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PROCEEDINGS OF MINI PLENARY-NCOP

The Council met at 14:00

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

The CHAIRPERSON OF THE NCOP: I have been informed that the Whippery has agreed that there will be no Notices of Motion or Motion Without Notice. Before we proceed, I would like to take this opportunity to welcome the Minister, Deputy Minister, special delegates and the the Salga representatives in the House.

APPROPRIATION

Debate on Vote 15 - Higher Education and Training:

The MINISTER OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY: Hon Chairperson of the NCOP, hon members, Deputy Minister of Higher

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Education, Science and Technology, hon Buti Manamela who will be joining us a bit later as there is some voting in the National Assembly on the very same budget, the Director-General of the Department, Mr Gwebinkundla Qonde and senior management of the department, chairpersons and chief executive officers, CEOs, of our entities, heads of our Post-School Organisations and Institutions of Higher Education and Training who are present, student leaders, all the invited guests in the gallery, ladies and gentlemen and comrades, our Department of Higher Education and Training was established in 2009, with its primary goal being to provide education and training opportunities to all South Africans who are out of school, whether they attended school or not and whether they have passed or failed so that they are given opportunities to acquire further education and skills.

In this task, we are guided by our White Paper for Post-School Education and Training, which was adopted by Cabinet in 2013, and we hope that all members will familiarise themselves with this document. This is our guide that will hopefully catalyse faster movement towards meeting our National Development Plan, NDP, goals and targets. Our strategic goal and objective is to help create a capable workforce that will support an inclusive growth path to meet the needs of our society, especially those of our economy.

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I am pleased to say hon Chair Masondo that today in the gallery we are joined by graduates and students from various universities of our country. [Applause.] If they can please stand up if they are already here so that the House is able to see them. [Applause.] Thank you very much. They are actually a very special group of our students, who are beneficiaries through our National Skills Fund of the bursaries that we've been offering every Mandela Day from July 2010 until today. They come from poorer districts in each province and they are in scarce skills areas. Their qualifications and studies include Medicine and Surgery, Chemical Engineering, Applied Geology, Physiotherapy, Accounting, Microbiology, Agricultural Economics and Actuarial Science, amongst others. We are indeed proud of you ...

IsiZulu:

... zingane zethu ...

English:

... and all of you, you are the fellow students. Keep on making us a proud nation. [Applause.] I do want to point out to those who are whispering from the EFF that as a country we do have priorities. Part of our priorities is to fund scarce skills, apart from the general funding that we provide. No country will be able to develop

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unless it does that. [Interjections.] Unless you continue being populist, we have no responsibility of running this country other than shouting up and down the roads and doing very little for our country. We are not going to be apologetic about that because we are the government that has been elected by the people of this country.

Ms N P Koni: The point of order is that the Minister must not stand there and cast aspersions that members are shouting here. We are conversing in this House. We are allowed and it's within the Rules of this House. So, he must not come here and be dramatic. He must debate proper issues of education.

The CHAIRPERSON OF THE NCOP: I am sorry that is not a point of order. Please sit down. Please proceed, Minister.

The MINISTER OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY: Hon Chair, as a department, we aim to ensure that within the next 10 years there is no district municipality in this country that will not have access to a post-school education and training institution of one type or the other. This decision is also informed by the President's own commitment to a national spatial development strategy, which is based on systematic, investment and development in each of our 44 districts and eight metropolitan municipalities.

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This, in my view, would be a major development in the struggle to overcome the spatial legacies of underdevelopment inherited from the apartheid. It will also open and broaden access to children of the poor and the working-class to have a better chance than their parents to break the cycle of poverty and deprivation in their families.

As I pointed out during our budget appropriation last week, the Technical and Vocational Education and Training, TVET, college sector has made enormous strides with nine new campus sites under construction and scheduled for completion in 2020. They include Sterkspruit, Aliwal North, Graaff Reneit, Ngungqushu, Umzimkhulu, Greytown, Msinga, Nongoma and Kwagqikazi. Contracts will be awarded to a further four campus sites in the year 2019-20. The sites include Balfour, Giyani, Nkandla B and Vryheid.

Construction will also commence with a new campus site for Mitchells Plain in 2020. Through the National Immovable Maintenance Standard, we have allocated R1 billion from 2018-19 to 2021-22 financial years to roll out a college infrastructure efficiency grant for maintenance in all 50 TVET colleges. Over the period 2018-19 to 2020-21, we have also strengthened our investment in infrastructure projects across our 26 universities by investing a total of

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R11,65 billion. While all universities benefit from this investment, there is a focus and bias towards historically disadvantaged institutions that had been under-resourced in the past.

Chairperson, we have established a ministerial task team on the Fourth Industrial Revolution to provide critical policy advice and interventions required to align and effectively participate and, I dare say, to also innovate for this revolution. Our goal is also to help reposition our country to not just being consumer of knowledge, but also to be a producer of knowledge and new innovation. We cannot aim for less than this!

The outputs from the ministerial task team will constitute a crucial input into both the work of the Presidential Commission on the Fourth Industrial Revolution, as well as into the work of the interministerial committee, IMC, on the Fourth Industrial Revolution. As this work is underway, as a department we are already developing a skills-master plan in response to the known skills demands associated with this revolution. This plan will be complemented by a national list of occupations in high demand and the critical skills list so that this informs career development services, resource allocation and enrolment planning to meet the needs of our country.

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Hon Chair and members, we are investing more effort and more resources into TVET and Community Education and Training, CET, colleges, which have the potential to produce technical skills to drive our industrialisation project. On the 12th April 2019 this year, we published a draft policy on the new national norms and standards for funding CET colleges, so we can strengthen the role of colleges in the provision of skills, education and training for out of school youth and adults.

In the year 2020, we will be implementing a new Sector Education and Training Authority, Seta, landscape to further respond to the skill demands of our economy. We will ensure that we strengthen, realign and repurpose Setas so that they respond to the skills needs of our economy. Having said that, artisan skills development remains a top priority whilst rapidly expand workplace-based learning through learnerships, work integrated learning and internships.

Through a programme on centres of specialisation, Cos, we have committed ourselves to train 780 youth in artisan skills. These centres will further assist 26 TVET college campuses to improve their capacity to develop artisans with industry partners in 13 priority trades comprising, amongst others, skill sets in bricklaying, electrician, millwright, boilermakers and automotive

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mechanics. The targeted TVET colleges are expected to play a major role in this process by focusing on the development of artisans required for large-scale projects such as Strategic Integrated Projects, Operation Phakisa, War on Leaks and other strategic interventions aimed at increasing the economic activity of the country. We do want to say Chairperson and hon members, we appreciate the role commitment by some employers in taking on inexperienced young people into their employment so that they can get work-based experience.

To further encourage this government has introduced what we call the employment tax incentives, which incentivises the cost to employers who are hiring these young people. Through our TVET and CET colleges, we intend to offer a curriculum that will respond to the direct needs of communities.

We urge hon members, especially in this House of Parliament to come closer to our colleges, to visit them, to assist them and refocusing their efforts towards responding effectively to the community, local and provincial skills need. These colleges we are building them so that they respond precisely to those needs of the areas in which they are located in the main.

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We will further heighten our collaboration with relevant industries in provinces to ensure that our institutions respond to the skills requirements of provinces and municipalities. An essential part of this strategy, of course, is aimed at bridging the divide between the process of training and employment, and between the classroom and the workplace. The NCOP in particular also has a crucial role to play in ensuring that our municipalities and our provincial government departments become places for training and work exposure to young people through internships and learnerships.

We are also going to be strengthening our Adopt-a-TVET college campaign by companies to promote co-operation between industry and TVET colleges. We have already entered into service level agreements with a number of major industry partners and associations specialising in identified trades and occupations in these 26 targeted TVET colleges.

In the same vein, the National Skills Fund has also made available R150 million to upgrade workshops at TVET colleges to meet industry requirements. It is our vision that beyond 2030, we must have no tuition fees for the poor in all of our community colleges in each of the 52 identified municipalities. [Applause.] Ideally, each of the 226 local municipalities in our country should have its own

learning centre in the long term and by 2030, 27 of these colleges will be operational.

IsiZulu:

Sihlalo okunye kufisa nje ngikuchaze ukuthi lamakolishi omphakathi sithathe lezindawo obekuthiwa izikhungo zemfundo yabadala ukuthi siziphendule ukuthi zingagcine nje ukufundisa a, e, I, o, u kuphela ngoba abantu bakithi abadala abadingi ukuziqhuba. Uzothola ukuthi kunomama owaphuma ebangeni le-4 esikoleni akazimisele ngokuthi ayofunda ibanga lesi-5, into ayifunayo nje ufuna ukwazi ukubhaka noma ufuna ukwazi ukupheka noma ufuna ukwazi ukuthunga ukuze akwazi ukuzuphilisa.

Amakolishi ethu kufanele asebenze nalowo msebenzi wokuthi kungagcini nje ngokuthi a, e, i, o, u kodwa bakwazi futhi abantu bakithi uma kukhona ikhono abalifunayo bakwazi ukulithola eduze.

English:

We further intend to align our institutions to support economic development and growth through our innovation processes, our National System of Innovation and we are now even better placed to do that since the Department of Higher Education and Training and the Department of Science and Innovation have been now brought

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together under one Ministry by the President. We will also scale up our Grassroots Innovation Programmes, GIP, to transform and ensure equitable access to the science, technology and innovation infrastructure for all innovators and also in order to support our townships and rural economies.

I have also reported that one of the things that we want to do, hon Chair, in this budget and our commitment is also to train more black and women South African academics into our universities. We believe that this is a very important component of transforming our institutions. We have a programme which we call the New Generation of Academics programme where we are actually recruiting blacks and women junior academics so that we are able to supply the numbers of academics that we need. For instance, we will be supporting this financial year 50 academic and professional staff at our universities to studies through the university capacity development programme.

IsiZulu:

Inkinga enkulu enye esihlala sisenayo ukuthi abantu bakithi abaningi abafundisa emanyuvesi abanazo iziqu zobudokotela. Ngokomthetho kufanele sibandise abantu abaneziqu zobudokotela abafundisa ezikhungeni zethu zemfundo ephakeme ikakhulukazi emanyuvesi.

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English:

Our department has been given the role to better co-ordinate scholarships that are offered by the government. Some of the challenges we have, you find that national government, departments and provinces offer scholarships. Municipalities too offer scholarships but there isn't really proper co-ordination around whether these scholarships are making the kind of impact that we want to make.

One of our things that we want to do during this year is to focus on the fight against gender-based violence in our institutions of higher education. We also still remain committed to reach our NDP goal of 1,62 million university students by 2023. In order to achieve these goals, we also aim to increase online education, including offerings of university and college courses through after hours programmes. I am very passionate about this programme. I am prepared to actually drive it that we are able to have adults and workers accessing higher education after hours, by using the very same buildings that we have.

We also would like to urge, hon Chair, that [Interjections.] you should also work with us also to identify the many bogus colleges that are still there, which are offering our people false

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qualifications. We call on law enforcement agencies to actually deal with this. I also want to say, hon Chair and hon member, we will continue to offer bursaries through National Student Financial Aid Scheme, NSFAS, to support students from families earning a gross annual income of up to R350 000 per annum assisting them with full tuition, learner support materials, subsidies with accommodation and living expenses, and transport costs where appropriate. The substantial investment in poor and working-class students over the 2019 Medium-Term Expenditure Framework, MTEF, amounts to R82 billion for university students and R20,4 billion for TVET college students. That's the ANC government. [Applause.] That's the ANC government. [Applause.]

Towards conclusion, we have also established a student housing infrastructure programme which aims to provide 300 000 beds for university over the next 10 years. [Interjections.] Our department's budget is unfortunately still dominated by university education which represents 82% of the budget. As we work towards the revision of all these things, we will be able to ensure that our budget is aligned to deal with our major priorities. It's a pity that the EFF, hon Chair, is trying to disturb me. You have a question to answer about the Ratanang trust and stop making the kinds of noise that you are making. Thank you very much. [Applause.]

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The CHAIRPERSON OF THE NCOP: If I may just repeat it again that whilst members have a right to make remarks and heckling and so on, they must also be able to keep the balance ensure that they do not disturb the speakers to an extent where we can't even hear what the speaker is saying. Thank you very much.

Mr M E NCHABELENG (CHAIRPERSON OF SELECT COMMITTEE: EDUCATION & TECHNOLOGY, SPORTS, ARTS & CULTURE): Hon Chairperson, hon Minister and the Deputy Minister, hon members of Parliament, distinguished guests, ladies and gentlemen. In the 54th Conference in NASREC, the ANC re-affirmed that education remains an apex priority of government pro-poor policies. Education is the weapon that we can use to fight the triple challenge of poverty, inequality and unemployment. Failure to accelerate inclusive access to higher education and training will have dire consequences.

It is against this background that the Department of Higher Education and Training introduced free higher education for qualifying first year students; and this was also emphasized by the President in the state of the nation address. The scheme is being phased in over a period of five years until all undergraduate students who qualify in terms of the criteria can benefit. Stabilising the business processes of the National Students

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Financial Aid Scheme will also be a priority in the coming year, so that it is properly capacitated to carry out its critical role in supporting eligible students.

The National Development Plan, NDP, provides the framework for achieving radical socio- economic agenda for the country, and the Post School Education and Training Sector is positioned appropriately for the country to achieve this noble goal. To achieve this agenda, the capacity of the state should be uplifted, so that all South Africans should access education and training of the highest quality. The NDP states that by 2030, university headcount enrolments should reach 1.6 million in public universities and 2.5 million in TVET colleges. Community Colleges should reach one million headcount enrolments. These students should be trained such that they meet the current and future needs of the economy and society.

Training at these Community Colleges will offer both hard and soft skills, within a framework that seeks to improve livelihoods, promote inclusion into the world of work and that supports community and individual needs. Community Colleges offer skills, vocational and occupational programmes.

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The examples of programmes offered by community colleges, albeit in exhaustive are early childhood development; community development works Programmes; worker education; Cooperative and Entrepreneurship education and training, plumbing, construction, carpentry, electricity, welding and auto Body Repair, motor mechanics, home-based care, parenting and childcare, civic education, community mobilisation and organisation, expanded public works programme, community health workers programme, including HIV /AIDS Education, information and communication technology; and arts and crafts.

In order to meet current and future needs of the economy, the government wants to increase the number of students eligible to study mathematics and science at university to 450 000 per year, o produce 30 000 artisans per year, have 100 doctoral graduates per million per year; and have a wider system of innovation that links key public institutions (universities and science councils) with areas of the economy consistent with our economic priorities.

In this financial year, the department will develop and review legislative frameworks aimed at steering the post-school education and training system in line with the imperatives of the white paper. Teaching and learning support intentions for universities and TVET

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Colleges will be introduced to improve the quality of post school education and training. A new institutional type known, as community colleges, the ones I have talked about earlier, will be established to promote education and training opportunities for young people who cannot access the universities or TVET colleges.

The introduction of community colleges will come with the challenge of infrastructure, thus, the Department needs to address this. One of the progressive members will be talking about this during the debate. Responding to improving access to quality of education and training, the department has embarked on the following: an additional R967 m allocated to National Student Financial Aid Scheme, NSFAS, to settle the historic debt owed to universities by 52 514 NSFAS-funded continuing students; fully subsidised free higher education and training would be provided for poor and working class students from families with a gross income of up to R350 000 per annum in 2018, starting with first time entry students and phased in over five years.

Chairperson, looking at this, the R350 000 per annum as a major who qualifies to be funded by the state, in university. Looking at my village, I would say even my district Sekhukhuneland, I can safely say more that 70% of people who live in Sekhukhuneland, earn less

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than this amount per annum. So which means, there won't be any reason for any child coming from Sekhukhuneland and other outlying rural areas not to go to university. This government cares, the government of the ANC cares about people.

The establishment of the Departmental Bursary Scheme for poor and Working Class Students in universities, was introduced to set in place the necessary agreements and mechanisms to enable the new funding regime.

Before you can provide that, there are systems that were put in place, those cannot the Department were funding from their bursary funds within the Department and once the systems are in place, then it will run like a machine.

The department has the new Generation of Academic Programme, GAP, which is a dedicated programme focusing on attracting and developing young black scholars to be the future generation of academics. The Department has this programme in order to have representatively in the instructional personnel at universities. There is also the University Capacity Development Programme, UCDP, is improving the quality of student experience at universities, the relevance of the curricula, the abilities and motivation of our academic staff, and

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the range of student support services. The UCDP will also assist to improve the qualifications of academic staff, so that more academics can obtain a Doctoral Degree.

It is commonly known that student accommodation at universities and TVET colleges is a challenge, thus, the department has made funding available through the Infrastructure and Efficiency Grant, IEG, to address accommodation challenges at 17 institutions of higher learning across the country. In addition, the department is working with some institutions to facilitate larger scale and sustained accommodation options through the Student Housing Infrastructure Programme, SHIP.

The department will ensure the strategic use of the Historically Disadvantaged Institutions, HDI, development grant to enable the HDI's to develop into viable, strong institutions with a clear mandate in a differentiated higher education system. In addition, there is a need to strengthen teacher education at universities through ongoing implementation of the Teaching and Learning Development Capacity Improvement Programme, TLDCIP. We need teachers of high calibre so that when learners get to university, they are ready for the challenge. As we are in the 4th Industrial revolution,

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the Department is going to develop and implement the National Open Learning System for the Post School Education and Training Sector.

Chairperson, South Africa is part of the BRICS community. As part of the BRICS, we have an ongoing collaboration and exchange between universities across Brazil, Russia, India, China and South Africa. Just for a moment imagine, how much we would gain in this relationship with China through BRICS, China on Science and Technology.

India started where we are, we were both English colonist. They got their freedom before us but they are far, far ahead even more than countries than have been free before them. India is sending people into space, they are designing rockets and all the other things, so this relation is going to benefit South Africa quite a lot. These students who are here, will be beneficiaries of this relationship and we are looking forward to international programmes to take ground. I thank you Chairperson.

Ms D C CHRISTIANS: Honourable Chairperson, hon members, fellow South Africans, Minister, the late former president Nelson Mandela, father of the nation, who deeply cared about all South Africans, black, white, coloured and Indian, once said, "the power of education

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extends beyond the development of skills we need for economic success. It can contribute to nation-building and reconciliation”.

Madiba also said “education is the most powerful weapon you can use to change the world”. It is with these wise words that we need to take responsibility and find solutions for the challenges we are facing within the higher education sector. Minister, I have read yours and the Deputy Minister’s budget speeches on Higher Education attentively and I am particularly encouraged by the following statements made by you. That you have recognized that the well-being of our students is challenged every single day, that suicide is the second leading cause of death for higher education students - as many as 25% of our students interviewed reported some suicide thoughts in a recent survey and that one in four university students have been diagnosed with depression.

However, that only one out of six students receives minimally adequate mental health treatment. I would like to commend you for making such services more accessible to our students through your free mobile health and wellness screening on HIV, TB, STI, contraceptives and family planning and that this will also include psycho social services for supporting students on gender-based violence, mental illnesses, alcohol and substance abuse, as well as

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assisting student who are marginalized based on gender diversity and disability.

The Higher Education and Training HIV/AIDS Programme, HEAIDS, programme also promotes the prevention, detection and management of non-communicable diseases. It is encouraging that the HEAIDS programme has facilitated the establishment of 80 clinics at TVET colleges and that they conducted 141 000 blood pressure measurements and 85 000 plus blood sugar tests across universities and TVET colleges.

We will be taking a very keen interest over the next few years to see whether the programme will be sustainable and successful a other student is a successful student. Minister, I am particularly encouraged that you also indicated during our select committee meeting that your department would endeavour to increase the number of PhD graduates in universities, focusing on especially amongst others, women in this field. I look forward to seeing what kind of assistance these students will receive from your department to achieve this goal in the next few years I am eager see these young people receive their PhD's with the assistance of your department.

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Furthermore, notwithstanding the above good intention of the department, I would like us to focus on the burning issues facing higher education. National Student Financial Aid Scheme, NSFAS, has lurched from one crisis to the next, with very little effective intervention from the department of higher education and training, putting the futures of many students on the line. NSFAS is a R30 billion organization which serves hundreds of thousands of students, has been placed under administration last year and has been the site of continuous, persistent criticism over the past 20 years.

In the past NSFAS allowances for necessities such as books, food and travel had been ring fenced through a voucher system. However, this was subsequently scrapped, with allocating cash to students instead. Minister, my question is, who made this decision? Was it Higher Education and Training or was it NSFAS? Since the administrator has been appointed much has been made of the backlog in payments to institutions, however, what impact has this had on institutions?

Payments have been made, but institutions are not sure who the students are that these payments have been made to and this in turn has created massive problems for institutions, the reconciliation of bursaries is a nightmare to say the least. Reports from the Eastern Cape regarding the abuse of students allowances on alcohol is

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equally concerning. The South African Bookseller's Association (SABA) has also reported a massive decline in purchases of text books for academic purposes. In fact, they had to lay off staff and close stores. Some statistics have indicated that less than 10% of book allowances are spent on academic study material in 2019.

This is extremely concerning as it will eventually have a direct impact on the successful graduation of students. To date NSFAS has failed to pay some students their allowances. Last week I received an email from a 3rd year BSc Chemical Engineering student from Wits University pleading for assistance with his NSFAS bursary which to date has not paid a single cent. He is ready to quit his studies should assistance not be forthcoming soon.

Our youth need to be able to meaningfully contribute to the country's economy and without adequate and timely access to funding from NSFAS, many young people will be denied this opportunity. What remains a huge concern is that despite the billions made available, there is still insufficient funding for students who cannot afford fees or living expenses. Additionally, the department knows that the levels of student funding at present are unsustainable in the long term - but is unable to find any immediate solutions to it.

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Secondly, Minister, your department has indicated that the development of artisans remains a priority. Your department has indicated that you are actively involved in the "Decade of Artisan", a drive to encourage young people to venture into artisanal careers towards meeting the National Development Plan of producing 30000 artisans per annum. Last year the deputy secretary general of the ANC, Jessie Duarte indicated that there was a shortfall of 40,000 qualified artisans in South Africa.

Recent statistics also indicated that the average age of artisans in South Africa is 55 years, while the number of young people being trained to produce the next generation of artisans was only a fraction of what the country needed. Nithia Pillay, Director Customer Services for Samsung South Africa, has been quoted saying that there are so many more opportunities for youth with practical skills – South Africa needs more skilled labour." However, it seems that due to a lack of throughput and success rates at colleges qualified artisans still remain an issue more than ten years after the introduction National Certificate Vocational, NCV, courses.

The poor quality of teaching in many of the TVET colleges also results in a high dropout rate among our learners. It is therefore concerning that the largest chunk of your budget is allocated to

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higher education which is at R73,4 billion versus only R12,7 billion for TVET Colleges. To guarantee that our youth are given hope for the future, it is imperative to change the narrative around what it means to be an artisan. We need to make sure that these much-needed skills are appropriately taught. We need to strongly revise the budget allocation to TVET colleges in order to promote the increase of artisan development in the country. Furthermore, that career opportunities are opened for those who choose to become artisans.

Employment after graduation is of huge concern to the youth of our country, for both qualified artisans and university graduates. Where the DA governs, job creation takes centre stage. We continue to ensure that young people are equipped with the necessary entrepreneurial skills to build businesses and employ more young people. Youth cafes are providing the youth with much needed career guidance, access to skills and personal development. Economic and social development opportunities are also provided to fight unemployment.

Minister, as alluded in your Department's Annual Performance Plan you aim to increase access to Higher Education as well as TVET Colleges, as there are many students who qualify and have ambitions to further their studies, however, accommodation, access and funding

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still prevent many young people from entering institutions of higher learning. We hope and we will be keenly watching over the next few years where this access to these will be improved on, whether the student funding will be less complicated and that quality academic teaching and learning programmes will lead to our youth getting employment.

Ms S MANI-LUSITHI (Eastern Cape): Chairperson of the NCOP, the Deputy Chairperson of the NCOP, Minister and the Deputy Minister, government officials and members of the public in the gallery, hon members, I greet you all.

I rise here on behalf of the Eastern Cape government to support and affirm the Budget as outlined by the hon Minister, Dr Blade Nzimande. This Budget is in line with the election manifesto of the ANC and is a true reflection of the demands and aspirations of the people when we were interacting with them during our election campaign.

At a fundamental level, the social function of education and training is articulated by a Greek Philosopher, Plato, when he speaks of education as a means to achieve justice, both individual justice and social justice. These progressive ideals reaffirm the

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notion of education and training as a social instrument of individual and social empowerment of the people.

The South African context reflects how education has been used as an instrument to perpetuate colonial and apartheid socio-political goals, which in the main were about entrenching a value system, which stands in direct opposition of liberation and self determination. In our case, this has resulted in an education, which is linked to discrimination and inequality, which saw the African majority as inferior beings to receive an inferior education.

The major interventions by the ANC-led government in the last 25 years, has revolved around increasing and broadening access and success for all South Africans through funding and expanding the Technical and Vocational Education and Training, Tvet, institutions. The outlined speech by the hon Minister has reaffirmed government's support through National Student Financial Aid Scheme of South Africa, NSFAS, and through social partners.

We must commemorate and celebrate the undying contribution of student leaders who have dedicated their time and energies fighting for quality and free education for all. Education in a progressive

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context has been about how the people can reimagine and redefine themselves in relation to both the present and the future.

As Tata Nelson Mandela exclaimed and I quote:

It is through education that the daughter of a peasant can become a doctor, that the son of a mine worker can become the head of the mine that a child of farm workers can become the president of a great nation. It is what we make out of what we have, not what we are given, that separates one person from another.

I dedicate this speech to all the student activists from all generations who without seeking self-glorification have led student struggles and demanded free quality education, not just in monetary terms but also the transformation of the curriculum content.

The Budget Vote presented by the hon Minister reflects how far we have come and commitment in creating the higher education sector we want.

Amongst the crucial social ills that impact higher education is the scourge of gender based violence across our universities. Just last year, a student of Rhodes University named Khensani Maseko committed

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suicide after reporting a case of being sexually assaulted by a fellow student, this is just but one out of the many tragic stories of gender based violence in our universities.

We must intensify our fight against gender based violence both in our institutions of higher learning and society in general. The fight of gender based violence can't be rhetoric. We need practical steps. As government, we must be concerned with the trend of suicide in our universities. It reflects the deep problem of social anxiety amongst our youth and society in general.

Amongst many of the problems in higher education is the problem of student accommodation. Our government must accelerate its efforts to in ensuring that universities have decent and affordable student housing.

There is still a huge impact on how resources are channelled to infrastructure development between the former privileged universities and former disadvantaged universities, in particular in the Eastern Cape Province.

In this regard, we must support the pronouncement by our government through the Minister of Higher Education of strengthening and

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developing the Post-School Education and Training, PSET, sector by investing in infrastructure to provide quality teaching, learning, and research and innovation spaces. Equipments and teaching resources which includes a conducive student living and learning environment will also be prioritised.

We are faced with a challenge of a rapidly changing labour market because of the advancement in technology. The reality is that society and the global economy is rapidly changing and this means that the universities too must change how they teach and the curriculum content to keep up with the changes in the market.

The world is changing, and the new economy demands different skills set and our government through the state needs to drive development. This means that we must support the decision by our government to invest in the Tvet sector and the building of skill and innovation hubs to equip young people with skills that will be required by the digital economy, such as machine learning, artificial intelligence, data analytics and robotics.

In response to the high levels of unemployment in South Africa, the Department of Higher Education and Training has introduced measures to stimulate entrepreneurship development at universities. Higher

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education institutions are well-placed to catalyse entrepreneurship and innovation for the development of a new economy. A vibrant entrepreneurship ecosystem at universities in South Africa would, amongst others, encourage students to consider entrepreneurship as a career path.

The National Development Plan, NDP, acknowledges that the single most important investment any country can make is in its people. Education has intrinsic and instrumental value in creating societies that are best better able to respond to the challenges of the 21 century. This means that we need to work together and diligently in building the higher education and training sector we want. I thank you.

Ms B T MATHEVULA: Chairperson, firstly, I would like to congratulate the EFF students' command on their third successive national elective conference which took place in Bloemfontein two weeks ago. I have opened with this because of the role the EFF and the students' command has played in the struggle for free education. Only a few months after the students' command was launched in 2015, the Fees Must Fall movement began. The material conditions of students on the ground is the motive force for the EFF's presence at

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institutions of higher learning, and why the EFF message continues to resonate amongst young people.

Minister, our entire higher education system is in a mess. Education cannot be treated like a commodity, but currently access to the higher education system in this country is determined by whether you can pay or not. We maintain that education is still not free despite all the promises that have been made. This is the reality on the ground amongst students. They are not seeing this free education, they are not experiencing this free education. So it does not exist.

The National Student Financial Aid Scheme of South Africa, NSFAS, Minister, is broken. Everyday poor black students go to bed hungry because they don't get their NSFAS food allowance on time. Students are squatting, and are forced to share learning material. According to your department's own statistics there are 25 000 students in this country who have not received their NSFAS money. Your department has failed to deliver what it has promised. Your department's failures in relations to NSFAS is reflected in the high number of drop-outs at universities and the Technical and Vocational Education and Training, TVET, colleges.

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At institutions of higher learning we are also seeing an accommodation crisis that is leaving thousands of students homeless. In 2018, there were over one million students at universities, but at the same time there were only 130 000 beds available. That means our universities cannot even accommodate 15% of the student population. Because of this massive accommodation shortfall, students are going homeless and are forced to squat, leaving them in constant fear of having no place to sleep instead of concentrating what is in the next exam. The lack of accommodation is dangerous for female students, because like in the rest of our society female students live under constant threat from the males they study and live with.

Institutions of higher learning must improve their security. Too many young women are being raped and murdered on our campuses. That is why in our election manifesto we call for the establishment of in-sourced campus security at each TVET colleges and university with a specialised sexual crimes unit. All campuses must also have counsellors, psychologists and nurses available for students to consult free of charge. We cannot continue to ignore the mental health of young people in our society.

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Minister, the TVET colleges have been ignored by you for too long. And the best example of this once again is the accommodation crisis. We have 800 000 students at TVET colleges but there are only 14 000 beds available. And even where there is accommodation, like at TVET colleges in Giyani, it cannot be used because the buildings are collapsing and are not being repaired and maintained. This failure by your department to provide the basics is not only due to incompetence, but it is a product of corruption in the TVET system. Money that is meant for students fees, for books, for accommodation and for general maintenance of the campuses is being stolen. Your department must act against these criminal administrators.

Xitsonga:

Tanihi vandla ra EFF a hi pfumelelani na yona bajete leyi. Ndza khensa

Mr S E MFAYELA: Hon Chairperson, with regard to Higher Education and Training funding, in particular, in rural areas across our country, the department must be clear in providing students and artisans not what they can give but what students needs.

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The debate on funding has been skewed towards universities only. It is important that the department not only focus its attention there, but prioritise the rural child too.

We commonly find that registration fees and admin fees are still too high for families and students to afford. In addressing inequality, we must address the economic inequality that exists. We must, therefore, uplift those who are unable to do so by themselves. We must work towards uplifting our people in the spirit of Ubuntu.

Chairperson, we must welcome the Minister's announcement of building more colleges in rural areas where our people live.

IsiZulu:

Sithokozile ukuzwa uNgqongqoshe ekumemezela ukwandiswa kwezikhungo zemfundo ephakeme ezindaweni zasemakhaya. Lokho nje kukodwa kusho ithuba enganeni empisholo. Ingane ekwaMaphumulo, ingane eseNdwedwe, ingane eseMbumbulu ibuyelwa ithuba uma kuzokwandiswa izikhungo zemfundo ephakeme eduze kwazo.

English:

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Furthermore, rolling out more agricultural and rural development training programmes at our technical schools, colleges and TVET colleges will have a lasting impact on our communities.

It may be difficult to please everyone, but in the same way we overcame oppression from a minority government, it is the same way we must tackle inequality and ensure that we hold true to our words that education is liberation.

IsiZulu:

Ngalokho, Sihlalo sithi ungqongqoshe asimuzwise lesi sibelo mali aqhubeke nokusebenza.

Mr A B CLOETE: Thank you, Chairperson; hollow promises are the typical courtesy an abusive state affords its subjects. It is also true that, citizens in exchange for promises of wellbeing such as food, health care, education and security will forfeit their freedom and get neither.

This is something that George Orwell understood very well when he wrote his novel *Nineteen Eighty-Four*. The hon Minister must be aware of this book. If he hasn't read it, I suggest he does. Orwell wrote

about the dangers of dystopian society or an imaginary society that is dehumanising and as unpleasant as possible.

In short, a dystopia is not a good place. Dystopias also serve as warnings about the current state of affairs of a government or those in power.

It remains ironic that the same Minister who was captured on video stating that students must, in reaction to fees must fall, is now back for another round.

Back to the issue of dystopian promises, Chairperson, and boy, were there many! The Minister promised that within the next 10 years there will be no district municipality will be without at least one post school education and training institution. Which district municipalities are we talking about?

The department will realign its programmes to focus on the government's economic priorities. Furthermore, R150 million is promised to upgrade workshops at Technical and Vocational Education and Training, TVET, colleges to meet industry requirements. This is according to the Minister.

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Minister, your time is running out for the implementation of the National Development Plan, NDP, by 2030. It is less than eleven years from now. That is equal to two Parliaments to implement your policies.

Furthermore, this year, this department has been allocated more than R79 million for planning, policy and strategy. Minister, we hope that is going to be a first grade plan. That's surely a lot of money for planning; some might even call it excessive. The promises go on and on.

Afrikaans:

Die verlede kry die skuld vir alles, sonder enige fokus op die toekoms. Ongelukkig is dit wat gebeur as jy baie Karl Marx lees. Ons studente is nie vry nie.

Die regering hou hulle gyselaar deur ongeletterdheid en gebruik die blaam van die verlede vir alle probleme vir hulle eie korttermynpolitieke gewin. Die ANC soek antwoorde in die verkeerde boek. As daar nie dringend gefokus word op die verbetering van basiese onderrig nie, kan ons maar hierdie ministerie toemaak.

English:

This department will be redundant if the ANC does not deliver on its promise to improve reading in younger children aged 10.

Afrikaans:

Ons uitvalsyfers in hoër en basiese onderwys wys dat ons studente oorgelewer word aan omstandighede, sonder dat hulle 'n benul het van wat vir hulle voorlê. [Gelag.]

English:

... Ask them ... Every year, South African schools are amongst the worst in international math tests. However, when the results of Afrikaans schools are considered, these schools fall amongst the best in the Trends in *International* Mathematics and Science Study, TIMSS, test international. This is not because Afrikaans is better or clever; it is because these students are taught in their mother tongue or vernacular.

Minister, you are creating the inequality by not understanding that mother tongue education sets the basis for quality education. Let our students be able study in IsiZulu, Sesotho, Sepedi and all our other languages.

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Minister, we welcome your programme to develop more black academics but let them also develop their studies in their vernacular so that they can teach their students in their own language.

An English only approach to our society is not progressive.

Afrikaans:

Ons studente, swart en wit, het 'n bydrae om te lewer. Ons weet die Minister ag homself as revolusionêr. So kom ons praat oor die Vierde Industriële Revolusie. Een van die gevare wat die komende revolusie gaan inhou is meer ongelykheid en meer werkloosheid. Minister, wat doen die regering om ons studente vir werk, wat nog nie bestaan nie, voor te berei?

Wat doen die regering om ons studente te leer dat ons nie meer iemand anders die skuld kan gee vir mislukkings nie, maar dat ons as 'n land skouer aan die wiel moet sit. Minister, as die regering nie optree en proaktief ons kinders voorberei vir die nuwe revolusie nie, gaan ons agterbly. En as ons agterbly, is daar weer ongelykheid en nog optogte en nog plundering oppad.

Die VF Plus sê, hou op fokus op die verlede en bou aan 'n beter toekoms. Hou op skuld gee en neem verantwoordelikheid. Leer ons

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studente dat grade goed is, maar dat grade alleen nie jou sukses bepaal nie. Leer ons kinders om iets te word en in die proses om iets te leer. Maak hulle gereed vir die uitdagings wat môre inhou en om verantwoordlike burgers te wees, wat verantwoordelik is, wat uitdagings aanpak en die beste daarvan maak, ongeag jou velkleur of omstandighede.

English:

Minister, if you do not do this, your promises will remain hollow and your dystopian society will rise up against you. Thank you.

[Time expired.]

Ms N NDONGENI: Hon Chairperson of the National Council of Provinces, Deputy Chairperson, hon Minister, Deputy Minister, Members of Parliament, hon Members of the Executive Council, MECs, Members of Provincial Legislatures, MPLs, and distinguished guests; molweni. It is indeed an honour to be afforded an opportunity towards this important debate.

Chairperson, the National Development Plan's, NDP, Vision 2030 identifies decent work, education and the capacity of the state as particularly important priorities. The NDP envisages that by 2030, South Africans should have access to education and training of the

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highest quality and it further suggests that the education, training and innovation system should cater for different needs, and produce highly skilled individuals with adequate skills and knowledge to meet the demands of the economy and society.

The NDP set access rates targets for the entire post-school education, including the Tvet sector. The NDP provides that by 2030, student headcount enrolments in the TVET colleges should reach 2,5 million.

Furthermore, the NDP suggests that to enhance work exposure for students and lecturers, relationships should be strengthened between TVET colleges and industry. Such exposure would directly influence participation rates, throughput rates and create a space for artisan development; and so respond to the NDP target seeking to produce 30 000 artisans annually by 2030.

Both the African National Congress' 54th National Conference resolutions and the President of the country, Mr Cyril Ramaphosa's February and June 2019 State of the Nation Addresses, reiterate that education and skills development must be prioritised.

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The President pronounced that at the centre of efforts to achieve higher and more equitable growth, to draw young people into employment and to prepare our country for the digital age must be the prioritisation of education and the development of skills.

Furthermore, the President declared that government is committed to contribute R100 billion into the Infrastructure Fund over a 10-year period as a first step to expand projects already underway, such as student accommodation.

Chairperson, we are not a country in isolation as the results our plans find perspective to both out regional and international agendas. For instance; we find solace amongst, but not limited to the Aspiration 1 of the African Union Agenda 2063:

A prosperous Africa based on inclusive growth and sustainable development.

This aspiration envisages an Africa with well-educated and skilled citizens, underpinned by science, technology, innovation for a knowledge society as the norm, and no child missing school due to poverty or any form of discrimination.

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This is where we are striving to as the country, taking a cue from these important prescripts. Access rate at the TVET colleges remains constant at 710 535 due to unforeseen expansion challenges. Chairperson while we acknowledge access progress, certification rate remains a challenge.

The ANC-led government has made significant progress in the past 25 years in the provision of quality post-education system. However, Chairperson, we remain conscious of the challenges that still face our colleges and we remain resolute that we shall continue to address them, and to provide necessary support for them to be able to meet the standards of their post-school education counterparts.

Some of the challenges include infrastructure, outdated curriculum, qualified lecturers, lack of artisans to mend workshops, non-accredited workshops, information systems and etc.

The performance of Tvet colleges has been under spotlight for underperformance. As a result, we welcome plans by the department that seek to monitor student performance, Tvet colleges' adherence to governance standards and implementation of teaching and learning support plans in Tvet colleges over the Medium Term Expenditure Framework, MTEF, period.

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The department is doing so to ensure improved performance of Tvet colleges in response to the need for provision of a quality skills programme that meets the needs of the labour market.

Chairperson, this is what we all have been concerned about; the credibility of the Tvet college programmes in relation to what the industry requires.

In support of that, we welcome a portion of the R1 9 billion over the MTEF period that is allocated to the National Examination and Assessment sub-programme in the Technical and Vocational Education and Training programme, to be used to ensure credibility of the national examinations and assessments and to eradicate certification backlogs through implementation of Information Technology, IT, examination services system.

In support of expansion and ensuring that TVET campuses are well distributed, we welcome the funds set aside to operationalise three new Tvet college campuses, namely; Waterberg Tvet College in Thabazimbi, Umfolozi Tvet College in Nkandla and Umfolozi Tvet College in Bhambanana.

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As a result, transfers to Tvet colleges through the programme are expected to increase at an average annual rate of 18,9 per cent from R4 3 billion in 2018-19 to R7 2 billion in 2021-22 financial years.

These transfers include R967 2 million over the medium term for the operationalisation of three new Tvet college campuses as highlighted. Over the same period, R4 9 billion is set to be allocated for infrastructure related spending at TVET colleges and the spending on the compensation of employee's accounts is set to increase at an average annual rate of 7,2 per cent, from R63 billion in 2018-19 to R7 7 billion in 2021-22 financial years.

This is attributable to the fact that almost 70 per cent of the department's personnel are paid through the Technical and Vocational Education and Training programme.

Chairperson, in spite of the challenges that still cripple the TVET college system, we have steadily supported this programme.

As the result, the budget allocated towards Programme 4: Technical, Vocational Education and Training, grew significantly from R3 9 billion in 2010 to R12 7 billion in 2019, representing 14 per cent of the total department budget.

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As the African National Congress, we acknowledge that the Technical Vocational Education and Training budget which equates to R12 7 billion, representing an increase of R1 3 billion or 12,6 per cent in real terms when the inflation factor is taken into consideration, is not enough when considering the importance of skills for the country and the need to redress the skills force.

However, we shall continue to advocate for more allocation to the Tvet sector budget allocation for it to match the importance of its sector.

Chairperson, the current political reforms made significant gains and progress in overcoming the lack of skills development legacy of the past. Incorporation of skills sectors such as Sector Education and Training Authorities, SETAs, under the post-school education and policy reform suggest that skills development is a critical priority and requires concerted efforts by all.

Nevertheless, the triple challenges of unemployment, poverty and inequality in South Africa suggest that South Africa is not yet equipped with the skills required for its economic and employment growth.

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Chairperson, the state of infrastructure in our public institutions needs urgent attention to afford students with opportunities to develop requisite skills on the job.

Moreover, the competitive environment between the public and private sectors needs to be levelled; and requires constructive talks between the two sectors to find ways to support each other and the national skills drive thereof, according to government plans.

Chairperson, while we seek to up the game on the skills development drive. Such move might not be quickly attained considering the expenditure of the budget allocation to Programme 5: Skills Development.

Chairperson, realisation of the number of artisans as targeted in the NDP is seriously affected by budget availability. Programme 5: Skills Development receives a budget allocation of R282 4 million, representing 0.32 per cent of the total department budget, which is a slap on the face.

The CHAIRPERSON OF THE NCOP (Mr N A Masondo): Your time is up, hon member.

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Ms N NDONGENI: Okay, we support the budget of Higher Education, Science and Technology. Thank you.

Ms S A LUTHULI: Commissars, fighters ...

IsiZulu:

... izivakashi zethu ngiyanibingelela nama-Fighters emakhaya. Sihlalo lohulumeni kanye noMnyango awunalo ulwazi lokuthi uziyise kanjani izidingo kubantu. Kungenxa yokungazi nenkohlakalo esingathe loMnyango ukuthi...

English

... you lack the revolutionary vision. The ANC has failed ...

IsiZulu:

... abantu bakuleli lizwe ukubanikeza imfundo yamahhala njengoba wawubathembisile kwakudala.

English:

When the issue of free education was first discussed in Parliament, the EFF made concrete proposals, even before the commission on

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higher education finished its report - and we believe the proposals we made back then are still relevant today.

In our proposal we clearly explained where government can source money within the current economy to fund free education. Now Minister, get your pen and paper ready so that you can take notes. Firstly we need to have a 2,5% education levy on pension funds.

IsiZulu:

Akufanele ngabe kukhona ama-trillions ezimali edudlile nje esikhwameni sempesheni kodwa engakwazi ukusiza ...

English:

... to develop the economy of this country. Secondly, the skills levy needs to be increased from 1% to 2% and the difference must be used to fund free education. Thirdly, government should allocate a budget to Higher Education that accounts for 1,5% of the GDP. This is a common practise internationally, and we need to start doing the same.

And finally, there needs to be a business income levy of 4,9%, with the proceeds from that levy being used to pay for higher education.

IsiZulu:

Ukuba wena Ngqongqoshe kanye noMnyango wakho wasilalela futhi wazithatha izincomo zethu ngowe-2016 ngabe nakwazi ukuba nemali engange-R166 bhiliyoni eyayizosetshenziswa ukukhokhela imfundo yamahhala. Ngabe namhlanje leyo mali isinyukile yaze yafika ku-R200 bhiliyoni ukuze sikwazi ukuthi sikhokhekele imfundo yamahhala.

English:

Using our proposed funding model, this government would be able to provide free quality decolonised education. Every aspect of a student's welfare must be looked after by the state so that they are best prepared to contribute to the building of a new society.

IsiZulu:

Abafundi kumele bathole ukudla kabili Ngqongqoshe.

English:

We need to have free 24/7 clinics that employ counsellors need to be established at all institutions of higher learning.

IsiZulu:

Bonke abafundi kumele bathole ama-laptops kanye nezincwadi zamahhala. Bonke abafundi kumele bathole izindawo zokuhlala

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zamazhala. Kuthi kuleminyaka emihlanu ezayo Ngqongqoshe noMnyango wakho kumele niziphinda-phinde kathathu lezi zindawo zokuhlala zamazhala zabafundi. Kumele lo hulumeni ube nesivumelwano noMnyango wezokuThutha ukuthi bonke abanfundi abasezikoleni bagibele izimoto mahhala.

English:

Institutions of higher learning must offer free driving lessons. Off-campus students should receive 3GB of data per month. [Interjections.] And campuses must distribute sanitary pads, Minister. All this can be done - and the money is there, but government does not have the will or capacity to do so. The unwillingness to act decisively not only is problem when it comes to funding education, but also when we are talking about the decolonisation of our higher education system. For 25 years, institutions of higher learning in South Africa have remained guardians of white wealth, power and privilege. [Interjections.]

Where black students have been admitted, it has been on the condition that they conform to the status quo and subject themselves to a culture and curriculum that for centuries rejected them and considered them inferior. Minister, all courses need to be taught in African languages, papers must be published in African languages.

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The system must also be amended to reflect African culture, so that our higher education system can produce South Africans who have the knowledge and skills to develop a country that is both politically and economically free and independent - but unfortunately the ANC is not a revolutionary movement. [Interjections.]

IsiZulu:

Yingakho nje lo hulumeni uyaye usheshe uthumele amaphoyisa kanye nonogada ukuba balwisane nabafundi kanye nabasebenzi kule lizwe. [Ubuwelewele.] Akusimangazi lokhu ngoba uNgqongqoshe yena lo esinaye njengamanje, akabathandi vese abafundi. [Ubuwelewele.]

English:

During the FeesMustFall protest, the self-proclaimed communist said students must fall simply because they were demanding free education. [Interjections.] That is why it makes no sense that the President would decide to appoint Blade Nzimande as the Minister of Higher Education, this shows how little care and respect he has for students of this country.

IsiZulu:

Kungenxa wakhe lo hulumeni kanye noMnyango ukuthi uKhaya Cekeza usabhadlile ejele kanye kanye nemigulukudu yezigegebengu. Kungenxa

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yawo loMnyango ukuthi abafundi abavunyelwe ukuba bafunde futhi abanye bayaxoshwa. Bonke abafundi ababoshiwe, nabaxoshiwe nabamisiwe ngenxa ye-FeesMustFall kumele bakhululwe Ngqongqoshe. [Ihlombe.] Ngqongqoshe kepha siyazi ukuthi konke lokhu ngeke kwenzeke futhi awuzimisele nokukwenza. Kungalezi zizathu siyi-EFF singasamukeli le sabiwomali njengoba nje nawe ungabamukeli abafundi futhi ungabathandi. Siyabonga Ngqongqoshe. [Ihlombe.]

Ms C LABUSCHAGNE: Hon Chairperson, hon members, fellow South Africans, this crisis of higher education is attributed by many shortcomings and faults that are not only limited to bursary or student loan funding. One of these shortcomings is evidently within the department itself and how it manages oversight relationships with 84 entities that report directly to the Minister. The key words here are effective oversight.

The 21 sector education and training authorities or Setas, together receive about R15 billion, many of them having been put under administration. A fate experienced by the National Student Financial Aid Scheme, NSFAS, as well, these Setas have been rendered unsuccessful and gave received negative Auditor-General reports.

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Minister, the realignment and reprepared Setas that you have mentioned in your speech should have been done already. Many of the 50 TVET colleges in South Africa are failing, sometimes operating with little regard for the Public Finance Management Act. Minister, more resources into TVET colleges and norms and standards for community colleges are welcomed, but the focus should also be on proper management thereof, otherwise it won't help us.

Not all our universities are up to scratch. The University of Fort Hare in the Eastern Cape is also under administration. The problem here lies in the fact that we have a department that is only sometimes responding to a failing entity once the damage is already done. What happened to proactive measures to prevent these entities from crashing in the first place? It seems like a case of treating a symptom but not the cause.

This comes back to the lack of effective oversight by the department. You have a willing Parliament, including a dedicated Official Opposition in the DA who are ready to enact oversight over the department and its respective entities – yet the annual performance plans or APPs of these entities are not presented to the respective oversight committees.

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The preparation of young South Africans wanting to enter the tertiary education environment after finishing high school is also an area of great distress. Minister, when will the announced skills master plan and critical skills list with the career development resources that you have mentioned be completed and implemented. In the meantime, many of those who are lucky enough to get into a tertiary education institution, are often confronted with a workload and standard of examination that is completely above their capabilities.

This is not because they are academically challenged but because basic education schools have failed in preparing young South Africans for this new environment. This only results in troubling dropout rates, leaving the Department of Higher Education scratching their heads, wondering where it all went wrong. Minister, this requires co-ordination and collaboration between you and your department with the Minister of the Department of Basic Education to find responsive solutions to repeated trend.

Minister, you should further find time to engage with the Minister of Police. Not only do thousands of students have to contend with delayed payments of money from NSFAS for their books, meals and travel allowances but also must bear the brunt of crime in and

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around university campuses. Students, especially female students are often harassed or even raped when travelling from university to their off-campus residences at night. Why on top of trying to stay ahead of their studies, should students also worry about their own safety?

Hon Minister, you said you will focus on gender-based violence, the select committee will monitor this undertaking. These are credible challenges faced and endured by the average student. Urgent solutions from your department are necessary. Minister, some of the measures you can execute to improve the quality of tertiary education is to drive the reform the outdated syllabus in order to offer and teach technical, artisanry and innovative skills - some of which you have mentioned in your speech - that are in demand in the current market; invest more in quality infrastructure - this includes lecture rooms, libraries, ICT centres and residences; audit all TVET college lecturers to ensure they have the necessary qualifications, and most importantly, the knowledge to lecture on the concerned subject; ensure NSFAS allocates bursaries and allowances on time to the universities and colleges so that students can proceed with their studies without delay; investigate all corrupt officials and reported activities in our institutions to

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ensure that these institutions can work more effectively in the future for the students.

Minister, the prerequisite for the dream of learning centres at all municipalities is clean, capacitated and effective financial governance within a growing economy. That is something that the NCOP cannot ensure but that is something that you should take up with your colleague, the Minister of Co-operative Governance and Traditional Affairs within the cabinet and ensure that it happens, otherwise, that will stay a dream.

It is on you Minister ... [Time expired.] ... to not tell students they must fall, but rather tell them that their futures are important to government and South Africa. I thank you.

Ms M N GILLION: Hon Chairperson, hon Minister, hon Deputy Minister, Members of Parliament, distinguished guests, ladies and gentlemen, this debate happen on this day that marks the 30th anniversary of the passing of our student leaders, Comrade Colin Williams and Robbie Waterwitch. Indeed we stand on the shoulders of giants.

To the FFP ...

Afrikaans:

Die blaam van die verlede sal nooit uitgewis kan word nie. Jong mense het in die strate van Suid-Afrika doodgegaan vir die vryheid, spesifiek vir vryheid tot die reg tot dieselfde opvoeding. Ons het nooit gedroom dat ons eendag in Suid-Afrika dieselfde opvoeding sal kry nie.

English:

In the state of the nation address earlier this year, the President set out the government's intentions in relation to the higher education and training sector. Critical to our understanding of the commitment made is the link between education and the economy and the need to invest in education as part of the drive for inclusive growth.

Our point of departure is that the Vote is an investment in the future of our country. This means ensuring that we spent money in such a way that it will result in improved economic performance, which in turn will lead to increased tax revenue, which in turn will lead us to being able to make further investments in education.

Whilst historically, we have agreed that Technical and Vocational Education and Training, TVET, college and Medium-Term Expenditure

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Framework, MTEF, enrolment targets to be capped in at a figure of 710 535. We urge this to be reconsidered going forward given the pressure we have in respect of skills development.

In the medium-term, there must be at least as many young people attending the colleges as there are in universities.

The DA through member Christians, paints such a negative picture of higher education and National Student Financial Aid Scheme, NSFAS, in this country. My question to the DA is as follows: Why is it that only in the Western Cape young people are deprived of taking part in the opportunity to go and study overseas, specifically, medical students in Cuba? [Applause.]

Is this your part of your good plan for South Africa? Our vision remains one of TVET being a central area of expansion, both in terms of numbers, quality and the currency to TVET programmes in the economy.

In higher education, the challenge is not solely to increase funding to enable education, but to free for those that are the poorest in our communities.

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It is important to expand access in this way, but at the same time measures must be taken to expand the availability of affordable accommodation, provide meals, safe and affordable transport and to expose poorest students to the networks and other advantages of those coming from more affluent households.

Throughout, the pass rates must improve and there are many factors that have an impact on these. I hope my learned friend of the EFF went through the budget. If not, let me refresh your mind. The higher education budget makes an important start in addressing these important areas of student support.

The CHAIRPERSON OF THE NCOP: Order, hon members!

Ms M N GILLION: The fact that the TVET sector has expanded from around 400 000, some few years ago to over 700 000 today is a very substantial expansion. This has been made possible by the combination of voted funds, significant fundraising efforts by the TVET colleges themselves and the willingness of the levy grant institutions, Sector Education and Training Authorities, Setas, and the National Skills Fund, NSF. [Applause.]

To allocate substantial sums to drive the delivery of occupationally directed programmes that address scarce skills occupations in demand in the economy. Colleges have experienced a great deal of change resulting from the function shift from provincial, education departments to the national Department of Higher Education, Science and Technology and have had to completely rethink their budgets and programme offerings.

The CHAIRPERSON OF THE NCOP: Hon members, the speaker shall be heard! Please proceed, hon member.

Ms M N GILLION: And yet they have done very well. We want to congratulate the colleges on the increasing numbers of learners obtaining an National Certificate Vocational, NCV, the technical equivalent of the matric as well as the delivery of some 20 000 occupational programmes, including artisan trades.

We acknowledge that the NCV does not guarantee a job any more than the National Senior Certificate, NSC, or matric certificate does. Regrettably, the labour market in South Africa characterised as it is by extremely high unemployment is very harsh. Many employers are requiring an NSC or matric for low skills job. University degrees for administrative or middle levels skills job and have unrealistic

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expectations based on the large pool of unemployed people they are able to draw on.

However, the NCV is a good qualification and it does provide an entry point to a nonacademic career. It provides a general awareness of preparation for a range of middle level occupations that are in demand. An increasing number of NCV graduates are going on to enter apprenticeships and become artisans, as well as programmes designed for other occupations in demand. Gradually TVET colleges are becoming recognised and institutions of choice for young people who are more practically orientated.

In skills development, we have seen a great deal of progress. The numbers of people trained has increased and we are particular pleased that artisan training has expanded by over 400% in the last 10 years. This is a major achievement and it demonstrates that we can achieve when we set a national agreed target, agree a strategy between the main stakeholders and drive the agreed strategy with determination and courage.

We have noted initiatives that have been funded by the Setas and the National Skills Fund, such as the centres of specialisation and the production of skills for national infrastructure projects, expansion

of the role of state-owned enterprises in training and we applaud all those that have been involved. We are truly making progress in the supply of middle level skills that are so badly needed in this economy.

We must not equate the achievement of numerical targets with effectiveness. In the area of throughput and pass rate targets have been set and this is welcomed. There can be no celebration of expanded enrolments when the numbers completing and numbers passing their exams drops. We will be closely watching this indicator and expect to see continuing improvement in the medium-term.

We have noted a number of initiatives that are planned or in place to improve the efficiency and effectiveness of the skills development institutions.

With the performance of Setas and the National Skills Fund there have been some challenging engagements with them over the past year. We have for example noted plans to centralise certain functions and to take action where failures in the system occur.

The Setas and the NSF are at the interface between the education and training systems and the economy. They must broker work placements

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and work integrated learning. Skills development is a vital pillar of economic growth and we must start to see the impact that is being made.

Minister, we reiterate the important role that the emerging community colleges must play. They must provide young and unemployed people locally, accessible quality education and training in areas of employable skills. They must be progressed towards the National Development Plan, target of 1 million people enrolled in such programmes. We strongly urge the department to engage with the NFS and Setas to examine how funds can be allocated to enable relevant skills programmes to be offered in communities.

Minister, higher education and training are a critical area of investment in our country's future. Much has been achieved and significant progress has been made. We have emerged from a period of contestation within our institutions of higher learning with a coherent plan to incrementally expand access for the poor and the working class. There are weaknesses in the system, including less than ideal throughput and pass rates and those need to be addressed. We look forward to seeing progress in all of these areas over the next 12 months. The ANC approves this budget. I thank you.

[Applause.]

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The MINISTER OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY: Thank you very much, hon Chairperson of the NCOP. Let me start by thanking the ANC for supporting this debate but also the hon Chair Nchabeleng, Mam Gillion, Mam Ndongeni, the MEC for Social Development from the Eastern Cape. They did not only support but they help to elucidate the commitments and the plans of the ANC government in Higher Education. [Applause.]

I just want to highlight the matter that the Chair raised first on student accommodation. We are aware that this is a big challenge. That's why we are committing to 300 000 beds. That's the minimum over the next 10 years. We are absolutely clear that we need much more than that. We also need to identify extra resources, something that we will announce as we are able to identify additional resources. But also, I think if we are to expand university education, we also need to think creatively. We have to expand online education as I have said. We also have to expand extra mural if you like or after hour's education. We can't just use one model. So, all those things, we will look at, which will then be able to address many problems that the hon Chairperson and other members have raised.

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To hon Christians, thanks for what otherwise looks like a very constructive engagement with the Budget Vote which is unlike normally the approach of the DA. I really appreciate this. The points that you are making, the fact that you acknowledge the work we are doing on health psychosocial as well as actually on fighting gender-based violence in our campuses, we want to do more on this upfront.

I also share your concern about how some of cash for the National Student Financial Aid Scheme, NSFAS, is being used by some of the students. It's a matter that I want to pay very close attention to so that we ensure that money does go to where it supposed to be.

Indeed, I wish to confirm that the Publishers Association of South Africa have written to me that, from last year, the buying of text books have gone down by 94%, which means that some of these things are not being done, the money is not going where it's supposed to be.

To the EFF, you have lots of problems. [Interjections.] Firstly, your focus is almost exclusively on universities. [Interjections.] You are not focussing on other things. Those things of yours which sounds revolutionary, everything for everyone, the ANC's policy is

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focussing on the poor and the working class, not to everyone.

[Applause.] Children who can afford Louis Vuitton wear do not deserve to actually be supported with some of these things because ...

The CHAIRPERSON OF THE NCOP: Minister, just a minute. Hon member, why are you standing up?

Ms N P KONI: I think my point of order ... [Inaudible.]

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

Ms N P KONI: Can the Minister take a seat before I ...

The CHAIRPERSON OF THE NCOP: Sorry!

Ms N P KONI: No, its fine, it's done.

The CHAIRPERSON OF THE NCOP: I can't hear you. What is the point of order?

Ms N P KONI: The point of order is, if the ANC care about the poor of the poorest, as we speak today, education would be free. So,

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until Higher Education is free, the ANC is not doing anything. It continues to pave the masses of this country. I thank you.

The CHAIRPERSON OF THE NCOP: Please sit down, hon member. That's not a point of order. It's a debate. It's your point of view, not a point of order. Please continue.

The MINISTER OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY: Hon Chair, the other problem with the EFF is that, you have not condemned the destruction of university property. Some of your students have actually being involved in enormous destruction. Hon Chair, 2015 to 2016, more than R800 million of university property was destroyed in this country. It has never happened; the EFF has never condemned that. Instead, some of the major destroyers are the people we are defending, we won't listen to you. Where are we going to get all these other things that you are saying if you also are not joining us to say no to destruction of university and college property? I think that is very important that we actually say that. By the way, there is travel for free education. [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon member, firstly, you can't just stand up and talk. You must raise your hand; I must point you out and then give you permission to speak. Secondly, the tendency to

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just stand up and just ramble on and so on is not helpful at all. [Interjections.] The only point where we stop as a House and listen to you is when you have raised a point of order. [Interjections.] Okay, let's hear you. What's your point of order?

Ms N P KONI: Chair, it's so unfair.

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

Ms N P KONI: I am coming to it.

The CHAIRPERSON OF THE NCOP: Okay, come to it.

Ms N P KONI: It's so unfair for yourself as a qualified Chairperson of the NCOP sitting there, presiding over a House where a speaker on the podium is casting accusations and you don't say anything about it and you just smile. It's wrong. This Minister must withdraw accusations that members of the EFF are disruptors and they are demolishing buildings.

The CHAIRPERSON OF THE NCOP: Please, hon member, sit down. That's not a point of order. Please proceed, Minister.

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The MINISTER OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY: I also want to assure members especially those who have raised the issue. The stabilisation of NSFAS is my immediate priority now. We need to address some of the challenges that are there. We have acknowledged a number of challenges. Some of them have to do with lack of capacity in some of our institutions to actually manage NSFAS properly. We are prioritising that. I will go beyond that and have a Ministerial Task Team that's going to look into the systemic issues. But to then say because of these challenges, NSFAS is not actually functioning is not true. [Interjections.] There are many EFF students who are benefiting from the National Students Financial Aids Scheme. They don't speak like you speak here because they know what it is like to get NSFAS support unlike you who talk about it from a distance, sitting here comfortable. [Interjections.]

I also want to thanks hon Ndongeni for highlighting many aspects, challenges and things we are doing in relation to the Tvet colleges sector. We are going to grow the Tvet colleges sector. [Interjections.] We are already growing it and we have already grown it. We are going to be focusing. We have a comprehensive turnaround strategy to actually address these particular issues. [Interjections.]

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What I would also want to point out is that issues about artisan training are deeply interlinked to actually strengthening our Tvet college system.

We would also like to say that on critical skills, we are continuing as department to publish a least of critical skills. We are going to have the publishing and the master plans. We are going to do that as a matter of urgency. I must say that, as I am standing here, the ANC is under no illusion that we have enormous challenges. But the progress we have made has changed enormously the situation.

[Applause.]

IsiZulu:

The MINISTER OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY: Ilungu elihloniphekile uMadlanduna, ukuba awukho lo hulumeni kaKhongolse ngabe avize zikuhlupheka izangane zakithi, ukuba sazishiya nani njenge-EFF. Ngabe ziyalamba ngabe futhi azifundi. Siyabonga sihlalo.

English:

The CHAIRPERSON OF THE NCOP: I would like to take this opportunity to thank the Minister, Deputy Minister, permanent special delegates, and the SA Local Government Association, Salga, representatives for participating in the debate. Before we proceed to the next policy

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debate, I would like to take this opportunity to welcome, the Minister, Deputy Minister, special delegates and Salga representatives to the House.

Debate concluded.

APPROPRIATION BILL

(Policy debate)

Vote No 23 - Police:

The MINISTER OF POLICE: Hon Deputy Chair, hon Ministers present, hon Deputy Ministers, the chairperson of the Select Committee for Security and Justice and members of the Select Committee, hon members of NCOP, heads of entities, the Ministry of Police, distinguished guests, ladies and gentlemen, National Director of Public Prosecutions, the National Commissioner of the SA Police Service, sanibonani, dumelang, molweni, avuxeni, allow me to greet you this afternoon in the name of safety and security of this country; which indeed remains a fundamental constitutional obligation that His Excellency, President Cyril Ramaphosa and fellow South Africans have entrusted us with in his New Dawn; with clear

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marching orders of creating the South Africa that we want and to further half violent crimes in the next decade. The focus of this Budget Vote presentation for the Police and the Independent Police Investigative Directorate, Ipid, will highlight in summary the achievements of the previous financial year and broadly what is in the pipeline for implementation in this current financial year 2019-2020. The mandate of the SA Police Service, SAPS, has one level of command and control from the national office which cuts across all provinces. It is on that score that we have implemented operational intervention measures in some of the provinces based on provincial specific operational demands.

In the coming months, we will be visiting provinces together with the Deputy Minister of Police and SAPS management; with the main focus of zooming in to the top 30 high crime stations nationally and subsequent to, those provinces with provincial commissioners will do the same and cascade the visits to top 30 high crime stations provincially. All the top 30 crime stations and drug-infested communities will be prioritised with improved resources and extensive deployment. The Tactical Response Unit ...

IsiZulu:

... Amabherethe ...

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English:

... and the National Intervention Unit, NIU, members will be deployed in full, in all the top 30 crime stations; these members will not be kept indoors for no reason when our communities are under siege. We will keep them on their boots on the streets and they will have to knock at your doors and if you do not open the doors, we will open the doors. As an immediate response, base camps will be established at crime hotspots in all the top 30 stations. Additional resources will be deployed strategically to support operations. Operation Buya Mthetho/ O Kae Molao ...

IsiZulu:

... Eyi lomuntu! Awuthule yazi ...

English:

... as championed by the Gauteng province will be elevated to a national level; therefore, all provincial commissioners are directed to formulate crime-busting strategies in line with Operation Buya Mthetho every week at crime hotspots areas. Police killings also need to be highlighted. The manner in which our police officers are attacked and killed undermines the authority of the state safety and security of our citizenry. That is why we are calling for those that are killing the police officers to be tried for treason, not just

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treason but high treason. Equally, the provincially specific operations which are currently underway are yielding positive results, in particular, the Inter-Ministerial Committee-led task team into political killings in KwaZulu -Natal. To date, the task team has a total number 170 allocated cases, 174 suspects have been arrested, 44 suspects are still in custody, 52 suspects are on bail and 29 convictions have been secured with five of them being life sentences. You would recall that the uprising of cash-in-transit heists last year was drastically reduced through the co-ordinated intelligence-driven operations including that of the three suspects that were arrested yesterday in Mamelodi. Further specialised crime requires a specialised kind of policing approach, in the following areas specialised reaction teams have been deployed, that is in Westbury, Mamelodi, Blybank and the launch of Operation Thunder in the communities of the Western Cape aimed at declaring war against crime and stamping the authority of the state.

In responding directly to the scourge of gangsterism, the Anti-Gang Unit will be elevated to a national unit under Operational Response Services, and other specialised units will be introduced. Moreover, the Western Cape lockdown operation which was announced on 11 July 2019 is also unfolding and being rolled out in crime hotspots in the Cape Flats, notorious townships and surrounding areas. President has

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since given the approval of the employment of the SA National Defence Force, SANDF, as requested by both the Minister of Police and the Minister of Defence.

IsiZulu:

Intshonalanga Koloni izobuseka. [Ubuwelewele.]

English:

Yes, definitely. It will be governable. We cannot have criminal underworlds running their own republic in this country. Governments are elected; there are no governments that you can just take over here. We have no parallel government here. [Applause.] We are quite pleased with an active community and stakeholder participation in this regard. To make lives better, for these operations, four weeks ago 77 people were killed, which is one hell of a number. The following week 54 people were killed. Last weekend, 43 were killed and this weekend, 25 were killed. We are heading to zero killings in this province in the not too distant future and that will be achieved.

For some reason, 69 219 members were long overdue for promotion. In, the last financial year, we promoted 28 067 members through grade progression with a budget of R557 million. This year we will further

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promote 20 000 members for grade progression with the budget of R773 million. So, next year, we will promote 20 000. We would be done with the overdue promotions and then we will keep the pace going forward so that we never have so many members that are not promoted when they are due to be promoted. The SAPS budget 2019, the Medium-Term Expenditure Framework, MTEF, budget amounts are R97 billion. Though there has been a reduction of R6 million that we have not surrendered on it, we are still with Treasury to say, the dream of making South Africans safe must be followed and must be achieved at all cost. If it needs to, we will have to prioritise but those things that make us be able to work and achieve the safety of the people of South Africa will have to happen at all cost. There is the Directorate for Priority Crimes Investigations, usually called the Hawks, we have some serious shortcomings that we need to fix and we are fixing them but also, we are beginning to make an impact. As we speak, we have put in front of the prosecution - their head is here - 1 800 cases to be decided and some of them are very serious and you have to remember that the Hawks do not deal with petty things; they deal with big things. Go and check your name to see if it is not among the 1 800. [Interjections.] We are strengthening the relationship and as part of strengthening the relationship between the SAPS and provinces; the National policing policy makes provision for different policies in respect of different provinces after

taking into account the policing needs and priorities of these provinces.

Each province is entitled to monitor police conduct; to oversee the effectiveness and efficiency of the police service, including receiving reports on the police service; to promote good relations between the police and the community; to assess the effectiveness of visible policing; and to liaise with the Cabinet member responsible for policing - that is me - which means you are reminded that policing is a national competence and you treat it as such.

IsiZulu:

Asihlangani nje nawe uwuvanzi nje, uhamba noma yikuphi, siyakhuluma sonke, siyixoxe, sivumelane ukwenzela ukuthi sazi ukuthi izindawo zethu zikuphi.

English:

We are working on Firearm Amnesty; we will be passing it - we hope - soon in the National Assembly so that we can give those that are running with illegal firearms and those that have guns that they do not need anymore to bring them back and after that, if you do not bring back those illegal firearms, we will come and fetch them. When we fetch those firearms, we will knock once, twice, the third time,

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it is the door that will wake you up from your bed. So, there will be no love lost there.

We are improving the infrastructure; the geographic distribution of the SAPS is substantial as it is one of few government departments that have a physical presence in virtually every city, town and village across the country. This extensive distribution is essential in order that the services provided by the SAPS in support of safe and secure communities, may be accessed as quickly and conveniently as possible. We will do away with building huge "university" police station and build small to medium size police stations which will be accessible to communities. We want to build them many ...

[Inaudible.] so that we don't have big police station somewhere in the corner where people have to take two taxis before they can reach the station but everybody must be able to walk to a police station. That is what we are trying to do. Gender-based violence continues to be a serious challenge engulfing our society. Hence this Budget Vote is dedicated to crimes against women and children. We will be intensifying our monitoring of the implementation of the Domestic Violence Act and the Sexual Offences Act to ensure that all victims receive the appropriate support and assistance at all our police stations. In the next few months, we intend to increase the number of Family Violence, Child Protection and Sexual Offences, FCS, units

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and to recruit and train more women to work within the environment. There are 108 right now and we want to put more in most of the 1 200 police stations but we also intend to train more female officers that will deal with the abused and raped women. Can you imagine what happens to a woman that is supposed to go and report to a man and explain how she was raped? I think that is further torture to that woman. So if it is to another woman, it is better, and that is what we are trying to do to improve the communication when it comes to that. Crime prevention and environmental design ...

IsiZulu:

... noma bangakuhleka wena. [Uhleko.]

English:

... challenges, we want to make this point, everybody complains about crime, the police and all that, one major problem about the crime is what is called environmental design especially in the big cities including the Western Cape. Yesterday night, very late, I went to Strand, Crossroads, and I went to Browns Farm, it is dark, you just can't see where you are going. So, we are calling for the local and provincial government to work with us to work on the environmental design. What does that mean? Put lights on the streets. Put cameras on the streets. Build houses, people must stop

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living like pigs. Put in roads with street numbers so that if we want our clients – the criminals – we will know which number we are going to and all that so that we are able to respond quicker and respond directly. This thing of just calling “police” “police” “police” without doing what you are supposed to do where you are supposed to do it is not going to work. It will only work when people live like people should when their lives are made better.

One other thing that we want to do that has not existed with the police is, we want to create the SAPS medical wing. We want SAPS to have a medical wing. For instance, I am sure you have seen how the SANDF operates; they are followed by the ambulances. When the police are going to tough operations, you need to support them with medical assistance so that the police are not shot there and you cannot find a hospital. So, you are there as they engage, as they find the problem. That is what we are going to do. We will be having a medical wing as the SAPS but also we will be working with our police, when they go to these fake doctors to get these medical certificates that they seek, we will send our doctors – real doctors – to check them so that they do not go on leave with these fake certificates. [Applause.] We will be working on the advisory board as the SAPS. We will be trying to find all the skills. The commissioner has already sent the invite for those members that want

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to reapply but there are many resources out there that will be working to bring them back and give us further experience to work with. There will be a civilian secretariat, the process of rationalisation and alignment of laws that possibly hinders service delivery and effective policing must be executed by the civilian secretariat. The civilian secretariat must do the work of supporting the Ministry especially in overseeing and making sure that they work with the police to facilitate a better working relationship.

The Independent Police Investigative Directorate, Ipid, we are in the process that by the end of September will be having a head so that it begins to function and help us in a better way. We do want to invite the members to work with us. The South African situation at the moment is not very good when it comes to the protection of South Africans. Yes, it is not the worst in the world but indeed it is not the best in the world. Much can be done. When South Africans work together on these matters especially when it comes to the cluster, that is why the young Minister of Justice is here, the head is here ... [Interjections.] It makes life ... [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Koni order! Order!

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The MINISTER OF POLICE: ... better when the police work with the prosecution, works with the magistracy till we reach correctional services. The head of ... and the Minister are here, I just want to make an appeal, wherever you go here, people tell you that the police are corrupt, no, that is wrong, some police are corrupt, some are corrupt not all police are corrupt. As for most, I am not sure but the Minister of Justice and Correctional Services is here and will tell you that they 37% overpopulated in correctional services and not a single prisoner has marched to prison ...

IsiZulu:

... sithi, Heyi, heyi, ngibopheni, ngibopheni.

English:

No one goes with a toyi-toyi there, we arrest them as the SAPS and we send them there, that is why they are 37% overpopulated because the police work. So this thing of yours of saying "they are corrupt" they are corrupted by you ... [Interjections.] no one can be corrupt if there is no corrupter. So, stop corrupting my police.

IsiZulu:

Niwagwazela la, niwanikeza amantshontsho nazozonke izinto.

[Ubuwelewele.] Ungakhulumi ngoba ngizosuke ngikhulume kodwa ngize la

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mayelana nesabelozimali angizele ukuzokhuluma izindaba, ungangivuli. Angizela la ukuxzokhuluma izindaba.

English:

So, we are making a call to say, let us work together, let us support these structures, let us support the police and let us support everybody. But, more than anything, let us make all South Africans safe but also make them live like human beings and life will be better. Thank you very much Chairperson. I am thanking my commissioner and the police and that we will do our best as the SAPS to make our lives better. [Applause.]

The DEPUTY CHAIRPERSON OF THE NCOP: I really just want to remind members that we should not drown the speaker on the podium. So, we can do what we do but don't drown the speaker. Agree but also submit.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon Chairperson; we can test it later whether I'm young or old. [Laughter] Hon Chairperson, hon members of the NCOP, Ministers and Deputy Ministers present here, senior department officials present, the NDPP, it is with a sense of immense honour that I am here today to present the Budget Vote of the department Budget Vote 21.

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The budget allocation of the Department of Justice and Constitutional Development amounts to R21,1 billion. Part of the mandate of this budget amongst others is to fight corruption and ensure that justice is not only done, but also seen to be done. This profound, mandate hon members, prompted me to dedicate my maiden budget policy statement to the late Sindiso Magaqa and many others in our communities who were killed by callous individuals and criminals.

This corruption fighting budget is dedicated to all the victims of crime, in our communities. The late Sindiso Magaqa in particular, will always be remembered for his tireless and fearless fight against corruption. As hon members would know, we are in a transitional phase towards a new Medium Term Strategic Framework, MTSF. The new MTSF will infuse the priorities that were identified by South Africans during the robust electioneering season that we have just emerged from. These priorities have been succinctly and unambiguously outlined by the President, His Excellency Mr Cyril Ramaphosa, in his recent State of the nation address.

The areas of emphasis and overall outcomes of the Cabinet Lekgotla and the President's articulations in the State of the nation of

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address form the basis of our strategic objectives and priorities as we begin our journey into the next five years.

The various commissions of inquiry have shown us that the levels of fraud, corruption and greed in our country are sophisticated and unacceptably high. The large amounts of monies involved, no doubt, constitute a serious affront to our twenty five year old constitutional democracy.

Accordingly, pending the finalisation of the adjustments to the estimates of national expenditure, the Department of Justice and Constitutional Development has made contingency budgetary support arrangements to enable the establishment of the investigative directorate under the auspices of the National Prosecuting Authority, NPA.

The investigative directorate will work collaboratively with a range of entities including, the Special Investigating Unit, SIU, the Special Tribunal and the South African Police Service, SAPS, in particular the Directorate of Priority Crimes Investigation, DPCI, the Financial Intelligence Centre, FIC, and the South African Revenue Service, Sars, to ensure that perpetrators of fraud and corruption are brought to book speedily.

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In order to rebuild the human resource capacity at the NPA and to keep the courts working, we have approved the appointment of prosecutors in nine identified one person stations. We have also resuscitated the aspirant prosecutors programme to draw new capacity into the NPA. For this year, we have an intake of 97 people from the Department of Justice and Constitutional Development and the NPA combined.

The programme commences on 12 August 2019 and those who successfully complete it will be eligible for appointment as prosecutors.

We have taken note of the serious concerns about the NPA's budgetary constraints. The Department and the NPA will submit a request for unforeseeable and unavoidable expenditure in respect of the capacitation of the specialist units of the NPA.

We will do all we can to resource the NPA from the fiscus. As this is the case with the rest of government, we will continue to explore the additional sources of funding, including the well established practice of utilizing donor funding in government. We will maintain the central role of treasury in order to insulate our institutions from a perception of possible external influence.

We have to seize the opportunities that are upon us in the advent of the Fourth Industrial Revolution. Through this Budget Vote we will make a significant investment in the modernisation of the criminal justice value chain.

The justice, crime prevention and security cluster is implementing the integrated justice system, which is a cutting edge multi departmental modernisation programme, aimed at enhancing the efficiency and effectiveness of our criminal justice system.

The integrated justice system is designed to enhance the efficacy of our criminal justice system by increasing the probability of successful crime investigation, the robust prosecution of suspects and the sentencing and rehabilitation of offenders.

This system also includes, the court recording technology, CRT, which is an important link in the criminal justice system and it enables the department to track court hours and the Chief Justice to monitor court performance. To date this system has been rolled out in over 200 court rooms across the country. In addition, 146 mobile recorders are being used in periodical courts across the country.

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Our modernisation journey also extends to a suite of services being rendered in the office of the Master. In this regard, the Master's own verification information technology, MOVIT, has been rolled out to 290 magistrates' courts.

As a result, members of the public no longer have to travel to the Six Masters Offices to lodge applications for deceased estate benefits. The paperless estate system has also been rolled out to 278 Magistrates Offices, making it possible for the deceased estates with a value of R250 000 to be reported at local service points which are closest to where the majority of people live. Through these initiatives, access to justice has become a reality for many of our citizens, particularly the poor, women and those who live in far flung rural areas.

In the 2018-19 financial year, the Department of Justice and Constitutional Development paid an estimated amount of R1,3 billion in cash to maintenance beneficiaries. Despite this commendable achievement, our magistrate courts are now faced with the risks associated with the manual handling of such large amounts. We therefore encourage parties to opt for electronic payment of their maintenance benefits rather than collecting cash from our courts premises.

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The department's capital works programme is an important element of our access to justice programme. The President will soon open the Mpumalanga seat of the High Court in Mbombela which displays magnificent beauty of its architecture. This Province is the last to get its own High Court, thus completing the full cycle of High Courts in all provinces.

In addition, we will be opening a magistrates' court in Dimbaza in the Eastern Cape. Added to this we will ensure that the construction of the Mamelodi Magistrates' court, in the City of Tshwane, Gauteng province reaches finality by the end of this financial year. It has come to my attention that the Port Shepstone magistrates' court has not been completed as previously planned due to an impasse between the Department of Public Works and a contractor who was placed under business rescue just when the construction was nearing 90% completion.

We will continue to encourage the Department of Public Works to attend the resolution of this impasse. The maintenance of the courts is of great concern to the department. A total of 25 courts, including all superior courts will be part of the total facilities management solution implemented by the Department of Public Works. This solution which will focus mainly on the repairs of the lifts

and air conditioning, which break down often and thereby cause disruptions to court sittings and contributes to the delays in the finalisation of cases.

There is on going work in transforming the office of the state attorney. Given the unprecedented levels of litigation against the state, at both national and provincial levels, we need to ensure that government has an efficient and capable legal representation.

In this regard we will approach cabinet with a business case and draft bill containing recommendations that will take the department and the country forward.

The department has increased to 80% the target in the 2019-20 Annual Performance Plan for the allocation of state legal work to previously disadvantaged individuals. You can go through the department's website and praise these allocations. It's a transparent process which the department is open to scrutiny by any member of the public.

The coming into effect of the Legal Practice Act on 1 November 2018, which among others, established the Legal Practice Council and the provincial councils, is a real game changer. I have already met with

the council and have agreed on measures and mechanisms that will foster cooperation in respect of matters that require our joint action and intervention, among these is the legal services charter. With this charter we are aiming to bring into place the private sector, listed companies, unlisted companies and banks in this country. It is not only the sole responsibility of government to empower black lawyers. The private sector and banks consume a lot of legal work, they must also play their role, we must all build the country with the same resources that we have. The private sector can also play a bigger role in this regard.

Transformation challenges are highlighted by the fact that only 53 of the total number of 549 silks are women and a mere 11 of them are African. It is for this reason that we are reviewing the processes of how silks are allocated.

As part of its legislative programme, the department will revive and introduce into Parliament the following bills this financial year:

The Prevention and Combating of Hate Crimes and Hate Speech Bill;
The Traditional Courts Bill; Land Court Bill, aimed at promoting land justice and the democratisation of land ownership. Thorough

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this bill, we aimed to address some of the challenges that have been experienced with the current land claims court dispensation.

The current land claims court dispensation was only established as a temporary measure hence we only have temporary judges in the current land claims courts system. We also have lived experiences of disputes of Consumer Protection Act, CPAs, and various bodies that have established to house land ownership as a result of restitution and most of them have broke down by disputes. This land claims court must be able to assist as a matter of urgency so that it does not defeat the purpose of restitution.

The Recognition of Customary Marriages Amendment Bill, I can confirm this will be introduced tomorrow to Cabinet as well as The Judicial Matters Amendment Bill, Cyber Crimes Bill, Child Justice Amendment Bill and International Crimes Bill.

The budget allocation for compensation of employees for the department's staff complement which is in excess of 15 000 is the department's largest cost driver. This headcount excludes the 1880 permanent magistrates and about 300 acting magistrates whose compensation is a direct charge against the National Revenue Fund.

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The following is a breakdown which includes transfers to the five entities and is part of the R21, 1 billion allocations to the department: R1, 958 billion goes to Legal Aid South Africa; R31, 4 million to the Office of Public Protector; R363 million to the Special Investigating Unit; R189, 2 million to the South African Human Rights Commission; R2, 384 billion as a direct charge to the National Revenue Fund in respect of Magistrates' salaries; R272,9 million specifically allocated for the Commission of Inquiry into State Capture.

The people of South Africa have, through the sixth democratic elections, bestowed on all of us the historic responsibility to champion the speedy resolution of the perennial challenges of poverty, unemployment and inequality. Our efforts and, by extension, the health of our nascent democracy will be measured by the degree of progress we make towards building an inclusive economy, the substantial reduction of unemployment, especially amongst the youth, the eradication of gender based violence and the creation of a conducive environment for the advancement of the Rule of Law.

I wish to take this opportunity to thank the Select Committee for its constructive engagement; the support received so far from the Office of the Chief Justice and all entities reporting to the

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Ministry. Allow me also to thank officials from the department and this House for this platform. Thank you very much.

Ms S SHAIKH: Hon House Chairperson, Minister of Police, Minister of Justice, Deputy Ministers present, Members of this august House, ladies and gentlemen, good afternoon. Chairperson, as South Africa and the world celebrates the birth month of our first democratically elected President, Nelson Mandela, we are reminded by his words that:

Our daily deeds as ordinary South Africans must produce an actual South African reality that will reinforce humanity's belief in justice, strengthen its confidence in the nobility of the human soul, and sustain all our hopes for a glorious life for all.

Chairperson, the preamble and the founding values of the Constitution assert human dignity, the achievement of equality, and the advancement of human rights and freedoms. These were not values forced on those who negotiated the Constitution on behalf of the ANC, nor was an entrenched Bill of Rights. They were demands made by the ANC as enshrined in the Harare Declaration of 1989 which provided that a new constitutional order for South Africa be based on certain principles.

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These principles included the principle that all shall enjoy universally recognised human rights, freedoms and civil liberties, protected by an entrenched Bill of Rights. The department of Justice and certain entities linked to Budget Vote 21 play a critical role in the criminal justice value chain. These include: The Special Investigating Unit, SIU, which investigates maladministration and corruption, the National Prosecution Authority, NPA, which prosecutes the offenders, and the department which provides administration for the courts that adjudicate over these cases.

President Ramaphosa, in his inaugural state of the nation address made a commitment to urgently attend to the leadership issues in the NPA to ensure the stabilisation of this and other critical state institutions, to enable them to perform their mandate unhindered and intensify the fight against state capture and corruption. In this regard, a new National Director of Prosecutions, Adv Shamila Batohi, was appointed in February 2019 to lead the NPA's revival and to strengthen the fight against crime.

However, the NPA is faced with budgetary issues with the bulk allocated to compensation of employees and operations received only 10%. There is no room in its budget for additional capacity. The NPA has lost approximately 650 prosecutors since 2015-16 and has a 20%

vacancy rate among its prosecutors. This is higher in the specialised units such as the Asset Forfeiture Unit and Specialised Commercial Crime Unit.

These play an essential role in fighting commercial crime and corruption. This situation is clearly not sustainable. Without enough prosecutors, the criminal justice system will not function effectively. We welcome the establishment of an Investigating Directorate within the NPA, which will deal with serious corruption and associated offences. This reaffirms the ANC's commitment to uprooting corruption and all it manifests.

We appreciate that the department has made an amount of R37 million for the Investigating Directorate to begin its work. The President further emphasised the need to ensure that public money stolen is returned and used to deliver services and much-needed basic infrastructure to the poorest communities. We welcome the establishment of the Special Tribunal to fast-track civil claims arising from SIU investigations, which are currently estimated to be around R14,7 billion.

The Minister of Justice has indicated that rules will soon be promulgated to enable the specialised tribunal to function

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effectively. Chairperson, in light of our international commitments, the Universal Declaration of Human Rights recognises the right of access to justice as a fundamental human right and together with the sustainable development goals see this as a realisation of other human rights.

Section 34 of our Constitution provides that, everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum. Chairperson, we are pleased that the Department of Justice is making strides to increasing access to courts in previously marginalised communities.

Though with a limited budget and delays in infrastructure implementation, it will be imperative for the committee to conduct oversight in various provinces, to ensure that the department places access to justice at the forefront of its activities. The most critical aspect of ensuring the effective functioning and modernisation of the criminal justice system arises out of the National Development Plan, NDP, which prioritises the implementation of the Criminal Justice System Seven Point Plan to achieve its

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vision of building safer communities, and the Minister has just described the system.

In 2018, the department reported on plans to implement an Integrated Criminal Justice Strategy, ICJS. The strategy seeks to address the silo approach of the relevant departments and entities in the criminal justice system in order to strengthen co-ordination and cooperation within the Justice, Crime Prevention and Security, JCPS, cluster.

This will further save on costs as this will result in a more integrated approach. Chairperson, women are in a state of constant fear of violence and abuse. Last year, President Cyril Ramaphosa called a Presidential Summit on gender-based violence and femicide where he declared gender-based violence and femicide a national crisis. The President also emphasised the need for the criminal justice sector to devise strategies to address this.

We welcome the Department of Justice's inclusion of Femicide Watch in its Annual Performance Plan, APP. The Femicide Watch will ensure that there is accurate and comparable data collection on femicide and this data will assist law makers and government officials to tackle femicide through targeted prevention and investigation

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resources. Our committee will therefore closely monitor that all the departments within the criminal justice sector develop strategies to render efficient services and effective support to survivors of gender-based violence in all provinces in South Africa.

Chairperson, we must restore the confidence of our people in our institutions by taking strong and decisive action against those who act contrary to the law and the Constitution. The ANC condemns any act of criminality by any members of the law enforcement agencies, more so those committed by senior SA Police Service, SAPS, and justice officials.

We expect senior officers and officials to lead in the fight against crime. We welcome ongoing efforts by law enforcement agencies to deal with corrupt officials in their midst, but we need more urgency and decisiveness. The Department of Police Vote 23 has a budget of R97,5 billion with at least 51,1% of the budget being allocated to visible policing. Visible policing is critical at this time in South Africa, when the country is facing extreme instances of gangsterism, drug abuse and the use of illegal weapons.

Nyanga in the Western Cape remains the murder capital in South Africa with 308 murders having being reported in 2017-18 which

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represented a 9,6% increase from the previous year. To address this in the Western Cape, in November 2018 the antigang unit was established and the President, this month, agreed to deploy the SA National Defence Force, SANDF, to the Western Cape Province to address the upsurge of gangsterism.

SAPS has also identified 30 crime hotspots as the Minister have alluded in his budget statement in order to meet the Presidents challenge to halve crime within 10 years. These 30 high crime weight stations include 16 in Gauteng, seven in the Western Cape, five in Kwa-Zulu Natal, one in Mpumalanga and one in Free State Province. In addressing crime within our communities, SAPS has to work with communities and particularly, the Community Policing Forums.

It is only through working with communities that criminals and gangsters will be identified and arrested. We do not take our oversight responsibilities lightly and will ensure that SAPS progressively minimises crime over the next five years. In achieving these priorities, the department has to ensure that it is effectively resourced.

SAPS is aiming to achieve a police-public ratio of 1:220. The department has also indicated that the 5000 police trainees that

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were enlisted in the 2017-18 financial year, will complete their training in December 2019 for deployment to the operational environment, primarily at local policing level. In 2019-20, an additional 7 000 police trainees will be enlisted to capacitate the operational environments.

The committee welcomes these developments in the Department of Police as it is evident that SAPS is taking the task of halving crime in 10 years seriously. However, the department needs to ensure that all police officers are adequately trained and resourced and, in particular, that SAPS officials have the necessary vehicles on a provincial basis to ensure that it is effective in fighting crime. We are encouraged that the department is dedicated to making the police professional and increasing community participation as these are critical cornerstones in policing and in realising the NDP goals.

Chairperson, the committee had the opportunity to engage the Directorate for Priority Crime Investigation, DPCI, or more commonly referred to as the Hawks. The 2019-20 budget allocation to the DPCI is R1,7 billion. The Hawks are instrumental in addressing corruption and ensuring that those responsible for engaging in corrupt activities are arrested and subsequently prosecuted.

To ensure a sense of financial independence, the funds of the DPCI are ring-fenced in the Appropriations Act, meaning that funds must be exclusively used for the functions of the DPCI. Chairperson, in tackling corruption, we need our departments to be well resourced, independent and well functioning. More importantly, we need all the relevant Departments to work together to tackle corruption. The select committee will consistently conduct oversight to this end.

The Independent Police Investigative Directorate, IPID, contributes to building safer communities as outlined in the National Development Plan and ensures that all people in South Africa are and feel safe. The IPID received a main budget allocation of R336,7 million in the 2019-20 financial year. IPID has intensified the fight against corruption, fraud and maladministration conducted by the members of the police service.

IPID has achieved significant success but encounters many challenges, which includes amongst other things, inadequate funding and resources. Chairperson, despite these challenges we welcome IPID's commitment to working with the NPA and their continued investigation of high impact cases. IPID's successes include securing 91 criminal convictions, having referred 1 989 cases to the NPA for prosecution and securing 207 disciplinary convictions.

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We look forward to our continued engagement and oversight over this critical directorate. In conclusion, Chairperson, we welcome the commitment of these departments to ensuring that their programmes are aligned with the NDP goals, the state of the nation address priorities and the fight against corruption within the criminal justice sector. The select committee, having considered the Budget Votes 20, 21 and 23 supports the budget and recommends that it be approved. [Applause.]

Mr G MICHALAKIS: Hon Deputy Chairperson, speaking in the budget debate on police gets harder every year. Another year passes and more of our friends and acquaintances have been the victims of crime or murder. Others are considering leaving the country, taking away their valuable skills and money and I cannot blame them.

There is almost no South African who has not at some state known the victims of several of a serious crime such as rape or murder or both.

I am tired. I am tired of hearing the same presentation every year, followed by the same commitments and promises and then to spent the next year reading about victims and attending funerals of constituents. I am as tired as the people out there are tired.

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Every week we hear of another elderly couple tortured and murdered on their farm. We hear of young people on the Cape Flats. Innocently ending up in the line of fire of scum that have turned communities into the battlefield s for their mafia wars.

Forty nine people lose their lives per day on average in this country to murder. We only read of three or four every day in the newspapers. Because if we were to cover all the murders committed in our townships there would be little space left to cover any other news.

We go abroad and asked what the status of crime in our country and we downplay it, but Deputy Chairperson the reality is that it is becoming more and more difficult to do this. Those bitter critics who sit on the other side of the waters making South Africa out to be lawless country are - to mu irritation - getting closer and closer to speaking the truth.

We cannot go on like this.

The department has committed themselves to a presentation before, the select committee on the operational aspects of SA Police

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Service's, SAPS's plan to deal with the high murder rate and this is welcomed. I do hope that this will be arranged without delay.

The reason is, Deputy Chairperson, that on the presentation we have received, I have seen little change in terms of urgency to deal with serious crimes, especially murder. This was not only of great concern to the DA, but to all the members of the select committee, showing that there is thankfully a measure of consensus in our committee that something needs to be done.

From our side, we would give the department every bit of support we can in any way that will see a clear and effective plan being put in place. I am yet to see such a plan.

Afrikaans:

Die departement het in hul voorlegging hulself verbind tot landelike veiligheidseenhede in provinsies soos Limpopo, die Noord-Wes, die Vrystaat, die Wes-Kaap en die Oos-Kaap. Hierdie besluit is 'n stap in die regte rigting en moet verwelkom word, maar terselfdetyd dui hulle aan dat daar slegs een voertuig vir elke vyf polisiebeamptes regoor hierdie land is. Daar is geen begroting om hierdie scenario te verbeter nie.

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Planne is dus op die tafel, maar dit strook nie met 'n begroting, wat, na bewering, met R6 biljoen gesnoei moet word nie. Dit is nie implimenteerbaar nie en dit is die probleem: Wanneer daar baklei word om mense se lewens te red en te beskerm, is 'n plan nie genoeg nie; daar moet implimentering wees.

Hoeveel lewens moet ons nog verloor, voordat politiek opsy geskuif word en daar weer opgetree word asof 'n lewe, elke lewe, waardevol is? Elke person wat daagliks in hierdie land weens 'n moord sterf, is 'n broodwinner wat 'n gesin het om na om te sien, 'n bejaarde ouer wat niemand skade aandoen nie, 'n kind wie se ouers hom nou moet begrawe.

Die Adjunminister het aan die komitee sy woord gegee dat hierdie tipe misdaad prioriteit sal geniet. Ek wil hom glo, maar as ek sien dat die begroting vir die beskerming van hooggeplaasdes met R200 miljoen meer aangepas word, kan ek nie die publiek daarbuite blameer vir hul woede jeens hierdie regering nie.

Hoekom is die lewe van 'n politikus belangriker as die van 'n landbouer wat kos op ons tafels sit, of as die van 'n elkelouer op die Kaapse Vlakte wat na haar kinders moet omsien, maar nie weet of sy vanaand veilig by die huis gaan kom nie?

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Die prioriteite wat weerspieël word in hierdie begroting reflekteer dat hierdie regering se belangrikste prioriteit nie die lewens van die mense daar buite is nie.

English:

Similarly, Deputy Chairperson, if we are serious about fixing what is wrong within SAPS, I would seriously urge my colleagues in this House not to be in favour of the breadcrumbs that is intended for Independent Police Investigative Directorate, Ipid. This budget needs to be seriously increased in order to properly capacitate this unit to do its job.

The Independent Police Investigative Directorate's indications are that they are currently faced with a backlog of almost 12 000 cases with a new case load of 6 000 more being broad to the directorate every year. In simple terms, it is not sustainable with the current low capacity. Some officers could go through the entire careers at this rate without ever being held accountable.

Deputy Chairperson, of these more than 11 000 cases, they are all criminal in nature and of course against SAPS members. In other words, our police service is rotten with criminals and the

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government fails to properly fund the body that should get rid of them.

If there was any will to deal with the rot in SAPS, the budget of Ipid needs to be increased without delay. If the government will not do it, we as a House should stand together across party lines and force it down. It is within our power to do so.

Deputy Chairperson, I can go on for hours about all the challenges that this department faces. I do not intend to do so. My plea today is simply that we find the way, across party lines and by doing our part as Parliament, to deal with the killing of our citizens. In this, the only commitment I ask from the department is that it would acknowledge the problem, reprioritise and acknowledge that the modus operandi of the past five years have not worked as we hoped.

We stand at the beginning of the new term, this Sixth Parliament. From my experience so far, I can honestly say that I believe that the select committee is comprised of members whom I respect and who agree that something drastically needs to be done to ensure the safety of South Africans.

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To those colleagues, through you to the Deputy Chairperson, I would like to say the following: Yes, our task as the NCOP is to represent provincial interests on a national level. We also have a duty of oversight, but in my opinion a different oversight as the one that the National Assembly practices. We cannot be a better National Assembly than the National Assembly.

We need to come up firstly with a mechanism to ensure that we take another look at national legislation pertaining to the police and Ipids, to call in the advice of experts in the fields of crime prevention - particularly specialised crime - and to come up with solutions, across party lines and from all provinces, to make sure that we change what we can in this regard and with the information that we collect in order to put a stop to bad administration and to ensure that the people are put first.

Secondly, it is vital that we get our provinces more involved in the effort to create safer communities. There is a very worrying narrative that we are a unitary state. This is political rhetoric. We are not. However, we are also not a federal state.

For us to acknowledge the importance of our provinces, as we all in this House ought to do, we should acknowledge that we are a quasi-

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federal state where the people are best governed where there is an optimal co-operation between the national and provincial spheres of government. The provinces are not irrelevant.

If my province and its government can play some role in making the Free State a safer place to live in, I would like to see the Free State government being given more power to play this role. And the same goes for all our provinces.

This can be done without changing the Constitution as there is already a precedent by the Department of Justice and Correctional Services in the last 25 years.

We need to work together to change the role that the NCOP has played over the past 22 years of its existence in creating safer communities, in co-operating with the SAPS and in holding the department accountable.

I believe that it is our wish - all of us - to see a safer South Africa. If we have a common goal, then there is already more that unite us than unites us or not. I would ask my colleagues, Deputy Chairperson, to consider this plea. The DA in the NCOP is undoubtedly committed to this from our side.

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Deputy Chairperson, people are dying. Every single day. It is no longer about military ranks and egos; about blue lights and which sphere of government has the most muscle. It should never be. There is a constitutional mandate on this department to protect all our citizens from harm.

We are a constitutional democracy and I can assure you that there are millions of South Africans like myself who wish to see our democracy work. Naturally, this government cannot be held to a standard of an autocratic government as the one we had and should never return to, neither to the standard of countries which are at war or politically unstable.

If we wish to be respected a constitutional democracy, we should be held to the standards of a constitutional democracy, which places the protection of our citizens' lives and their safety right at the top. We need to build a culture of respect for each others lives and that starts with the respect for each other as individuals.

Deputy Chairperson, for our democracy to work, we need to achieve this. The people are starting to forget what real freedom feels like whilst some have never had a privilege of feeling it at all. Real freedom is not to fear for your life. It is not to fear the state

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and it is not to fear your neighbour. It never was and therefore we have work to do.

Thomas Jefferson summed it up by saying and I quote:

The care of human life and happiness, and not their destruction, is the first and only object of good government.

I beg of you to indeed make this your first and only project. I thank you. [Applause.]

Ms F MAZIBUKO - GAUTENG MEC -POLICE: Deputy Chairperson of the NCOP, let me acknowledge the presence of the Chairperson of the NCOP, Mr Masondo, the Chief Whip, let me acknowledge the Minister and Deputy Minister of Police, the Minister and Deputy Minister of Justice, hon members, special delegates, the national police commissioner and all the esteemed guests that are here, ladies and gentlemen, thank you very much for the opportunity to participate in this debate especially on such an important debate on the Police budget. Our premier of Gauteng, hon David Makhura, when he delivered the state of the province address, Sopa on 1 July, he outlined plans of the sixth administration towards growing Gauteng together, more focus

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was on building safer communities, reducing crime and mobilising our communities in fighting and the prevention of crime.

The state of policing has changed drastically since the appointment of Gauteng provincial police commissioner, lieutenant general Elias Mawela, who is working tirelessly to turn the tide against crime in our respective communities. Let me also acknowledge the good work done by other law enforcement agencies such as that of the Gauteng Traffic Police as well as our metropolitan and local police departments. I quote our premier;

The policing fraternity must use all suitable weapons to fight crime in our respective areas. Every citizen must feel safe and walk the streets freely at any given time.

Women must enjoy their rights, free from all forms of abuse.

Accordingly, this ANC-led sixth provincial administration will work tirelessly to ensure the safety and social cohesion of Gauteng citizens.

In Gauteng we have an operation called O Kae Molao/Buya Mthetho; this is the new crime-fighting plan that is now being implemented in Gauteng. Days of strategies and speaking a lot of English is over.

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IsiZulu:

Siyabangena!

English:

Full-time!

IsiZulu:

Sithi, "Slyza Tsotsi!"

English:

The police are everywhere in Gauteng. Every day, it is roadblocks and raids are conducted throughout the province through these operations. Tsotsis - I am 100% sure - are migrating out of Gauteng. They might be coming to your provinces ...

IsiZulu:

... nani nibagade.

English:

As the Gauteng provincial government, we also have the Take Charge campaign; the desire is borne out of the fact that, in this sixth administration, we deemed it necessary and important to intensify the mobilisation of communities against crime in general. The fight

against crime cannot be won by government alone without the central role of the communities that are at the receiving end of crime. Communities are trying, by all means, to fight crime and have over the years have organised themselves to take charge of their safety. It is therefore imperative upon us as a responsive and caring government to support them as much as possible. Therefore, what is going to be of paramount importance is the mobilisation and total support of the efforts of these communities to fight for themselves. There are various sectors in the communities that will be supported to mobilise society to fight crime. We have the community policing forums, the youth organisations that are now part of the youth desks in police stations, the women' organisations which are women safety ambassadors, men as safety promoters, labour formations, faith-based organisations, the entertainment sector, people with disabilities, school-related organisations such as the school governing bodies, SGBs, and the student representative councils, SRCs. The Take Charge campaign is intended to build a stronger network of the above-mentioned sectors to intensify the fight against all criminal elements in our respective communities. We will be hosting a sectoral or corridor dialogues of the various structures either at regional and provincial level culminating into a provincial summit on safety which brings everyone on board in rooting out the criminal elements within our communities and assist in crime prevention.

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Included in that we will intensify the Know your Neighbourhood campaign because we believe communities must know who lives amongst them. We will also be rolling out the safety kiosks; its intention is to focus on the far-flung communities to mitigate the distance between the police stations and the communities. We all know that there is a demand for more police stations in our communities but the reality is that, the Minister, even in his speech, you recognised that ...

IsiZulu:

... ayikho imali ...

English:

... so we are trying, by all means, to prioritise and assist the police and the list is long especially in those priority areas. Community policing forums and community patrollers are thus important components towards the realisation of the safety of all residents of our country as directed by the National Developmental Plan, NDP. We will also work hard to re-energise the victim empowerment centres to help the most vulnerable groups in our society such as women and children, through Ikhaya Lethemba, which continues to be a sanctuary to victims of gender-based violence, will continue to support the victims and survivors of gender-based

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violence. We will also extend gender-based violence victim support interventions to the institutions of higher learning in our province to support young women on campuses.

I have seen, on Twitter, reports from young women who had reported to the police cases of abuse, assault and gender-based violence but they had not been given case numbers and there was no follow-up from the police on investigating the cases. This cannot continue anymore. The police must be quick in responding and must investigate cases reported to them, more so cases related to gender-based violence. It cannot be correct, Minister, that our focus is only on removing victims and placing them in victim empowerment centres, we must be preoccupied with removing perpetrators from our communities and locking them up in jail. We also intend to establish a toll-free line within the department where communities can report crimes when they feel not safe to report in their local police stations and the 10111 line if it is not assisting them. Policing has over the years been the central role of the SA Police Service, SAPS; we are now reorganising other units within our province including the metro police and the traffic units to respond to crime with the focus being of foot patrols in identified crime spots across the province to give meaning to the notion of "bobby on the beat" program. We

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will continue to work hard to rid our society of crime and build safer communities.

The key mandate - I'm sure the Minister has also mentioned it - of the province is monitor police conduct; to oversee the effectiveness and efficiency of the police service including receiving reports from the police and to promote good relations between the police and the community and to assess the effectiveness of visible policing. One of the new initiatives is that we will conduct regular performance audits of all 142 police stations and community policing forums and release bi-monthly if not quarterly reports on the performance of every police station to enhance accountability. This will include regular citizen satisfaction surveys on police performance, station by station. We believe that in the next five years, crime should be reduced by 50% in Gauteng and the 40 high priority police stations which were identified as per the crime statistics report which was tabled by the hon Minister in the past year. We will rigorously monitor those police stations and we will monitor them through the Gauteng Information on Police Performance System, Gipps, system. And we will continuously report to the Minister as it is dictated to us by Section 206 (5) (b) of the Constitution. Alcohol and drugs continue to be another crime contributor in our communities. Every street has more shebeens and

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taverns than before. In Braamfontein, where there is a lot of student villages and accommodation, every street has a bottle store, a tavern and a shebeen. The majority are owned by foreign nationals. Now, what kind of nation or future leaders are we raising who are fed hubbly bubblies and drugs. This also contributes to lawlessness, housebreaking, and car hijackings, smash and grabs etc. because of trying to feed a habit.

We need to be united and fight this scourge that is ravaging our communities especially the young people. School safety is also going to be a will be a priority in helping the department of education to combat bullying and crime in our schools. We want our children to be safe in all our schools. Regular searches will be conducted by the police in all the problematic schools where drugs are sold as cakes and sweets. In some schools, it's known who is selling dagga cookies. Learners are always high and unruly to teachers and teachers are now even afraid of the learners. And the programme of Adopt-a-Cop will be intensified in ensuring that the police also become friendly to learners at schools and the learners also get used to talking to the police and be able to report all the crimes. I am happy that the police are hard at work to ensure that the perpetrators of most of the crimes are brought to book and dealt with accordingly. We hope that the justice system will also do us

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that favour and put them behind bars and throw away the key or make them wear orange overalls. Illegal mining is another problem in Gauteng; a majority of undocumented foreigners are causing havoc in Gauteng. They are wearing blankets and balaclavas and they are conducting reigns of terror in communities and they are carrying ammunition that is dangerous. Our people are living in fear and they are robbed, killed, raped and shootings are happening randomly. Communities are crying and I am requesting the hon Minister to bring in the Minister of Mineral Resources and immigration to come to the rescue

The Minister of Justice also, I am sure he is also listening, that as the police are arresting them, they are also locking them up, giving them longer sentences so that then our communities will feel and we also have confidence in our government. In conclusion, we request this House to pass this budget so that we, in Gauteng, can benefit with more police and we hope that even those that are graduating out of college will also be deployed to Gauteng. More resources will be deployed and definitely hope that we will see more reductions in crime.

IsiZulu:

Siyabonga kakhulu Sihlalo. [Ihlombe.]

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Ms B LOBISHE (EASTERN CAPE CHAIRPERSON OF SAFETY AND SECURITY) :

Thank you hon Chairperson, greetings to the hon Minister of police, hon Minister of justice, to the Deputy Minister present and to all Members, let's first welcome and support the declaration by the department of justice for the magistrates' court in Dimbaza. In the Eastern Cape, EC, the Department of Safety has shown its critical importance by ensuring community safety as well as political stability in the province, through its role in support of economic drive and agro-economy by addressing the challenges of stock theft and service delivery protest respectively. Following the mandate as stipulated in the constitution of South Africa in Section 206 (3).

The South African Police, SAPS, visibility played a very strategic role during this time with minimal loss of life during these protests. Cults posing as churches have once again plucked the EC province and we still say and maintain that, if the government at all spheres doesn't come together to fight the emergency of these churches, we will end up with something that we cannot define as the country. Domestic violence in all its shapes and forms remains a challenge, especially in the rural environment of our province. We need to capacitate the vulnerable groups through awareness campaigns, education, and strong partnerships especially with the

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Department of Social Development as they are better resourced to address this scourge than our own department.

Illegal circumcision has also been a challenge in our province and it is one of the critical arrears that we are now focussing as the Department of safety, where we have partnerships with traditional leaders, the moral regeneration movement and the Department of Health, to save the lives of our young people. I'm proud to say that the Eastern Cape Department of Safety and liaison, has been able to build strong bonds and partnerships with the Kingdoms, through the establishment and launches of traditional policing models. This model was launched and Nqadu Great Place, by the minister of police, hon Bheki Cele and the MEC for safety, hon Weziwe Tikana. She further rolled out at Mnqesha, Mbumbane, Nyandeni and Qamatha Great Place. This roll out included resources allocated to kingdoms with each provided with 24 hour front line service centre and victim friendly rooms for victims of gender based violence.

A mobile police station that will go around to villages that are far from police stations, and there are police vans attached to the Kingdoms. This aims to take police services to the people as we know that our province is very scattered and at times people end up not reporting crimes because they live very far from police stations,

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therefore, we have brought the service closer to the people. The EC institutions of higher learning are plucked by the scourges of drugs and alcohol abuse. This has led to an increase in incidents of rape, sexual harassment and gender based violence.

There were also isolated incidents of murder at Walter Sisulu University. The negotiations with these institutions of higher learning, Nelson Mandela University, Walter Sisulu University and University of Fort Hare, have shown better results because they are arrears of agreements for partnerships in trying to circumvent more incidents from happening and to also have a joint program. Our crime prevention programmes and community engagements have also shown us communication gap between SAPS and the National Prosecuting Authority with the victims of various crimes.

The establishment of justice and correctional services, police and social development cluster should be a priority, as it is a vehicle that has an ability to close the gap. Our gender based violence programmes are making a positive impact very slowly due to limited resources and weak partnerships. The EC has 197 police stations and two thirds of them are in the rural arrears, hence the establishment of kingdoms, which will assist us at great length. The state of our rural police stations have negatively contributed to the partial and

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none compliance of SAPS to domestic violence Act requirements. Even though we have these 197 police stations, one is still in the pipeline and we would like to applaud the minister of police because it's a commitment that was made in the 5th administration and now we see its fruition.

Our anti-drugs strategy has been focused in the northern arrears in the Nelson Mandela region. Its also yielding positive results. However, our research has shown that the scourge of gang and drugs have now expanded to the rural environment. The department will ensure that this strategy is revised in order to address the rest of the province. Positive and speedily results have been achieved through joined efforts by all law enforcement agencies. This is an approach that must be strengthened going forward. I must also mention that, last week, as part of the re-enforcement on the anti-gang strategy, in the Nelson Mandela region we did receive vehicles from the National department which are part of fighting gangs that are out of hand in the northern areas.

The partnership with NYD has assisted a great deal on the capacitating of out of school and unemployed youth through training programs on entrepreneurship as well as the training of front-line young constables on emotional intelligence. This has helped these

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constables with treating our fellow citizens with dignity and respect. Sports against crime remain an important tool in keeping our youth active, thus preventing them from engaging in unlawful activities. The EC province will launch a campus safety model at mainstream institutions of higher learning during the first financial year in order to bring back law and order in these institutions. It has already started the process of docket analysis in order to establish as to why cases get thrown off the court roll, especially cases of gender based violence and domestic violence. Public education on crime prevention has been prioritised in partnership with all spheres of government, especially the Department of Basic Education.

As indicated, the department will focus on police needs and priorities to ensure sound capacitating of rural police stations. Our partnership with moral regeneration movement will surely place us in a position to re-establish sound ethics, morals within our communities and bring on board more social partners in crime prevention especially among the youth. The problem of undocumented foreign nationals is on the rise in our area. It further makes policing very difficult as alleged perpetrators are not traceable and if you go to most of our municipalities especially our Central Business District, CBD, arrears, they are all over. The challenge

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remains with the in the partnership with local municipalities to scourge the growth around the arrears.

In conclusion, the department of safety and liaison remains a critical department in assisting the province on economic transformation, ensuring that our citizens are and feel safe through ensuring that our schools are also safe places of learning through the safety patrol programme. Thank you

Ms M P MMOLA: Hon Deputy Chairperson, hon Minister and Deputy Ministers, hon members, officials of the department, distinguished guests, fellow South Africans, I greet you all.

Hon Deputy Chairperson, crime has always been an area of concern for the ANC. The ANC's 2014 Election Manifesto committed to the promotion of safer communities, and giving special attention to fighting crime. The ANC noted, in its 2012 Strategy and Tactics, that there should be promotion of social cohesion and that there should be a deliberate collective action to promote a positive role by members of the society in promoting a culture of zero crime rate.

The ANC-led government has consolidated partnerships across society to strengthen social cohesion and ensure that our country achieves

its value of a caring society. The war against crime is not the exclusive responsibility of the police, but of every single member of society. Those who commit crime are members of our communities. They are our neighbours, our friends, our siblings, our spouses, yet we choose to be complicit in their crimes by being silent.

Failure to report a crime makes one an accomplice and an enabler of criminal conduct. If we are to succeed in our fight against crime, criminal behaviours in our communities must change. It starts with an individual who must refuse to remain silent, while others are marred, killed and their livelihoods destroyed.

Hon Deputy Chairperson, the National Development Plan, NDP, outcome 3 states that: "In 2030, all people living in South Africa feel safe, have no fear of crime, are properly served by the police and courts, and in which corruption no longer eats away their livelihoods."

In this regard, we call upon all stakeholders to join hands with the South African Police Service, Saps, in our national effort to create a safer and secure South Africa. We urge all our people to assist the police to prevent and combat crime by, among other things,

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refraining from buying stolen goods, reporting crime and exposing criminals within their homes and communities.

As we move forward to disarming South Africa and silencing the guns by 2063, in doing so, we have developed a tailored programme for the recovery of stolen and state-owned firearms. Parallel to this programme is the recovery of the stolen and robbed vehicles of the police, including the brutal killings of police officers. This will not be successful if we lack necessary skills in detective services. We should determine, more than ever before, to look acutely in the areas of detection rate, counter intelligence and the reinforcement of informers. We hope this will limit serious crimes against our people, especially crimes like contact crimes, crimes against women and our children.

Hon Deputy Chairperson, our law enforcement agencies must similarly rise to the occasion and find new and innovative ways to combat crime and violence. We, as the ANC-led government, are on record as having called for the resourcing and strengthening of specialised police units to break the stranglehold of criminals and we commend the Minister of Police for heeding our call by establishing specialised police units, which are fighting crimes in the Western Cape, in particular.

The reduction of contact crime remains a challenge, specifically where vulnerable groups such as women, children, people with disabilities and the elderly are involved. The reality is that the underlying causes are deep-rooted in prevailing socioeconomic conditions often beyond the control of the police. The NDP Has identified the need to develop an integrated approach in the combating of crime, through the implementation of various crime combating strategies. Building a safer country requires partnership and open communication with the community to address specific elements of contact crime.

Many of the matters that are in the public domain with regard to the management and competing mandates of institutions in the Peace and Stability Cluster could be solved by a proper overhaul of the South African Police Act. The same applies to the Secretariat and Independent Police Investigative Directorate, IPID.

Matters of governance, reporting lines, institutional arrangements and oversight should be clear and simple. The legislative framework should empower the state to intervene more effectively in dealing with crime. The core business should always be fighting crime, effective policing and community participation in ensuring safer communities.

The Department of Police should re-establish units staffed with highly trained and professional police officers to respond to changing crime trends such as narcotics, cybercrime, human trafficking, crimes against women and children and international crime syndicates. Excellence and professionalism should be the hallmark of our police service.

The Saps Budget Vote 23 is the second largest budget allocation of all government departments. In 2019-20, the allocation is R97,59 billion, which represents a 6,4% or R5,9 billion increase compared to the previous financial year. Most of the budget, 78,1%, is spent on personnel costs. Of the five programmes, administration, visible policing, detective services, crime intelligence and protection and security services, the bulk of this expenditure is located in the Visible Policing Programme which has increased by 51% to R1,32 billion, as it has the largest number of employees.

We welcome the 7,14% increase in the Detective Services Programme, as well as the 7,57% increase in the Crime Intelligence Programme in order to give effect to the turnaround strategy for more effective intelligence driven policing if we are to halve crime in the next 10 years.

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The South African Police Service has historically struggled to achieve equity in its resourcing of police stations, especially in communities with the highest crime stations, compared to those in more affluent, predominantly white areas. The Saps is urged to finalise its new resourcing plan to provide basic resources like adequate visible police officers, vehicles suitable for the terrain and bulletproof vests to our communities that need them the most.

We welcome the urgency to address gang violence through the Anti-Gang Unit, which has now been elevated nationally, and the deployment of the South African Defence Force, SANDF, to stabilise the worst affected areas on the Cape Flats. However, the deployment of soldiers is a short-term intervention and the Saps must ensure that it capacitate its members to deal with this type of violent crime wherever it rears its head. The rollout of other specialised units, like the Family and Child Protective Services Units, are also equally important.

We need to move faster with the establishment of the National Policing Board that is provided for the National Development Plan. The board with multisectoral and multidisciplinary expertise should set standards for recruiting, selecting, appointing and promoting of police officers. The board should also develop a code of ethics and

analyse the professional standing of policing, based on international norms and standards.

The Independent Police Investigative Directorate, IPID, investigates crimes committed by police, deaths in police custody and deaths as a result of police action for both Saps and the municipal police service. It is encouraging to note the reported marked improvement in the co-operation between the Saps and the IPID. We hope to see the Saps acting on IPID'S recommendations speedily - not only relating to crimes committed by constables and sergeants, but also those committed by high ranking officers in order to root out the bad elements in Saps.

The Independent Police Investigative Directorate Budget Vote 20 is R336,7 million in 2019-20, representing an increase of R21,6 million, or a nominal increase of 6,9% compared to the previous financial year. An amount of R228 million is for compensation of employees, mainly investigators.

The Independent Police Investigative Directorate has only four programmes; administration, investigation and information management, legal services and compliance monitoring and stakeholder

management. The IPID's core programme is investigation and information management, which received 61,7% of the total Vote.

The Independent Police Investigative Directorate has struggled within sufficient funding which resulted in the closing down of four satellite offices in provinces, a decision which needs to be reviewed in the light of IPID's increasing workload and a high volume of backlog cases. The IPID should prioritise eliminating backlogs and provide feedback on the progress of high profile cases in provinces.

In addition, the IPID has not managed to give effect to provisions in the Independent Police Investigative Directorate Act that its investigators should earn the same as police detectives. We also note that a permanent executive director and two provincial heads of Mpumalanga and Limpopo need to be appointed, and that the numbers of investigators would need to increase to keep pace with the numerical increase in the number of Saps officers. Despite these stated challenges, the good work done by IPID is commended.

The Independent Police Investigative Directorate contributes to building safer communities, as outlined in the National Development Plan, and ensures that all people in South Africa are and feel safe.

The Independent Police Investigative Directorate Act enhances the directorate's investigative capacity and creates an opportunity for a strong, independent oversight body, which will, in consequence, contribute to the achievement of a police service that operates in line with the spirit of the Constitution.

The work of IPID takes place within an environment of increased incidents of public protests. These incidents lead to an increase in the Saps involvement in crowd control management, which in most cases result in unintended consequences. Given these events of public protests, it is clear that these actions significantly influence the overall picture of deaths because of police actions, complaints relating to the discharge of official firearm by a police officer and complaints of torture or assault against police officers in the execution of his or her duties. These developments are likely to further increase pressure on the IPID and its core business as outlined in the Independent Police Investigative Directorate Act.

The Independent Police Investigative Directorate has achieved significant success in the fight against corruption. It has intensified the fight against corruption, fraud and maladministration conducted by the members of the police service. It also encounters many challenges, which includes amongst other

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things, inadequate funding and resources. It has an important mandate to root out any form of transgression within the police service, irrespective of the position of the alleged transgressor. Public confidence and moral is slowly being restored thus enhancing social partnership between the service and the communities

The current lack in human resource capacity and the high staff turnover pose a significant threat in the fulfilment of the directorate's legislative mandate and consequently the achievement of the strategic outcomes and goals. The mandatory reporting and investigation of serious and priority crimes allegedly committed by members of the Saps and the municipal police services has resulted in an increased workload for the directorate.

In order to address the aforesaid pressures and to ensure that the IPID fully complies with its legislative mandate and added reporting responsibilities, additional resources will have to be sourced for this current period. The current economic climate and the allocation of funding might bring about additional challenges in this regard. Nevertheless, the directorate is committed to deliver on its legislative mandate in order to contribute towards the achievement of the ultimate outcome - a police service that is trusted by the community.

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The ANC-led government reiterates its support for the functional and operational independence of the directorate as the oversight mechanism to keep criminality within the ranks of the Saps in check.

The Department of Police is the backbone of the developmental state we are building and it is a pillar of the provision of safety and security. The adoption of this year's budget is within the context of prevailing difficult local and global economic conditions. It is in this context that we, as the ANC-led government, unwaveringly support the budget as it is presented. We are of the firm view that it addresses the main spirit of what we believe to be at the centre of transformation of our Police Service. I thank you. [Applause.]

The DEPUTY HOUSE CHAIRPERSON: We will now call on the hon member MEC of Police in KwaZulu-Natal, Mr T M Kaunda.

Mr M E NCHABELENG: Deputy Chair, on a point of order, it is very cold here, if we could raise the temperature a little bit, it's freezing cold.

The DEPUTY HOUSE CHAIRPERSON: Those that are responsible for air-condition; there is contingent interest here, others are getting hot flushes and others are cold now. [Laughter.] We will see how it is

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handled. Let us allow the hon MEC now to participate in the debate. You may continue.

Mr T M KAUNDA (KWAZULU-NATAL MEC-POLICE): Hon Deputy Chairperson, the Chairperson in absentia, the Ministers present, Deputy Ministers, hon members of this House, special delegates who are also present, the National Commissioner of Police, Senior Management of Police, heads of various government entities, ladies and gentlemen, and the South Africans, good afternoon.

It gives us pleasure as the KwaZulu-Natal Provincial Government to participate in this South African Police Service Budget debate today. Let me make it plain from the onset that as the provincial government, we welcome the SAPS Budget Vote 23 as tabled by the Minister of Police in the National Assembly on the 11 July 2019.

Hon members, this Budget Vote is in line with the manifesto we presented to the people of South Africa in the run up to the general elections on 8 May 2019. In that manifesto, we called upon the people of South Africa to rally behind the ANC to grow South Africa together, to address the triple challenges of poverty, unemployment and inequality.

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In making this call, we were informed by our historical mission of building a united and democratic South Africa that is non-racial, non-sexist and prosperous. A South Africa that belongs to all who live in it, as outlined in the Freedom Charter, our founding document for the progressive constitution and the National Development Plan.

Indeed, hon Minister, the plan you have presented is testament to our commitment to ensure that we reclaim our country, streets and villages from criminals who terrorise our communities. You were unequivocal in your message that this country does not belong to the criminal syndicates and drug cartels, but to all the law-abiding citizens. Your Medium-Term Budget Policy Statement also gave hope to the people of South Africa that the noble goals outlined in the National Development Plan, NDP will be realised of ensuring that:

"By 2030, people living in South Africa should feel safe and have no fear of crime. They are safe at school, at home, at work and they enjoy an active community life free of fear. Women can walk freely in the streets and children can play safely outside. The police service is a well-resourced professional institution, staffed by highly skilled officers who value their work, serve the community, safeguards life and

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property without discrimination, protect peace against violence and respects the rights of all to equality and justice”.

However, we would like to caution that police alone, will never be able to achieve this vision. Therefore, the participation of the community through their crime-fighting structures is critical in this regard. It is for this reason that we will continue to call upon the people of South Africa to partner with government and the police in the fight against crime by participating in community crime fighting structures in their streets, villages and wards.

In KwaZulu-Natal, we are taking this approach a step further through a Masakhane campaign that we will soon be launching. This campaign will focus on instilling positive societal and family values. We hold a view that part of the reason why crime is so rampant in our society, is because we have allowed the erosion of family and societal values. For us to win this battle against crime, we must go back to basics and build strong family structures. Therefore, this campaign will go a long way in ensuring that our communities don't have families that continue to produce hardened criminals who rape our women and children, murder innocent people and destroy public infrastructure.

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Hon members, we are encouraged by the commitment the Minister of Police has shown in tackling head-on some of the crime challenges troubling our province. You will recall that in the run-up to the local government elections in 2016, KwaZulu-Natal experienced an increase in the murder of politicians. This subsequently led to the establishment of the commission of enquiry into the murder of politicians by the provincial government. We are pleased that great strides have been made in implementing the recommendations of the commission.

One of the successes we have achieved, through the intervention of the Minister, police and the ministerial committee, is the arrest of the suspects who are implicated in these murders. We commend the police for their sterling work in arresting 174 suspects implicated in 170 cases in our province. This is inspiring and as the province, we want to make a call that police must be afforded space to discharge their responsibilities without any fear or favour. No matter whom the suspect is; be it a politician, a business person or anyone holding any high position in society, the law must take its course.

Chairperson, school safety has become a major concern in the country and in the province, and the incidents of crime we have witnessed

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recently in schools are shocking and indicative of a sick society. The attack and killing of staff teachers and administrators and the violence among learners themselves are an indication that a lot more needs to be done to make our schools safer places. We are therefore pleased that the Minister has placed the issue of school safety, high on his agenda by issuing an instruction that station commanders must adopt schools and ensure that their members are deployed to such schools, especially those that have become prone to violence.

As the Department of Community Safety and Liaison in KwaZulu-Natal, we have partnered with the Department of Education in a number of initiatives to fight this scourge. Amongst those initiatives is to convene a summit to deal with violence in schools, which will be held in September. Some of these initiatives are also aimed at ensuring that we mobilize committees to take ownership of the schools so that they are able to protect those committees that exist in those schools. One of the initiatives is to attach crime prevention volunteers to schools so that they too can assist in alerting the police on time if interventions are needed, before any incidents escalate into violence.

Hon Chairperson, the proliferation of illegal firearms, drugs and alcohol are major drivers of violent crime in our communities. The

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murders that we continue to witness in our communities are committed by illegal firearms. In most cases, drugs and alcohol are at the centre of rape and gender-based violence that bedevils our communities. We therefore commend the Minister for taking practical steps in ridding our communities of illegal firearms. As the KwaZulu-Natal, we are fully behind the move to approach Cabinet to consider a firearm amnesty period with a view of reducing the number of illegal firearms and provide firearm owners with the opportunity to hand in their unwanted firearms.

Hon chairperson, as we introduce all these measures to fight the scourge of crime in our communities, we must be mindful of the fact that criminals are also having sleepless nights, pondering and orchestrating fight back strategies, as Thomas Sankara had this to say:

"You cannot carry out fundamental change without a certain amount of madness. In this case, it comes from nonconformity, the courage to turn your back on the old formulas, the courage to invent the future"

Therefore, as we embark on this journey to create a crime-free society, we must remain focus and be combat ready. Our people expect

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nothing else from us as public representatives but service delivery, guided by the new spirit of Khawuleza, we must move with speed to respond to the needs of our people.

Hon members, as the ANC, we strongly believe that fighting crime requires a holistic approach that takes into consideration the socio-economic conditions of our people. It is a matter of public record that South Africa is one the most unequal societies in the world as the majority of its people were excluded from participating in the mainstream economy. We are pleased that in his Budget Vote, the Minister has introduced measures to support youth and women-owned businesses. This is in line with our radical socio-economic transformation programme.

Chairperson, since the advent of our democracy, we have spoken of socio-economic transformation in all our plans from the Reconstruction and Development Programme, RDP, Growth Employment and Redistribution Strategy, GEAR, to the National Development Plan, NDP. Today, we are talking about accelerating the pace of transformation across our society, but most importantly in the mainstream economy. We are saying the state must use all its levers, including its buying power or procurement, to increase the involvement in the economy of the majority of Africans in particular

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and blacks in general. More than before, we are resolute and unapologetic in our determination to ensure that our economic participation reflects the demographics of our country.

In the Department of Community Safety and Liaison in KwaZulu-Natal, we have transformed the lives of workers who were providing cleaning services through a service provider. The department assisted them in registering as a co-operative and they received a certificate which confirmed that they can provide the service on their own. The department outsourced the cleaning service to these women through their co-operative.

Therefore, we would like to commend the Minister for opening up business opportunities for women and youth in areas such as vehicle, maintenance and food arrangements at police holding cells. This initiative will go a long way towards improving rural and township economies. It will also contribute in addressing the issue of youth unemployment in our country.

Hon members, the world is undergoing massive digital transformation and as a country we must be at the centre of this Fourth Industrial Revolution. We therefore support the commitment by Minister of

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Police for setting aside dedicated funding to improve technology that will drastically reduce all priority crimes.

In KwaZulu-Natal, we are planning to host a crime colloquium that will feature academics among others. This colloquium will discuss crime challenges guided by academic research and other evidence-based knowledge institutions. We are also going to use this platform to explore the use of technology in the fight against crime to align ourselves with the developments brought about by the Fourth Industrial Revolution.

As the provincial government, we are also investing huge financial resources in improving environmental design by upgrading our road infrastructure, particularly in rural and township areas for better policing. Chairperson, fighting crime is a collective responsibility. Therefore, let us all put hands on deck to fight the scourge of crime and build a safe, peaceful and prosperous country. I thank you. [Applause.]

Mr K MOTSAMAI: Deputy Chairperson, the leadership of the EFF and the entire ground forces, this country is one of the most dangerous countries in the world.

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Setswana:

Aforikaborwa ke e nngwe ya mafatshe a itsegeng ka dipetelelo, dipolaano le botlhokatsebe bo bo kwa godimo. Seno ke bothata jo mo diporofenseng tsotlhe. Tona ya Lefapha la Sepodisi, Ntate Bheki Cele, o samagane le go fedisa bothata jono, ke sone se a tswang go tsaya masole go tla go thusana le basepodisi. Batho ba rona ba latlhegelwa ke matshelo a bona ka ntlha ya botlhokatsebe.

English:

In Cape Town, we have seen an average of 30 people killed in gang violence. But gangsterism is not just limited to Cape Town.

Setswana:

Digongwana tsa bosenyi di iphile matla mo nageng ka bophara: Kwa magaeng, dikolong le dikgolegelong. Batho ba rona ba a bolawa. Puso ya rona e leka maano a le mantsi go fedisa botlhokotsebe ka digongwana tsa bosenyi; le dipolaano tse di setlhogo mo nageng ya rona. Go na le melao le mananeo ao puso e ka a dirisang go fedisa ...

English:

... violent crimes in this country. The starting point is for the Minister to increase the police officers. The police officers must

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be better trained and provide them with better resources and equipment. Currently, you have an unequal distribution of police resources which is a reflection of how police resources were distributed during apartheid.

Setswana:

Mo mafelong a mangwe batho ba le 40 ba bolawa ka ngwaga, fa kwa mafelong a go tshwana le Phillipi go bolawa batho ba ka nna 40 ka beke, ke ka goo mapodisi a lefelo leo a tshwanetseng go nna gona ka dinako tsotlhe.

English:

Due to having a high number of murders per year, we cannot continue to allocate resources based on apartheid spatial planning. In order to address the maladministration of the police capability and resources, the EFF has a number of solutions: Firstly, police resources must be allocated according to the number of police in catchment areas and the level of the crime in that area.

Secondly, satellite police stations must be established in every ward that currently does not have police stations. Thirdly, police vehicles must be repaired and additional 700 000 preachers by the end of 2022 must be established. All police reservists and security

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guards must be absorbed in a chief unit of the SA Police Service, SAPS, and women capacity must be increased.

Community Police Forum must be reactivated and they must be properly compensated. We also need to be questioning where the guns that are used to kill our people are coming from.

Setswana:

Re bona ka fa batho ba rona ba bolawang ka gona letsatsi le letsatsi mme ga go sepe seo se ka dirwang go fedisa seno.

English:

I just want to come to the Minister of Justice. During the apartheid era, our people were arrested and sentenced by the apartheid government. I am one of those people. The prisons were overcrowded, which is the violation of human rights.

Setswana:

Tona ya Bosiamisi le Tirelo ya Dikgopololo, o ikutlwa jang fa dikgolegego di tletse ka mokgwa o di tletseng ka ona?

English:

Don't you think that the political prisoners should be give an amnesty so that they can be released because they are still languishing within the prison premises? Minister Bheki Cele, you also talk about the corrupt police officers. Pay the police officers and the members working for correctional services so that they cannot be bribed. Most of the police officers are involved in corruption, rape and murder cases and none of them are being prosecuted for those cases.

Setswana:

Botlhokotsebe jono bo diragala mo mafelong a a tshwanang le Katlehong.

English:

They are involved even in robberies, and they are your members. Can't you get the right people to investigate those cases? The other example is Kanya, a student who was arrested for fighting for free education and yet I heard you saying that there is free education taking place at this moment. Can't you release the comrades who have been arrested and sentenced from the Department of Justice and Correctional Services? My question is: If you say there is free education, why are they still behind bars? Can't you release them? I thank you.

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The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon Motsamai. Before we called the next speaker, let us just welcome the Chief Whip of the Majority Party who is also attending our sitting in the gallery.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon Deputy Chairperson, hon Ministers and Deputy Minister, MECs, Chairperson of Select Committee on Security and Justice, Members of the National Council of Provinces, the aim of providing access to justice drives the work of our department, that is justice and constitutional development. As the Minister has indicated, when it comes to courts there have been significant developments around rationalization and infrastructure.

The department embarked on the rationalization of magisterial districts and aligning the jurisdiction of magistrates' courts with municipal and provincial boundaries so that communities can obtain legal redress and access justice services nearer to where they live.

All provinces have been aligned, with the exception of the Eastern Cape, KwaZulu-Natal and Western Cape, where consultations with the judiciary, stakeholders and affected communities are still ongoing. The aim is to finalise this during the current financial year.

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With regards to the alignment of magisterial districts with High Courts, the alignment of the divisions of High Courts with provinces for Gauteng, North-West and Limpopo, has been completed. The alignment of magisterial districts also provides us with an opportunity to reconsider the current spread of Chief Magistrates in some of the geographically larger provinces to ensure a better alignment of administrative regions. Currently, in the Western Cape all three Chief Magistrates are based in Cape Town, one in Wynberg, one in Cape Town CBD and the other in Mitchells Plain.

Whilst some of the Chief Magistrates are heads of an administrative region and others not. The also applies to other provinces such as KwaZulu-Natal and Eastern Cape. Changes in this regard will take place after consultation with the Magistrates Commission and other role players.

Small Claims Courts significantly improve access to justice and make civil justice inexpensive and accessible to those who cannot afford litigation in the Civil Courts. These courts are used to settle civil disputes and claims of up to R20 000 between parties, without representation by an attorney, expeditiously and in an informal manner.

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Today, we have 415 Small Claims Courts, with an extra 49 additional places of sitting across the country. In the last financial year, these courts resolved 56 000 cases, with claims to the value of R290 million. So although they are called Small Claims Courts, these are not small amounts.

Advisory boards, consisting of appointed members of the public, stakeholders and officials of the department, are effectively responsible for the functioning of the Small Claims Court in a particular Magistrates Court.

The inclusion of persons from the community on these boards is to be encouraged as they make valuable inputs around the concerns of the public. As this is a service to the community, members of advisory boards render a form of community service and are thus not remunerated for their services. This is something where the hon members can assist by identifying suitable persons in their communities to serve on these boards.

I would like to highlight the services being offered by our regional offices - that is the regional offices of the Department of Justice. We call them regional offices, they are actually in each province. I think it serves not to confuse them with provincial governments. In

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particular, when it comes to court operations, support to victims and other vulnerable members of society who seek redress from the courts.

Our regional offices provide administrative support to the Small Claims Courts, Domestic Violence Courts, Maintenance Courts, Child Justice Courts and Children's Courts by monitoring cases and statistics in their region or province, managing and training court officials, managing complaints, stakeholder management and conducting awareness campaigns regarding the work of the department and the courts.

In addition, the regional offices play a vital role in our efforts to combat trafficking in persons and to assist our National Task Team on lesbian, gay, bisexual, transgender, and intersex, LGBTI, rights.

They also have a particular focus on priority areas such as the Sexual Offences Courts in the various provinces or regions by monitoring the number of cases in these courts, ensuring that these are equipped with the correct systems and that it is in working order, attending to the allocation and availability of intermediaries, training of court officials in this sphere of

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operations and being responsible for stakeholder engagement. I've mentioned the Sexual Offences Courts specifically, because Sexual Offences Courts offer a number of victim support services, which include, amongst others, court preparation services and intermediaries who convey questions and statements received from the court to the victim in a sensitive and age- appropriate manner.

In addition, we make use of specialised audio-visual equipment and services such as testifying services for children, persons with mental disabilities, and all traumatised victims, irrespective of age. These witnesses testify in private testifying rooms, designed for that purpose, through a Closed-circuit television, CCTV, system - out of the physical presence of the accused and other people.

Furthermore, we are continuously working with role-players to improve the practical implementation of the sexual offences legislation. The regulations setting out the minimum requirements for Sexual Offences Courts have been finalised after consultations with Regional Magistrates, the National Prosecution Authority, NPA, and civil society service providers. We are currently awaiting the inputs and concurrence of the Chief Justice before gazetting them.

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In February this year, the department finalized Phase 1 of the Femicide Watch which is intended to assist the country to measure, profile, prevent and respond appropriately to incidents of femicide in particular intimate femicide where a woman is killed by her partner. It is the first in Africa. In this financial year, the department will be developing Phase two of the Femicide Watch.

We should have no illusions about the fact that levels of racism, prejudice and intolerance are increasing and we have Equality Courts which can assist. Equality Courts adjudicate matters specifically relating to infringements of the right to equality, unfair discrimination and hate speech.

All High Courts and Magistrates' Courts have been designated as Equality Courts. I am pleased to advise that the Minister will soon publish a proclamation designating regional courts as Equality Courts, so that members of the public can now access the services of the Equality Courts at the Regional Court. Civil Courts will also be designated to hear promotion of administrative justice matters Act matters and promotion of access to information matters.

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Some 473 cases were registered in the Equality Courts countrywide in the last financial year. Over 50%, half of the reported complaints relate to unfair discrimination, followed by hate speech with 30%.

When one looks at these cases from a provincial point of view, it's very interesting that in only two provinces a significant number of cases are being brought to these courts. Of the 473 cases registered, the overwhelming majority came from KwaZulu-Natal with 229 cases. Then came Gauteng with 135 cases. The numbers other provinces are very low - there were 28 cases in the Eastern Cape, seven in the Free State, nine in Limpopo, ten in Mpumalanga, one in North West, 13 in the Northern Cape and 41 in the Western Cape.

This tells us that we need to do more to make persons and communities aware of these courts. We therefore intend to embark on awareness campaigns on the Equality Courts and the types of matters that are dealt with by these courts.

Two provinces - North West and the Northern Cape - have been identified to have Equality Court awareness sessions where we will partner with Legal Aid SA, Chapter 9 Institutions and other role-players. We would, no doubt, like to do the remaining provinces as

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well, but due to severe budgetary constraints it will only be possible to do these two provinces in this financial year.

Legal Aid SA continues to champion the rights of all persons to access justice through the provision of legal aid services. Legal Aid SA has a national footprint of 64 local offices and 64 satellite offices which are closely aligned to where the courts are located in the various provinces, as well as allowing for a reasonable travel distance for clients to access its offices. From a provincial perspective, Legal Aid SA ensures that its service delivery footprint and resource allocation is planned bearing in mind population demographics, in and out migration, the urban rural divide and improved alignment to demand for its services.

Hon members, the National Development Plan, NDP, urges us to build a society where all persons are and feel safe. This means that we need a criminal justice system that works. Notwithstanding existing challenges, the conviction rates of cases are indicative of a functioning system.

All Criminal Courts managed to obtain a 94% conviction rate, High Courts achieved an 89% rate, Regional Courts a rate of 81%, which is

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the highest rate in the past five years, District Courts a rate of 95%, exceeding the target by 2%.

Chairperson, to conclude, the budget and the programme we present today underscore government's commitment to access to justice for all and the advancement of the rule of law. I thank you.

Mr S E MFAYELA: Chairperson, rural safety has taken the back seat when urban crime and modern technologies are implemented to fight gangsterism, sophisticated syndicates and hijackings. Yet, stock theft, farm killings and the killing of rural women and children who hike along distances on trucks and bakkies have almost been forgotten.

As IFP, we know that the task at hand is a difficult one and that Minister, Cele is trying his utmost best. Therefore, allow me to commend the Minister for his eagerness and energy. He has the right oomph. He has the right phrase for both enemies and criminals. We need to address crime in our country.

Minister, we must not politicise crime. No Minister, no political party and no public official have all the answers. We can only make recommendations and provide some solutions. We need to stand

together as a nation and fight these enemies of the mankind, criminals. We need to strengthen the capacity of the SA Police Service to fight crime, particularly in rural communities.

Police when called for an emergency arrive hours later and then blame the routes and lack of rural infrastructure. This is unacceptable. We must ensure that the safety of all our people is a priority. We cannot forget the people who live far away from the cities. Policing is not easy, but we cannot make an excuse when someone somewhere has lost a member of their family or community.

Hon Cele and hon Lamola,

Isizulu:

... izigebengu ziyaboshwa namhlanje ngakusasa zibe sezicanasa. Lokhu kusho ukuthi kukhona okungalungile okungahambi kahle. Kubalulekile ke Ndosi ukuba amaphoyisa akho uwaqeqeshe uma ebhala izitatimende abhale into engaphunyuki ngoba uma esefika uNgqongqoshe uLamola uyazidedela izigebengu ngoba izitatimende azigcwele.

[Uhleko.] [Ihlombe.]

English:

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We should ensure that Independent Police Investigative Directorate, Ipid, has all financial and human resources in place to ensure that we always hold the police accountable.

Isizulu:

Ngaleso sizathu Ndosi nawe lungu elihloniphekile Lamola ngiyaninika isabiwomali sokuthi nisebenze lo msebenzi. [IOhlombe.]

Mr E M MTHETHWA: Chair, hon Minister of Justice and Correctional Service, hon Minister of Police, hon Members of the Executive Council, MECs, in the House representing different provinces, hon guests, ladies and gentlemen, good afternoon.

I rise on behalf of this glorious movement of South African oldest liberation movement, the ANC in support of this Budget Vote No 21, as tabled by both Ministers today in this House. The vision of the democratic government of the ANC was to transform the justice system so as to implement the value of the new Constitution, especially the value of equality and dignity.

It was to ensure that the policies of South African first democratic government must work. The vision of Justice Vision 2000 was to have a system of justice that will give every person a fair and equal

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access to justice and guarantee the dignity rights and security of every person and of all community regardless of race, gender or any class.

The democratic government of the ANC inherited a legal system which was designed to implement the colonial and later the apartheid policies. It was of this fragmented system and unfits to meet the demands of the new constitutional democracy which was unshared by the South African first ever and nonracial democratic election in 1994.

In the past, the courts system, the administrators or the estate and all other parts of the system of justice were modelled around the needs of white people who were made up of twenty percent of the national population. About eighty percent of the majority which include Africans, Coloureds and Indians had marginalised service that were segregated and of the low standard instead of being helped by the justice system where blacks were also victims.

The Human Rights have defined the struggle for freedom and justice as led by the ANC. When addressing the question of justice, access to justice is paramount.

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The vision of Justice Vision 2000 is a system of justice that amongst other need to give every person a fair and equal access to justice and also to guarantee dignity rights and security of every person and of all community regardless of race, as the Minister also alluded to this issue of race, gender, money or any other differences.

The ANC-led government has made great strides in ensuring that justice is accessed by all. The courts built during the colonial apartheid regime were mainly built in white urban areas. The ANC-led government has built courts in townships today and in rural areas, thus is bringing justice close to the people.

The ANC-led government has progressively roll-out small claim courts to many areas as Minister Jeff has raised on this matter now in the country. Small claims courts are for minor civil disputes of up to the value of R20 000. They are conducted in a formally and speedily expensive manner and no legal representation is allowed.

Currently, there are four hundred and fifteen and the numbers were given by Jeff as to how many people has gone through that but the courts are four hundred and fifteen small claim courts in the country. We welcome the Department of Justice in undertaking the

legislative development in the legislative government small claims courts as the legislation predates and the Constitution.

The colonial and apartheid system denied in the main the black majority the right to access court and legal representation. Section 34 of our Constitution guarantees everyone the rights to access courts and independent and impartially tribunal of forums. Under the ANC-led government, everyone and not just some has the guarantee right to have their disputes heard and resolved by the application of the law.

Access to justice includes the rights to legal representation. There can be no justice when the justice system can be accessed only by the elite. When the poor can't seek relief or protection or enforce the rights in courts or other tribunal because of the exorbitant amount of the legal fees. There can be no justice when the criteria for access in justice are worth privilege.

The ANC-led government has ensured that the poor and indigent are not denied the legal representation. Legal Aid South Africa offers independent access and quality legal services for criminals and civil matter to those who can't afford to pay for legal services.

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Over the past financial year, Legal Aid South Africa received 416 000 new matters. This shows that this government is at work. Legal advice over the phone is also offered and more than 724 000 people were assisted by the organisation, including children over the past financial year. This is the good work.

As we celebrate the birth month of the President, comrade Nelson Rolihlahla Mandela, I wish to remind this august House of his words wherein he said and I quote: "Freedom can't be achieved unless women have been emancipated from all forms of oppression".

Owing to this patriarchal society we live in, women are usually the ones who suffered the most injustice whether it will be through gender based violence, femicide, abuse, lack of support in children maintainance or discrimination. The ANC led government has progressively rolled out sexual offences courts, like Thuthuzela and Khuseleka Care Centres. While this is a good and progressive move, there is a need to strengthen and capacitate these centres and courts.

On the issue of child maintenance, women usually suffer the most when it comes to child support. The Department of Justice introduced the MojaPay system which has proven to be successful as we speak

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today. The ANC in its resolutions has called for harsher measures for maintenance order defaulters. We encourage the rollout of MojaPay system across the country. Women and children should not be made to suffer injustice.

The roll-out of maintenance courts and particularly the enactment of the Maintenance Amendment Act, Act 9 of 2015 shows that the ANC is commitment to the enhancement of the maintenance system and ensuring that the most vulnerable in society, which are women and children, are provided for by those who have an obligation to maintain them remains a priority of the department.

Equality Courts have been set up to provide assistance to those who believe that they have suffered unfair discrimination, hate speech or harassment. These courts make sure that it is easy for someone with such a case to bring their case to the court and that the issue is finalised as speedily as possible.

President Ramaphosa, in his inaugural state of the nation address made a commitment of urgently attending to the leadership issues at the National Prosecuting Authority, NPA, to ensure the stabilisation of this and other critical state institutions and to able them to

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perform their mandate unhindered and intensify the fight against state capture and corruption.

In this regard, a new National Director of Prosecutions was appointed in February 2019, following a thorough and transparent selection process, to lead the NPA's revival and to strengthen the fight against crime. The committee welcomes the appointment and it was impressed by advocate frank engagement with it during the hearings.

As per the President's commitment to the establishment of an investigating directorate within the NPA, the committee also welcomes the establishment of same which will be dealing with serious corruption and associated offences, especially those highlighted by the various commissions of inquiry. The appointment of these two capable women to these positions reminds one of the words of the former ANC President, Oliver Tambo who, in the 1981 Conference of the Women's Section of the ANC said, and I quote:

We need to move from revolutionary declarations to revolutionary practice. We invite the ANC Women's Section, and the black women of South Africa, more oppressed and more exploited than any section of the population, to take up this challenge and assume

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their proper role, outside the kitchen among the fighting ranks of our movement and at its command posts.

The ANC supports this Budget because we have a purpose that every system that is being set up without this department, is the department that is the heart of the country therefore we find no reason not to support this department. We therefore support this Budget. I thank you.

The DEPUTY MINISTER OF POLICE (Mr C C Mathale): Chairperson of the session, the Chairperson of the NCOP Ntate Masondo, the Deputy Chairperson, the Minister of Police General Bheki Cele, the Minister of Justice and Correctional Services hon Lamola, Deputy Minister Jeffery, the chairperson of the select committee, hon Members of the NCOP, members of the executive council, MECs, present here, the Chief Whip of the NCOP, the National Commissioner General Sithole, the acting-head of the Independent Police Investigation Directorate, Ipid, Ntate Senna, the head of the National Director of Public Prosecutions, NDPP, Ms S Batohi, the leadership of SA Police Service, Saps, present here, distinguished guests, ladies and gentlemen, delivering his second 2019 state of the nation address, President Ramaphosa said that the time for idle talk was over, he emphasised that everything comes down to implementation if the

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country is to realise the vision of the National Development Plan. He unambiguously stated that, I quote: "Unless we take extraordinary measures, we will not realise Vision 2030"

We therefore present ourselves before this august House today conscious of the pressure and mammoth service delivery demands facing us on the one hand and the stagnant economy and limited government resources on the other hand. The shrinking public purse implores us to choose certain areas of service delivery above others and we are determined to strike the right balance in this regard.

Chairperson, having said that, we do not intend compromising on our obligation to continue pursuing every effort that will deliver a crime-free South Africa, where the citizenry and everyone within our borders live without fear of being attacked or becoming victim of criminality. As our late national icon, President Nelson Mandela said, I quote:

Safety and security don't just happen; they are the result of collective consensus and public investment. We owe our children, the most vulnerable citizens in our society, a life free of violence and fear.

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Fighting crime is not the sole responsibility of our men and women in blue but it is our shared responsibility which should be appreciated and acted upon. We are determined to ensure the safety and security of our citizenry and we shall not allow our people to be held at ransom by criminals. Where we are restrained by resources, we will continue to draw on all other stakeholders – as an example at hand – is the deployment of the army to assist in the restoration of peace and order in selected crime-ridden townships within the Western Cape, as the Minister stated. We are also strengthening our overall crime combating interventions to allow ourselves to respond appropriately to all forms of criminality.

Hon members, I am perturbed by the deafening silence around the continuing killing of police officers, but when a police officer kills a civilian even if it is in self-defence, the noise becomes drowning and is almost always accompanied by a plethora of unfounded criticism against government and police management. We cannot continue to bury our sons and daughters who have dedicated their lives to the safety and security of our country. Criminals deliberately target our members for the sake of perpetuating their criminal endeavours. This highest level of criminality cannot be tolerated and we will continue to confront it in every way possible.

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The Fourth Industrial Revolution is upon us, criminals are applying advanced technologies in the commission of crime and we are determined never to be out-smarted by such criminal enterprises. We are therefore developing system capability to provide daily operation information on prioritised areas and optimise use of daily crime information at all operational levels. Hon members, transport-related crimes are also on the rise and impacting negatively on the economy, hence we are enhancing the policing of such crimes. The damage and theft of trucks and cargo damages not only the road infrastructure, but also affects our economy. The damage to rail infrastructure and trains affect the most vulnerable members of our society and has a negative outlook on our economy. The Saps will therefore conduct high visibility operations in the Metrorail corridors with the focus on serious and violent crimes.

Together with other relevant departments we will put stop to the crime of burning trucks and trains. We will continue to fight corruption regardless of the source. We are tackling corruption head-on and we will ensure that the Anticorruption Task Team shall continue to be enhanced by mobilising stakeholders to support the mandate of the Directorate of Priority Crimes Investigation and the priorities of government. The directorate shall also support the work of the Ministerial Committee, in terms of the SA Police Service

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Act. We have no room for thugs in the police and we will deal decisively with Saps members who are involved in any form of corruption.

To this effect, we are institutionalising integrity management, including the establishment of an ethics officer capability and the implementation and monitoring of the approved anticorruption strategy, including the prevention, detection and investigation of corruption involving Saps members. We are also prioritising the need to strengthen institutions such as the Independent Police Investigation Directorate, aimed at playing a crucial role in relation to police ethical conduct.

Hon Chairperson, the Ministry of Police will provide the necessary support to Independent Police Investigation Directorate, Ipid, in its attempts to lobby for additional funding required in ensuring that Ipid has the necessary resources and capacity to deliver on its mandate. Thank you, Chairperson. [Time expired.]

Mr A B CLOETE: Chairperson, it is said that fortune favours the brave but this is not true for the brave police officers who everyday put their lives at risk for our safety. The FF Plus honours all our brave police officers who are loyal and fearless in carrying

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out their duties despite the difficult conditions and poor prospects. However, we strongly condemn the behaviour of some police officers, often deployed cadres, who consider themselves to be above the law.

South Africans should insist that police services must be allowed to serve and protect without any political interference but still within proper disciplinary norms. Minister, South Africa cannot become a police state where, police are abused to clean up where politicians fail. We also cannot become a military state where the army is abused to clean up where the police fail. Minister, if the police in this department fail, South Africa will fail. The recent study conducted on data by various international organisations, judge South Africa as the most dangerous country for women to be travelling alone. The factors that the survey for the Women's Danger Index considered were amongst others; safety to walk alone at night, intentional homicide of women and non-partner sexual violence. Minister, South Africa outscored all countries in this regard.

Chairperson, ineffective policing, result in citizens having to pay extra for a basic service that ought to be provided by the authorities. We are increasingly becoming a failed state where

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citizens are expected to implement basic functions where government fails to do so.

Afrikaans:

Geweldsmisdaad deur onwettige vuurwapens vind daaglik plaas en eis jaarliks duisende onskuldige lewens. Beter polisiëring van onwettige vuurwapens is nodig.

Maar, die VF Plus staan egter ontwrikbaar by die reg van bevoegde burgers om vuurwapens te besit, om in gepaste gevalle, hulle eiendom en lewens te beskerm.

Die Minister het self in 'n parlementêre antwoord erken dat daar meer mense jaarliks in Suid-Afrika deur messe en ander skerp voorwerpe vermoor word as deur vuurwapens, maar hierdie departement wil op privaatvuurwapens fokus.

Die ANC se fokus is verkeerd deur onskuldige mense te ontwapen in 'n land waar die polisie daaglik beheer verloor.

English:

Speaking of wrong focuses, Minister, when will the people of Mangaung be able to see what a Metro police chief that was appointed

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a year ago has done for more than a year? He was appointed in May last year and we have not seen any sign of a metro police department in Mangaung.

Afrikaans:

Minister, plaasmoorde bly 'n krisis. Dit bly gevaarliker om plaasboer te wees as 'n polisieman. Die landbougemeenskap word weerloos gelaat en die regering se landelike beveiligingsplan misluk as gevolg van 'n tekort aan menslike en ander hulpbronne.

Landelike beveiliging se fokus moet op plaasaanvalle wees en ander landelike misdaad soos veediefstal. Ons landelike gebiede en plase word geterroriseer.

Minister, jy het gesê dat jy op intelligensiegedrewe spesialispolisiëring fokus. Daar is niks wat jou verhoed om spesialis-landelike beveiligingseenhede in provinsies te vestig nie, waar landelike veiligheid in gedrang is.

Ons verwelkom jou fokus binne provinsies, maar praat met die provinsiale LURe waar landelike beveiliging 'n kwessie is. Hoor wat hulle behoeftes is om landelike gebiede te beveilig en werk verder

saam met landbouorganisasies om 'n effektiewe strategie teen landelike misdaad te ontwikkel en te implementeer.

Minister, dit gaan nie daar stop nie. Weens die swak hantering van strafregsake, leemtes in die oordrag van dossiere tussen die polisie en die Nasionale Vervolgingsgesag, die onvolledigheid van ondersoeke, die integriteit van bewysstukke en die getuienis wat nie behoorlik met sorg hanteer word nie, is vervolgings dikwels onsuksesvol.

Kyk na die oorsake van die gebrek van die polisiëring. Die oplossing kan gevind word in eenvoudige, doeltreffende polisisiëring .

English:

Speaker, in conclusion, the FF Plus believes that we should restore the integrity and functionality of the police by getting rid of corrupt officials, not making politically motivated appointments and by offering promotions based on expertise and experience. We also say that private expenses for safety must be deductible from tax, establish an effective crime intelligence unit and focus on the prevention of crime without infringing on citizen's rights. Thank you. [Time expired.]

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Mr A FRITZ (Western Cape: MEC - Community Safety): Chairperson, I would like to acknowledge the hon Minister of Police, Minister Bheki Cele, Deputy Minister of Police, Deputy Minister Mathale, hon Lamola Minister of Justice and Correctional Services, Deputy Minister Justice and Correctional Service, Deputy Minister Jeffery, all Members of Executive Council, MECs, around, my colleagues and their amazing colleagues, just to acknowledge them, all the hon members in the House of the NCOP, all guests and to the National Commissioner, General Sithole, the whole team and to all citizens of South Africa.

On behalf of the Western Cape Government allow me to express our sincere condolences to the family of Constable Khethiwe who was shot and killed by ruthless thugs and they are nothing else but ruthless thugs. The shooting of Constable Khethiwe is an attack on the state, and want to concur with you hon General Bheki Cele, when you say that is an attack on a state and the declaration of war against the state. I think appropriately should be responded to that. We also wish the other two constables a speedy recovery in the hospital from injuries.

The Province of The Western Cape has seen the slaughter of its citizens by gangs, by the thousands and on under resourced police force who simply could not cope with the gangs and the levels of

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crime. For years, the DA-led Western Cape Government has called on National Government to deploy the army in the province.

Unfortunately, those calls all fell on deaf ears, eventually; the Minister and the hon President Ramaphosa relented and allowed the deployment of the army.

For the first time, citizens from the poorest communities in this province such as Hanover Park, Manenberg, Lovender, Philippi, Khayelitsha and Nyanga could sleep in peace; they could sleep on their beds in peace. For the first time in a long time, kids could play in the parks and in streets which we all other people just take as normal. For the first time, learners could do homework on top of the kitchen table, not under kitchen table. That was the relief brought to the people of our townships by the deployment of the defence force.

Our entire justice system however remains completely overwhelmed. Many parolees are being released without any consultation with the victims. Prisons are over flooded with young people and I have just seen the stats for July the 15th. The Pollsmoor prison here in Tokai was 160 % overcrowded with the total of 6947 inmates and of those inmates 3254 were youth between the ages of 17 and 25. Children are sent to prison to become criminals and professional

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criminals. Our youth really seriously need genuine intervention for rehabilitation.

In the Western Cape prisons, are as I said is 160 % overcrowded. Within our presence gangs are still able to run gangs and torment our communities from inside the prison. I call the Minister of Justice and Correctional Services, hon Lamola to investigate the possibility of blocking of cell phone reception within prisons to put a stop to organised crime originating from inside the prisons. You can get a call from someone inside asking for airtime, that's a norm and must stop.

Let me be clear, the deployment of the South African National Defence Force, SANDF, is but a short term strategy included in a long term integrated and inter-governmental safety plan in the Western Cape and I think we have an agreement on that with the Minister. Such a plan exists because of the leadership in this province of Premier Winde and the DA-led Western Cape Government, here.

Allow to quote Sun Tzu, who says: "Strategy without tactics is the slowest route to victory. Tactics without strategy is the noise before defeat. "I think some our ANC colleagues must remember the

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strategy and tactics document, I they go and read again, specifically General Bheki Cele. Part of this strategy is improving inter-governmental relationships so as to enhance safety.

In the short-term, it is necessary to stabilise and normalise our most vulnerable communities affected by crime and gangs. For this reason, the SANDF is being deployed for a minimum of two months as a ring of steel which enables the South African Police Services, SAPS, and the Metro police, the provincial traffic to do their work and root out gangs holding our Communities hostage, however, I cannot emphasise enough that the SANDF and the law enforcement authorities cannot do this on their own, I think there is an agreement on that, neither is it the sole responsibility of government to ensure safety.

Our communities and our communities' structures such as community police forums, CPFS, Neighbourhood Watches, non profit organisations NGOs, the churches, the Mosques and the Synagogues have responsibilities too. So, do families, parents, I mean one of our MECs just spoke about the family as an institution that we need to rebuild and the Department of Social Development must come in, young people and all of those genuinely interested in working together to build a safer South Africa and a safer province for all.

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One of the key responsibilities in this regard is for communities to take joint responsibility in addressing the culture of violence and impunity that threatens us. We will play our part, but we need communities to work with us. The time for finger pointing and blame really must come to an end. We really need to work better together.

As the MEC for Community Safety, together with the Premier Winde and all my Cabinet colleagues, we are hard at work establishing the Premier's Priority Committee, and this is from the summit that we had about two weeks ago where all governments departments are involved. This inter-ministerial committee would be chaired by and report to the Premier on a regular basis and will drive the contribution of provincial government towards the implementation of this integrated strategy, General Bheki Cele always speaks about.

As we move forward, the medium-term strategy will focus on firstly, ensuring appointment and that's very, very soon of our new competent and political neutral Provincial Police Commissioner in this province as we need to restore the trust in SAPS in this province. We are also committed to working together with all our community police forums, CPFS, to ensure the success of the upcoming community police forum election in September/October.

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I look forward to working in good with faith with the National Minister of Police, General Bheki Cele, to ensure the safety of all the people of the Western Cape. You know Minister Cele we do not regard ourselves an outpost of anything. This Province is nothing special, it another province. Our primary responsibility, as this Western Cape Government is to ensure, together with National Government and that our citizens ore safe, no matter whether they live in another in Hanover Park, Philippi or in Constantia, on the rich side of this town. Everyone has the right to safety. We will play our part in that.

Respectfully, I need to remind Minister and say that with absolute respect of our constitutional obligation of this Province in terms of Section 206 of the constitution that speaks about monitoring of police conduct, the oversee of effectiveness and think Minister Celle knows that our watching briefs in courts have shown those in some of our detectives work at the moment and we have seen cases being recalled, serious cases of rape murder being brought back to court because of our watching brief. We ask in that spirit of co-operation we want to work together and we honestly don't to point fingers.

We will not resort to pointless grandstanding and political points scoring, if there is really one portfolio where we can't waste with politics and little tee sweets it's this portfolio. We've seen the murder of people in this province and really need to take politics out of it and work together all of us. We are working towards building relations between my department, SAPS, the national ministry which will become a model, I think our programme is really going to be model of best practice for intergovernmental relationship going forward. That is how we will ensure that safety our residents is prioritised.

Minister you know your behaviour and actions on Friday when the Premier and I visited the deployed South African National Defence Force, troops to just pay our support as a province to them, that behaviour I think was completely uncalled for and really unacceptable. We will not stop carrying out our constitutional obligations and we need no one's permission to do so.

In a long-term, we must begin to repair the trust and relationships between SAPS and our communities. To this end, our department will continue to provide the necessary oversight to address the many issues faced by SAPS. We must support the South African Police Services, the good man and women in that force and corrupt one must

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of course be rooted out, we will support those good ones. In turn I will draw on my renewed relationship with the national government to implement the necessary changes in our area.

I would also like just quickly to ask the National Minister for Justice and Correctional Services that we need to review Child Justice Act and also to train our police officers, who deal with child offenders. The misperception that children may not be arrested allows gangsters to use children as the instruments of evil and crime. Proper implementation of diversion programmes that act allows for should be used so that children don't land in prison. I thank you.

Mr T APLENI: Minister and Chairperson, over the last few years we have seen the importance that the judicial sphere of governance can play in upholding our Constitution and protecting our country from becoming a Banana Republic.

The judiciary, the police, the prosecuting authority and chapter nine institutions are key foundational institutions that must be protected against undue political interference, and they must be allowed to conduct their work without fear or favour. These

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institutions must be respected, regardless of who occupies them at any given period.

It is because of this that we are shocked and concerned at the general attitude of disrespect shown by senior leaders of government towards the Office of the Public Protector. There are a few general principles which we must remind member of this house:

First, the Public Protector is a Constitutional body, established in terms of Section 9 of the Constitution; Secondly it is important to remember that the remedial action of the public protector is binding, unless set aside by the court of law.

A mere review of the remedial actions of the Public Protector doesn't suspend the implementation of such remedial actions. If an aggrieved party wants the implementation of the remedial action suspended, they must apply for an interdict in court.

Lastly, parliament has no powers to review or change the reports of the Public Protector.

It is therefore shameful that this constitutional body has been disrespected by as high an office as the Office of the President of

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this country. President Ramaphosa appointed Mr Jamnandas Gordhan despite the serious findings against Mr Gordhan by the office of the Public Protector. Mr Gordhan had not interdicted the remedial action of the Public Protector, and as such, had no legal...

IsiXhosa:

[...Singena kula mali yaseBCM.]

English:

...basis to escape the implementation of that remedial action. The thing is once you deploy the thieves they will always try to protect other thieves. One day will have to remind each other of who we are, we know each other very well here and we know about all the scandals that we have. So if you are going to make a noise we will remind who you are.

President Ramaphosa therefore failed to apply his mind, and to honour his oath to always uphold and defend the constitution by appointing a constitutional delinquent as minister. But in the last week it has become clear why President Cyril Ramaphosa did not act against Mr Jamnandas Gordhan, because if he had he would have been setting a legal a precedent that he would have had to applied to himself.

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The Public Protectors most recent report has clearly found that the President violated his oath of office. The last President who was at conflict with the Public Protector was President Zuma, and he was a Constitutional delinquent. President Ramaphosa must not follow in his foot-steps, or he will suffer the same fate.

The only honourable thing to do at this stage is to take a leave of absence while the Public Protectors report which made the findings against him is taken under judicial review. As the Minister of Justice you have a responsibility to stand up in defence of the office of the public protector.

We cannot continue to allow political parties, and individuals, particular office bearers, to discredit the office of the Public Protector and undermine our Constitution. But protecting the office of the Public Protector is only one of the many things you will need to do in your term as Minister. Because, there a number of other issues that need to be urgently addressed, and top of the list is the release of all political prisoners.

All prisoners who are in jail for political reasons, more especially the struggle for liberation need to be released. We cannot continue

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to have butchers like De Klerk walking free while freedom fighters languish in jail.

Secondly, you need to pardon all Fees Must Fall activists, who are currently in jail or who have to regularly appear in court for fighting for free education. You yourself have always supported the struggle for Free Education, so you must allow yourself to be guided by your revolutionary conscious and release all Fees Must Fall activists.

There is also an urgent need to introduce measures to strengthen the Judicial Services Commission to ensure the filling up of judicial vacancies. We cannot continue to have vacancies in our justice as this reduces capacity, and the people's overall trust in the state to deliver justice.

Minister, one final issue that I want to address is the idea of the National Prosecuting Authority being funded by private donors. This must not be entertained. If more money is needed for the NPA it must be generated through tax revenue collection and not from private donations. We cannot allow our legal system to be dependent on rich individuals, because if we allow that to happen those same

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individuals will dictate. The budget does not allow for justice system this country needs. We there reject it. [Time expired.]
Thank you.

Ms C VISSER: Hon Chairperson of the NCOP, hon Ministers, Deputy Ministers and provincial MECs, hon members, fellow South Africans, in the preamble of the SA Police Service Act No 68 of 1995 referring to section 205 of the Constitution of the Republic of South Africa, a mandate clearly indicates the function of the SA Police Service, SAPS.

The Act explicitly states that SAPS is to ensure the safety and security of all persons and property in South Africa.

But 25 years in democracy every South African knows and experienced SAPS completely failed their mandate. South Africans know better. They cannot depend on the SA Police Service for the protection of their safety and security.

Afrikaans:

Alle Suid-Afrikaners kan getuig dat Wet 68 van 1995 en artikel 214 van die Grondwet van Suid-Afrika nie die papier werd is waarop dit geskryf is nie. In 'n artikel in *BusinessTech*, 13 Julie 2019, word

die tekort van die kapasiteit in die Suid-Afrikaanse Polisie diens bevestig van 60 000 gemeet aan internasionale standaarde.

Dit bevestig verder hoekom die Suid-Afrikaanse Weermag in die Wes-Kaap ontplooi moet word, om bende geweld onder beheer te bring, omdat die Suid-Afrikaanse Polisie die geweld nie kan beheer nie.

Privaatsekuriteitsdienste in Suid-Afrika oorskadu die huidige Polisie diens met 2,36 miljoen geregistreeerde privaatekureits-offisiere.

English:

Concerns and confirmations of SAPS officers involved in criminal activities, drug pushing and involvement in corruption and fraudulent actions affects the integrity and credibility of the SA Police Service. The citizenry does not trust and respect them anymore.

Afrikaans:

Die DA verwelkom die Minister van Landbou, Landelike Ontwikkeling en Grondhervorming, Thoko Didiza, se skerp veroordeling van plaasmoorde verlede week in die Parlement. Sy het haar meegevoel met slagoffers van moorde op plase aan boere en plaaswerkers uitgespreek. Sy het

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verder bevestig dat dit baie sleg vir die land se ekonomie en voedselsekuriteit is.

Alle Suid-Afrikaanse boere is uitgelewer aan 'n disfunksionele polisieerings sisteem. Hulle is oorgelaat aan hulle eie lot om verantwoordbaar te wees vir die veiligheid van hulself, hul families en hul plaas werkers. As jy nie self op 'n plaas woon nie besef niemand watter verantwoordelike impak selfbeveiliging van almal wat daar woon en werk daagliks behels nie.

English:

Hon Minister Cele, do you commit and support Hon Didiza's condemnation of farm murders and undertake to join the Police Service in commitment to the Rural Safety Strategy to return law and order within rural communities and farms in South Africa?

On Thursday 18 July 2019, another Free State emerging farmer of Frankfort, Mr Johannes Mazibuko, was murdered on the farm Waterkant. Adding another statistic to the list, another white cross on the landscape, another food producer had to pay with his life, another employer removed.

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This confirms that law and order is no more, sacred life has no value, South Africans cannot depend on protection of their property or persons whether they live in a city, town, township, informal settlement, village or a farm.

Minister Cele, unfortunately the buck stops with you. You are entrusted with the power; you have the Acts and regulations, kindly do your job by enforcing implementation, ensuring compliance with the said legislation and restore law and order.

Hon Chairperson, given the facts surrounding the investigation of cases and failure to the successful prosecution of perpetrators in most cases confirms the failure of SAPS investigation processes. This reflects on poor and insufficient training. This is a system failure. It again confirms, SAPS is under trained, under capacitated and ill-disciplined in their role, functions and performance.

We need our Police Service to be professionalised. For too long, new officers have endured a period of inadequate training. Some of the simplest tasks such as certifying documents or opening a case and sending off to the prosecutor are often compromised because officers do not have the correct knowledge of basic procedure.

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Some officers have very little confidence when handling a firearm, creating an even more dangerous environment for civilians when officers encounter armed criminals. There is little to no support for young or new officers in the force who engage for the first time in open fire with suspects. Often, these new officers end up gunning down criminals. But instead of efficient counselling or emotional support, they are left to deal with the trauma on their own. Let us be clear Minister, to kill another human being, whether they are a criminal or not can negatively affect the psyche of the officer. Those officers are also human and they need guidance to deal with the distress of such an experience.

The lack of specialised training and failure to retain experienced members of the force has also greatly contributed to the dismal state of our Police Service.

For one to become a warrant officer, a captain or even a major general, they need to have gained satisfactory experience and training, and only by rising through the ranks at an appropriate and stable rate, when they are deemed ready and have demonstrated the ability and knowledge to assume the new role.

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The jumping or skipping of ranks does not do the South African people any justice and only further renders the demise of the service.

Corruption in SAPS is far from minimal. We have also seen blatant gatekeeping of positions, members of the force colluding with criminals and criminal networks and lack of disciplined spending. These actions sadly overshadow the hard work and dedication of the honest policemen and policewoman of the force who take their role seriously and do everything in their power to protect and serve the people of the country.

It is time Minister, for you to embark on a project of restructuring the Police Service to ensure it is compatible, competent and responsive to the crime of today. This includes trimming the top-heavy structure, by professionalising SAPS through training and retraining, providing modern equipment for police to fight criminals head-on, and changing the strategy and style of the service by creating an environment that includes a participative policing style where the police and community form strong partnerships. Reservists and volunteers must also be included in complementing a satisfactory Police Service.

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Minister, for the people of South Africa, whose cries for help are often not heard, please fix our police. Our clock is ticking. I thank you. [Applause.]

Mr T S C DODOVU: Hon Chairperson of the sessions; hon Ministers; hon Minister of Justice and Correctional Services, hon Ronald Lamola and Minister of Police, General Bheki Cele; Deputy Ministers; our National Commissioner and all other senior officials present; heads of agencies and institutions reporting to the two departments; permanent and special delegates of the NCOP.

The key message emerging from this debate today is that in order to fight crime and corruption in our country we need an effective criminal justice system that provides safety and security for all our people.

The criminal justice system that is strongly constituted and coordinated that utilises the much-needed resources prudently and that works without fear, favour or prejudice from investigation to prosecution and punishment of crime, to the moral support of victims of crime and ultimately the rehabilitation of offenders, all government agencies and institutions must be resolute in their conviction to fight crime and corruption. In fact, what must underpin

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their conviction must be an unflinching commitment to create a free, safe, just and prosperous society.

Hon Chair, this debate has also confirmed that crime and corruption are the formidable foes which must be exiled in our society. Because they do not only pose serious stress to our fledgling democracy but they have the potential to reverse the gains of our hard-won struggle for justice and freedom in our land.

It has been proven that violent crime in our society leads to tragic losses of life and injury. And losses of possession and livelihood due to crime are immense and immeasurable.

Crime casts fear in the heart of South Africans and it prevents them from taking their rightful place in the development of their own motherland.

Hon Chair, we are all in this together, black and white, young and old, men and women, poor and rich, the urban and the rural, we are all together in this. We may not all be affected in the same way but we face the same hurt wounds and uncertainties. None of us has the privilege of perfect foresight and none of us is isolated from crime.

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Hon Chair, on the basis of this, as a result, crime prevents our people from communicating with one another freely, about their future and the future of their country. And it prevents the business sector including the international investors from taking advantage of the opportunities which our country is offering.

We are the first ones to admit, hon Chair, that over the last decade, within our criminal there's been a lot of uncertainty and stability within our criminal justice system, and as the ANC we are quite confident that our President is leading an honest lot to normalise and stabilize crime in our country. so that the agencies and institutions are not only independent but are also strengthened in order to fight crime and corruption.

Let me say and take this opportunity and fervently appreciate the work that our President is doing in terms of ameliorating the situation that is confronting us. You look at all institutions today, the President has begun the process of putting up systems and structures in place to fight corruption, and we are doing that without any shadow of doubt. [Applause.]

Given the situation that obtained over the years within our National Prosecuting Authority, NPA, the President has attended to that and

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he has instituted an investigation that this Parliament, within the next few weeks, will be dealing with the recommendations or the decision of the President.

The President has appointed the necessary people, men and women, with the requisite skills and expertise to fight crime, whether it's at the level of Special Investigative Unit, SIU, or at the level of other components.

The President has appointed Adv Cronje to deal specifically with high priority crimes and unflinchingly the systems are being put in place to attend to it.

And where we sit as the ANC in this House we say the President has placed the right people in the right positions to fight crime in our country and we are confident that these cadres of our movement will make an indelible contribution in terms of addressing the issue of crime.

Gen Bheki Cele, don't be deterred, don't be worried, many of our people are confident and appreciate the kind of difficulties that you are confronting and the kind of work that you are doing.

Actually to you I say what must underpin your conviction must be

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your determination to do more and to do hard to confront corruption, to confront crime in all its manifestations, and with your experience not the experience of today, as an experienced cadre and commander of uMkhonto weSizwe use that experience to fight corruption.

You went to jail because you fought for the liberation of our people in this country and we want you to continue because part of what you were doing was to fight the system of apartheid which was declared a crime against humanity and you stood your ground, and we want you to continue to do that up until South Africa becomes a safe country.
[Applause.]

I also say that the President has placed hon Lamola as the Minister of Justice and Correctional Services. I heard somebody saying he's not young. To us you are energetic, young and you are a source of inspiration to many young people in this country. [Applause.] And with your position, with the work that you are going to do, you will serve as an example to many, you will inspire them because in you we believe that you have the capacity to galvanize and rejuvenate the young people who must emulate your vision, who must emulate your example, who must emulate your leadership in terms of what we must do, and we want you to continue along those lines.

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Hon Lamola must also heisting to say that in 2011 you invited many and many other generations before you in the conference of the youth league where because you wanted to turn the pendulum, you adapted a slogan "economic freedom in our lifetime" that is what you did because you were propelled by a burning desire to ensure young people of our land have opportunities, that young people of our land are developed and empowered. [Applause.]

Who was plagiarised, who has politically stolen your philosophy? A philosophy which in my view I think is derived from key leaders of the ANC and the ANC and the ANC Youth League. And I'm saying that you need to continue along those particular lines.

I want to say, hon Chair, that we are not a military state, neither are we police state. We as an organisation, the ANC, embrace the culture of human rights, we embrace the culture of prosperity in our land, and it cannot be us who are seen perpetuating this kind of tendencies that people are talking about. The soldiers are there, they are embraced by the people, they are loved by the people and they complement the work of the police service in terms of rooting out corruption and gangsterism, especially in the Western Cape. And we must continue to do that because one life is too many in our society and we are saying that we are applauding the decision of the

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government to ensure that we attend to these issues and that the soldiers are augmenting and supporting the good work that the police continue to do, given the kind of limitations and the situation that is obtained on the ground and we are quite happy about those developments.

Going forward I must also say, hon Chair, that as an organisation led by President Ramaphosa and he's at the forefront of this, we support the work of all Chapter 9 Institutions. They must do their work, we understand that their work is to promote democracy in our land and that includes the work of the Public Protector.

I think in terms of this budget the Public Protector is funded quite adequately. We must allow him and we continue to allow him to do his work independently without any fear or favour. And we have certain judgements in this regard in terms of how the work of the Public Protector must be viewed; one of those is that the remedial actions of the Public Protector are binding to all the institutions including this Parliament.

But what we must also emphasise at the same time is that Public Protector's remedial actions are subject to review and any person who thinks that the Public Protector has erred, has not followed the

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Constitution maybe, or there are processes of illegality, it is within his right to approach a court of law to review those particular remedial actions. And it is in that context that our leadership led by the President is doing the same. That in the light of the developing situation he's just approaching the court because as I'm saying the recommendations of the Public Protector which sometimes are remedial actions are not what is called *res judicata*. They can be reviewed by a court of law and that is what we are doing.

And for me, the President is showing leadership, he's leading from the front in terms of saying "Yes, this is a situation, we protect the office, what it represents, what it stands for" and we must continue to do exactly that in terms of attending to the issues that are facing us, and we are going to continue to do that because it is in the best interest of our own country.

I'm quite happy that today even the DA is quoting our strategy and tactic. For the record, hon Chair, this is a document that envisions the kind of a country that we want to create. In 1969 our forebears met in Morogoro for the DA's sake and they said "The South Africa that we want to create must be underpinned by democracy, unity, nonracialism, nonsexism and prosperity in our land." And this is

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what we continue to do, and fighting crime and corruption within our society is part of that commitment that we made to ensure that not only that we promote the culture of human rights, but we also fight crime and ensure that South Africa indeed becomes a safe country. And we are going to continue to do that in line with the objectives that we've set for ourselves.

Hon Chair, having said that, I need to say that with the appointment of Adv Batohi at the helm, the NPA is becoming an institution that is responsive and transparent to the people of South Africa. The NPA is truly becoming an effective and unbiased instrument to institute criminal charges on behalf of the state in line with the legislation which gave imputers to each establishment.

In honour of Victoria Mxenge and her husband, Griffiths, whose names are engraved in the walls of the NPA, Adv Batohi and her team have a duty that the NPA must recruit and train more prosecutors and remove those that are soaked in malicious acts and perpetually use underhand tactics to run such an important bedrock of our constitutional democracy.

When they do their work they must remember that Griffiths and Victoria Mxenge paid supreme price and the heaviest of sacrifices

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for their believe in the fundamental right of every person to justice. By murdering them, the apartheid hit squad had struck a blow, a heavy blow indeed, to the liberation movement as a whole because they were trusted and dependable legal minds.

Hon Chair, under General Lebeja, as the ANC we are confident that the Hawks will not be open to political meddling and interference and the Hawks will not carry political favour and its potency but will be a body that tackles organised crime and serious economic offences.

And at the same time we are saying that the people of the North West will not rest until the credibility of their government, which is under administration as we speak, is restored. They will be happy that the perpetrators of all deeds which include Mediosa, Data Dynamics, Agrilife, the wild animals and many other scandals are restored [Time expired.]

On the basis of that we support the vote and we are saying we will forward in terms of making sure that we work with the department to achieve its own objectives. Thank you very much. [Applause.]

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The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Chairperson, I want to thank members for all the inputs that we have heard from the House.

On the DA, South Africa is a constitutionally unitary democracy. We have fought against balkanisation of our country into fragmented regionalised entities and we can't do it now. The problems we are facing can't be solved by becoming a federal state. We have a critical and a strategic role to play as a department by ensuring that we consolidate the rule of law and deepen constitutional democracy in order to attract foreign direct investment. So, we all have a role as a country and as a department is for us to consolidate that there is a rule of law.

On the questions that we have been asked about the political prisoners or inmates, most of those who were denied by the Truth and Reconciliation Commission, TRC, was because they committed crimes such as armed robbery, bank heist and so forth. So, as a result they were denied amnesty by the TRC and it is for that reason that we will not be able to help them with any amnesty even at this stage.

At present, we are currently looking various political prisoners or inmates and we will soon make announce to the country in that

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regard, because there are many that do qualify and there are others that don't qualify, but the categorisation is very clear. Those that have committed crimes such as bank robberies and so forth is not going to happen.

Lastly, with regard to the Public Protector, I think that all the institutions or whoever has been found by the Public Protector have decided to take the matters to court. I think as hon Dodovu raised it, we should allow that process to unfold and wait for the courts to make rulings. We should also not be selective in quoting court judgements.

There is a recent court judgement that I don't want to quote, but it has been very clear about the work of the Public Protector and it has went into characters and so forth. So, I think it is important that we allow the courts to pronounce so that even the committees can take into cognisance the various judgements that are coming out of the courts. Premature pronouncements or actions on these judgements may even affect you as human beings and yourselves as members of various political parties here in this House, because this House has also many judgements that it has to deal with that comes from that office. So, you might also be sitting here thinking that you are insulting somebody else where as you might be insulting

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yourself. [Applause.] So, I think it is very important that this House pays due consideration to all the judgements in a balanced and a scientific manner.

The President can't take leave of absence. The President has to execute his responsibilities. He has constitutional obligation as elected by the people of this country. [Applause.]

With regard to paroles, I am not sure if time still allows, but we have now ensured that whatever parole that we give to any of our inmates, there has been consultation with the victims. We are also looking at ensuring that when a person is convicted from the process of the trial up until the person is released on parole; there is a programme that deals with the issues of victims. That programme also deals with community interactions, community corrections, but also the rehabilitation of the offenders in our various centres.

The biggest challenge we have is that most of our centres that are overcrowded or would double the number of inmates is the big correctional centres like Sun City in Johannesburg, Pollsmoor, Durban Westville, and Matatshe in Limpopo. So, we are looking at various legislative mandates that we have that deals with custodial and noncustodial putting of our inmates to ease the burden on the

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correctional services and during this financial year, we will make proper announcement in that regard. Thank you, Chairperson.

[Applause.]

The MINISTER OF POLICE: Chairperson, well there are few other heads that were not acknowledged there and I can see the Head of Private Security Industry Regulatory Authority, Psira, the Hawks, Advocate Dr General Lebeya and is not an honorary doctor. It was won and others.

I spoke to the fighter there that I love his bravery ...

IsiZulu:

Unesibindi

English:

... to come here and defend a person that was taken to small slices by the Constitutional Court and you must remember that won't change. It won't change that your investigation was flawed, you lied under oath, you didn't tell the truth, you are not honest, and you have no integrity. It won't change. It is there for life. It is from the Constitutional Court which is the last court and for you to come and support that here is bravery. Having said that these processes must

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be respected and this one will live with it forever and we take it as such. You can't go beyond.

One problem some members don't learn is to come here talk and live with listening. Hon, members, is Ms Visser here? Hon Frick has left. We work very well with him I must say, but what hon Mmusi, the leader of the DA has said, I think is a key in dealing with the crime in this when he said take politics out this one and let's work together and find one solution for the people.

I respect that from the leader of the DA. That doesn't mean that we must disrespect one another going forward. He comes here and talk about the Premier that it was uncalled for. The Premier is the Premier of Western Cape and not of South Africa. That must be very clear. He is a Premier of Western Cape.

I can't imagine myself being the national Minister of Police coming to the Western Cape and address the Cabinet without knowing. He can't be going around addressing police and the soldiers. It is the national competence. If he wants to do it, he must pick up the phone and respect us. He wants to go and address the police when the National Commissioner of the SA Police Service doesn't know. When

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the Minister of Defence doesn't know? When the Minister of police doesn't know?

IsiZulu:

Uthwala ikhanda nje,

English:

He run there and doesn't respect. If you don't respect, don't expect anybody to respect you. Respect is mutual. So, for us maybe that is why he knew where to, because next morning or late night he reported me to the President. Is that wrong? Mr President, he is supposed to follow the protocol and respect all of us. That is simple. We would have simple said you go there, but there are people responsible. I will never come here and address the Cabinet without Premier knowing. It is disrespect. Hell of it.

IsiZulu:

Ungicebe kuMengameli.

English: We have opened quite several police stations: Pholile in the Eastern Cape, Laskraal in Limpopo, Colenso in KwaZulu-Natal, Mareetsane in the North Western, Dube in Winterveldt, KaMhlushwa in Mpumalanga.

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IsiZulu:

Zonke iziteshi zamaphoyisa ezisezindaweni zasemakhaya

English:

So, it is not very true. There is one in Limpopo that we will be opening soon. It is finished and so, it not very correct that we are concentrating on the urban areas. We know that criminality goes up there.

My last point on this one, when South Africans die, they just die as South Africans. So, this thing of emphasising that there is a group of people that are dying is wrong. It is wrong. Let us defend and work with all South Africans and make them really, really safe. Whether is it is in Sqalo or in the farm, it doesn't matter. It is our responsibility and we take that as our responsibility, but not for the category of South African but all South Africans. Thank you.
[Time expired.]

The HOUSE CHAIRPERSON (Ms W Ngwenya): Order! That concludes the business of the day. I would like to thank the Ministers, Deputy Ministers, special delegates representing South African Local Government Association, Salga, for availing themselves for the Debate. Hon members, you are requested to remain standing until the

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proceeding procession has left the House. The Council is adjourned.
Thank you.

Debate concluded.

The Council adjourned at 19:30.