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NATIONAL ASSEMBLY
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PROCEEDINGS OF NATIONAL ASSEMBLY CHAMBER

Members of the Extended Public Committee met in the Chamber of the National Assembly at 15:01

The House Chairperson Ms M G Boroto took the Chair and requested members to observe a moment of silence for prayers and meditation.

ANNOUNCEMENTS

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, let's continue to do what is good in the interest of safety for all present in the chamber. Let's keep our masks on and sit at our designated areas. The first item in the Order Paper, is the motion in the name of the Chief Whip of the Majority Party.

APPOINTMENT OF SECRETARY TO PARLIAMENT

(Draft Resolution)

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The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Thank you, hon House Chairperson, I move:

That the House -

On the recommendation of the Speaker of the National Assembly and the Chairperson of the NCOP, and subject to the concurrence of the NCOP, appoints Mr Xolile George as Secretary to Parliament on a five-year performance-based contract, with effect from 15 June 2022.

I so move.

The HOUSE CHAIRPERSON (Ms M G Boroto) Thank you, Deputy Chief Whip. I will now recognise the parties that wishes to make a declaration. The usual time for Declaration of votes will apply. Any members from the DA? Order, hon members, I've got a timer here.

Declarations of Vote:

The CHIEF WHIP OF THE OPPOSITION: Hon House Chair, I can feel the love, thank you, thank you. Am I cute? Look at that. Madam House chairperson, Madam Speaker, Parliament has been on a

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shambles for years, having to complete a scandal with the last full time Secretary, as well as having gone to an extended period of having only an Acting Secretary, who as we all know, failed to have teeth because they act in a role, and could not fulfil her full potential.

While we strongly appreciate the efforts made by the Speaker to meet with the leaders of our parties for two periods, there are still many issues that plague us and worry us about this appointment, and our questions remains unanswered. There are many certain terms that we are concerned about. When it comes to Mr Xolile George, one cannot help, but look at the substance of the person that we are going perhaps to appoint today as the parliamentary Secretary. Mr Mr Xolile was the Head of Salga, which is a huge role, mandated to perform two strategic roles within the system of government, to protect the robust and enforce the right of local government, and constructively disrupt areas of existing systems that make an important and impossible systems for government to deliver on its mandate.

However, during that time, the Auditor-General of South Africa highlighted the dire state of our local government in South Africa, noting amongst others, an amount of R189 billion of

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fruitful and wasteful expenditure, that took place under the tenure of Mr Xolile George. Mr Xolile George has left the local government health in a debt spiral, and that cannot be ignored. In 2021, only 28% of the municipalities have submitted quality financial audit for auditing purposes, only 11 of which were received clean audit.

The Free State and the North West Provinces, has still not yet delivered a single clean audit between them, citing revenue shortfall and liquidity concern in July 2021, Moodys had no option but to downgrade the following municipalities, Johannesburg, Ekurhuleni and Nelson Mandela Bay. November saw Nelson Mandela Bay and Ekurhuleni being downgraded again. In such cases, Mangaung, Rustenburg, and Ekurhuleni, the credit downgrade started in 2019.

Municipalities make up 42% of Eskom revenue, however, municipal arrears have ballooned to a staggering amount of R35 billion. President Ramaphosa himself admitted that, only 5% of municipalities in South Africa are financially stable. They have weak institutional capacities, poor financial management, corruption and political instability. All while, Mr Xolile George received a very generous salary during his tenure at SA Local Government Association, Salga, way above

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inflation, about R5,8 million per annum, up from R5,339,467 in 2018-19 year.

Now, we cannot subside the fact that had a religious status on the government. When Parliament fails, the rest of the country fails. As they say, when Parliament catches the cold, the country catches flu. We need someone of sound and stable financial stability, to look after the finances of Parliament, and make sure that we are not institutionalised into an area where cadre deployment is allowed as a career during state capture, and decisions are made based on ideology and not pragmatism.

According to this, the DA does not find Mr Xolile George an applicable and suitable candidate, and therefore, we will not be agreeing to his appointment as a permanent Secretary to Parliament. I thank you.

Ms Y N YAKO: Thank you very much, House Chairperson, the EFF rejects the proposed appointment of the ANC deployee, Mr. Xolile George. We want to make it clear that we do not trust him, and we will never trust him. We will never trust deployees of the ANC in our lifetime. Parliament ended up without a Secretary for almost 10 years now, because a

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deployee of the ANC was given unchecked powers to handle Parliament's finances, despite our warning that the guy is wasting Parliament's money flying around on useless study trips while Parliament is failing to prioritise its core business of Parliament.

That is why, today, we do not have the capacity to draft Private Members' Bills, and are here to rubber stamp executive Bills. We have only passed one Private Members' Bill since 2009, and this is not because Members of Parliament do not have Private Members' Bills, but Parliament does not have capacity. That is why today we are holding meetings in the Good Hope Chamber because Parliament did not have the capacity to comply with Occupational Health and Safety requirements as per the Act. Despite our call for Parliament to investigate a more practical and cost-efficient way to accommodate Members of Parliament here in Cape Town, instead of using those apartheid parliamentary villages, we still do not have proposals. Instead, Public Works is wasting money on inflated contracts on renovations.

We also want to make it clear that no one is going to be paid some amount that is negotiated in corridors. An advert was publicly circulated and a salary for Secretary to Parliament

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is public knowledge, and it is R2,4 million per annum. He applied knowing, and if he doesn't want the advertised amount, he shouldn't have applied and should go home. We are not even sure that he has the required competency to deal with complex institution systems. We still have Councillors who served in the previous municipal term and are struggling to receive their pension because of the incompetence of Salga.

Therefore, once again, House Chairperson, the EFF rejects proposed name of Mr. Xolile George for the position of Secretary to Parliament. Thank you.

Mr N SINGH: Thank you very much, hon Chairperson. Hon Chairperson, as the pre-eminent legislative body in South Africa, it almost beggar's belief that such a critical Office as that of the Secretary to Parliament has been vacant for five years. Such a vacancy, in an office of great strategic importance to the optimal functioning of Parliament, only fosters instability when instead, leadership is what is required. Thankfully, the Acting Secretary to Parliament, Ms Tyawa, did a more than admirable job in holding the fort.

She must be recognised and thanked for her dedication and hard work, during this transition period. Chairperson, besides

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professional competence and appointment based on merit, the Office of Secretary to Parliament must be held by an individual who encapsulates the laws and values that underpin our democracy. During my tenure as the Member of this Parliament, there has already been two instances, where we have to remove a Parliamentary Secretary for maladministration. In 2012, the then Secretary to Parliament, Zingile Dingani, did not crown himself in glory. He was found guilty on two of the nine charges of the misconducts levelled against him, relating to an irregular salary advance.

In 2017, yet another Secretary to Parliament, Mr Gengezi Mgidlana, was placed on special leave and later charged with 13 charges of serious misconduct. In 2019, Mr Mgidlana was found guilty on seven of the 13 charges levelled against him. He was thereafter summarily dismissed by unanimous decision, by both the National Assembly and the NCOP. So, hon Chairperson, what is the solution to prevent such a situation from occurring again? Firstly, the position must be free from political interference, and secondly, it must serve the interests of Members of both Houses of Parliament, in an impartial and bipartisan manner.

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The incumbent must have the requisite skills, be apolitical, and be ready to hit the ground running, in respect of the current needs and challenges that this institution finds itself facing today. Technology and innovation must play a central role as we continue our foray into the 4th Industrial Revolution, and in respect of our efforts to become a paperless, environmentally-aware Parliament. I have sat on the Interview Panel, which took a unanimous decision to support the candidature of Mr George. He evinces good leadership skills and credentials. My advice, hon Chairperson, to Mr George is, you may try to be all things to all people, but you must be firm in the execution of the mandate of your Office.

It is also public knowledge that Mr George has taken a cut in salary for this position, and it should be noted and appreciated that he has accepted the position of service to the nation over market-related salary expectations. However, we expect the surety from the Speaker that, there will be no special treatment or salary adjustment relating to this role. We will monitor this very closely as the Standing Committee of Parliament, ... [Interjections.] ... and we support the appointment of Mr George as Secretary to Parliament. Thank you.

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Dr C P MULDER: Hon House Chairperson the appointment of the Secretary to Parliament most likely is the most important appointment that Parliament makes because that is the official in Parliament and that person will set the tone for the rest of Parliament. In terms of the section 43 of the Constitution, Parliament is the legislative authority of the republic on national level. It is a very important institution. If you listen to what has been said already, we are starting on a wrong footing once again.

Where we are today, it is clear that there is no contract signed yet between Parliament and Mr Xolile George. So, clearly we have got a problem. Political parties made it clear to Madam Speaker that there are some things that we need to clear them up. The panel referred to, met almost two years ago and since then there has not been any action in that regard, bringing Parliament on board and political parties in this process. Surely, Parliament is different from any other state department or from anybody else in the sense that in Parliament we have represented not only the government party but also the opposition. Surely, all the Members of Parliament or all parties in Parliament being either in opposition or government should be either be satisfied that the person

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appointed is capable of being absolute impartial and not be a political deployee from any political party.

It was already stated that there is concern in that regard if one looks at the curriculum vitae of Mr George. It is quite clear that he comes through the ANC's rank throughout. If you look at his references he gives at the end of the curriculum vitae, they are all ANC people and there is no doubt about that. Now, my concern is that, I have indicated that Madam Chair, we need a copy of a contract involved because I think that is also important. We have not been furnished with a contract. As a matter of fact, it has not been signed and I cannot think that Parliament would be asked to appoint this person today.

To appoint this person today, it has not been an agreement already reached. So clearly, there must be an agreement between Madam Speaker and Mr Xolile George in terms of his appointment, his remuneration and so forth. We were furnished this afternoon with generic contracts, not the signed one, which indicates what is the position with the based fixed term contract of the employment. Section 7 of that contract deals with how the contract can be terminated and it is quite

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important. We have been asked today to appoint Mr Xolile George for a period of five years.

In two years from now, we will have an election and nobody knows what will happen in that election. So, if you look at clause 7 you will find that there is a provision in this generic contract that says the contract can be terminated with one-months' notice. I hope that that would also be in the final contract. I do not know. You must take cognisance of the fact that the final contract would be asked to be seen because we believe it is very important. With all that taken in mind we will not support this appointment, thank you.

Mr S N SWART: Hon House Chairperson, the Office of the Secretary to Parliament is a crucial position in the running of Parliament as it is responsible for the provision of the official administration support of the accounting officer and that is the Speaker. In view of this important function, the ACDP believes that great care must be taken when appointing a new Secretary to Parliament, hence the multiparty panel that conducted the interviews.

Sadly, two appointments to this important position have been, in two cases, disastrous and some having been fired following

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disciplinary process. Parliament, has a result, been without the Secretary to Parliament for almost five years. Since 2019, the Deputy Secretary to Parliament Ms Penelope Tyawa has been acting in this position. ACDP would like to thank her and her team for providing immense support for the Speaker and indeed to all Members of Parliament during to the significant crisis namely the Covid-19 pandemic and the lockdown and the devastating fire here in Parliament this year. We have always worked very well with Ms Tyawa and her staff and we have found her to be diligent, committed, very hard working and for that, we thank her.

Now, the challenges facing the new Secretary to Parliament are immense from the critical skills vacancies in committees to other sections, to the impact of Covid-19 and of course the need for Parliament to return to normal operations and the consequences of the devastating fire. I have listened carefully to the concerns of other parties that have been experienced, particularly given the poor state of our municipalities.

However, we would like to give Mr George the benefit of doubt that indeed particularly given the fact that the multiparty panel interviewed Mr George and unanimously recommended him to

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the position. The salary issue seems to have been resolved and according to our understanding it is directly in accordance with the position as advertised. This as well as the contract issue should be dealt with by the Joint Standing Committee on the Financial Management of Parliament which will be the correct for a for exercising oversight in this regard. ACDP, will therefore support this appointment. I thank you.

Mr N L S KWANKWA: Hon House Chair, I think it is important for us to provide a bit of context to this debate. Firstly, there was a multiparty panel that interviewed Mr Xolile George and other candidates. That panel unanimously agreed as already stated. They voted in support of Mr George as the right person. Last week when party leaders raised their concerns about this appointment, the matter was taken out of the Order Paper because the Speaker felt at the time that it was important for her to take leaders into her confidence and may be try to address their concerns.

Fast forward to yesterday. Yesterday there was a similar meeting where the thrashing out of all the concerns and these issues was done. There was an agreement that we should support this appointment on condition that the Conditions of Employment for Mr George, especially the remuneration if it is

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going as advertised. That is the position of the UDM that we are going to support this appointment but we want to make sure that his remuneration is as per the advert. If that does not happen, then ...

IsiXhosa:

... kuza kuqhawuka uNobathana.

English:

I think it is important for us to extend a message of gratitude to Mme Tyawa for holding the ship for the past couple of years when she was acting as an Acting Secretary to Parliament as we prepare to usher in a new secretary. We also need to understand that I always say that it is important to consider credentials. We must encourage people to invest in their personal development but the experience in South Africa is the state-owned enterprises, SOEs were run by people who were over qualified. So, he must not take it for granted that he has the credentials, the experience and expertise that he has developed over the years and think that running the institution as important as Parliament is going to be a walk in the park for him.

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It is also important to understand and manage all the various stakeholders that interact and work with this institution because you cannot manage an institution such as this one without having an acute understanding of it. Also more importantly is that we have more important constitutional duty and mandate to make sure that we hold the Executive to account. Everything he does, must make sure that Parliament is actually true to its constitutional objectives and that we are able to discharge that on the daily basis.

IsiXhosa:

Siyabulela.

Mr B N HERRON: Thank you, House Chairperson. House Chairperson, we welcome the fact that the critical vacancy has finally been filled. We were not part of the selection process with panel, but we trust that the process identified the best possible candidate. We do not doubt Mr George's ability to manage our Parliament. We wish him well in the role and trust that he will provide the much-needed stability and good governance that we need. We thank the Acting Secretary for her service and we support the appointment. Thank you.

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Mr A M SHAIK-EMAM: Thank you, House Chairperson. House Chairperson, allow me to start off by thanking our former Acting Secretary, Ms Baby Tyawa, for her service and commitment to Parliament although we are not sure why she was not offered the position in anyway at some stage. However, having said that we are quite satisfied, House Chairperson, that a multiparty panel together with the other stakeholders conducted the entire interview process and unanimously agreed on the candidate. Remember that the multiparty panel which included different political parties represents us in one way or the other, because not every party could be represent. Now, given the fact that they came up unanimously and I think we have been told that there was a massive gap between the first and second candidate and the second and third candidate. The only outstanding matter was the issue of the salary that was clear in the package that was offered and many who applied for it package for a position you obviously take it or ...

[Inaudible.] ... that the package that is being offered and we have been given that undertaking by the hon Speaker that, indeed, it will be in line with the package that was actually offered.

Now, taking that into consideration we had some concerns, this matter was deliberated extensively in the Multiparty Leaders

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Forum with the Speaker, and we all agreed that with the hon Speaker providing us a copy of the advertisement we will support this. Yes, indeed, we can change our mind and support or not support. The fact of the matter is this that all processes were followed and it would appear from the information we have that, indeed, Mr Xolile George is the best candidate suitable to be able to provide us with the excellent service that will be required from him as a Secretary to Parliament. In light of that the National Freedom Party will support this appointment. Thank you.

Mr S M JAFTA: Thank you, hon House Chairperson. Hon House Chair, it is almost three years since Parliament had permanent accounting officer. The Secretary to Parliament occupies the critical role in the architecture of Parliament's accountability functions. Their role constitutes central core in Parliament's operational effectiveness and the administrative agility. We have noted with concern the delays that shrouded the appointment of the permanent head. The Acting Secretary to Parliament has in the meanwhile kept the boat sailing with remarkable ... [Inaudible.] ... and commitment, on the other hand the National Education, Health and Allied Workers' Union, Nehawu, has been both toxic and

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helpful to this process. They prematurely ... [Inaudible.] ... candidate before all the ... [Inaudible.] ... were dotted.

They were equally helpful in detecting corruption under the previous administration, the efforts which led to put the dismissal of the previous Secretary ... [Inaudible.] ... this appointment of the Secretary is solely premise on seeing the process run its course under a climate of fairness and transparency. We are, therefore, interested in the purity of the process. We will support the appointment of Mr George as the Secretary to Parliament. I thank you.

Mr M NYHONTSO: House Chairperson, I'm saying that we support the appointment. Thank you.

Mr B A RADEBE: Hon Chairperson of the House, the Speaker and hon members, the African National Congress warmly welcomes the recommendations of the Speaker of the National Assembly and the Chairperson of the Council on the proposed appointment of Mr Xolile George as a Secretary to Parliament. This we do it as we know that Mr Xolile George has been there, as Mr Mulder said, that in his curriculum vitae, CV, he was the member of the ANC, he's still the member of the ANC, he's still be the member of the ANC even tomorrow. However, that does not

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disqualify him for executing this job of responsibility I'll just make an example here, you go to the Governors of the SA Reserve Bank, the former Governor Tito Mboweni, the former Governor Gill Marcus, and the current Governor Lesetja Kganyago have done extremely well in that institution because they were trained by the African National Congress.

If there are people who went off the tangent is because of their own doing. Therefore, that is why we say that as the ANC we know Comrade George very well as an organisation. We travel with him during the challenging times since the inauguration of local government sphere. It is precisely these challenges that has moulded him and tested his capabilities and competencies dealing with the complexities of local government as the outgoing chief executive officer, CEO, of SA Local Government Association, Salga. The position of the CEO of Salga required vision and understanding of the long view of where the sphere of government needed to progress. It required the vision in dealing with the legislative and ...

[Inaudible.] ... views that were and are still necessary. His capable thinking could be seen influencing the decision-making process and always providing recommendation and seeking to demystify matters. He had a lasting presence or be able to interpret the application of the Constitution in local

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government to meet the needs of the people for local government sphere for better service of the people.

What is very important here is that Mr George comes to Parliament after we suffered a severe setback in January where the fire devastated Parliament. That is why we need a permanent secretary who will be able to take tough decisions to ensure that the Parliament is restored to its former glory. He will step in Parliament where it is having a strategic framework which is putting the people first and the Members of Parliament at the centre. That is why when you look at the strategic plan of Parliament it's very clear that the strategic priorities will be the oversight, enhance oversight plus the enhanced public participation. Therefore, he knows very well what he's entering into. Therefore, the task at hand is complex and not easy, but that is why the presiding officers have tabled such a recommendation. They'll be looking for someone who could feel the task at hand and who has the track record of being able to deliver under challenging circumstances. He will need to rise the Parliament when needs to involve to taking some of the longstanding issues and provide leadership.

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We are all aware that this particular post has some serious historic challenges, and these lessons ... [Inaudible.] ... behind. As the members have alluded here the former Secretary to Parliament Mr Zingile Dingani and Mr Mgidlana were found wanting. However, the issue is that what did the executive authority do. The executive authority did act on that on-the-spot so that that's why they were dismissed, because even this executive authority will do the same if anything goes wrong. Who can here guarantee that when we employ someone that person will fulfil the contract to up to its perfection? That is why the contract will always have an opt-out clause so that if a person does not deliver that person can be terminated as necessary. The contract which here that the contract can be terminated within a month which is very important. Therefore, what is also very important here, House Chair, is that we welcome ... [Inaudible.] ... having determine the incoming Secretary to be placed on performance-based contract. Performance of Parliament is the matter that the ANC has consistently been raising in the quarterly reports that have been tabled for debate. We trust that the performance of Parliament as a whole will rise as we move forward.

However, at the same time as the ANC we wish to express our deep gratitude to the Acting Secretary to Parliament, Ms Baby

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Tyawa. It's certainly has been a long and difficult period that she had to serve as an Acting Secretary following the suspension of the previous secretary. True to the characteristics of a woman, she remained focused and determined whatever adversity had risen. The job of the function of the Secretary to Parliament would be taken forward. That determination created for her moments of great difficult and we want to acknowledge today that it was not easy for the Acting Secretary to Parliament, notwithstanding we provided the support that was necessary. Sometimes we provided the headaches as well, but at all time she knew that there was a network of support that could tell, she could turn to. Precisely because we have the interest of the development and progress of our people at heart.

In line with the longstanding ANC policy of continuity and change, we are encouraged that Mr George will have Baby Tyawa there to provide that continue, but also to facilitate the necessary change. That is why one of the achievement of the Acting Secretary is that in the previous five years the Parliament has had clean audit. We expect that as she has done that she's able to work and help the incoming Secretary so that that good work can continue going on. In supporting the recommendations of the presiding officers, we wish to say to

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Xolile George that we welcome you, and we will work with you in the interest of our people and their Parliament. Therefore, at the same time we will hold you accountable for the task that your job function asks you to do. We welcome you, Mr George. The ANC supports the recommendations. Thank you.
[Applause.]

Question put: That the motion be accepted.

Motion agreed to (Democratic Alliance, Economic Freedom Fighters, Freedom Front Plus dissenting).

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON PUBLIC
ENTERPRISES ON OVERSIGHT VISIT TO TRANSNET PORT OF DURBAN**

Mr K E MAGAXA: Thank you Chair. The Portfolio Committee on Public Enterprises is tabling the debate on adoption of the oversight visit to Transnet in KwaZulu-Natal province with the specific sight visit to the Port of Durban, Transnet Engineering Durban operations and Transnet pipelines National Operating Centre in Durban. The oversight visit to Transnet occurred from the 3rd to the 4th of February 2022.

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Hon Chairperson, the oversight visit to Transnet especially the Port of Durban Transnet Engineering operation and Transnet pipeline National Operating centre was not attributable all into the poor performance of Port of Durban over the years and during the current economic crisis associated with the Covid-19 pandemic but also to a number of structural and fractural inefficiencies in the freight transport sector.

Firstly, on the Port of Durban, hon President Ramaphosa announced the establishment of the Transnet National Ports Authority as an independent subsidiary in line with the National Port Authority Act 2005 to attract private sector investment in port freight including expansion of the Port of Durban at an estimated cost of more than R100 billion.

Hence it was important for the portfolio committee to assess the progress made in terms of both the expansions and the corporation of the Port of Durban since the establishment of the Transnet National Port Authority in particular.

The interest of the portfolio committee was to observe the measures put in place to reverse the negative effect of lack of maintenance and poor operational performance which triggered the challenges of congestion at the Port of Durban.

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Secondly, on structure and fractural inefficiencies, the inability of some of the preferred bidders to deliver locomotives in line with the 1 064 locomotives contracts has undermined the availability of rolling stock and maintenance material. This in turn disrupted rail operations and triggers supply chain bottlenecks.

Furthermore, fuel theft and related fractural vandalism coupled with lack of demand of rolling stock have impacted negatively on Transnet pipelines and Transnet Engineering's revenue performances. It is due to these factors that the oversight visit to Transnet took precedent.

Hon Chairperson, the members of the portfolio committee who participated in the oversight visit to the Port of Durban, Transnet Engineering Operation and Transnet pipeline National Operating Centre in Durban identified the following known exhausting findings:

Members were impressed by the plans to expand the Port of Durban in order to unlock its potential; members noted with concern the impact of legislative and ...[Inaudible.] ... which affect the efficiency of operations particularly the turnaround time for procurement of equipment and parts;

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members acknowledge the advanced manufacturing capabilities and capacity of Transnet Engineering however was concerned with the slow delivery of this 1 064 locomotives and lastly members have observed the fuel theft is the work of the organised syndicate and requires intervention from the justice crime prevention and security cluster as it causes Transnet pipelines a loss of revenue.

However, the situation looks like it will improve considering that Transnet pipeline has developed partnership with the private sector to address fuel theft and fractural vandalism to advance technologies and security personnel.

More importantly security implementation plans are being pursuit aggressively with Transnet and in collaboration with the state security agencies to address the recurring loss of revenue as well as unreliability of the rail network due to theft incidents in the most profitable drive corridors.

For yet another example, the Department of Public Enterprises is working closely with National Treasury, and the Department of Trade Industry and Competition to address legislative and policy impartment which affect the turnaround time for procurement of equipment and parts.

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Hon Chair, the portfolio committee made a number of recommendations and these are aimed at ensuring proper implementation of the effective response measures to deal with changes affecting the Port of Durban.

Transnet engineering ... [Time expired.]

Declaration of vote:

Mr G K Y CACHALIA: Thank you Chair. The oversight visit was a timely precursor to the picture painted in recent indebt cover story in the Financial Mail. It described the situation nearly two decades and billions of rands after a wise American Railroader Vinyl sought meetings with senior managers of Transnet in 2005 to see if the utility would consider concessioning its abandoned branch lines to private operators facing a brick wall the American took his money and railroad experience that never came back. It's prescient story about an SOE that represents the skeletons ... [Inaudible.] ... arteries of our failing economy.

The conclusion of the article is that the rail ports and pipelines operator has 17 years later reached a critical point in its existence there I say one, that it's pregnant with peril.

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As the minerals council of South Africa's chief economist says, this economy depends for 60% of its GDP on exports and imports and virtually all of its transport and logistics. The sobering fact is Transnet's impact on the mining sector has doubled the impact of the electricity crisis if it fails.

And yes, exogenous factors like climate and covid have hampered delivery all over the world for that matter but make no mistake, historical and ongoing endogenous factors pertaining to policy, theft, mismanagement and ineptitude have combined in 2021 to reduce revenue by 10,5%, drop rail freight volumes by 13,3% and reduce port container throughput by 10,5%. This speaks in the words of the article to Transnet's own abject internal failures.

Notwithstanding the plans of the mitigate failure and the various reasons ranging from the wrath of the climate of Gods through to State Capture and the ever culpable Pinyata of apartheid the lesson to be learned is take responsibility and fix the problem and not just moan about how you can't fulfil your agreements while mineral and agricultural exports decline at an alarming rate.

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It's now approaching two and a half years since the appointment of the new CEO and her team but the results have if anything been worse. This maybe in part because of the accumulative effect of the ANC's chickens coming home to roost but surely it must be because they are seemingly unable to fix the fiasco and while opting to be half pregnant, President Ramaphosa has ruled out the privatisation of Transnet while directing it to allow private rail operators to operate on the country's network.

Perhaps if the board and executive of Transnet were frank about the pitfalls inherent in the terms offered and made clear of what is actually needed to fix the mess, things would be different.

But I guess that maybe tantamount to writing your own letter of retrenchment cadre to cadre as it were. Still if private concessions belated to seem to be the way forward for rail and ports, friendly policy noisers are insufficient to attract private industry. They have to be incentivised and not sold the dummy and clear procurement framework with detailed opportunities must be provided.

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The goals of the participants need to be aligned and laser like concentration on those areas where rail is a distinct advantage needs to be implemented.

Importantly, the economic and financial assessments on all ports ensure participation areas must be conducted. These assessments must be extended to compare delivery by the private sector to that of the state and to ensure a more efficient solution is achieved.

Each opportunity must be subjected to financial analysis to determine the feasibility as well as to inform what is best delivered by the state or the private sector even though the history of the state's failure over the past years provides a clear answer to many.

This is what is needed, not the PowerPoint PR oversight visits that highlight port achievements and the plethora of plans that have little chance on delivering on their lofty aims while the spine of the economy, the arteries clogged and the bones ossify.

The Minister of Transport's assurance in March 2021 that a full private sector access to Transnet network will be

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implemented in the next three years if not sooner. Despite that, the picture is bleak.

Yes, Transnet has announced its intention to sell 16 slots but it has also announced that it has no plans to open up third party access to rail network so much for the Minister's assurances.

Why? After all they admit to being behind the curve. South Africa can't afford it.

Ms Y N YAKO: No, your time is up.

THE HOUSE CHAIRPERSON (Ms M G Boroto): Who is that? Hon members you don't do that please. We have a House here, let's allow the House to do its work.

Ms R N KOMANE: Hon House Chairperson, the Economic Freedom Fighters, EFF, reject the report of the Portfolio Committee on Public Enterprises on oversight to Transnet Port of Durban. When we went to Durban as the committee we met with the organised labour and it was clear that the drive to privatise port services is the reason behind the deliberate collapse of Transnet.

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The white capitalist establishment has repeatedly made it clear that they are not interested in creating jobs or economic development. They are going to automate and mechanise ports operations when we have more than 11 million unemployed people. Transnet spent millions on cranes that are incompatible and no one has used them or been trained; they are just gathering dust. This is a deliberate collapse of Transnet we are talking about.

All goods that were previously transported by rail are now on our roads, and Transnet does not have a practical or implementable plan. Instead, all these trucks are driving through small towns damaging our roads. We saw during the oversight the levels of damage to Transnet infrastructure because of crime, and nothing was done about it. There is no effort to use Transnet's infrastructure and capacity to industrialise. Transnet could not tell us what is going to happen to Isipingo farmers in terms of what will happen to them, even when it is clear that they are an important agro-processing player and this will be destroyed.

These are all issues that the committee report should have attended to and made a clear recommendation on, but it didn't. if we do not make a recommendation that results in change, we

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are not different to tourists. Therefore, the EFF rejects this committee report. Thank you very much.

Mr E M BUTHELEZI: Hon House Chairperson, while the main purpose of the committee's visit to the Durban port was to assess the progress that has been made in the expansion of the port and the impact of corporatisation and its challenges and efficiencies, I must declare the IFP displeasure at the lack of focus by government on how exactly the expansion of the Port of Durban will create jobs, and how the corporatisation include black businesses, not just what we were told there that they are only included as the cleaners of vessels.

We cannot beat around the bush on the most pertinent matters which affect the majority population of Kwazulu-Natal and the country at large, and that is the transformation agenda and redress. While we welcome the progress that has been made thus far at this port and the commitment and delivery of Transnet in ... [Inaudible.] ... developing this space for commercial maritime and industrial purposes, we must stress the inclusion of our people in making this an economic reality. It will be a grave missed opportunity if we were to allow this expansion to once again exclude the majority in favour of the minority. South Africans right now need an economic miracle of some

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sort, not only to put food on the table, but to activate generational wealth creation.

Our people are being robbed of opportunities to grow and create jobs because we have allowed the cancer of corruption to spread in all sectors of our economy. We therefore want to expedite the feedback and recommendations of the State Capture Report in the investigation and prosecution of individuals who were implicated in the acquisition programme of 1 064 locomotives. South Africans want to see the ... [Inaudible.]

Furthermore, it is all good and well when we are able to attract big players such as multinational corporations at our ports but this cannot be done at the cost of excluding the smaller players which are led by black young people, women and people who are differently abled.

In terms of labour, we ask that government must be mindful in processing the jobs that may be lost due to the new innovations such as automation. In doing so, we believe that upskilling and developing our labour force to accommodate and welcome the new technologies will play a significant role in making sure that people don't lose their jobs while we are trying to transit in this new technology. Hon Chair, the IFP

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will support this report with our reservations noted and taken into consideration. Thank you very much.

Mr W W WESSELS: House Chairperson, there is no declaration from the FF Plus, thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. The ACDP? Do we have a member from the ACDP who wish to participate?

Mr W M THRING: Yes, hon House Chair. My apologies, we have some loadshedding and I am just getting myself sorted. Thank you.

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

Mr W M THRING: Hon House Chairperson, as we consider this report, the ACDP is conscious of the importance of the Port of Durban, not only to the economy of eThekweni Municipality, but to that of South Africa as a whole. The Port of Durban is ranked first in Sub-Saharan Africa, third in Africa and fourth in the Southern Hemisphere in terms of container through-put. It is the busiest port in Africa in terms of vessel calls. The customers of Transnet include terminal operators, shipping lines, ship agents, cargo owners, and clearing and forwarding

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industry. The port contributes 20% to Durban's gross domestic product, GDP, 11% to KwaZulu-Natal GDP and 2% to South African GDP. In terms of employment, it directly employs 1 183 jobs and some 50 000 indirect jobs. I have fond memories of the Port of Durban as a young boy ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Thring, please just a few minutes. Hon members, I can't even hear what hon Thring is saying. [Interjections.] ... Hon members, please. No, no, no, you will appreciate him at your own time. Hon Thring, please proceed. [Interjections.] ... They appreciate your shirt, that's what they are saying. Proceed, hon Thring.

Mr W M THRING: I have fond memories of the Durban harbour as a young boy, it was a place where we would climb onto boats to dive into the water. It was a place to swim and a place to fish. Sadly, however, fishing and swimming would be a hazard to one's health due to the numerous sewerage spills into the harbour, which threaten to close down some of the restaurants in the vicinity. In this regard, Transnet must liaise with the City of eThekweni to prevent sewerage plants from releasing their effluent into rivers which run into the harbour.

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The ACDP is aware of the partnership plan with the private sector to expand the Port of Durban at a cost of some R100 billion. Should this upgrade plan come to fruition, it has the potential, in the next 10 years, to see 60% of the container traffic, into and out of South Africa, being handled by the Durban Port. I will, however, not hold my breath on this if the multi-billion rand Durban dig-out-port is anything to go by.

The ACDP agrees with some of the committee's recommendations which encourages multi-sectoral partnerships and engagements, seeks to avoid job losses and calls for a focus on the performance of the whole value chain rather than one indicator in the Port of Durban.

In conclusion, the recent floods and last year's riots have placed the port on a back foot. As one of our national key points, the Port of Durban cannot be allowed to become as dysfunctional as Eskom. The price to be paid would be too high. Thank you, hon House Chair, who wish to use it. Thank you.

Mr N E DLAMINI: Hon Chairperson and members of the House, I greet you. There seems to be a confusion here as to what's

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happening in the logistics industry. People want to talk about job creation as if the vessels are going to create jobs. There are auxiliary industries that are going to create jobs after we have expanded the ports. This thing is simple; it shouldn't be confusing.

Secondly, the issue of the ports expansion is necessitated by the current trends in the industry. You see, the ships that are delivering goods are bigger than the capacity of the port currently. Therefore, it is important to expand the port so that we attract bigger vessels to come and dock in our ports so that they open up a new regional business for the regional logistics companies. Meaning one vessel will come from Asia or wherever and dock in the Port of Durban and leave the containers for the entire continent. We are creating many jobs, not in the area of Durban only, but throughout the continent across the east and the west coast. If people understood this there would be no confusion.

Hon Chairperson, the report of the Portfolio Committee on Public Enterprises on the oversight visit to Transnet port terminal was validated by the 2022 state of the nation address in which the hon President Ramaphosa stated that our economy cannot grow without efficient ports and railways. Over the

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past few years in particular, the performance of the Port of Durban has declined relative to ports in other parts of the world, and on the African continent. Furthermore, during the Covid-19 pandemic, the preponderance of the rail and pipeline infrastructure theft and vandalism left implications lasting into the present day at Transnet.

As these factors affect businesses and subsequently compromise the country's economic growth rate, the portfolio committee find it imperative to develop a three-point approach to the oversight visit to Transnet. Firstly, the portfolio committee visited the Port of Durban to assess the progress made in the expansion of the port, the impact of corporatisation of the port, challenges and efficiencies of the port since the establishment of the Transnet National Ports Authority, TNPA, as a subsidiary.

Secondly, the portfolio committee visited Transnet Engineering Durban division to ascertain the progress made in so far as assembling the already delivered locomotives in the 1 064 locomotive contract with China North Rail, China South Rail, Bombardier and General Electric is concerned. In addition, the portfolio committee was also interested in observing the impact of South Africa's deindustrialisation on Transnet

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Engineering and the measures the division has put in place to offset this said reality. Thirdly, the portfolio committee visited Transnet Pipeline National Operating Centre in Durban to understand with greater precision the consequence of rail theft on Transnet pipelines revenues and the mechanisms identified to improve theft.

Hon House Chairperson, the portfolio committee made several observations. It became evident to the portfolio committee that the Port of Durban was experiencing operational challenges, including but not limited to berthing delays as a result of high marine craft breakdowns, old ship repair facilities infrastructure made ... [Inaudible.] ... congestion and declining levels of operational efficiencies at the container terminals.

These challenges impacted negatively on the efficiency and performance of the Port of Durban, thereby leading to the unnecessary congestion. Regardless of these challenges, the empirical element of progress was undeniable, take for example, TNPA has established both the integrated decongestion team formed with daily operation meetings held and implementation review done biweekly at the Port of Durban, as well as decongestion stream as the committee of decongestion

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task team to deal with congestion as soon as the collaboration between TNPA and eThekweni Municipality to ... [Inaudible.] ... road to Port of Durban is finalised. For yet another example, Transnet technical department has done recourse analysis and the department ... [Inaudible.] ... manufactures to deal with equipment challenges and equipment availability and long procurement process were being monitored closely by the address ... [Inaudible.] ... terminal inefficiencies and underperformance.

Aside from all this, the TNPA has an agreement with the South African navy to relocate its base from Salisbury Island to Richards Bay and forge a partnership with eThekweni Municipality to develop as an access road to link the Port of Durban with N2 and subsequently N3 trying to evade traffic congestion.

Hon House Chairperson, the members of the portfolio committee appreciated the manner in which Transnet National Ports Authority was focused on improving operational efficiencies at the Port of Durban through procuring additional equipment and implementing new systems to reduce congestion. This shows that the ANC-led government is hard at work.

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The portfolio committee observed that Transnet Engineering was facing serious challenges in terms of availability of sustainable, partly due to insufficient demand in current rolling stock requirements both locally and in terms of the African continent to sustain the divisions partly due to availability of ... [Inaudible.] ... because of the parts in terms of the locomotives that are there. Obviously this is flowing from the problems from the 1 064 contract. In the whole, the ANC supports this report. [Applause.]

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: House Chairperson, I move that the report be adopted.

Motion agreed to (Democratic Alliance and Economic Freedom Fighters dissenting).

Report accordingly adopted.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON POLICE ON
OVERSIGHT VISIT TO NORWOOD AND TEMBISA POLICE STATIONS
(GAUTENG PROVINCE) ON 4 AND 5 MARCH 2022**

Ms T M JOEMAT-PETTERSSON: Hon House Chairperson, hon Speaker, Ministers, Deputy Ministers and members, the Portfolio

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Committee on Police conducted an oversight visit to the Gauteng province on the 04 and 05 March 2022 to assess service delivery at the Norwood and Tembisa police stations. This was informed mainly by a reported theft of exhibited firearms from the Norwood Police Station. Once more, and again, all political parties agreed that we needed to go there and agreed on the findings that we had after the Report.

On 23 February 2022, the SA Police Service briefed the portfolio committee on the theft of firearms from the Norwood Police Stations evidence tour in August 2021. According to the SA Police Service an audit had revealed that 175 firearms were missing from the safe, which included 134 exhibit firearms and 41 amnesty firearms. During the site visit at the station specific attention was given to access the security improvements made at the SA Police Service 13 store at the Norwood Police Station. We are receiving quarterly reports on the progress made in relation to the firearm theft.

Hon House Chairperson, the committee recommended that the SA Police Service conduct a countrywide audit of all SA police station 13 stores to ensure that no firearms were stolen from other evidence stores. I am pleased that as a result, in the SA police station, 13 stores phase one has been approved for

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implementation in Gauteng, KwaZulu-Natal and the Western Cape. which reportedly commences in this year and will be finalised about July 2022. We will monitor to ensure that it actually does happen within the next two months. Phase two will then proceed in the other provinces based on risk categorisation.

The Tembisa Police Station has consistently appeared on the top 30 police stations with the highest recorded crime statistics countrywide. During the third quarter the station ranked number 17 in the top 30 police stations with the highest recorded crime statistics countrywide. In terms of crime weight contribution of the station in Gauteng it ranks 50 out of 143 stations. Similar to the Norwood area, the committee raised significant concern about the high number of liquor outlets in the area and questioned the role of the Gauteng liquor board.

Alcohol is having a significant impact on our moral fiber and violent crime in particular. The committee was shocked by the fact that the detention cells were not in use as is the state of disrepair and not maintained by the owner of the building, which is the Ekurhuleni Municipality. The committee has already embarked on a strategy to address the situation by calling a meeting between the Ministers and we have already

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called this meeting between the Minister of Police, the Minister of Public Works and Infrastructure and this meeting has really been highly successful.

We have a follow up meeting with the Minister of Public Works and Infrastructure to sort out further problems with SA Police Station. The meeting proved extremely valuable as a desperate state of police stations, office accommodation and detention cells were laid bare. Drastic interventions are required and will be implemented. We are confident that this situation will improve. The committee made several recommendations in the Report, most of which have already been implemented and are bearing fruit. The importance of oversight visits should never be underestimated and is one of the most significant oversight tools at our disposal to ensure accountability and improved service delivery.

Our committee has been allowed to conduct more oversight visits and we thank the hon Chief Whip, House Chairperson and all those who are allowing us to do so. In conclusion, hon House Chairperson, we will look at the proximity of liquor outlets especially taverns to the impact of crime, including gender-based violence and femicide. Hon House Chairperson, the committee has the support of the ANC and the committee

recommends the implementation and approval of the Report. I thank you.

Declarations of vote:

M Gen O S TERBLANCE: Chairperson, the SA Police Service as a department is tasked to fulfill all the responsibilities in terms of this Act and this is subject to parliamentary scrutiny through the Portfolio Committee on Police. The Minister of Police may in terms of existing legislation, declare a firearm amnesty from time to time during which period people may hand in unlicensed firearms or may even apply for the renewal of such firearm licenses under certain conditions.

Unwanted firearms may also be handed in during this period. Such firearms handed at police stations for safekeeping in the SA Police Station 13 stores until they can be disposed of safely in terms of prescripts with a large percentage of these firearms destined for destruction. The Portfolio Committee on Police went on an oversight visit on the 04 March to the Norwood Police Station to acquaint himself with the circumstances that led to the second disappearance of firearms from the SA Police Service 13 stores.

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It is a known fact that some of these firearms ended up in the hands of gangsters in the Western Cape and were used in gang-related murders. The conviction of former Colonel Prinsloo for similar offenses is a telling example of this. Even today it is glaringly evident that the police are not on top of their game anymore to ensure the safekeeping of firearms under their control. Every year is unacceptable numbers of official firearms and demolition losses by the police as relegated this once prior organisation to nothing more than the unofficial main supplier of firearms and ammunition to gangsters and organised crime.

The situation and the ever growing mess at the central firearm registered cannot be tolerated indefinitely. The Minister of Police must be held responsible to address this as a matter of urgency, failing which he must follow in the footsteps of his previous national commissioner and allow the nation to appoint a competent Minister to steer the ship to calm waters.

Afrikaans:

Die Temisa-Polisiestasië word tans in 'n gebou geakkommodeer, wat aan die betrokke munisipaliteit behoort. Die huurgeld is 'n baie klein maandlikse bedrag en gevolglik is die munisipaliteit nie geneë om enige herstel- en

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instandhoudingswerk te doen nie. Aan die ander kant kan die Departement van Openbare Werke en die Suid-Afrikaanse Polisie Diens ook nie geld spandeer nie, aangesien dit nie 'n staatsgebou is nie.

Die gebou word dus glad nie instand gehou nie en 'n oplossing moet dringend daarvoor gevind word. Daar word voorgestel dat onderhandelings plaas moet vind, sodat die gebou teen 'n nominale bedrag aan die staat verkoop kan word, om die probleem aan te spreek.

Kennis is geneem van die feit dat daar meer misdade in Tembisa se stasiewyk gepleeg word as in Soweto, alhoewel Soweto 'n baie groter gebied bedien. Dit is verder ook 'n bekende brandpunt vir geslagsgeweld en gevolglik moet alles gedoen word, om hierdie probleem in bedwang te bring.

Die situasie is tans glad nie baie gunstig nie. Baie min polisiebeamptes word vir misdaadvoorkoming aangewend, terwyl die syfers vir opsporing en skuldigbevinding maar 38% en 36% onderskeidelik is.

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Vakante poste word nie gevul nie en meer reserviste moet gewerf word. Tydens ons besoek het hierdie stasie slegs oor drie reserviste beskik.

English:

An integrated approach is recommended ... [Inaudible.] ... all across the spectrum are encouraged to join hands to uplift this community. It can be done. Chairperson, we support this Report. Thank you.

Mr H A SHEMBENI: Thank you, Chairperson. Chairperson, I was part of the committee delegation when we conducted this oversight visit. ... [Inaudible.] ... that communities themselves together with the private security companies are more trusted to deal with the crime than the police.

At the Norwood Police station we were told that even though there was no evidence of widespread involvement of policemen in crime, there were police who were previously indicted for dealing in illegal guns. The proliferation of illegal bottle stores goes unpoliced in Norwood which causes high levels of violent crimes. The police station itself is poorly maintained by Public Works and there is no co-operation between Public

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Works and the municipality in ensuring that the police premises are properly maintained.

The police in Norwood and Tembisa has largely allowed the Operation Dudula thugs to do as they wish in these communities, unleashing waves of violence against poor African immigrants. In Tembisa, victims of gender-based violence do not even bother going to the police station because they know that they will not receive any help. The conviction rate of people arrested in Tembisa is less than 40% and detectives are overworked with each carrying over 150 dockets. All this points to a very incapable police system in the most highly charged areas when it comes to crime.

There is no capacity to detect, prevent and investigate crimes after it has happened. Our people are left on their own and the situation is even more horrible for the victims of gender-based violence. We need a complete revamp of our police system in Gauteng. We need police not to be involved in the politics of the thuggish Operation Dudula but to enforce the law without fear or favour to taking bribes from drug lords. It is the corrupt police who enable the spread of drugs in our communities. Therefore, we accept the Report. I thank you, Chair.

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Ms M D HLENGWA: Thank you, hon House Chair. Oversight visit from an essential and necessary part of the Parliament work and provide an in person opportunity for MPs to determine whether service delivery taking place as well as to engage with the community.

Several issues were common to both Norwood and Tembisa Police Stations, including concern around the high number of liquor outlets and shebeens. As the IFP, we are in support of the communities' request committee recommendation that the Gauteng Liquor Board should review its processes of issuing licences for Tavern and shebeens as well as increased number of inspectors.

According to the research published in psychology today, 48% of homicides offenders and alcohol in their system at the time of offence while 37% were intoxicated substance abuse can therefore, be seen as a direct threat in the community.

The IFP further calls the Minister of Police to engage with this concern in the Department of Police, Public Works and Infrastructure to address serious challenges relating the office accommodation. The SAPS officers cannot perform their duties if they have no offices. If the offices are

dilapidated, we regard the Operation Dudula. It was described in the report as a community initiatives focus on the crime prevention with the local areas, including the illegal foreigners.

The IFP went on record in April 2022 and said that campaign such as Operation Dudula, which is the target certain group of people cannot be permitted to take the law in their own hands.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Thank you very much.

Ms M D HLENGWA: Thank you. The IFP accept the recommendation of the committee. I thank you. [Applause.]

Afrikaans:

Dr P J GROENEWALD: Agb Voorsitter, ...

English:

Hon Chair, the Norwood Police Station came into the spot light after certain firearms that were used in criminal activities were related back towards the evidence stores more commonly known as sub-13 stores. And then the question started to

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arise, how is it possible that 178 firearms can be lost or stolen from a sub-13 store and who is in control of that?

Chairperson, we know that the person who was in charge of this sub-13 store committed suicide. We visited the police station and I must say that the evidence store is in the basement of the police station. So, it is not that anybody can come forward and enter the store and steal something. It is only people who have access and official access to that store.

Chairperson, we visited, we look at things but there is one thing we did not do. We focus on the 170 firearms but we did not ask any question about any other objects and evidences in the store. I then posed the question to the Minister of Police in Parliament and asked in the audit that took that took place on that specific store, are there any other object missing? And I think the shocking thing is, hon Chair, is that the Minister then revealed that it was found that, for instance, almost R80 000 has been lost or stolen.

Many other objects and all of those objects are actually evidence in court cases. The number of court cases where items felt lost are 54. What does that mean? That mean that, the justice system is failing the people because of the theft in

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SAPS 13 store. And therefore Chairperson, we will have to look into these matters. The FF Plus will support this report but we still have a lot of work to do. I thank you.

Mr S N SWART: Thank you, House Chair. House Chair, the ACDP would like to support this report and express our concerns as the report does about the incident of the theft of 175 firearms which have been placed by the risk criminal activity. And I think what the hon Groenewald has just referred to is a matter of great concern to us because many of these items of exhibits evidence in criminal cases - 54 criminal cases.

And therefore, justice will be denied to those victims of those crimes where this evidence is no longer available. And Such a person we appreciate the committee that visited the police station. We committed that we respect and appreciate the report but we also pleased and that a wider investigation will take place as to the safeguarding of exhibits and evidence particularly firearms through police stations throughout the country. And that this is a lesson to us to ensure particularly Minister and the police to make sure that exhibits are protected given the fact that they can, firstly, be used illegally should there be on the streets. And secondly, there is a need for having as evidence for criminal

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cases. Thank you, Chairperson. The ACDP will support this report.

Mr B N HERRON: House Chairperson, we support the report.

Ms L N MOSS: Thank you very much, Chairperson. The ANC welcomes the report tabled on the oversight visit by the portfolio committee. The oversight focus on a few police stations in Gauteng province. The vast police stations are Norwood Police Station and Tembisa Police Station.

The oversight visit to these two police stations provided the members of the portfolio committee an opportunity to perform their oversight responsibility and get a sense of the real issues on the ground not by hearsay.

Afrikaans:

... hoorsê nie, of deur mense wat hier praat, maar hulle was nie eers daar nie.

English:

The members of the committee were able to see for themselves the conditions on the ground and they had opportunity to ask

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questions based on the information presented and their observations.

The Norwood Police Station is where there was the theft of firearms from the SAPS 13 evidence store. The committee members received a briefing on the arms issues and a storage amount was presented to the members. The portfolio committee, PC, also got the brief on the community and the crime intervention strategies deployed by the police in the region.

The community had an opportunity to raised their issues to members. One of the issues that came up strongly was the fact that the Child Protective Services, CPS, were not visible to provide support to the police to combat crime in the areas. The committee highlighted the importance of the collective responsibility to fight crime. The ANC emphasised the fact that crime can never be win by the police only but through collective from civil society and SAPS. The private security must work together.

The committee made observation that there are many outlets that includes the shebeens. The PC members felt that there is a need for this to be monitor as a problem in the surrounding areas. I must say members when we visited these areas we don't

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hear it, we see it. We passed those areas. It was not nice to see how our youngsters are hanging in the shebeens drinking alcohol in the early of the morning.

Firearms theft continue unresolved. However, it is clear that some wonderful from within was involved in theft of firearms because the evidence safe is bolt on ground level in a safe place and a case has been opened and investigation is underway.

The committee made observation that Tembisa is still a hotspot for gender-based violence and femicide. However, the supporting of gender-based violence and femicide cases is decreasing and that could be because society has lost confidence in the SAPS.

The Department of Social Development has to come on board and support SAPS because gender-based violence will not be win by the police alone. The committee emphasised the importance of proactive policing. There is a need to intensify the police visibility at all sorts.

The committee recommends that Community Policing Forums, Metro police, the Department of Social Development and SAPS should

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join hands in dealing with the challenges of drug abuse. The police should pay attention to the intelligence to prevent crime on the issue of Norwood. The police must provide reports quarterly on the progress of the firearms theft investigation quarterly. The operation of retrieving the stolen firearms must be testified to avoid the use of those weapons in criminal activities. In the process there must be a country wide audit of all SAPS 13 stores to ensure that there are no other stolen firearms from the evidence storage.

The Gauteng Liquor Board must do inspection in this areas and even review the process of easy licences. Why we are saying this? Because we observed there is too much people who are selling liquor like the shebeens. We must make sure these issues are addressed. It was really a disturbing point for all of us in that oversight. The ANC welcomes the report and recommend that the report be considered. Thank you very much.
[Applause.]

The ACTING CHIEF WHIP OF THE MAJORITY (Mr M G Mahlaule):
Chairperson, on behalf of the Chief Whip of the Majority Party, I move that the report be adopted.

Motion agreed to.

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Report accordingly adopted.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON WATER AND
SANITATION - OVERSIGHT VISIT TO EASTERN CAPE PROVINCE**

Mr M A TSEKI: Chairperson, we are dealing with water here and it must reflect that. It is important that I am here on behalf of our glorious movement to recommit our policy statement that says, water is life and sanitation is dignity. So, the opposition must know that this is a formation of the ANC statement. The World Economic Forum's Global Risks Report for 2021 list extreme weather and failure of climate actions as clear and present dangers. This risk relates to floods and drought - extreme at both ends. The world is currently confronted with these challenges and South Africa is not immune from these issues. We have witnessed devastating drought in the recent past and the drought continues to affect some parts of the north western sides of the Eastern Cape, Free State, Northern Cape and the Western Cape while the Eastern coasts, which is KwaZulu-Natal and part of the southern eastern part of the Eastern Cape of South Africa, have recently been battered by severe floods which killed many people and destroyed property and left many people in

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destitute. I am tempted to put a blame on those that own the means of production who are friends to the DA.

This is in line with the climate change focussed by the SA Weather Service that predicts persistently the conditions in the western interior and water conditions in the eastern part of our country.

South Africa is a water-scarce country. We do not have enough water resources and climate change is worsening this situation. It is partly on this premise that the Portfolio Committee on Water and Sanitation conducted an oversight visit to the Eastern Cape on 24 to 27 January to, amongst others, assess the water and sanitation challenges, inspect existing large built bulk water projects such as dams, bulk pipelines, desalination plants and eradication of the bucket system. The committee assessed the following projects Ngqamakhwe bulk water project which is in Amathole, Qoga bulk water which is in Amathole as well, Mzimvubu water project which is in Joe Gqabi District Municipality, King Sabata Dalindyebo Presidential Intervention Water Project in O R Tambo Municipal District, Ndlambe Bulk Water Supply Project at Sarah Baartman District Municipality and Nooitgedacht Phase 3 Bulk Water Supply in Nelson Mandela Bay Municipality.

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Nggamakhwe reviewed of water supply phase 5, which include bulk pipeline to Tsomo, Butterworth aims to develop an appropriate regional water supply to provide bulk water infrastructure to supply approximately 78 000 in 120 rural villages - very important - of Mnquma Municipality for domestic water. This is an emergency bulk water supply project to alleviate drought situation in Butterworth.

There was also a visit to Mzimvubu where a developed conjunctive scheme comprises of multipurpose dams, O R Tambo District Municipality Water project at the King Sabata Dalindyebo Presidential Intervention Water Project, Ndlabe water project which leads to development of central boreholes filled at Port Alfred augmented by James Kleinhans Bulk Water Project in Makhanda, includes the augmentation of the existing water project. The Nooitgedacht Koega low level scheme is being upgraded.

To this end the committee noted that COVID-19 almost derailed the implementation of these projects. Nevertheless, the committee noted the following challenges with serious concern. The slow spending of the grant allocations has been realised ... [Time expired.]

Xitsonga:

Hi khensile swinene.

Declarations of vote:

Mr N G MYBURGH: Chairperson and hon members, the report of the portfolio committee's oversight visit to the Eastern Cape is the story all too familiar to the people of South Africa. The purpose of the visit was to enable the committee to familiarise itself with progress on large bulk water and sanitation projects. A situational overview and analysis was presented to the delegation and seven projects, indeed, were visited. Some of these include projects very important ones such as the Mzimvubu and Mthatha projects. These are projects which are extremely important for the socioeconomic development of the area for commercial development and for the provision of water to literally millions of people in the region.

It would be true to say, Chair, that the economic outlook and the future prosperity of the entire Eastern Cape depends to a large degree on the speedy and success for completion of these projects. But most, if not all of them, are years behind schedule. The report is little more than a register of delayed and incomplete projects. It paints a grim picture of the

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various issues which stand in the way of the much-needed infrastructure upgrades in one of the country's long suffering provinces.

The following issues are listed, incorrect specifications, delays in procurement processes, poor budgeting, planning and execution, late payment of invoices, incompetent contractors, community unrests, and on and so forth. It's a lamentable irony of poor governance, financial mismanagement and service delivery failure. What is of particular concern is that these projects involve the construction of sophisticated and modern world water and sanitation systems which would upon completion require a large number of well trained technicians to manage this on a daily basis - seven days a week. Just over a week ago I was part of the delegation to the Vanderkloof Dam where raw storage literally flows directly into South Africa's second largest dam simply because the local municipality has for all practical purposes come to a standstill. This is just one of 43 such municipalities across the land where local government has imploded.

Hon members, the US\$64 000 question which this House need to look at today and ask ourselves is the following, who is going to manage and maintain the various infrastructure projects

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currently under construction? What is the department doing to ensure that projects are handed over to municipalities and entities that have the requisite technical knowledge to operate them successfully and sustainably? Or are we going to continue throwing billions of rands at infrastructure without the people managing it?

The oversight report also confirmed that the Amatole Water Board stands out its failure to deliver. Unsurprisingly, it is also the subject of various the Special Investigating Unit, SIU, investigations.

Speaking about the water boards, just yesterday in the portfolio committee we had the said saga of the various water boards in South Africa. We were briefed, inter alia, on the so-called reconfiguration of water boards. Yes, reconfiguration is of course long overdue given their record of with billions of rands in irregular expenditure and severe governance failures.

The story of water boards in South Africa is in fact the story of the ANC. Whilst we support the recommendations of the report we live in eternal hope that the 10 recommendations will be fully implemented by your party. [Interjections.]

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An hon MEMBER: Chairperson, they must be reminded that it is a maiden speech and they are not allowed to heckle and ground the speaker. [Interjections.]

Mr B A RADEBE: The maiden speech is not supposed to be offensive. [Interjections.]

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon member! Hon Myburgh!

Mr N G MYBURGH: It is not offensive is the truth.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Myburgh, you can go ahead, sir.

Mr B A RADEBE: Chairperson, I was raising a point of order. If a member is making a maiden speech, he cannot be in the offensive and attack other political parties. Thank you.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon members, thank you very much. Hon Myburgh, just check cautiously. Hon members, give him a chance, please. You are being attacked by both the DA and the ANC, hon Myburgh.

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Mr N G MYBURGH: Whilst we support the recommendations of the report we live in eternal hope that all the recommendations will be fully implemented by your party which has become notorious for its inability to implement. The miserable irony about all is where the ANC is strongest we see that governance and service delivery are at its weakest. If you look at the various provinces there is indeed an inverse relationship between the ANC's performance at the ballot box and ANC's performance in government. So we might ask, is this the doleful destiny that democracy has bestowed upon the people of South Africa? We say, no, certainly not. Just as the terrible drought in the Eastern Cape will surely come to an end so too will be the reckless reign of the ANC. I thank you.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon members, members who make maiden speeches are kindly requested to track very cautiously so that they don't throw stones even before they could built their houses. He/she must be acceptable. Be accepted in the House and be nice to the House at least for the first time. Thank you, hon Myburgh.

Ms L F TITO: House Chairperson, the Portfolio Committee of Water and Sanitation went to the Eastern Cape in order to assess water and sanitation challenges. Incorporating

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inspections of existing large built bulk water projects such as dams, nature and efficacy of existing desalination plants and eradication of the bucket system.

This also included assessments of current large water infrastructure projects, desalination projects in Port Alfred, and the recently launched plant in Alexandra, and future bulk water infrastructure projects such as the long awaited Mzimvubu Dam to elevate the current water crisis and ensure the future sustainability of water provision in the Eastern Cape.

In all the projects that I have mentioned starting with the Construction of Tsomo Ngqamakhwe Bulk Water Pipeline project, the key risks highlighted by the presenters related to pipe materials that were not of a correct specification, the main contractor within the departments construction units, not submitting the required procurement documents with specifications on time, which led to delays.

On the Xhora Bulk Water Project, the estimated expenditure at the time of the oversight visit was at R577 million on completion. Once the presenters highlighted the key risks and issues related to this project. These are related to delays in

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the procurement of materials, as the contractor for contract 8 was experiencing cash flow problems.

On the Mzimvubu Water Project, which is long overdue and project designs began in 2015, but to date, only an access road at 31% has been completed. Such an important project towards ensuring water supplies to the communities that have not received water from government water sources but rely on fetching water for their needs from rivers and streams.

The OR Tambo District Municipality Bulk Water Supply Project and the King Sabata Dalindyebo Presidential Water Project, is key to extending and developing five corridors and serving over one million people with the Mthata Bulk Water Project aiming to unlock housing and commercial development for this region.

Some of the challenges on this project relate to delays in the completion of the project due to the shortage of funds.

Piecemeal allocation over the years and poor performance of contractors leading to the cost of this contract escalations.

On the Ndlambe Bulk Water Supply Project, the risks identified on this project related to the increased costs of the projects due to the delays in payment of professional service provider,

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PSPs, and contractors, the termination of contractors and incompetent contractor. With this type of degeneration and poor quality checks by the department and the contractors it employs, there is no hope for water security in the Eastern Cape. We accept this report and ask that all those responsible for derailing these projects must be brought to book. I thank you, Chairperson.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): The FF Plus?

Afrikaans:

Mnr P MEY: Die VF Plus ondersteun hierdie verslag.

English:

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Sorry, hon member. It should be the IFP. Sorry about that.

Mr N SINGH: Thank you, Chairperson.

Ms S A BUTHELEZI: Thank you, Chairperson. The recent devastating floods it was in a towel and parts of the Eastern Cape have again highlighted the critical need to invest in the maintenance of water infrastructure, and the urgent need to attend to aging infrastructure. The floods in the Eastern Cape

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alone caused the collapse of 30 houses in the OR Tambo District Municipality.

As Parliament, we need to urgently ensure that the maintenance of water infrastructure serving vulnerable communities is not compromised by corruption fraud or delays in procurement services.

The oversight visit by the Portfolio Committee on Water and Sanitation in January 2022, to the Eastern Cape to assess large built bulk water projects, as well as water and sanitation challenges in the province, provided the committee with valuable insights. These oversight visits form a critical function of each committee's parliamentary work and provide a unique opportunity to assess and understand concerns faced by the public. These oversight visits and the questions arising from such visits should be continuously assessed to ensure that executive is held accountable by Parliament.

According to the committee report, a pertinent issue that stood out during the oversight visit to the various water infrastructure projects in the Eastern Cape was a delay in the procurement process. This is highly concerning to the IFP. For instance, the Construction of Tsomo Ngqamakhwe Bulk Water

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Pipeline Project, which aims to supply 78,000 people in 120 rural villages with domestic water at an estimated cost of R1,2 billion is currently seriously delayed due to procurement issues related to small, medium and micro enterprises, SMMEs, as well as well as the appointment of professional service providers. This project which is described as an emergency bulk water supply project is critical to alleviate the drought in Butterworth. And we cannot allow this project to be compromised by procurement issues.

The IFP strongly endorses the portfolio committees view that the department should develop strategies to address the challenges associated with SMMEs and we will closely monitor progress reports in this regard. According to the committee report, the issue of slow procurement processes was again very evident during the oversight visit to the Ndlambe Bulk Water Supply Project.

The IFP again strongly agrees with a portfolio committee's recommendation that the department should urgently address the poor performance of the Amatola Water Board. Furthermore, in general, when examining the committee report, it became clear that the oversight visits had identified an urgent need for

consistent continuous monitoring and oversight of these projects. [Time Expired.]

Afrikaans:

Mnr P MEY: Die VF Plus ondersteun die verslag. Verskeie probleme is deur die komitee uitgewys, onder andere dit wat veroorsaak dat projekte nie betyds afgehandel word nie en ook baie duurder kos as gevolg van vertragings. 'n Goeie voorbeeld is die Nootgedacht-waterprojek in Port Elizabeth. Dit het reeds in Mei 2017 begin maar sal hopelik aan die einde van Julie 2022 voltooi word. Die Amatola-waterraad het nie die kontrakteur betyds betaal nie. Hy het toe die perseel verlaat en baie tyd en geld het verlore gegaan. Kontrakteurs wat dikwels aangestel word beskik nie oor die finansiële vermoë om 'n projek suksesvol te bestuur nie en dit veroorsaak dat hulle kontantvloei probleme ondervind en nie die projek meer kan voltooi nie. 'n Nuwe kontrakteur moet dan aangestel word wat veroorsaak dat die projek meer kos as die oorspronklike prys.

Die komitee verwys ook na gemeenskapsonrus. Die inwoners is ongelukkig omdat daar nie genoeg mense aangestel word nie en hulle verlaag die projek. Dieselfde gebeur ook met regsdinge wat nie net duur is nie maar ook tydrowend is.

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Die besoek deur die komitee was in Januarie. Ek was nie teenwoordig nie maar dinge het in Nelson Mandela metro totaal verander. Binne 14 dae sal 40% van die inwoners van Nelson Mandelabaai oor geen water beskik nie.

Ek was teenwoordig waar Mnr Barry Martin, direkteur van water en sanitasie in die Nelson Mandela metro, daarop gewys het hoe belangrik grondwater is. Die VF Plus het al herhaalde kere gepraat van watertenks maar hierdie keer is daar watertenks opgesit en is hulle besig om baie gate te sink wat 'n baie positiewe ding vir die Nelson Mandela metro is. Grondwater is baie belangrik. Ek wil net vir u vinnig iets voorlees. Op 22 Maart was Wêreld-waterdag en toe lees ek die volgende.

English:

Ground water is invisible, but its impact is visible everywhere. Out of sight, under our feet, ground water is a hidden treasure that enriches our lives. In the driest parts of the world, it may be the only water people have.

Afrikaans:

Maar die vraag is nogsteeds, is grondwater volhoubaar? Wat moet ons dan doen? Ek dink die belangrikste vir ons is om

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spaarsaamig met water te werk en om bevolkingsgroei te temper.
Baie dankie.

Mr S N SWART: House Chair, the ACDP takes note to this report regarding the portfolio committee's oversight visit to the Eastern Cape, it was aimed at assessing water and sanitation challenges in the province and included inspections of existing large built bulk water projects such as dams, the scope, nature and efficacy of existing desalination plants and the eradication of the bucket system.

And it also aimed at inspecting progress of future bulk water infrastructure projects, such as the long waited Mzimvubu Dam in order to alleviate the current water crisis in the province.

The ACDP like so many others are deeply concerned about the looming water crisis in various parts of the province, including Butterworth and Gqeberha. Dams in the province have been almost empty for more than a year demanding to the long standing dry, but also due to more than half of the catchment area being degraded by alien tree invasion, overgrazing and wetland destruction.

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One of the key sites visited by the committee was the Nooitgedagt/Coega Low Level Supply Scheme, which is a project situated in Gqeberha, and which started way back in 2017 and was only completed earlier this year. It was planned to alleviate the water shortage problems in the area. However, due to persistent problems with the scheme and minimal water use reduction from residents, South Africa's sixth largest metro needs a miracle to avoid day zero, with reports indicating that the city has less than 30-days water supply before its taps run dry.

The ACDP does believe in miracles, and it does believe in prayer. However, at the same time, one needs to be good stewards of the existing water supply and it should ensure that the leakages are prevented. And whilst we appreciate the committee's oversight visit to the province, we believe that not enough has been done to prepare the metro and other towns such as Butterworth for the looming water crisis.

The questions can rightfully be asked why the Nooitgedacht Water Scheme has taken so long to complete. And in this regard, the ACDP welcomes the report that the root causes of the department's challenges or risks of budget allocation constraints, unforeseen, wet, windy weather conditions are,

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where there are discrepancies, work packages to local SMMEs, slow procurement processes and Amatola Water Board and delays in the payment of invoices to contractors, that is totally unacceptable and has contributed to the water crisis in the province and of course in the metro. Had the Nooidgedacht project been finalized according to the original timeline, it could have alleviated the crisis at the metro or at least have postponed the looming day zero. The ACDP would like to express its gratitude to the members of the portfolio committee that conducted this oversight and will support this report. I thank you.

Mr B N HERRON: House Chair, it is said that in the near future, war will also be fought over access to clean water. Across the world more and more rivers damned to provide for more and more people and more and more industry and there is more and more pollution and less and less water for people to drink. It's a finite resource and despite all our cleverness people are yet to invent systems to affordably desalinate or decontaminate it.

A report focusing on Eastern Cape Water and Sanitation Project is critically important for two reasons. One is to showcase a level of oversight that should be the norm, not the exception.

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And two, to eliminate the growing crisis in our country showing respect of the management or the mismanagement of precious resources as if there is no tomorrow.

The Eastern Cape is in desperate need of intervention, but so is the rest of the country. The health of our water supply is a greater leveller in our unequal society, like Eskom. The overwhelming majority of citizens are not self-sufficient. We all need clean water to function. We need it running in our townships and in our informal settlements. We need decent and dignified sanitation systems. Our farmers need water for their crops and our industry need water to survive and enable the economy to grow. The report provides evidence of delays, crucial mistakes and lack of accountability that continues to pollute our state-owned enterprises.

The City of Makhanda was announced in May as one of the worst three water quality municipalities in the entire Eastern Cape. Yet, the municipality has received R700 million over the past nine years to fix it. These numbers are absurd. The Amatola Water Board has meanwhile stated that the situation is dire, both in water supply and with regard to their financial capability to pay their workers for the rest of the year. We cannot continue to accept constant cash injections into failed

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ventures. South Africans should be grateful for the report. They would be more grateful if they saw some consequences and improvements. Thank you.

Ms N N SIHLWAYI: House Chair, the ANC is unequivocal in its support of the Portfolio Committee on Water and Sanitation Oversight Visit Report tabled on the 14 March. Our support for the oversight report is informed by the ANC government's commitment to expand the access to water services to our people through the construction of the water dams and the development of the water infrastructure to those communities that were formerly excluded by successive colonial and apartheid government.

Just to clarify issued raised in this platform. Yes, we went there to familiarise the committee on the challenges of water, but we understood when we got there on the huge challenges, more especially, Umzimvubu. Where it speaks about road access. What does it mean to first start with the road access, and not starting with water provision? Our support for the oversight, the ANC acknowledges that some of our people, particularly in the deep rural areas of the former Transkei and Ciskei, are still resilient on the communal dams and rivers as their

source of water for both personal domestic use and agricultural purposes.

We further acknowledge that ... [Inaudible.] ... associated with the inaccessibility of water by our people, in particular women, children and people living with disabilities, child headed families, widows and lesbian, gay, bisexual, transgender, queer, questioning, intersex, LGBTQ+ sectors. Not only the physical risk of being physically violated by criminals, but also the quality of water found in those dams and rivers may not be health required standards, even during COVID-19. Yes, the restructuring of water boards by the Minister is to ensure the effectivity and efficiency and value for money on the water provision. It's not a sin to do so, it's to really address where there are gaps and challenges in those water boards.

The Constitution of the Republic, section 27(1)(b), states that everyone has the right to access sufficient food and water and that the state must take reasonable legislative and other measures within the available resources to achieve the progressive realisation of those rights. The NDP 2030 further requires our ANC government to ensure that all people have access to clean affordable water, and that there is enough

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water for agriculture industry. Recognising the trade off in the use of water. The ANC government approach the provision of water seeks to address not only water supply, but issues concerning equity and transformation. You must recall that as we deliver, we must also transform and ensure that we redress. We do those on both.

Our ANC government is committed to ensure that water supply is sufficient enough for people's livelihoods, and that legislative provision that guarantees each person at least 25 litres of water per day or six kilolitres of water per household per month. Furthermore, the ANC government has committed that water should be physically accessible within 200 metres of each household. In addition to that, our government has made provision for those who cannot afford to pay not to be unfairly discriminated against because of their socio economic positions. The water coming out from the taps should be clean and safe drinking water. We do want to say that we are getting fruits from our entities.

The committee appreciates the technology that is presented to us by the water commission research that addresses the issues of ground water. The ANC recognises that water is a national resource and it is very critical for the economic growth, bit

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also a national resource that we utilise for the socio-economic transformation. The Eastern Cape Province has the potential of being an agricultural hub of the country. This can only be possible if we address the water challenges in that particular province.

The ANC is confident that the Department of Water and Sanitation has taken all reasonable measures to ensure the realisation of right to access sufficient water through the rolling of water infrastructure projects as contained in the oversight report. One that came very clear to us is that the issue of scarcity of water is maybe there, but the whole issue that needs that distribution, is the bulk infrastructure which necessitate huge budget from government.

Part of the functions of the parliamentary portfolio committee is to monitor and oversee the work of the department and its entities under which the committee falls to ensure that the departmental policy and budget are used effectively and efficiently within the confines of our legislation. The oversight visit to the Eastern Cape is part of that work in ensuring that the department is accountable both for policy implementation and the budget.

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It is proper to clarify issues raised here. One may accuse the ANC of delays, but the truth is who excluded the majority and considered the minority to get all services. It is the ... [Inaudible.] ... party and the DA today. We should clarify those particular issues. As one of the members that form part of the oversight visit to the Eastern Cape, I can attest that there are challenges in the implementation of the project and we are confident that those challenges will be addressed by the department under the leadership of the Minister, hon Mcunu.

Our support for the portfolio committee oversight report is based on the following: The Bulk Water Infrastructure Project, which will expand to access to clean affordable ... Hon Chair, the ANC hereby submit our declaration in support of the portfolio committee oversight report as presented by the committee. Thank you very much. [Time expired.]

Mr M G Mahlaule moved: That the Report be adopted.

Motion agreed to.

Report accordingly adopted.

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CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON POLICE ON
SOUTH AFRICAN HUMAN RIGHTS COMMISSION REPORT OF NORTH WEST
PROVINCIAL INVESTIGATIVE HEARING INTO LACK OF SAFETY AND
SECURITY MEASURES IN SCHOOLS FOR CHILDREN WITH DISABILITIES IN
SOUTH AFRICA

Ms T M JOEMAT-PETTERSSON: House Chairperson, Deputy Chief Whip, it is my privilege to introduce the Portfolio Committee on Police's report on the investigative hearings done by South African Human Rights Commission into the lack of safety and security measures in schools with children with disabilities in the North West.

Hon House Chairperson, this report was well overdue and it is really a historic report. What the committee is doing now, is going through very, very detailed oversight on what has what has been omitted, what was done and what was not approved. So, I think we will address the backlog and we hope to address, whatever backlogs there have been, with even previous committee's work.

Hon House Chairperson, in terms of Chapter 9 of the Constitution, the South African Human Rights Commission, was created to support our democracy. Firstly, we await the report

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on the violence in KwaZulu-Natal and Gauteng, once that report comes to us, we will also address it speedily.

This report concerns a very vulnerable group, the one we dealing with today, deals with the children with disabilities. The committee has noted with concern that the hearings in the North West Province found that there's general lack of the relationship between special schools and departments, such as South African Police Service, SAPS, to address issues of crime prevention, particularly the prevention of child abuse.

Since then we have taken a very keen interest in ensuring that SAPS actually does provide the service. The School Safety Protocol is being reviewed by the Department of Basic Education ... [Inaudible.] ... to be in line with the diverse forms of violence and crime that is still prevailing at our schools.

Hon House Chairperson, you could then understand that the protocol which they had been overtaken by events and had been quiet outdated. The primary mandate of protecting schools, all schools and not only special schools, lies with the Department of Basic Education and the SAPS is only the secondary stakeholder, however this does not allow SAPS to abdicate

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their responsibility, to ensure that all our children are safe.

As part of the School Safety Protocol, schools are link to police stations and priority schools, including schools with special needs are identified, focusing on bullying, gender-based violence, gangsterism, the use of weapon, substance abuse and harmful religious practices.

Hon House Chairperson, I would like to request that all Members of parliament, irrespective of political party adopts a school. And that through adopting a school, you look at this kind of requirements for safety at school. Not only at special schools, we are compromised by drug abuse, sexual violence against learners.

We are compromised by unsafe toilets, that is also a crime, it's a crime against learners, because when our children are not safe at school, there's child kidnapping from schools, it means a safe space, which is supposed to be a safe haven for our future generation is compromised. Let it not be done in our lifetime, let it not be done in term of office of this Parliament.

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Let us all adopt schools, it should not be a political thing, let us not do grandstanding, but let us not appear at the event, after the event has already happened. Let us appear at the school to do, not only oversight visit but to mentor young people.

Children are now raping and sodomising children. Learners with special needs are being raped and sodomised, so what kind of culture are we having? What kind of young or new generation are we having?

Hon members, subsequent to the deliberations of the report, we propose that there should be further relationships from all stake holders with schools. That we implement a full school safety strategy, that we provide a detailed report on the implementation of the plan. We also propose that Parliament adopts the report. I thank you. [Applause.]

Declaration of vote.

Mr A G WHITFIELD: House Chairperson, the North West hearing into lack of safety measures in schools for children with disabilities, was held in November 2017. The report was tabled in Parliament in 2019 and it was then referred to the Police Committee which finally dealt with it in 2021.

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At the time of the hearings and in spite of numerous efforts, none of the then Minister of Police Fikile Mbalula nor any the South African Police Service, SAPS representative actually attended the hearings.

Disable children are among the most vulnerable in our society, and they do deserve so much better than this treatment by the government and SAPS in particular. To highlight just how little this government and the SAPS care for disable persons. I want to draw the attention of this House to the incident which took place earlier today, when a taxpayer funded and fuelled very important person, VIP, Presidential protection vehicle was seen parked in the handicapped parking bay on St Jones Road in Sea Point at approximately 12 o'clock. I have sent the photographs of this vehicle to the National Police Commissioner and I expect him to take decisive action against this officer.

It is abundantly clear from our own experiences, South African Human Rights Commission, SAHRC, report and throughout the committee deliberations, that South African Police Service is worthily unprepared and sometimes unwilling to deal with people with disabilities and children with disabilities in particular and that more must be done to train the South

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African Police Service members in this regard. House Chairperson, the DA supports the report.

Mr H A SHEMBENI: House Chairperson, this week is the International Child Protection Week, in which the safety and wellbeing of children is going to be given prominence. And we will hear empty speeches about fake commitment to the wellbeing of children.

A country that fails to guarantee the protection and wellbeing of children, particularly children with disabilities, its scraping at the bottom and its leaders are not worthy of the name.

The South African Human Rights Commission report on the plight of children with disabilities at schools in the North West and the inability of the police has plight on our democracy. This does not seem to ... [Inaudible.] ... learning for children with special needs. If it does, South African Police Service, SAPS, is simple not interested in extending this protection to these schools.

These children then become unprotected victims of crime, of drug abuse and even sexual abuse. The recommendation by this

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committee for SAPS, to simply establish the relations with special schools is not enough. It must not simply be a matter of relations, it must be a co-deliverable of every single police station to have a fully dedicated focus on the protection of children in special schools.

We do not think the committee seriously deliberated on the gravity of the findings of the South African Human Rights Commission on the state of safety of children with disabilities in the North West. We therefore reject this report, House Chair.

Ms M D HLENGWA: House Chairperson, the oversight for today or for this time is very crucial, very ...[Inaudible] ...and very unpleasant when we hear it. Children have a special place in the society. They carry each country's hope for the future, but they need care and protection. Our Constitution in section 29 recognises this and gives every child the right to be protected from maltreatment, neglect, abuse and degradation.

IsiZulu:

Izingane lezi engikhuluma ngazo sihlupheka ukwedlula thina abantu abadala ngoba azikwazi ukuzenzela, azikwazi ukwenza lutho. Angisaziphathi lezi ekuthiwa zinezidingo ezikhethekile, lezi ezikhubazekile. Engikucelayo eMnyanweni Wezemfundo

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Eyisisekelo ukuthi ake azibuke izikole zezidingo zabanezidingo ezikhethekile nezindawo zokuhlala zakhona ukuthi lezi ezikhubazekile ziphatheke kanjani nokuthi zidinga ukuphathwa kanjani. Umzali uyithathe wayisa laphayana nje yingoba edingani kuso. Izolo lokhu lapha oLundi kade kunemashi la ubaba wezingane ezimbili, enye ineminyaka engu-12 enye ineminyaka emihlanu owavele wazibulala, waboshwa-ke. Umphakathi wambamba esezibulele. Njengamanje uqhongoza ngaphandle uthi yena unikezwe ibheyili unamalungelo. Ngiyafisa nokuthi siwabuke lawa malungelo esisulu namalungelo omenzi wobubi.

English:

The report stated that, the investigation established that, at the time of the fire, there were woefully adequate safety and security measures in place to protect the learners. Based on the report, no action appears to have been taken following those findings. Then, during 2017 on-site inspection on another special school in North West Province by SA Human Rights Commission, SAHRC commissioners, it became apparent that there were a number of imminent safety and security issues. This resulted in the investigation hearing that launched the report under discussion in August 2019.

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IsiZulu:

Kusikhathaza kakhulu thina njenge-IFP ukuthi asiwuzwa uMnyango Wezemfundo ukuthi uthini ngalokhu ngoba kwenzakala ezikoleni.

English:

The IFP supports the report.

Ms T BREEDT: No declaration Chair.

Mr S N SWART: House Chair, in 2015 the North West Provincial Office of the Human Rights Commission initiated an investigation into the tragic deaths of three learners aged 16, 17 and 18 years, caused by a fire in the learners' hostel of the North West School for the Deaf. It was also reported that 23 learners sustained injuries whilst trying to escape the fire.

The investigation established that, at the time of the fire that there were woefully inadequate safety and security measures in place for the learners. Following further visits by the commissioners they concluded that the lack of adequate safety and security measures in schools for learners with disabilities, was a systemic problem in the province

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necessitating ignoring intervention and warnings which culminated in this report.

The report and the recommendations of the commission are intended to constitute an urgent intervention, compelling all relevant ... [Inaudible] ...to actively take steps and mitigate ongoing safety and security concerns. Every Member of Parliament should read the report which states that, I quote:

The systemic failures identified in this report demonstrate a lack of political will to dedicate resources to ensuring the implementation of sustainable solutions directed at ensuring student safety. Public schools for learners with special education needs special schools remain on the fringes of South Africa's education system, as evidenced by the poor budgeting, planning, and accountability measures that are currently in place.

Insufficient commitment has been shown to ensuring the rights to education, dignity, equality and even life, of learners with disabilities in the province are protected and realised. Inadequate safety and security measures in Special Schools not only pose a physical threat to learners, this omission also has further consequences,

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namely, it signals to learners with disabilities that they are not acknowledged or valued by South African society.

The commission is aware of the realities of resource constraints and lack of capacity, but this cannot be used as a justification to fail to mitigate imminent risks which have already manifested at the expense of the lives of learners in these special schools. This is a severe indictment and this portfolio committee correctly took this report very seriously and required answers. The SA Police Service, SAPS presentation revealed a disturbing lack of relationship between special schools and SAPS.

The ACDP is in agreement with the committee's report that SAPS must develop this relationship with special schools. They must implement a full school safety strategy in special schools, and take all additional steps necessary for crime prevention and safety at special schools and detail report on implementation. The ACDP looks forward to further monitoring implementation to ensure that, all government departments make sure that the tragedy that occurred like this fire, never occurs again. The ACDP supports this report. I thank you.

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The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon members are requested to keep the visible distance at all times as an observation of health protocols. I see that, at times that is not observed by members, so this is just a reminder. Thank you very much.

Mr B N HERRON: House Chair, we have no declaration. Thank you.

Ms M A MOLEKWA: House Chair, the ANC welcomes the report by the SA Human Rights Commission of North West Provincial Investigative Hearing into lack of Safety and Security Measures in Schools for Children with Disabilities. The North West Provincial Office initiated an own accord investigation in the death of three learners caused by fire in the learners' hostel in the North West School for the Deaf. The fire resulted in the death of three female learners, aged 16, 17 and 18. It was also reported that, there were more learners who sustained injuries whilst trying to escape. The hearing in the North West made the following observations:

That there were no working relations and collaboration between SAPS and the special schools. This gets very difficult to have key crime prevention measures to be achieved and to protect the children from abuse. In trying to prevent this kind of

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crime from schools, SAPS has developed a school safety and security plan to prevent and combat crime in schools and the plan must also be extended to those special schools.

The committee recommended SAPS to work on its relation with special schools and other relevant departments on school safety and security programme. SAPS must also develop additional measures to enforce safety measures in schools, especially on special schools. SAPS should also submit a detailed progress report on the implementation of this strategy. This is to ensure that, the children who are the most vulnerable in our society, are well protected.

The ANC understands that, the victims of violence in our society especially the most vulnerable groups and children living with disabilities, must receive extra measures to ensure they are safety from all sorts of abuse and violence. Hon House Chair, the ANC welcomes and supports the report and recommends that the report be considered. Thank you.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon House Chair, I move that the report be adopted. Thank you.

Motion agreed to (Economic Freedom Fighters dissenting).

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Report accordingly adopted.

Business of the day concluded.

The House adjourned at 17:34.

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