and all other vulnerable groups enjoy all human rights and have access to justice in accordance with our founding values as dictated by our Constitution.

House Chairperson, the persistent escalation in violent crimes is cause for concern to us as the governing party and particularly as the Department of Police because we are aware that violent crime is one of the worst forms of human rights violations within our society, and continues to prevent our people from living dignified lives free from fear.

Ladies and gentlemen, in September this year, the Minster released the latest crime statistics, which to us are a mechanism to assess the progress and gains made in pursuit of a crime free society that we all aspire to realise.

Needless to say these statistics painted a rather gloomy picture in relation to violent crimes which threatens to reverse the gains we've made in our fight against crime in general. From these statistics, we have painfully noted the increase in all contact crime categories,

especially the incidents of sexual offences, common assault and murder.

This untenable situation has given credence and impetus to the President's call that we need to put every effort towards halving violent crimes within the next decade. As the police we are determined to turn the tide within a shorter period than a decade and we are therefore ensuring that considerable resources and operational strategies are channelled towards achieving this target.

In gearing ourselves to tackle this enormous challenge, we have acknowledged that high levels of crime, especially violent crimes pose a serious threat to our democracy. Allowing crime to continue unabated will inevitably result in the deprivation of the rights and dignity of our people, and will pose a threat to peaceful resolution of differences and rightful participation of all in the democratic process.

We are also consciously aware that crime casts fear into the hearts of South Africans from all backgrounds and prevents them from taking their rightful place in the development and growth of our country. It denies our people from communicating with one another freely, and from engaging in economic activity.

Crime also prevents entrepreneurs and investors from taking advantage of the opportunities which our country offers. The rights and freedom which the Constitution entrenches are threatened every time a citizen becomes a victim of crime. Hence we are this determined to turn the tide against crime.

House Chairperson, we have analysed and debated these statistics mainly to determine the crime trends in order for us to design the most suitable interventions to decisively deal with crime in general and violent crime in particular. To this effect, in our budget vote speech, the Minister made several announcements on how the department, in partnership with the Justice and Crime Prevention Cluster, intends to turn the tide against crime.

Crime prevention is a national priority and everyone must make his or her own contribution. This applies not only to the Cabinet and the departments concerned with security and justice, but also to all other national departments which are required to make a contribution to crime prevention including provinces, municipalities and society in general.

We have therefore developed our crime prevention strategy and have premised it on the theme "Creating a safe and secure, crime free environment that is conducive for social and economic stability, supporting a better life for all".

This theme underpins the key role that SAPS has to play, within the broader context of the Justice and Crime Prevention Cluster, in enabling the various initiatives of government to be achieved. We are registering good progress in ensuring that SAPS aligns its strategic initiatives with those of government, thereby creating an environment for these initiatives to develop and flourish to the benefit of all South Africans.

The South African Police Service has further developed priorities to drive the strategy mentioned above. These priorities have both the internal and external focus. The internal priorities focus on enhancing police safety, mainly to significantly reduce the number of police officers killed on and off duty as well as the improvement of safety measures at police stations.

The transformation of SAPS has also been prioritised by the Minister, including the comprehensive addressing of the recommendations which emanated from the Farlam

Commission. These include the cascading of resources to the local level, thereby streamlining the SAPS' top-heavy organisational structure whereby command and control will be enhanced as well as the improvement of the SAPS' resource base at police stations.

Our external priorities include the unification of the various policing agencies in the country into a single police service which will ensure the optimal co-ordination of policing activities and deployment of resources from a single point of authority.

In addition, the Minister has prioritised the combating of specific crimes, including crimes against women and children, crimes impacting on the banking industry and organised crime. To give effect to these priorities, five key operational dimensions have been introduced, including:
The stamping or asserting of the authority of the state; the promotion of multidisciplinary, inter-departmental cooperation; the modernisation of the Criminal Justice System; the investigation of priority crime, which is directly associated with mandate of the Directorate for Priority Crime investigation; the renewal of crime intelligence capacity, in support of proactive and reactive policing; and the establishment of a

collaborative and consultative approach to policing, which will be centred on the formation of a community-centred approach to policing.

House Chairperson, the rural safety is also a priority to us. To this effect we have developed the Rural Safety Strategy which strives to address rural safety as an integrated day-to-day policing approach by creating a safe and secure rural environment.

This strategy comprises of, amongst others, a farm safety plan designed for farms to ensure a collective rapid response between stakeholders to address all safety and security issues and incidents that affect the agricultural community.

The SAPS' partnership with Transvaal Agricultural Union of South Africa also strives to ensure the safety and security of famers in a sustainable manner on the land they work. [Time expired.] Thank you, House Chairperson. [Applause.]

Mr A G WHITFIELD: House Chairperson, there can be little doubt that government is simply failing to protect its citizen's lives and their property. South Africa is widely recognised as one of the most violent nations in

the world. The recently published crime statistics paint a picture of a society that has been captured by violent criminals without any hope that the future will be any better. Presidential platitudes to reduce violent crime by half in the next 10 years have not been met with clear and tangible plans as to how this will in fact be achieved. Violent crime is on the rise in South Africa and citizens have lost confidence in government's ability to protect them.

If we want to turn the tide on violent crime, we need to tackle it at its source and we need to rip it up by its roots. The real departure point to tackle violent crime is in fact with the very people who lead us. It is about changing the culture of criminality which has infected government from presidents to mayors. It is a culture which has seen the capture of the state by the Guptas and rampant corruption without consequence at every level of government. It is a culture bequeathed upon our nation by the ANC which has become so fundamentally compromised by corruption and criminality that it cannot move anything forward, let alone the country.

When there is no accountability in a system of government in which blatant corruption and criminality at the hands of politicians and civil servants goes unpunished, there

will be an erosion of accountability throughout society. It is in this environment that violent crime will continue to thrive. The ANC is the head of the rotting fish and they have allowed the rot to spread too far to be able to stop it. How can the ANC government build a law-abiding society when mayors and presidents believe that they are above the law? Hon members, section 9(1) of our Constitution states that everyone is equal before the law and has the right to equal protection and benefit of the law. The problem is that nobody believes this to be true because in South Africa we know that the ANC politicians and cronies are more equal than the rest of us.

One of the best examples of the complete failure of accountability leading to violent crime is in Nelson Mandela Bay, a city named after the most revered statesman in the world, which has now become a gangster state in which government by fear and retribution are the order of the day. Between 2016 and 2018 the DA-led coalition brought stability and peace to Nelson Mandela Bay. We introduced a culture of accountability. We cancelled over R600 million in corrupt contracts, fired corrupt officials and started to turn the ship around. In just one year the ANC’s coalition of corruption and their puppet mayor, Mongameli Bobani, assumed office service

delivery has ground to a halt, finances are a mess, the National Treasury is recalling its grants and the council has all but collapsed.

In December 2018 Mayor Bobani's coalition of corruption awarded a drain cleaning tender worth R21 million to a number of small, medium, and micro enterprises, SMMEs, in what has become known as the Great Drain Heist. Since the award of that tender more than 18 people have been killed in what police have described as hits which bear all the hallmarks of politically motivated killings. Many of these people can be linked directly and indirectly to the great drain heist and the coalition of corruption led by Mayor Bobani.

In a council meeting last week with another motion of no confidence against the mayor looming, the Speaker of the council and deputy mayor received death threats and the speaker's neighbour's house was riddled with bullets in an ominous threat to prevent the motion of no confidence from proceeding. No arrests, no prosecutions and no accountability!

Things have become so bad in Nelson Mandela Bay that even a team from the Auditor-General's office who were investigating the Great Drain Heist received death

threats and were forced to leave the City for fear of their lives. The gangster sate in Nelson Mandela Bay is real and it is terrifying. It is led by the Pablo Escobar of local government, Mongameli Bobani, whose reign of terror is propped up by his jug-wielding convicted criminal lieutenant, Andile Lungisa, your comrade.

Good governance and accountability have been eroded so far that the rule of law has been completely subverted and the very democratic project to which we are all sworn to protect is now under threat.

In a desperate effort to rescue the people of Nelson Mandela Bay from the claws of their own corrupt cronies, the ANC sent their central protagonist in the gangster state, Mr Ace Magashule who appears to have predictably done absolutely nothing.

It is time to dismantle the gangster state in Nelson Mandela Bay and restore good governance and accountability. It is time to lock up corrupt politicians who have committed state sanctioned violence against citizens. It is time to dissolve the Nelson Mandela Bay council and hit the reset button. It is time to remove the criminal syndicate known as the ANC from government. For as long as corrupt criminal politicians remain in government and not in jail, we will not be able to turn

the tide on violent crime in South Africa. I thank you. [Applause.

Ms T P MSANE: Thank you, Chairperson. Chairperson, South Africa is an extremely violent society; subjecting millions of citizens to a fear-ridden life because people know that they can be mugged any moment, raped anywhere and even killed in the comfort of their own homes.

The escalation of violence in our society is also an indication of the collapse of the state, the inability of state to maintain and enforce laws to protect citizens from having their fundamental rights violated. Criminals and potential criminals violate other people's rights with impunity, they know that because our law enforcement capacity has collapsed and nothing happens to people who inflict pain on others in this country.

There are no consequences for perpetrators of violent crimes. South Africans, you are on your own. However, Chairperson, the escalation of violent crimes in our society is only a symptom of a much bigger and systematic problem. We are a society whose very ... [Inaudible] ... foundations are moulded in violence. The dispossession of people from their land was a violent crime, the forced labour on farms and in the mines was a violent crime and

having some forms of work exclusively reserved for black people such as domestic work and gardening, is violence.

Having to call a shack without toilets and electricity a home is violence. Having small children electrocuted by electric lines carelessly installed by Eskom is a violent crime against society. The greatest violence of all crimes are those we have come to accept as society, that one group of people should have to struggle all their lives just to put a plate of food on their table every day, while the another group of people have more food for their dogs.

The prevalence of violent crimes in society therefore is a systematic and structural problem. But because we are a hypocritical people, we demonise some forms of violence and glorify others. Violence is violence in whichever form it manifests itself and we must deal with violence comprehensively as a society. Attempts at fighting violent crimes therefore must take into consideration that crime generally is a socioeconomic consequence and should be fundamentally uprooted by economically developing our communities and providing would be criminals with quality jobs and careers. No one is born a criminal, society breeds criminals.

It is an embarrassment that today, five years after a national football team captain, Senzo Meyiwa, was violently murdered and no one has ever been held accountable for that crime. We need a new deal of reclaiming our society from the hands of the criminals as a society. The deal must include the deployment of a special task team to deal with gangsterism and drugs in places such as the Cape Flats in Cape Town. This cannot be, and cannot be done by soldiers.

It must include the improvement of the capacity of crime intelligence to include the usage of technology to solve crimes, the training of additional detectives and the re-capacitation of Community Policing Forums across the country and encourage the formation of crime watch and street committees in crime hotspot communities and areas.

This war against crime is winnable and it requires a capable state, which we do not have at this moment.

I thank you. [Applause.]

Ms Z MAJOZI: Hon House Chair, it is understood that the primary task of the government is to ensure the protection of its citizens through security. This is done through the provision of an internal law enforcement

agency of the state. While we recognise that the issue to protect citizens' lives and property rests within the mandate of the South African Police Service and other relevant law enforcement agencies, we believe that multiple departments play a role in achieving a more secure country for all.

A recent and personal encounter with the effects of violent crimes recently, a dear friend of mine was stabbed to death while walking home in Tshepisong. This was all because his attackers wanted to steal his cellphone and his money. The person showed a complete disregard of his life. If there was availability a police station in the area and patrolling was taking place, a young man's future would have been spared.

We find that crime occur as a result of several areas within our SA Police Service, SAPS, this discourages victims from reporting crimes. This is as a result of a little to no confidentiality when reporting cases. Some areas lack the sheer resources to sufficiently deal with crimes and in some instances victims need to accompany police to identify their attackers, which leaves them vulnerable to further attack. Victims also reportedly have to walk long distances after they have been attacked to find a police station. In the Diepsloot Township,

victims must navigate through narrow and unlit roads to find the police station. This leaves them open to further attacks by other perpetrators and police are often unable to respond as they cannot drive their vehicles through the narrow gaps.

If we are serious about reducing violent crimes, we must also be honest to ourselves and recognise that other sectors contribute as well. The public needs to be more educated about the channels available to them when a crime is committed against them and if their case is not handled correctly, they must be made aware of the appropriate recourse. Education and unemployment also plays a vital role in either adding or reducing violent crimes. Students who drop out of school or university often resort to violent crimes as they are unable to easily find employment due to the current high unemployment rate in the country.

Without wanting to justify these acts, we see that unemployment breeds crime. People who are unemployed turn to crime as they have little to no means of survival. These are some of the challenges and gaps our country is facing today. Criminals knows that these exist which encourages them to exploit the opportunity to commit crimes.

What can be done? The Inkatha Freedom Party believes that there are some measures that could be put in place to curb the escalating violence in the state. We call on the Minister of Police to; handle matters of police officers receiving bribes with severity, to ensure that there are repercussions on those who protect criminals, to have maximum turnaround times for resolving cases - not leaving cases uninvestigated for long periods of time, to be active and visible on social media in order to keep up with criminal trends taking place and follow up with members of the public who cannot receive assistance from the SAPS and to educate the public on channels to follow when reporting crimes.

We call on the Ministry of Justice and Constitutional Development to increase minimum sentences on heinous crimes committed. We call on the Ministries of Women Youth and Persons with Disabilities in the Presidency and Social Development to ensure that women are fully integrated into society in order to eradicate the mentality of dominance over women amongst men. We call on the Ministries of Small Business Development and Basic Education to create functional programmes that will impart skills to the uneducated in order to start their small businesses to survive. [Time expired.] Thank you.

Me T BREEDT: Voorsitter, misdaad is buite beheer. Meer as 58 moorde word per dag gepleeg. Elke drie uur word a vrou vermoor. Een-honderd-en-veertien verkragtings vind per dag plaas. (*Translation of Afrikaans paragraph follows*.)

[Ms T BREEDT: Chairperson, crime is out of control. More than 58 murders are committed per day. Every three hours a woman is murdered. One hundred and fourteen rapes take place per day.]

The ANC-led government is failing our most vulnerable – our women, our children, our rural and farming communities.

The crisis of gender-based violence is, as is the overall crisis of the high prevalence of violent crime in South Africa, due to the inaction of the ANC-led government.

As Dr Groenewald pointed out, it is a failure by the police, it is a failure by the judicial system, and it is a failure of the executive to enact plans.

Die agb President wil mooi prentjies oor geslagsgeweld teen vroue en kinders skilder, en wil vertel hoe die ANC omgee. Hy probeer the ANC se beeld poets deur met groot

fanfare aan te kondig dat die R1,1 miljard nie genoeg is vir die stryd teen geslagsgeweld nie en dat dit na R1,6 miljard verhoog gaan word. Maar wat doen hy werklik? Waar is die dringendheid rondom die implementering van al hierdie projekte?

Ek het gedurende die Vrouedag-debat in hierdie Huis gewaarsku dat ons moet waak daarteen om goedkoop politiekery van geslagsgeweld te maak. Ons moet dit ernstig opneem en optree. Dit kan nie net by ’n poster [plakkaat]- en slagspreuk-veldtog bly nie. (*Translation of Afrikaans paragraphs follows*.)

[The hon President wants to paint beautiful pictures about gender violence against women and children and wants to tell us how the ANC cares. He is trying to polish the ANC's image by announcing with great fanfare that the R1,1 billion is not enough for the fight against gender violence and that it will be increased to R1,6 billion. But what does he really do? Where is the urgency with regard to implementing all these projects?

During the Women's Day debate in this House, I warned that we must guard against the cheap politicising of gender violence. We must take this seriously and act. It can't just remain a poster and slogan campaign.]

South Africa and the world were up in arms and preached reform after the murder of Uyinene. But, since then? Where has the outrage gone? Where is the outrage when the bodies of an unknown mother and her two children were found in Soweto earlier this week? Where is the outrage when a woman woke up in hospital days after being knocked out by her boyfriend? Where is the outrage when a 15-year-old KwaZulu-Natal girl was allegedly burned and murdered by her boyfriend?
Mr President, Police Minister, where are you? The ANC-led government is failing the most vulnerable in our society. Here are a few of the latest crime statistics with regard to children: murder, up by 3%; sexual offenses, up by 3,8%; and attempted murder, up by 11,8%.

Then, let’s get to our farming communities. And I say farming communities because it is long past being the worry and problem of only our farmers. All livelihoods – yours and mine – that depend on agriculture to sustain them are at risk.

In August of this year there were 45 reported farm attacks and four murders. In September there were 46 attacks and seven murders. In October there were 28 attacks and three murders. And so the list carries on.

Over the past decade, farm attacks and murders have increased by 60%. The brutality associated with these murders and attacks distinguishes them from normal criminality. During farm murders and attacks, women are brutally deformed, burned with irons, raped and assaulted. The brutality is inhumane and cannot be ignored, but the ANC-led government tells us these are normal crimes and should not be prioritised. The ANC-led government is failing our most vulnerable.
Maar die VF Plus kla nie net nie. Ons bied werklike oplossings. As die ANC-regering maar net vir ons wil luister.

Die landelike veiligheidsplan wat aangekondig is móét eenvoudig werk. Daar moet genoegsame mannekrag aangestel word, en die geld moet reg spandeer word, en nie in verkeerde prioriteite of bedrog wegraak nie. Verder moet die Minister verseker dat die toepaslike departemente – soos die agb kollega van die IVP genoem het – saam werk en saamsnoer.

Maar, dit stop nie net daar nie. Landelike polisiestasies moet bemagtig word om geweld te bekamp en misdaad te voorkom. Hulle moet nie, soos in sekere gevalle in die Vrystaat, agt uur in die aand toemaak en vir die mense sê

hulle is bang vir die skelms nie. (*Translation of Afrikaans paragraphs follows*.)

[But the FF Plus does not only complain. We offer real solutions. If only the ANC government would listen to us.

The rural safety plan that has been announced simply must work. Sufficient manpower must be appointed and the money must be properly spent, and not get lost because of wrong priorities or fraud. Furthermore, the Minister must ensure that the appropriate departments - as the hon colleague of the IFP mentioned - work together and join forces.

But, it doesn't just stop there. Rural police stations must be empowered to combat violence and prevent crime. They should not, as in certain cases in the Free State, close at eight o'clock in the evening and tell the people that they are afraid of the crooks.]

I mean, I ask you! Police members ...

... bang vir die skelms! *(Translation of Afrikaans sentence follows.)*

[... afraid of crooks!]

I conclude.

My kollega van die IVP het dit gister baie mooi gestel. *(Translation of Afrikaans sentence follows.)*

[My colleague from the IFP put it very well yesterday.]

We need to stop having another steering committee and another plan. We need to start doing and implementing the plans we have. Chairperson, the time is now. We need to stand up! Thank you.

Mnr S N SWART: Voorsitter, die ACDP verwelkom hierdie onderwerp en wil graag die VF Plus bedank vir die debat.

Daar is sonder twyfel ’n krisis in die land wat misdaad betref, en ons in hierdie Huis moet hande saamvat om oplossings aan te bied.

Dit is die regering se primêre rol om sy burgers te beskerm. Tot ons insiens faal die regering in daardie opsig tot ’n groot mate.

Ons het ook gesien wat aan die gang is in die Nelson Mandelabaai Munisipaliteit. Ons was deel, tesame met die

DA, van die regering, en nou sien ons, soos gestel is, dat dit ’n gangster [rampokker] staat is. Dit kan nie geskied nie! (*Translation of Afrikaans paragraphs follows*.)

[Mr S N SWART: Chairperson, the ACDP welcomes this topic and would like to thank the FF Plus for the debate.

There is without a doubt a crisis in the country when it comes to crime, and we in this House must join hands to offer solutions.

It is the government's primary role to protect its citizens. In our opinion, the government is failing in that respect to a large extent.

We also saw what is going on in the Nelson Mandela Bay Municipality. Together with the DA, we were part of the government, and now we see, as stated, that it is a gangster state. This cannot happen!]

We have also seen widespread public outrage against gender-based violence following the brutal rapes and murders of vulnerable women and children. This solicited urgent action from the government in the form of the Emergency Action Plan on Gender-Based Violence and

Femicide, with additional funds being allocated to fight the scourge. This we welcome, but it is only part of the solution.

Gender-based violence must be condemned in the strongest possible terms, but why is the murder rate so high across society in general? Why are some of our citizens so violent? Why do we have these horrendous farm murders that even involve torture? Clearly, far more needs to be done.

So, what is the criminal justice answer to this? The Constitutional Court in the Makwanyane matter held that the deterrent to crime is the sure knowledge that a perpetrator will firstly be apprehended, secondly, successfully prosecuted and, thirdly, sentenced to a lengthy period of incarceration.

Now, friends, to a large extent, that deterrent does not exist in our society today. We know that there is a very good chance of perpetrators not being apprehended. If you are apprehended, there’s a very good chance that there might not be a successful investigation, and that you will be found not guilty.

So, that is why we have levels of crime, because there is not a sufficient deterrent. Far more needs to be done in that regard.

We are aware of the severe challenges facing our law enforcement and prosecution authorities with resources not being given. But, what we are seeing is that citizens are taking the law into their own hands. That we must condemn. But we understand.
Soos hulle sê, die mense is baie moeg en g-vol van alles wat aan die gang is. Hulle begin nou om hande te vat om misdaad teen te staan in daardie areas. (*Translation of Afrikaans paragraph follows*.)

[As they say, the people are very tired and fed-up with everything that is going on. They are now starting to join hands to combat crime in those areas.]

So, we need to have a look. How do we restore the internal moral compass? We need prayer and we need action. We need to have 57 million consciousnesses on duty, where people know that it is wrong to commit murder, that it is wrong to steal, and that is wrong to rape others. Once we are at that stage, then we will be able to address the issues that beset our nation. Thank you.

Ms T L MARAWU: House Chair, we have been discussing issues in and out, but the issues tend to be escalating as we debate. We currently have a murder rate of 58 deaths per day, a rate that is on par with war-torn countries such Afghanistan, all because our Constitution favours the rights of perpetrators over those of the law abiding victims in South Africa.
The murders of Uyinene and other women in the month of August prompted the society to take a stand and call on government to declare a state of emergency for gender-based violence, introduce the death penalty and increase the funding for the fight against gender-based violence. However, since a debate was heard on the matter, nothing tangible has changed. The vulnerable are still exposed to ruthless criminals.

Our position on being harsh on criminality is unwavering. A justice based capital punishment system for heinous crimes, repeat and serial offenders are more than necessary. Criminals have to be segmented and categorised according to the offence they have created. It makes no sense to take an 18year old accused of break- in and putting them in the same cell as a serial killer, and sex predator. This is a direct re-creation of the strongest offender in the weakest offender.

The SAPS reservists must be in-sourced in order to increase the capacity of police in the fight against crime. It makes no sense that these reservists' weapons are taken away at the end of the day. We are Africans, living in Africa and some matters will not be resolved by applying the so called "Roman-Dutch law".

It is time for the decolonization and transformation of the judiciary, the time to formally recognize customary law as a legitimate pillar of the judiciary. Visible policing and ensuring armed activity in public areas should be enough to minimise crime, as a safeguard to the aforementioned strategies listed above.

With the trial of Uyinene Mrwetyana having started, the ATM had hope that the Presidency would have responded on a call for a referendum that allows for public hearings in the introduction of a justice-based capital punishment system, better known as the death penalty.

We are calling for a justice-based capital punishment system which will be accompanied by the following safeguards. Only the High Court presides over the case, automatic appeal and review on the sentence, the accused must be represented by a Senior Counsel Hearing by a full

bench, our Constitution must serve us, not the other way round, our Constitution must be strengthened to serve us better, our Constitution must not be the refuge for rapists and murderers, our Constitution must be the anchor tenet for justice.

Let us allow the people of South Africa to have a final word on this matter through a referendum. We owe this referendum to all the fallen souls and their bereaved families. I thank you.

Ms N H MASEKO-JELE: Chairperson, we are gathered in this National Assembly, representing different political parties and constituencies which are made up of different races, classes, gender, backgrounds, religion, beliefs and ideologies. There are many things that attest to our diversity as a people and there are many things that tie us together. We are all affected by crime and we must all fight crime.

Crime is a subject that should never be politicised. Fighting crime must be a collective effort. We must all get involved as a society in the fight against crime. There should be no spectators, we are all affected. Therefore, we must work together in the fight against crime in our country.

Recently, we have witnessed the scourge of gender-based violence, sexual offence and femicide rising in our society and this is a matter of great concern. In our view, fighting against crime include addressing the triple challenges of poverty, unemployment and inequality that faces our society today. The triple challenges remain a major inhibitor. Indeed, none of us can truly rest and be comfortable with the status quo. Twenty-five years into democracy, in many ways, the legacy of apartheid still endures.

It is common cause that some in our society will always be uncomfortable when we remind them of the impact of the legacy of apartheid on modern day South Africa. This view assumes that the future has no relation with the past. We are in full agreement with the argument that the state has the responsibility to protect the lives of our citizens and their assets. Equally, the society has the responsibility to work together with the government in the fight against crime. Political parties, including the DA, the FFPlus, government business, nongovernmental organisations, NGOs, faith-based organizations, traditional leaders, civil society and everyone, has a role to play in fighting the scourge of crime in our communities.

We need to applaud the initiative by traditional leaders in Mpumalanga who in the last weekend joined hands with their communities in developing strategy in the fight against crime.

Understanding that people are their own liberators, in the early 1980s, there had been a call from the then ANC President Oliver Tambo, that "we should establish organs of people's power."

The ANC called on all South Africans to play an active role in shaping the country's collective destiny. The ANC resolved that, through organs of people's power, such as ward committees, community policing forums, and school governing bodies, amongst others, the masses of our people are called upon to continue to be their own liberators. Again, we make this call for the strengthening of these organs of people's power.
Crime prevention requires a people orientated problem solving policing plan. An example of an initiative of such plan is the Bambanani community safety initiative, which operationalises the National Crime Prevention Strategy, by integrating the police, intelligence, justice and the communities in combating crime as well as the O Kae Molao operation in Gauteng province. With these

efforts, the reduction in crimes will be reduced in our communities.

Poverty has a strong spatial dimension in South Africa, a demonstration of the enduring legacy of apartheid. This persistent legacy of apartheid is confirmed by the latest Stats SA Report, which shows the rising levels of unemployment which is high amongst the historically disadvantaged groups.

The comprehensive approach to fight crime requires that we should all be concerned about idling young people in our society. Yes, there is no justification that poverty, unemployment and inequality should be blamed on higher levels of crime. The argument we are advancing is that we need to deeply analyse the root cause of crime and therefore, respond to it in a comprehensive manner.
We would have thought that the FFPlus in tabling this motion for debate ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, will you just take your seat please? Why are you rising hon member?

Ms T P MSANE: I rise on a point of order. We thought the member made a mistake and we gave her a leeway. Mama, what are you referring to, the EFF or FFPLUS?

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, you must address me.

Ukhuluma ngani? (*Translation of isiZulu sentence follows.)*

[What are you talking about?]

What is she talking about, EFF or FFPlus?

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members. Hon member, there are certain political parties in the House and we refer to them according to their names. Don’t invent new names please.

Ms N H MASEKO-JELE: My apologies Chair, thank you. We would have thought that the FFPlus in tabling this motion for debate, will lead a mobilising call for all South Africans to rally behind our national agenda of creating a better life for all. We would have thought that the FFPlus will progressively suggest possible solutions will progressively suggest possible solutions on how to fight

crime in our society. Unfortunately, we were wrong. The FFPlus decided to go the easy way of blame-game and finger pointing. For instance, in response to the high murder rates, the FFPlus is on record for calling for the death penalty as a solution to the challenges of crime in our society. This view does not only go against the spirit of the Constitution, but does not address the root cause of the challenges. This approach unfortunately, yields no results and does not take us anywhere.

We cannot just debate about the increase in crime rates, nor can we simply fold our arms and blame government for everything. A social contract is needed. Our call is for all our people, civil society movements, organs of peoples' power and all stakeholders in society to join hands in the fight against crime in our society. This call is extended to the FFPlus and all political parties like our friends here, to play a role in the creation of decent jobs, skills development and educating the youth so as to deal with the triple challenge of poverty, unemployment and inequality.

There is a need for the FFPlus to come to the reality that we have one country, we have one destiny, and we need each other to build South Africa and the future of our children. The blame-game bears no fruits. There is no

doubt that government bears the responsibility of ensuring that all people are safe as outlined in the National Development Plan, but surely this cannot be the responsibility of government alone. Thank you, Chairperson.

Mr A M SHAIK EMAM: Hon House Chair, allow me to agree that the country is facing serious challenges particularly in terms of crime. South Africa is becoming one of the most violent countries in the world. But I think I must also agree that we need to take responsibility as well. Let me tell you why. The statistics that we have heard had proven without any doubt that one of the main contributing factors to crime in South Africa is alcohol.

My question goes to both the FF Plus and the DA. Will you assist us in ensuring that every tavern, every shebeen in every township particularly in the Western Cape will close at six o'clock everyday? I am telling you now, three quarter of your crime will be down. You are not going to be willing to do that. Let me tell you why. This is because you have the interest of a certain group like the SA Brewery. This is an issue of commercialisation, not the lives of the poorest of the poor. [Interjections.] Let us be honest about it because that

is what the statistics is saying. The issue of drinking alcohol is taking place during the early hours of the morning or late hours of the night. The next issue has to do with firearms, which you are also promoting.

So, are you willing to address that and come together as a united South Africa? Let us find common ground and solve those problems because there are indeed serious problems out there.

Now, let us talk about the socioeconomic conditions our people are living in. If you have heard what SAPS has said - if you take issues of areas like Delft, Crossroads and Blikkiesdorp, they have been caused by some of us here; the police cannot even gain access to those areas because there are no roads. There is no electricity. Now, tell me how are the police able to go there and conduct their affairs and ensure that they protect the people. Let us be honest about these things. Now gangsterism continues in those areas.

Let me come back to the issue of alcohol. Remember, in this country our people used to be paid with alcohol many years ago. They have acquired what we call alcohol fetal syndrome. Will you be willing to tell all these farmers to make a contribution to a fund because the De3partment

of Social Development does not have the funds to deal with those things? Are you willing to do that so that you can meet us halfway in order for us to deal with the issues of alcoholism? [Applause.] You are not willing to do that. So, let us take collective responsibility for what is going on in the country.

Let me come to the issue of the legal system in the country. Yes, we believe as the NFP, there is too many privileges afforded to the criminals in South Africa particularly with your Legal Aid because you commit a crime, Legal Aid is there to provide the services with the very same money people have paid as taxpayer with unscrupulous lawyers all only interested in money, not according to the expenditure. So, let us work together in finding a common goal. [Interjections.] Thank you. [Time expired.] [Applause.]

Mr L M NTSHAYISA: Chairperson, the SA Police Service is a creature of statute. In terms of section 205 of the Constitution, the SA Police Service is constitutionally mandated to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law. It means now implementation should happen. However, we are aware that the police are

faced with many challenges of which they should be assisted by the communities.

The escalation of violent crimes is a great travesty to our democracy. Statistics SA Victims of Crime Survey for 2018-19 records that more than a million incidents of housebreaking have happened. These housebreakings are affecting more than 900 000 households in South Africa. So, it means lot of people are suffering because of crime.

It further records that an estimated number of more than 264 000 of incidences of home robberies are occurring, also affecting more than 183 000 households for 2018-19. The number of affected households represents more than 1,1% of all households in the country.

Chairperson, these statistics are not a thumb-sucking. They are a damp squib. South Africans have always to look above their shoulders. The increases in violent crimes are compounded by the ratio of police personnel per capita rate. In broad brush strokes, there are issues of political leadership which have not helped the situation. For example, the work of the Independent Police Investigative Directorate, Ipid against rogue police officers has not been up to scratch. Of course, we have to put our hands on deck as Parliament; as the police;

and ordinary South Africans to fight the scourge of violent crimes.

We also think that in rural areas traditional leaders should also be co-opted so that they can assist. Criminals are known by our communities. The only problem is that our policemen are not assisted to identify who the criminals are. They must be encouraged to assist. It should not be only the government that should assist the communities. Communities should also assist the government. Thank you very much. [Time expired.]

Ms M A MOLEKWA: Hon Chairperson of the House, members of the House, fellow South Africans, good afternoon, as we debate here today, one reflects on the words of our father, uTata Nelson Mandela, who at the 10th Anniversary of Sowetan's Nation-Building Initiative in 1998, Madiba said, I quote:

> Our nation building efforts must undo the effects of three centuries and more of colonialism and racism. Many years will be needed to achieve equitable redistribution of wealth to which we aspire. But having made a good start, the challenge now is to increase the pace of delivery to further better the lives of people. We can face that challenge with confidence derived from

> the fact that by joining hands South Africans have overcome problems others thought would forever haunt us. As we destroyed apartheid so too can we defeat poverty and discrimination if we are united.

In a debate about the escalation of violent crimes in the country and government's responsibility to protect its citizen’s lives and their property; one may ask themselves of the relevance of speaking about land redistribution and security of tenure.

The statistics on violent crimes are in the public domain. Every day we see the instability caused by crime. Our communities are ravaged by violence and people feel unsafe. It is a cause for great concern. The National Development Plan envisions that by 2030, we will have a society where all people will feel and will be safe. With that said, it would be an impossible task to think that we will achieve Outcome 3 of the National Development Plan if we do not disaggregate the actual causes of crime in our country.

Chairperson, the seeds of the triple challenge which is poverty, unemployment and inequality could be traced back to the forcible dispossession of land and its mineral resources by colonialism.

In 1923 when the first ever Bill of Rights in South Africa was adopted by the ANC, we declared: "that the Bantu inhabitants of the Union have, as human beings, the indisputable right to a place of abode in this land of their fathers (and mothers)." And furthermore "that all Africans have, as the sons (and daughters) of this soil, the God-given right to unrestricted ownership of land in this, the land of their birth".

The promise of the Freedom Charter clearly states that the Land Shall Be Shared Among Those Who Work It! Restrictions of land ownership on a racial basis shall be ended, and all the land re-divided amongst those who work it to banish famine and land hunger. All shall have the right to occupy land wherever they choose.

In our Ready to Govern document, we said: Dispossession and denial of rights to land have resulted in the present unequal division of land and landlessness, which will require legislative intervention far beyond the mere repeal of apartheid land laws. Our policies must provide access to land both as a productive resource and to ensure that all our citizens have a secure place to live.

In our Reconstruction Development Programme document, we also said that the land reform has two aspects, which is redistribution of residential and productive land to those who need it but cannot afford it and restitution for those who lost land because of apartheid laws. The land redistribution programme will realise its objectives in various ways, including strengthening property rights of communities already occupying land, combining market and non-market mechanisms to provide land, and using vacant government land. We have categorically expressed our views of the need for security of tenure particularly on farms.

In our 54th National Conference resolution, we resolved that expropriation of land without compensation should be among the key mechanisms available to government to give effect to land reform and redistribution.

Dr C P MULDER: Hon Chairperson, on a point of order.

The HOUSE CHAIRPERSON (Mr T C Frolick): Why are you rising, hon member?

Dr C P MULDER: Hon Chairperson, the hon member has now spoken five of her seven minutes and she hasn’t said one word about the debate. [Interjections.] She hasn’t said

one word about crime. [Interjections.] She is busy with the wrong resolutions. It's the wrong debate. I suggest she stick to the subject for discussion. [Interjections.]

The HOUSE CHAIRPERSON (Mr T C Frolick): Thank you, hon member. Hon member continue and stick to the topic, please. Order, hon members. Continue, hon member. [Interjections.] Continue.

Ms M A MOLEKWA: Chairperson, We have categorically expressed our views of the need for security of tenure particularly on farms.

In our 54th National Conference, we resolved that expropriation of land without compensation should be among the key mechanisms available to government to give effect to land reform and redistribution.

In determining the mechanisms of implementation, we must ensure that we do not undermine future investment in the economy, or damage agricultural production ... [Interjections]

Dr C P MULDER: On a point of order, Chairperson.

The HOUSE CHAIRPERSON (Mr T C Frolick): Why are you rising, hon member?

Dr C P MULDER: Will the hon member please take a question?

The HOUSE CHAIRPERSON (Mr T C Frolick): Are you prepared to take a question, hon member? [Interjections.] Order, hon members. Order! [Interjections.] Order! Are you prepared to take a question? [Interjections.] Are you prepared to take a question? [Interjections.] The hon member cannot decide. Continue, hon member. [Interjections.] Continue, hon member. Order! Order! Just continue, hon member. She can’t make up her mind. [Interjections.] Continue, hon member.

Ms M A MOLEKWA: Thank you, Chairperson. [Interjections.]

The HOUSE CHAIRPERSON (Mr T C Frolick): Order, hon members. Order! [Interjections.]

Ms M A MOLEKWA: Furthermore, our interventions must not cause harm to other sectors of the economy. The ANC‘s approach to land reform must be based on three elements.

Dr C P MULDER: Chairperson, on a point of order.

The HOUSE CHAIRPERSON (Mr T C Frolick): What is your point of order, hon member?

Dr C P MULDER: Hon Chairperson, you have instructed the member to stick to the topic. The topic is escalation ... [Interjections.

The HOUSE CHAIRPERSON (Mr T C Frolick): No, hon member. Order! Hon members, don’t shout at one another. Order! [Interjections.] Order, hon member. Hon Mabe, order. [Interjections.] Hon member, I have told the hon member to stick to the topic. But if you would have listen careful to the speech she is using the example of land reform as one of the factors that contributes towards the crime situation in the country. Whether you agree with that or not, that’s something else. That is a debate.

Dr C P MULDER: Hon chairperson, I was not aware that you have a copy of the hon member speech because she has not said what you are saying now.

The HOUSE CHAIRPERSON (Mr T C Frolick): No, hon member, I do not ... Order! Order! Hon Mulder, as you should know, you must follow the debate and not selectively listen to part of the discussion that the member has made. [Interjections.] Hon member, I do not take kindly to the

fact that you are insinuating the presiding officers are sitting with copies of speeches of hon members. That's really uncalled for. [Interjections.]

Dr C P MULDER: Chairperson, may I address you on your ruling?

The HOUSE CHAIRPERSON (Mr T C Frolick): I am also not going to enter into a discussion on the matter.
Dr C P MULDER: Yes. [Interjections.]

The HOUSE CHAIRPERSON (Mr T C Frolick): Order!

Dr C P MULDER: I have not heard the hon member referring to crime.

The HOUSE CHAIRPERSON (Mr T C Frolick): Please take your seat, hon member. Continue, hon member.

Ms T P MSANE: On a point of order, Chair.

The HOUSE CHAIRPERSON (Mr T C Frolick): What is your point of order, hon member?

Ms T P MSANE: I think the FF Plus is feeling offended because we are speaking about land. [Interjections.]

The HOUSE CHAIRPERSON (Mr T C Frolick): Thank you. Continue, hon member.

Mr K J MILEHAM: Chairperson, point of order.

The HOUSE CHAIRPERSON (Mr T C Frolick): What is your point of order, hon member? Order, hon members.

Mr K J MILEHAM: We are trying to avoid embarrassing anyone and its live TV etc. But we are talking about relevance to a debate. The word crime or anything has not been mentioned in this debate.

The HOUSE CHAIRPERSON (Mr T C Frolick): Hon member, take your seat. I have made a ruling. Continue, hon member.

Ms M A MOLEKWA: Chairperson, the ANC-led government remains committed to the process of the amendment of the Constitution to ensure increased agricultural production, integrated human settlements in order to address apartheid spatial planning and for use to support manufacturing. The Expropriation Bill currently underway to provide for the ... A Land Redistribution Bill will be introduced and the process to amend section 25 of the Constitution is underway.

The Extension of Security of Tenure Act, Esta, of 1997 is one of the instruments available to protect one of the most vulnerable groups in our society, especially farmworkers. The Esta is currently being revamped to ensure greater protection to farm dwellers and farmworker.

In the mini plenary last week, the important issue raised was the importance of the twin pillars of security and economic development. In addressing the triple challenge, the land question must be addressed. Land is dignity and security. Thank you, Chairperson. [Time expired.]

Mnr O S TERBLANCHE: Voorsitter, geagte lede van hierdie Huis, mede Suid-Afrikaners, misdaad in Suid-Afrika is totaal buite beheer. Dit is so buite beheer dat dit krisisafmetings aangeneem het.

Net vanmôre het ons verneem dat Kol Kay in Bonteheuwel doodgeskiet is. Kol Christelle Stemmet van die Hawks is die ander dag vermoor.

Geagte lede, en dis geweldig om te dink van die Hawks ...

(*Translation of Afrikaans paragraphs follows*.)

[Mr O S TERBLANCHE: Chairperson, hon members of this House, fellow South Africans, crime in South Africa is totally out of control. It is so out of control that it has reached crises proportions.

Just this morning we learned that Col Kay was shot dead in Bonteheuwel. Col Christelle Stemmet of the Hawks was killed the other day.
Hon members, and it's incredible to think of the Hawks ...]

Mr N SINGH: Hon Chairperson ... [Interjections.] I am very sorry to disturb ... [Interjections.]

The HOUSE CHAIRPERSON (Mr T C Frolick): Hon member, will you just take your seat, please?

Mr N SINGH: I rise on a point of order.

The HOUSE CHAIRPERSON (Mr T C Frolick): Yes! What is your point of order?

Mr N SINGH: I am very sorry to disturb the hon member, but that hon member was sitting on the President’s seat and now moved there. He is pointing fingers across here ... [Interjections.]

The HOUSE CHAIRPERSON (Mr T C Frolick): No, he is just being demoted back to the waiting bay! [Laughter.] [Interjections.]

Mr N SINGH: No, no, no, no, but he was pointing fingers. I don't to whom.

The HOUSE CHAIRPERSON (Mr T C Frolick): He is not the President.

Mr N SINGH: To whom!

The HOUSE CHAIRPERSON (Mr T C Frolick): Take your seat, hon member, and let's get the hon member to continue with his speech.

Mr N SINGH: Then why is he pointing fingers?

The HOUSE CHAIRPERSON (Mr T C Frolick): Take your seat, hon member. Continue!

Mnr O S TERBLANCHE: Wat ek wou sê is dat dit interessant is om daarop te let dat die Hawks juis misdade ondersoek teen senior politici, teen groot besigheidsmense, ens ... (*Translation of Afrikaans paragraph follows*.)

[Mr O S TERBLANCHE: What I wanted to say is that it is interesting to note that the Hawks are investigating crimes against senior politicians, against big business people, etc ...]

In terms of section 12(1) of the South African Constitution, everyone in this country has the right to freedom and security of the person. Section 205(3) of the same Constitution spells out the responsibilities of the police.

I am going to do it once again: Prevent, combat and investigate crime; maintain public order; protect and secure the inhabitants of the Republic and their property, and uphold and enforce the law.

Chairperson, South Africans do not feel very unsafe and extremely vulnerable at the moment! On the contrary, there is a strong perception that the police are not fit for purpose and are losing the war against crime. This perception is growing stronger by the day because crime stats are on an upward trajectory every single year.

Huge amounts of money are apportioned annually to boost both human and physical resources to defeat this growing

monster. If it is for this reason that we cannot do the same things over and over again expecting different results. It is clear, that the Cele/SA Police Service style of policing is not working.

Hoekom gaan dit so met die polisie? Is daar nog ’n geleentheid om dit om te draai? Beslis ja! Kom ons let op die volgende aspekte: (*Translation of Afrikaans paragraph follows*.)

[Why is this the case with the police? Is there another opportunity to turn it around? Definitely, yes! Let us note the following aspects:]

Bloated and remote top structure: Head office is situated in Pretoria. The structure must be revisited and aligned with the needs of our time. At the moment it is far removed from ground and obviously out of touch.

Chairperson, it is time to go back to the drawing board. We will have to consult widely and develop our future strategy in accordance with world best practices. We must be mindful of the following facts in pursuit of our new approach.

Successful policing cannot be done by the department of the police alone. This silo approach must be replaced by an integrated service delivery model, which is inclusive of all government departments. Economic growth is of paramount importance to create must needed job opportunities to allow people to make an honest living.

Policing tactics must focus mainly on crime prevention, led by visible policing. The police should encourage active partnerships between different communities within the country and themselves, in an attempt to ensure secured neighbourhoods, schools and businesses.

We must join hands to rid our country from all this criminality. The end result should be clear and that is obviously a safer environment for all South Africans. The police must be trained and retrained, properly equipped and deployed in sufficient numbers to give us the specific end result that we desperately yearn for.

Ons moet hierdie misdaadgolf omdraai. Ons moet die reserviste versterk. Daar is omtrent nie meer reserviste in die land nie. (*Translation of Afrikaans paragraph follows*.)

[We must turn this crime wave around. We need to strengthen the reservists. There are almost no more reservists in the country.]

A safer South Africa for all! [Time expired.] [Applause.]

Mr Q R DYANTYI: Chair, maybe before I start, I think it is important to remind the sponsor of the debate that he gave us a topic that is a double barrel. It speaks about crime and there are property elements in it. So, when we raise the issues beyond crime, don’t cry foul.

I want to start by saying the escalation in violent crimes in our country is a cause for concern. We condemn in the strongest terms any act of violence aimed at our people and their properties. Law enforcement agencies should deal with any form of criminality without fear, favour or prejudice.

As a matter of fact, we get reports in this House that say the Minister of Police – the police – are arresting people everyday. We have that in annual reports and everywhere. As a matter of fact we get reports here from the justice department and the NPA about how many people are convicted – life sentences and different sentences.

As a matter of fact, hon Groenewald, we also get report here - and we raised it even yesterday – that all the jails in South Africa are overcrowded. It means this government is at work. [Applause.] [Interjections.] So, whoever wants to complain that nothing is happening is living in another country and is not living in this country.

However, the issue in your topic – the issue that you wanted us to debate – is certainly not crime. You have hidden it and I want to expose it as I go – what the real issue that you are raising is. [Applause.]

The motion raises concern regarding protection of property, and at times this matter gets conflated and deliberately miscommunicated our policy as the ANC on land expropriation without compensation. That is the issue that is hidden in this topic.

For us, as the ANC, this debate perhaps offers us an opportunity to continue to explain our conference resolution on land expropriation without compensation to the nation and the world, as it has been misunderstood as a threat to investors and a chaotic grabbing of land.

Immediately after the 55th ANC National Conference, we witnessed deliberate attempts among some our compatriots who misunderstood and miscommunicated our conference resolutions in general and the land expropriation without compensation in particular.

To illustrate this point – I am glad he has come to sit next to me - perhaps it is best to quote the leader of FF-Plus in March 2018. He said, and I quote:

> The proposed ANC programme of expropriation without compensation will, from a political perspective, lead to unforeseen consequences including the invasion of farms, where people will force the government to expropriate without compensation...and the ANC government won't have any argument to say we are not going to do it.

These are the words said by hon Groenewald. This is basically what he is doing today when he introduces this debate.

The introduction of this debate is an instalment of conspiracy campaign of a sophisticated swart gevaar [danger] by hon Groenewald. [Interjections.] That is what is happening! We asked ... [Interjections.] This is what was supposed to be ... He is hiding the real issue.

He is hiding his pain! His pain is not crime. His pain is the kind of things that I am going to raise because what contribute to crime are three triple challenges: Unemployment, poverty and inequality.

These are the kind of things that we must do to deal with those is his pain, and that is exactly what we must do. Yes, where we agree with him is that the history of dispossession was a violent one, but the redress and restoration of dignity – thanks to the ANC – will be guided by the prescripts of our constitutional democracy.

His pain is that when we do the process that I want to outline is that we will repeat what was done to our forebears. The ANC has been very clear and we are matching. We are going to do that. We are going to amend that Constitution. We are going to deal with issues of land because that is the pain that he is not raising here. [Applause.]

To add to this, this Parliament has passed the Protection of Investment Act 2015, whose aim is:

> To provide for the protection of investors and their investments; to achieve a balance of rights and

obligations that apply to all investors; and to provide for matters connected therewith?

If I were you, the DA - ...

... die bloupoppe aan my kant – hierdie kant ...
(Translation of Afrikaans sentence follows.)

[... the blue puppets on my side - this side ...]
... you will be quiet because if you speak about crime here in the Western Cape, where you lead ... [Interjections.] The jails ... [Interjections.] The Western Cape contributes the highest in terms of people who go to jail. You know the reason why? Because, they are not dealing with social ills. They are not dealing the environment where you have informal settlements and police cannot do that. So, I should be keeping quiet if I were you. [Interjections.]

Our President has launched an Investment Summit in 2018, which was also held this year, and many investors have made investment commitment in our economy. This is a sign of confidence which investors have in our economy.

It will be a contradiction in terms if on one side we call for investments and on another we do not provide

assurance through our laws for the protection of the properties of investors.

Going back to the concern of the FF-Plus, as outlined in the motion with regard to the responsibility of government to protect the lives of our people and their property, it is perfectly obvious that there are no grounds to suggest that this Parliament will engage in arbitrary and irresponsible ways in dealing with the question of expropriation of land without compensation.

If we were to do that, we will be standing in contrast to our own policy position. Again, we correctly chose the route of setting up a parliamentary process which FF-Plus is part of, agreed to by majority of parties in this House, and to which all parties enjoy equal participation. And, we are going to be marching with that process because that is the only way that we are going to deal with unemployment, inequality and poverty.

The choice of the process of public participation, for example - in which South Africans in their diversities make both written and oral submissions to the Constitutional Review Committee - was a deliberate one aimed at ensuring that whatever approach we take as

Parliament, will be an outcome which our people have participated in it.

The ANC participated and lead the process of drafting our Constitution. We have an experience in doing this. I want to go back before I forget this point. Some of the claims made here, for example: Hon Terblanche you are an unfortunate example I am making because you have the head of Hawks who has been found murdered. There is still an investigation happening there but you stand here and you seem to know what the cause of that is. You are here talking about suicide and murders and I don't know where you get those kind of facts. All in all ... [Time expired.] Thank you very much. [Applause.]

Dr P J GROENEWALD: Chairperson, I want to say to hon Dyantyi, you referred to all the reports you received on the arrests and convictions. Please read your reports because then you will find that less than 18% of all reported crime ends in our courts and criminals en in jail. It means that the criminal has about 83% chance of getting away with the crime. [Applause.]

Read your reports and let's stick to the facts. It is typical of the ANC: The moment they don't have answers, they move the focus away. The focus in this debate is on

violent crime. Can you explain to me? No, can you explain to me: How come that if you say you support the criminal justice system, your Minister for Justice stands up and say in public that they will assist a convicted criminal of FeesMustFall to get Presidential Pardon? How do you declare that? [Interjections.] How do you declare the fact ... [Interjections.]

Mr P T KEETSE: On a point of order!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Groenwald!

Agb Groenwald, kan jy net sit, asseblief? (*Translation of Afrikaans sentence follows*.)

[Hon Groenwald, can you just sit down, please?]

Why are you rising, hon member?

Mr P P KEETSE: No, no! The member there is saying someone is a thug and I don’t think the court has ever found that. And, ... [Interjections.]

The HOUSE CHAIRPERSON (Mr T C Frolick): Hon member, what is a point of order?

Mr P P KEETSE: We want him to withdraw that the fellow is a thug. Those assertions are very misleading and we are not going to allow that. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Please take your seat. It is not a point of order.

Dr P J GROENEWALD: Chair, how do you declare that your Minister of Transport supports the Minister of Justice? Do you know what it means if you get Presidential Pardon? It means you don’t have a criminal record anymore; so you are not seen as a criminal. You are undermining the criminal justice system with this that you now are promoting here. That’s the problem: You talk a lot! You come to this podium and you say you are going to do that. You are taking responsibility. Talk is cheap!

What the people in South Africa want is a declaration on corruption. They want to put ... [Interjections.]

Mr P P KEETSE: On a point of order!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Groenewald!

Mr I M GROENEWALD: ... put the criminals in jail, where they belong!

Mr P P KEETSE: On a point of order!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Groenewald!

Dr P J GROENEWALD: Don’t assist him! Thank you.

Mr P P KEETSE: Hey, chief! Order!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Groenewald, your time has expired!

Mr P P KEETSE: No man! Criminal are ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): No, why are you rising? [Interjections.]

Mr P P KEETSE: Criminals are the likes of ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Why are you rising, hon member?

Mr P P KEETSE: We are not going to allow this gentleman here to continue labelling the activists of FeesMustFall as criminals. We are not going to allow that. Criminals

are the Verwoerds and De Klerks. He can’t say that, please! [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): I ruled that it is not a point of order, and you must take your seat. [Interjections.] I ruled you out of order!

Debate concluded.

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON TOURISM - ON OBSERVING TOURISM DAY CELEBRATIONS AND OVERSIGHT VISIT TO HOWICK IN KWAZULU-NATAL PROVINCE

Rre S O R MAHUMAPELO: Ke a go leboga Modulasetilo wa Baduladitulo mme ke dumedisa le batlotlegi ba NA.*(Translation of Setswana sentence follows.)*

[Mr S O R MAHUMAPELO: Thank you Chair of Chairs and greetings to the hon members of the NA.]

In unison, the collective of the Portfolio Committee on Tourism agreed that the long-term strategic objective remains the same, and that long-term strategic objective it is the attainment of a South Africa that one day will know no colour, will know no creed and it will be a prosperous society.

The relentless effort to create this type of society is something that we seek to achieve. Future history of generations that shall be proud of referring to themselves as a national democratic society; as I said, is something that we seek to achieve.

At all material times, hon members, this is what in essence informs our approach as the portfolio committee. We are vigilantly and perpetually sensitive to the reality that the society we seek to create for future history will be an outcome of a protracted struggle between the offsprings of the beneficiaries of injustices of our past and the offsprings of those who consciously chose to pursue the task of ensuring the triumph of the revolution of the people.

This is the context within which we humble ourselves before this House and declare for all and sundry to know that the committee has collectively brought to this House the following lessons from Howick's oversight work:

Lesson number one: Howick is a small dorpie [town] like many other small dorpies [towns] in South Africa, which can be used in the context of what the President has announced as an objective to build new cities in South

Africa. To create a city, as part of this national democratic society, intrinsically linked to its history, topography and demographics to be used terrorism purposes; that is lesson number one.

Lesson number two: It is important to continue the task of strong inter-governmental relations as it was demonstrated by both the provincial legislature, the district municipality and the local municipalities in KwaZulu-Natal; as they were with us as we were doing this oversight work. We were accompanied by Mayor Sizwe Sokhela and Deputy Mayor Buthelezi, through the presence of also member of the legislature there, hon James Nxumalo.

Lesson number three: There was immediate responsiveness by the local municipality to install Central Circuit Television, CCTV, cameras to realise the objective of creating security and comfort for the people of Howick so that they can enjoy tourism.

Lesson number four: The report that beneficiaries were already identified and land was already also identified, and necessary construction of the necessary infrastructure was already done to make sure that people

are resettled in those [Time expired.] Thank you very much, hon Chairperson. [Applause.]

Mr G R KRUMBOCK: House Chairperson, at the outset, let me thank the committee chairperson, hon Supra Mahumapelo, for hearing me and scheduling the extensive oversight to the Howick Falls or kwaNogqaza.

The focus of Tourism Month in September was "Tourism and jobs — a better life for all."
Such was the case with the Howick Falls, the only waterfall situated in the Central Business District, CBD, of a major town or city in our country.

At its tourism zenith, 25 500 visitors, many from overseas, visited the Falls every month. They spent an equivalent of R102 000 every day, supported well over a hundred jobs, a thriving souvenir industry and a string of shops on the Falls Road. They were enthralled by stories of the monster at the bottom of the Falls and the rich isiZulu ancestral stories relating to the location; undoubtedly much like Mark Twain was when he visited in 1896.

But much like the Falls itself in winter, the flood of tourists has petered out to trickle. The ten tour buses a

day have dwindled to two. In the last few months, only 1 800 tourists have visited the site. This 93% decline has led to losses in income to local business and traders of around R3,5 million a month. Inevitably, eight businesses have closed, and 60 people have lost their jobs.

The obvious question is: What has led to this catastrophic decline in tourist arrivals and job losses? The committee report paints a sombre picture: it cites neglect, x-rated activities conducted in the area, rampant crime, muggings, drunk driving, drug dealing, litter and indecent behaviour.

Not least, the report refers to “the perilous state of neglect and disrepair” of the Falls area infrastructure. That’s being diplomatic. What it means, is that the once highly popular Gorge Walk/Bush Golf experience building has been completely vandalized and gutted, and is now a make-shift shelter for drug addicts.

The committee heard extensive inputs from stakeholders including local ward councillor Hazel Lake who led the guided tour, representatives of local tourism associations, businesses, communities and officials representing local and provincial government.

Perhaps the most frustrating evidence presented to the committee was the “long relentless” litany of historical appeals for help, all of which fell on deaf ears. These included a 755-strong petition, various submissions and lobbying by business and HUCTO, interventions to plead for the enforcement of by-laws and regular cleanups by the community and the DA to make a difference, as covered in page 24 of the report.

The tourism committee has made no less than 27 recommendations to restore the Falls area to its former glory and by so doing, re-invigorate businesses and jobs in the area. It also addresses the issue of safety at the informal settlement side of the Falls and has made wide-ranging proposals to draw in other government departments, assisting the Mpophomeni Tourism Centre and generally fostering a more non-racial and inclusive tourism framework and environment to deepen the tourism footprint among all our communities.

One of the more impassioned inputs by community members at the oversight hearings was that proposed solutions should be time bound and closely monitored by the committee. This is absolutely essential to the success of the recovery plan because the reason for the decline in

the first place has been chronic and sustained municipal neglect and zero enforcement of local by-laws.

The uMngeni Local Municipality has made just a few interventions since the committees' oversight nearly two months ago. Some additional cleaning has been done, but that stopped two weeks ago when no refuse bags were supplied. Only one crime enforcement action has occurred. No security cameras have appeared, and infuriatingly, no expression of interest has yet been issued for the Gorge Walk/Bush Golf building. No clarity has yet emerged as to how the informal settlement residents will qualify for housing at ekhayalitsha when 90% of them are in fact Lesotho nationals.

This oversight visit was a good example of constructive multi-party engagement and a sincere, thoughtful and wide-ranging series of recommendations which could yield a "best-practice" series of successes. For that to happen, the Tourism committee will need to be vigilant and ensure the recommendations are followed up and implemented without fear or favour.

The DA supports the report. Thank you. [Applause.]

Mr P G MOTEKA: House Chairperson indeed we went to Howick and the situation in Howick Waterfalls and Empopomeni is very bad, it is an obvious proof on how non-caring is our government and the oversight has also exposed the racism that is happening in that part of the country. Gorge Tourist Destination restaurant is neglected, fell apart and completely destroyed, no one cares about it and the government is not giving support to the care takers.

There is a symptom of racism at Waterfalls, on the side where the white people are living, there is a handrail that protects people from falling into the donga but on the other side where there is settlement for the black people there is nothing and the kids are just playing there and no one is doing anything about that, besides the fact that in the past people have fallen inside there and they died, but no one is doing anything.

The good thing on that side of the world is that there is Empopomeni Community Tourist Organisation, which is led by a good leader, disabled African leader, Mr Frank Mchunu, who expressed high level of leadership skills and passion and deserves to be supported.

Siyakubonga, Macingwane. (*Translation of isiZulu sentence follows.)*

[Thank you, Macingwane.]

When the committee decided to visit Empopomeni Village, the whole DA delegation didn't go with us, and people there ask us, leaders when you arrive at Howick Waterfalls you were a team of the rainbow nation, now only blacks are coming to the black community, why? We didn't have answers for those things. It was very disappointing and embarrassing to the committee because it means DA cares about their own people not about Empopomeni villagers.

The worst from the transformation representative, they said local black businesses are not considered in these businesses of Howick, so that is a sign of racism. That thing as EFF we are saying it must end there and as Parliament committee when we go there we must go as collective and as Members of Parliament not as parties. Lot of observations have been there and positive resolutions have been agreed upon. So, we support the report. Thank you very much.

Mr K P SITHOLE: Hon House Chairperson, Howick Falls is one of our many assets of this country; however it requires a lot of attention to make it an attraction that brings in

swarms of visitors year on year. This as a natural attraction and as such generates its own traffic in terms of its beauty; however it does require supporting infrastructure to manage its protection and its sustainability.

On the recent oversight to Howick Falls I witness people doing their washing at then apex of the falls. This speaks to two problems, the first is that there is insufficient or no water being channelled to surrounding communities and the government must deliver in this regard. The second is that people who approaching the falls can pose a danger to themselves if they fall in, furthermore the washing of the clothes in the falls pollutes all the water flowing after it.

There is need to introduce some sort of barrier or fencing before the falls to prevent people from entering such a dangerous point of the falls. Furthermore, we see vandalism of this great attraction due to the lack of proper control of who enters the falls. The IFP calls on the department of tourism to invest more funds in the upliftment of Howick Falls by introducing control mechanisms to limit people from Walking up to dangerous areas and stop vandalism. There is a further need to

establish formal structures for trading that complements the look of the falls.

Ubandlululo uma ubheka laphaya lusanuka phu. (*Translation of isiZulu sentence follows.)*

[Racism is still rife over there.]

The IFP supports the report.

Ms M M GOMBA: House Chair, the Portfolio Committee on Tourism undertook an oversight visit to Howick and also attended the World Tourism Day celebrations at the Nelson Mandela Capture Site in KwaZulu-Natal Province on 26-28 September 2019. Howick Falls used to be the tourism destination that attracted local and even international tourists.

At least 10 busses used to visit the area per day, and that has been reduced to at least two buses a day. That resulted to job loses and closing of some of businesses in the area, including the community of Empopomeni whose businesses was also affected due to the decline of business in the Howick Falls.

Our observation as the committee was that there is poor coordination amongst the three spheres' of government and that resulted to the following challenges, which are related to crime; for instance drunk driving, drinking in public, litter, drug dealing, drug abuse, vandalism and also broken ablution facilities of the precinct. Whilst at Howick Falls, the committee notice that on the other side of the falls there is a community living in the squatter settlement without water, as a result this community uses water at the edge of the falls for washing and other household uses.

Our recommendations, the committee recommended that the Minister of Tourism engages the Member of Executive Council, MEC, for Economic Development, Tourism and Environmental Affairs in KwaZulu-Natal to engage Umngeni Local Municipality to do the following: Develop the Howick Falls Precinct Development Plan, and provide feedback report on the execution of the Plan, and report to Parliament on quarterly basis, provide monthly progress reports to all affected tourism stakeholders, including Parliament, develop the Transformation Oversight Action Plan, and also feedback on the plan to declare Howick Falls as National Heritage Site, identification of all pieces of legislation that hinder growth of tourism businesses in South Africa, avail Reconstruction and Development Programme, RDP, houses

for the resettlement of the informal community that is currently residing in the Howick Falls precinct, mobilisation of volunteers to clean the Howick Falls precinct, interact with the Department of Basic Education to develop a schedule for school tours to Howick Falls. I therefore request that the House adopt the Howick report. Thank you.

The HOUSE CHAIRPERSON (Mr T C Frolick): Hon members, that conclude the debate and the business of this Mini-Plenary, the Mini-Plenary will now rise.

The Mini-Plenary rose at 15:45.

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