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THURSDAY, 24 AUGUST 2017

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PROCEEDINGS OF THE WESTERN CAPE PROVINCIAL PARLIAMENT

The sign † indicates the original language and [ ] directly thereafter indicates a translation.

The House met at 14:15

The Speaker took the Chair and read the prayer.

**ANNOUNCEMENTS, TABLING AND COMMITTEE REPORTS - see p**

The SPEAKER: You may be seated. Order please members. I would like to take the privilege of welcoming firstly our Members to the sitting. I would also like to extend a warm welcome to our guests in the gallery and more especially to the women who have come to support this Women's Debate in this very important month called Women's Month, so to those of you who are here for the first time, please feel free and feel welcome. Do though be guided by the Rules of the gallery that no clapping, no interjections in any way with the proceedings of the House will be permitted. So feel free and feel welcome as you engage with us on this sitting of the Western Cape Provincial Parliament. I now recognise the honourable, the Chief Whip.

(Notice of motion)

Mr M G E WILEY: I give notice that I shall move:

That, notwithstanding Rule 161, the House considers the principle and finalisation of the *Western Cape Adjustments Appropriation (Emergency Funds) Bill* [B 5 – 2017] on Thursday, 31 August 2017.

The SPEAKER: Are there any objections? There are no objections. Agreed to.  
[Interjection.]

Mr Q R DYANTYI: We are ready for that.

The SPEAKER: Thank you Members, we have guests in the House and I think we are all ready but let us today cooperate and when the appropriate forum arises, that is where you have your opportunity. I now recognise the honourable, the Chief Whip.

(Notice of motion)

Mr M G E WILEY: I give notice that I shall move:

That, notwithstanding the provisions of Rule 198, precedence be given to the subject for discussion.

The SPEAKER: Thank you. No objections? Agreed to.

Members and guests I would like to ask your indulgence, as it is Women's Month and it is the Speaker's Debate you are probably aware that we have engaged our female staff and we would want to make this a special debate that is not politicised but focuses on the role of women in society in terms of the context.

I will have to though vacate my chair as the Speaker, because I am due to speak, so I am going to call on the first Chairperson to come up so that we can then proceed with the business of the day. I thank you. Thank you, honourable.

Mr Q R DYANTYI: Good luck!

The SPEAKER: Thank you, hon Maseko.

*[Hon member Maseko takes the chair.]*

The TEMPORARY CHAIRPERSON: Thank you very much. I recognise the Speaker.

An HON MEMBER: Hear-hear!

**(SPEAKER'S DEBATE)**

Sexual violence and its impact on the world of work:

the economic impact of violence against women

The SPEAKER: Hon Chairperson, hon members, guests in the gallery, fellow South Africans. It is actually with sadness that I introduced the debate today. The debate is titled "Sexual violence and its impact on the world of work - the economic impact of violence against women" - this in August month, a month which is normally dedicated to celebrate the many advances that have been made since the epic women's march of 1956, led particularly by Lilian Ngoyi and Helen Joseph and many other good women.

An HON MEMBER: Of the ANC.

The SPEAKER: Violence against women and girls, hon Chairperson, I will refrain from being political. Violence against women and girl-children is one of the most universal women rights violations occurring in the world today. In both public and private spaces women are murdered physically and sexually assaulted, threatened and humiliated on a daily basis, whether it be by their partners, blood relations, economic acquaintances or strangers. It is understood under family law in South Africa that domestic violence is a pattern of physical and abusive behaviour that contravenes the rights of citizens to be free from brutality, usually a pattern of degrading or humiliating conduct towards the victim, privately or publicly. It includes repeated assaults, ridicule, repeated threats to cause emotional pain or other

actions, which is such as to constitute a serious invasion of the victim's privacy, liberty, integrity and security.

Having said this and having worked with victims in the Western Cape the ineffectiveness of protection orders to stop the abuse and set certain conditions preventing the abusers from harassing or abusing the victim again, is a serious cause for concern. Protection orders are far too often withdrawn by the applicant or the victim who requires the financial and/or economic support to maintain the family structure at the risk of life and limb.

Domestic violence for one is distinguished from other crimes because it is nuanced, its abstract nature, and it is therefore resistant to conventional legal controls. Although the Domestic Violence Act criminalises the breach of an order, it does not go as far as criminalising the act of domestic violence itself. It thereby offers a form of protection but no actual remedy for the problem, which contributes to the huge economic costs which women and families as well as communities and society must endure.

A 2014 study conducted by KPMG Human and Social Services South Africa found that between 20 and 30% of women experience gender based violence. The study further estimates that the economic impact of that violence on the South African economy is at least between R28.4 billion and R42.4 billion rand per year. Gender based violence affects the economy on many levels and adds to the pressure of mental and physical health services due to the increased probabilities of victims staying out of work due to injury, suffering

from mental disorders, depression, poor coping abilities and even suicidal tendencies. Post-traumatic stress disorder is also associated with the violence especially traumatic sexual violent experiences.

Within communities in the Western Cape women face social economic oppression; physical and emotional abuse, as well as the current scourge of rape and femicide and murder of women and children at an alarming rate.

In a province like the Western Cape, where the fight against drug and substance abuse prevention is ongoing, it should be our responsibility as leaders to give our constituents the much needed support and encouragement to make use of the various NGOs and programmes, Government/non-government available to them.

Sadly, too many residents of our province live in severe poverty and are subjected to the social evils that accompany their circumstances, which often denies them the access to schooling and results in their normal development processes to be distorted, especially children.

The element of prostitution and human trafficking often comes into play when children and women are removed from social support networks, and I am certain that there are members in the House, members' guests in the gallery who have heard of the recent attacks where young girls are dragged, taken of the street, drugged and put into a car and just disappear. It happens to children too, and it is happening far and far more too frequently so we

need to be very aware of the impact of human trafficking happening in this province and other provinces, as we speak. Trafficked persons have their human rights violated because they are kept and most of them, especially females, are used for sexual exploitation or are exposed to sexual abuse, which makes them vulnerable to STIs including HIV and Aids, which further places strain on their economic wellbeing as well as the health system.

In our role as legislatures we need to seek collective solutions from a legislative perspective in strengthening the State's ability to protect and support women's development in a holistic manner. To this end, women legislatures are embarking on a journey of empowerment. During the next few days many members from this Legislature will be joining women from across Africa and the rest of the world as we gather at the National Parliament for three days of an International Women's Conference and one of the topics at that conference will be the sexual violence inflicted upon women, not only in South Africa but in Africa and the world.

We will be talking about the importance of changing the world of work to be sensitive to women's gender needs and interests. This will be located within the context of taking forward the agenda of the 61<sup>st</sup> Session of the UN Commission on the Status of Women. We are going to be talking to women on economic empowerment on the African continent; women in the changing world of work and what is required to facilitate women's economic empowerment and create more gender-sensitive work environments for women.

We will be deliberating on sexual violence and its impact on the world of work and also how do we address sexual harassment in the workplace. Often people do not want to go there. It is the elephant in the room, but I think it is a matter that needs to be addressed and we need to make sure that we are at the forefront of leading positively in this regard.

We also need to talk to the economic impact of violence against women and children and then we talk about the role of Parliament. What are we going to do in terms of the world of work of women? We could look at legislative review. That is an option. We could look at parliamentary oversight, which we do have, but how can we strengthen that, and we can also look at the use of international instruments.

The 2016 African Human Development report states:

“Accelerating gender equality is a core function of Government involving multi-sectoral efforts that include national, provincial and local government entities; non-governmental agencies, civil society organisations and the private sector. Similarly, addressing gender equality in such a holistic way dovetails with and reinforces the ambitious agenda of the sustainable development goals, which African governments and the international community as a whole have set for the coming 15 years.”

I would strongly urge hon members to participate in this debate in a sincere

and sensitive manner as sexual violence against women is a reality that affects women across this province and across the country and across the world.

In closing I want to express my concern at the high level of sexual violence, rape, sexual harassment, which is taking place as we speak, and it is with an open mind and this sensitive reality that affects the people that we serve at grassroots level.

Let us lead the charge and be the change. I thank you. [Applause.]

Mr M G E WILEY: Hear-hear!

The TEMPORARY CHAIRPERSON: Thank you Speaker. I recognise hon Mbombo. [Interjections.]

Mr C M DUGMORE: But why are you sitting in front of the Premier? Is she your choice? [Interjections.] [Laughter.]

The TEMPORARY CHAIRPERSON: Hon member Dugmore!

The MINISTER OF HEALTH: Premier mam'u Helen Zille, the acting Speaker, the Members of the Parliament, the members of the media, our visitors in the gallery. Here we have young women and girls coming from the Women of Worth Project, which is the initiative of the Western Cape

Department of Health in partnership with the Desmond Tutu Foundation. The young women and girls, they are coming from Mitchells Plain, Gugulethu, Nyanga, Crossroads and Philippi. Thank you for coming. [Applause.]

†'n AGBARE LID: Mooi!

[An HON MEMBER: Good!]

The MINISTER OF HEALTH: And also I want also to acknowledge the other people that are here. Madam Speaker, thank you for sponsoring such an important topic. The violence against women is a violation of human rights and a disgrace to the whole of humanity. The Sexual Offences and Related Matters Amendment Act states that a sexual violation is where there is an abusive power authority by A to the extent that B is inhibited from indicating his or her unwillingness or resistance to the sexual act or unwillingness to participate in any such sexual act.

Chapter 2, Section 12 of the Constitution states that everyone has the right to freedom and security of the person which includes the right to be free from all forms of violence from either public or private sources. As the State we have the responsibility to uphold this right and ensure that they are indeed upheld by the public.

The international human instruments make it clear that all forms of violence against women need to be prevented. South Africa ratified all these human rights charters and instruments as the previous Speaker has indicated. The

Government did introduce the laws such as the Domestic Violence Act of 1998 to provide for the issuing of protection orders with regard to domestic violence and for matters connected therewith.

The Act is a direct response to this scourge, yet sadly we do not see much improvement. I would like to reflect on the stats of sexual violence without dwelling much on other forms of violence that is psychological and physical.

In the Western Cape for example we have six Thuthuzela Care Centres, and we are working on having another one in Paarl Hospital. The Thuthuzela Care Centre initiative is a joint effort between the NPA and the Department of Health and currently for 2016/17 for example, statistics, we had about 5 078 out of the 32 708 cases in the whole of South Africa that we have dealt with that were reported there. The Centres act as a one stop shop for the victim to report the case and for the NPA and the Department of Health commissioners to collect the necessary evidence.

Madam Speaker, one rape incident is too many, hence I do not want to want to dwell much on the statistics. Behind the number lies a human face. We are talking about someone's daughter, someone's child. We are talking about a mother, a sister or someone's grandmother. [Interjection.]

Mr Q R DYANTYI: That is very true.

The MINISTER OF HEALTH: So today I would like to put a face on the word

“victim” and the perpetrator.

Do we really know what are the driving forces behind the behaviours of these perpetrators, which unfortunately are mostly men, because when you look at it you look at the road to sexual violence. [Interjection.]

Ms M N GILLION: Do not make excuses for the men.

The MINISTER OF HEALTH: Who is the victim, who is the perpetrator, how this impacts on all of us as the state, and how we can assist? Firstly, I would like to highlight that rape is not sex. It is a form of violence using sex as a weapon and sexual violence does not discriminate. It knows no colour, age or class. It affects all people, from the rich to the poor, from the illiterate to the well educated and the intimate partner violence is most common within this sexual violence and as the research has shown that one in three women will experience such, in the whole world.

Now what are the driving forces behind these social crimes, because it is a crime? What perpetuates this? Where does this road begin? This ranges from poverty, gender inequality, social norms and substance abuse.

Now what do we mean by poverty? We see women having to turn for example into prostitution to earn an income. Young girls are forced into marriage with older men because of poverty. Transactional sex between older men and young girls is yet another result of poverty, where young girls do not have

the power to say no, to negotiate safe sex with these older men.

With the issue of the gender inequality we live in a patriarchal oriented society and as we have seen South Africa is still far behind in terms of the issues related to the gender equality where the report shows that 40% of men in South Africa in the recent research beat up their partners. Now where there is usually physical violence we will find that there is always sexual violence because when you are already hurt you are unable to negotiate safe sex.

The issue of substance abuse - it has been touched on by the previous speaker, where we live in a dysfunctional society where substance abuse has become the norm among our youth. We have heard stories of young boys, as young as age five, raping their schoolmates as a form of an initiation.

So what is the impact of sexual violence? When it occurs there is a high risk of getting infected with HIV STIs. We have a high rate of unwanted pregnancy. There will always be the issues of depression and emotional trauma. Emotional scars remain a part of the victim for the rest of their lives. That may lead to days off work or school being missed because of the trauma. A difference in the victim's behaviour may change. They may use aggression as a defence mechanism and unfortunately, unlike other forms of violence, physical violence, people can see the scar and then they can notice that at least you are improving. There is an improvement in terms of the scar, but when it comes to sexual violence it is a violation of the core being. The

people do not see that you are healed and a lot of the victims often take longer to heal.

Now what are the social remedies, because I am the government, I cannot only paint the picture. [Interjections.]

Mr Q R DYANTYI: Thank you, French. I like that.

The MINISTER OF HEALTH: Sexual violence directly affects the Health Services as the victims must undergo tests on the collection of evidence in our facilities.

The Western Cape is already faced with a growing population and a complex disease profile where people present with comorbidities leading to service pressures in our facilities. As the Department we have also introduced remedies to fight this scourge especially focusing on empowering the girl-child.

Currently we have eight projects, which we do in partnership with the Desmond Tutu Foundation, as I indicated, where we have invested R80 million around these. As I made an example now the girls that are around here, there is one from the Women of Wealth Project, which focuses on the 19 to the 24-year olds; plus the Rise Up and also the eKasi Dreamers who are here, and then we have the Igniters, which are the facilitators for these and for the Klipfontein and Mitchells Plain area we are targeting about

10 000 girls. In the whole of that area we have got about 50 000 young girls starting from the age 10 up to the age 24.

We have not left the men behind, because I mentioned that patriarchy is one of the driving forces. So the perpetrators of sexual violence also need to be part of it, hence we have also introduced the Men's Dialogue - Masibambisane Madoda, where we look at the issues to address gender power, the gender-distorted norms and also to discourage intergenerational relationships. The Blessers must fall; as we know the Blesser-phenomenon is one of those.

So Madam Speaker, when dealing with sexual violence against women and children we cannot afford only to scratch the surface. We ought to look deeper and first deal with the root cause of the problem. Do we have proper rehab resources for the perpetrators, because sometimes they are also the victims of patriarchy?

What makes us think that they, after they have served the time, incarcerated, they will come back to society rehabilitated and changed? So sexual abuse against children is increasing as we have seen and it is very traumatic. A key pattern throughout this case's circle is that these alleged perpetrators were known or trusted by the victim of the family. Some were even boyfriends or husbands of the mothers and some mothers usually know about these crimes committed against their children, but they remain silent.

In conclusion, sexual violence against women has been on the agenda for quite some time so that is why for me I am appealing that it needs the whole of society. Families must play their part. Society must play its part. Government is already doing its part. Civil organisations must also play a part. Traditional and religious leaders must also participate in this conversation and we as parliamentarians must make it a point that we do not only put as a political football. It needs all of us, especially in regard to the empowering of the girl-child and also of the male-child. The girls here are already empowering themselves and we are saying here especially to those men who are the perpetrators: “Hands off our girls. Enough is enough!”

Thank you. [Applause.]

The TEMPORARY CHAIRPERSON: Thank you Minister Mbombo. I recognise hon member Beerwinkel.

Ms C F BEERWINKEL: Thank you Madam Chairperson. Let me just state for the record as you listen to what I am going to concentrate on, which is the topic, sexual violence against women and its impact in the place of work, MEC Mbombo and I did not caucus. So I will start. [Interjections.]

The TEMPORARY CHAIRPERSON: Noted, hon member Beerwinkel.

Sexual assault and its impact on the world of work knows no colour, creed, religion or political affiliation, but ironically like politics it is all about the

exertion of power because politics plays itself out in every sphere of society. Power relations exist in every area of life and so what is termed as the world of work is no exception. Politics for us has become our world of work and we are not immune to unwanted sexual advances or comments, comments directed at our sexuality and sexually loaded innuendo.

Sexual violence is not a topic that is popularly discussed in work circles partly due to inexperience and the embarrassment of having to ask or discuss personal sexual questions, not to mention the social stigma, the embarrassment and the shame of the victim and their extended families.

The notion of what work entails of when and where you work is broad and can cover a host of different areas, like where sexual harassment and violence is prevalent. Places of employment like restaurants, care facilities like nursing, service industries, hospitality industries, hotels and guest houses, farmworkers, apprenticeships, internships and education, voluntary work, agriculture in general, food processing to name but a few; construction and factory workers, domestic workers, temporary workers are reportedly more susceptible to harassment and sexual abuse in their place of work. Most of these are where the most vulnerable of women find employment, and of course the world of politics - our world, a historically male dominated field of work where power is always at work, is no exception.

Madam Speaker, today I dedicate this input to those women who in their worlds of work gave up because they could not find a way out, are abused but

silent or forcibly silenced due to fear of reprisal or rebuke or embarrassment to the survivors who fought back and won, but more importantly to those male perpetrators who continue to transgress. It is our duty to speak up and out for women in all walks of life, who continuously face these limiting and demeaning practices and politics again is no exception.

The world of work needs not be a glamorous or physical place of employment but it also relates to the circumstances that has an impact on the work to be done, both formal and informal but where women are abused by power-hungry low self-esteem insecure men, who need to bolster their egos. Men have traditionally held the major share of positions of power in management and decision-making roles. Women, contrarily, are often over represented in lower paid less authoritative positions and those of lesser organisational impact. This entrenches the power play but with the changes in legislation and employment equity laws that have been entrenched, men have tried to reassert their power over women in power by sexual harassment which then creates an unpleasant working environment.

Tip-based payment systems in the hospitality industry can be a motivating factor for sexual harassment on workers where extra-sexual favours are requested in lieu of payment. Cultural, structural, economic reasons are said to contribute to sexual violence in the workplace. Low female representation in unions is also cited as a reason for this continued sordid practice by men.

Patriarchy is not a natural phenomenon in society. It is enforced by male

dominance seeking power. In a study done by the International Trade Union Confederation they found that at least 77% of women in South Africa reported repeated experience of sexual harassment at some point in their working lives.

Let me read that again because it may just sound that it is at work. They found that at least 77% of women in South Africa reported repeated experience of sexual harassment at some point in their working lives.

Across the world the figures are equally staggering. What then is the affect on a woman who finds herself in this situation? Psychologists spell out emotional effects like depression, embarrassment, low self-esteem, chronic fatigue, headaches, nausea, upset stomach, social withdrawal, weight loss and gain, sleep disturbances, burnout and anxiety, irritability, over-sensitivity, even sexual dysfunction and worst, suicidal thoughts.

When the sexual violence occurs in a family or at home its effects are carried to the workplace, then the consequences are no different. All of the above lead to a toxic relationship for both worker and employer together with the perpetrator. Needless to say, the eminent absenteeism has a knock-on effect because productivity is compromised and this often hampers the female's possibility of long-term employment and consequently results in more women resigning from opportunities of economic growth and as such also affects their long-term psychological wellbeing.

Forty-seven (47) member states of the Council of Europe ratified in its general comment on Article 11 of General Recommendations and I quote:

“The Committee on the Elimination of Discrimination of Women recognises that sexual harassment in the workplace is a form of gender-specific violence, which can seriously impair quality and employment and can institute a health and safety problem. In the Africa region the protocol to the African Charter on Human and People’s rights, on the rights of women in Africa commonly known as the Maputo Protocol, was adopted by the African Union and Article 13 states that member states and parties should take measures to combat and punish sexual harassment in the workplace.”

From SADC came the same resolution in Article 22, which requires that parties enact laws and implement policies and strategies and programmes prohibiting sexual harassment in all spheres to provide deterrent sanctions for perpetrators and to ensure equal representation of women and men in bodies competent to hear sexual harassment cases.

So today, what has changed? Significant changes are taking place in the place of work and roles have reversed. When women became eligible to take up leadership roles men still would use sexual harassment and violence as an equaliser of a power motivation, in most cases more by the need for control than the actual culmination of a sexual advance.

So what to do about it? It is often incumbent on the employer to ensure that all measures are in place to report such misdemeanours that confidentiality will be maintained throughout; that counselling is in place by professionals. It is the responsibility of the employer to ensure that measures are in place to prevent the practice of harassment in all forms, violence against physical or moral integrity; sexual freedom and offensive verbal expression.

South African has a Bill of Rights, a Constitution and a justice system that work and laws that protect women in these situations are in place.

There is a myriad of laws and regulations available which time does not allow me to expand on but they are here, Madam Chairperson, I have them, and whoever needs them can request them from the responsible institutions that have them.

Let us all do what is in our power to change the male mindset and in so doing eradicate the power struggle for the control of women via these despicable means. I thank you. [Applause.]

The TEMPORARY CHAIRPERSON: Thank you hon member Beerwinkel. I now recognise hon member Christians.

Mr F C CHRISTIANS: Madam Chair, today we want to salute the thousands and thousands of women who had the courage to speak out against sexual violence, and were successful in bringing their perpetrators to book. We also

want to applaud those women who believed in themselves and became pillars of strength to other abused women, but I will always say the example starts here, we as men-leaders need to be an example in our homes. In the society we operate in, because what our children see is what they will do in the community. So I want to challenge our men to lead by example... [Interjection.]

Mr Q R DYANTYI: That is so true. The ACDP should have brought the whole... [Inaudible.]

*[Hon member Davids takes the Chair.]*

Mr F C CHRISTIANS: ...to honour their women; to honour their wives, and that is what we should do. Madam Chairperson, there was a survey done in 2015 with Cosmopolitan where 2000, more than 2000 women were interviewed and 29% of them experienced sexual violence. What a shame. You would think that we have moved passed sexual violence but it still continues on a daily basis.

So especially when you go to the township where females are dependent on the man to provide food and they do not go to the police station because they think when they report the perpetrator the perpetrator will be locked up and they cannot sustain their family. That is a fact. That is reality. That is happening in our townships at the moment, but Madam Chairperson, I also want to say we as leaders need to get those women... [Interjection.]

The TEMPORARY CHAIRPERSON: Thank you, thank you member Christians. Your time is up. You can sit down. Thanks. Thanks. [Laughter.]

Mr F C CHRISTIANS: I do not believe it is two minutes. [Time expired.]

The TEMPORARY CHAIRPERSON: Thanks, you can sit down now. Thank you. Sit down. [Applause.] I now recognise member Lorraine Botha.

Ms L J BOTHA: Thank you Chairperson. I want to acknowledge all the women in the gallery today. I just want to say I am not leaving the men out. Thanks for attending this debate and especially to the women of work and the Rise Up women from Mitchells Plain, Philippi, Gugulethu, Crossroads and Nyanga, and Chairperson, I especially want to say welcome to a significant woman in my life who raised me partly. Thank you. I am because you are. [Applause.]

Chairperson, 61 years ago this month approximately 20 000 brave and courageous women took to the streets of Pretoria to march against the unjust laws of the time. They did this because they knew if the atrocities of the time were not going to be addressed they, along with future generations, would forever be living under the yoke of oppression and did these women take a stand? Did these women make their voices heard? To be honest, I am sort of envious of them because I would have loved to be part of such a historical moment. I would have loved to today say 61 years ago I stood up and raised my voice against being oppressed.

Of course I was not there but I read and seen the stories of some of these women; some still amongst us today who can remind us of what they had to endure. Madam Speaker, I salute these women. I thank these women. They were brave, courageous and took a firm stand for what they believed in. It is thanks to the contribution of the women in 1956 that we today have this freedom we are enjoying and what a freedom it is, one where you can go and come as you please without having to show a pass; one where you can express yourself however you want to, without having to be concerned about being silenced, and one where there is absolutely no limits about what we can achieve or become in this life.

Chairperson, unfortunately this is not entirely true. It is not true because we live under a new type of oppression; an oppression where there are belittled experienced verbal emotional and financial abuse; an oppression where we are made to feel worthless, hearing statements like and I quote: “you are nothing without me. You are nothing without my money.”

It is an oppression where we are physically hurt, punched, kicked, beaten or sexually abused, quite frankly raped. This is our new oppression and it is called abuse.

Madam Chairperson, like our brave women from 1956 achieved their ultimate goal of freedom so we can today break the abuse-shackles, break the abuse-norm and break the cycle of abuse. We do not have to be victims of

abuse, but victors of abuse. Let me state again, Chair, we do not have to be victims of abuse, but victors of abuse. It is so that when you are in an abusive relationship where you are taken advantage of it feels like you have nowhere to go and no-one is able to assist you. You are manipulated in staying because you depend on that partner and if you have children you are even more concerned because you are scared that they might suffer. This is most probably the reason why of the over half a million new applications for protection orders countrywide between the 2014/15 and 2015/16 financial years more than 3200 was struck off the Court's roll or why more than 16 500 were withdrawn.

I am somewhat encouraged by a 2015 report by ENCA and I quote:

“Interviews with 365 women from four Courts in the Western Cape found that in more than one third of cases the abuse had stopped following their application regardless of whether the order had been served on or signed by the respondent. On receipt of the order one in five women reported that the respondent had promised to stop the abuse. 10% of women indicated that the respondent had begged and pleaded for the applicant not to go back and finalise the order.”

This is welcoming but a lot more must be done to address abuse. The Domestic Violence Act 116 of 1998 encourages those affected by abuse to immediately apply for a protection order. When a protection order is taken out it means that the woman, if she is working, must take time off work, and this

affects the home economically.

There is a sacrifice of a day's wages and on top of that taxi fare that must be paid just for her to be protected. Just this week we heard from Stats SA that close to 60% of our women across the country lives in poverty. Abuse fuels this poverty. My plea to all women today is if you have been a victim the past cannot be changed because it happened already, but if the abuse is continuing, stop it immediately. Get that protection from your nearest police station. Furthermore, as a society, let us ensure that none of our girls fall into this trap.

In 1956 the ladies mobilised, galvanised and raised their voices against their unjust state. They stood up for what they wanted and what they believed in. We have to follow their example. We have to take the baton of resilience they had and this is why it is our responsibility to empower our young girls. It is our responsibility to install knowledge and it is our responsibility to ensure that they know what can and should be done if they are ever faced with an abusive situation.

In conclusion, Chair, I say to all women, do not be a victim of abuse but be a victor of abuse. I thank you, Chair. [Applause.]

The TEMPORARY CHAIRPERSON: Thank you hon member Botha. I now see hon member B Joseph. [Interjections.]

Mr B D JOSEPH: Thank you Speaker in the chair. Police crime stats shows that there were over 51 895 sexual offences for the 2015/2016 financial year reported to the South African Police Service. This translates into 142.2 cases per day. Most cases of sexual violence in rural areas and in townships go unreported, so the SAPS stats are not the true reflection of the true nature of sexual violence, but they indicate a very horrifying picture of the violence women and girl-children get exposed to on a daily basis.

Women do not go to report these cases because more often the perpetrators of these horrific crimes are colleagues and bosses, husbands, uncles, brothers and generally people well known to women and children and on whom women and children depend for income, shelter and food. So at the centre of women and children abuse, is alcohol abuse, economic inequalities perpetrated by the patriarchal nature of South African society, which still views the contribution of women to the economy with disdain. These attitudes lead to the marginalisation of women, to women getting paid less than men for the same job, to workplaces that are not women-friendly and in some companies here in the Western Cape for instance the women having to sit for four months without pay during maternity leave and here in the Western Cape we have cases of women working on farms getting paid with wine in order to further cement the status as perpetual servants.

An HON MEMBER: Where is that?

Mr B D JOSEPH: This is so because the ANC and the DA want it to be so.

The TEMPORARY CHAIRPERSON: Thank you hon member Joseph. Your time is up. Thank you. Thanks, you can now... [Interjection.]

Mr B D JOSEPH: I can see today you are one.

The TEMPORARY CHAIRPERSON: Ja, thank you.

Mr B D JOSEPH: Thank you. [Time expired.]

The TEMPORARY CHAIRPERSON: I now see the hon Minister Marais.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you. †Voorsitter, daar is verskillende vorme van geweld teen vroue en ons het oor die afgelope paar maande as 'n nasie 'n toename in seksuele geweld teen ons vroue en meisies gesien. Die implikasies van geweld teen vroue strek veel wyer as bloot die fisiese mishandeling van die primêre slagoffer. In aansluiting by wat vorige sprekers gesê het, kan ek bevestig dat daar buiten die sielkundige fisiese en emosionele gevolge van geweld teen vroue 'n ekonomiese impak is wat die beroepswêreld vir baie vroue in Suid-Afrika negatief beïnvloed.

*[Translation of Afrikaans paragraph follows.]*

[Chairman, there are various forms of violence against women and over the

past few months we as a nation have seen an increase in sexual violence against our women and girls. The implications of violence against women stretches much wider than merely the physical abuse of the primary victim. In joining in what the previous speakers said, I can confirm that apart from the psychological, physical and emotional consequences of violence against women there is an economical impact that is affecting the professional world for many women in South Africa negatively.]

In cases that do not end fatally, as a result of constant abuse the victim will have to seek both remedial and recuperative action which often affects the attendance, presence and performance in the workplace. According to the International Labour Office, and I quote:

“At least one in three women around the world is estimated to have been coerced into sex, specifically beaten and/or otherwise abused in her lifetime. Gender-based violence not only causes pain and suffering but also devastates families, undermines workplace productivity, diminishes national competitiveness and stalls development.”

To zoom in and bring this very sensitive issue closer to home let us consider a MODs coach or even a departmental official as a victim of sexual violence. Due to the beforementioned consequences of abuse, the abused official is prone to be less productive in her duties, which reduces her progression as a staff member. This also subsequently negatively affects our service delivery and at the shorter end of the proverbial stick are our learners; MOD

participants and residents of the Western Cape.

It is totally unacceptable that the heinous actions of perpetrators hinder our mutual goals of creating opportunities for growth; to improve opportunities for youth development, to increase wellness and to enable a resilient living environment. Bringing it even closer to home, it is equally unacceptable that leaders in positions of power use their status of authority to sexually harass, violate and abuse women in the workplace. It is not unheard of, for politicians to abuse their authority for sexual favours especially with young women in their employ. Not only does this affect a woman's aspiration of a successful career but also her physiological wellbeing and her dignity as a competitor in the job market. We can no longer allow these atrocities to deter women from taking their deserved places in positions of influence in the workplace.

Despite the hardships women in South Africa face on a daily basis, there are those who refuse to be women at risk, but rather women with potential. There are women who have consciously made the decision to improve their circumstances and they would not allow their abuse to further demean them, but instead choose to share their experiences as a form of healing and an attempt to help others in similar situations.

I take this opportunity to acknowledge the remarkable women of Lavender Hill who against all odds compiled *Women Surviving Lavender Hill*, a book in which seven women write their stories of surviving abuse and violence.

*Women Surviving Lavender Hill* started as a healing process for women to address the traumas they have endured, especially abuse and more particularly violence against women and children. The two year writing project, facilitated by the New World Foundation, offered the women various empowerment courses, all of which culminated into the publication of the book. Most of the women used this process to take pieces of what they had written and read it to their loved ones and some even to their perpetrators. All the women were very clear on the selfless effort and some even write in their contribution that they wrote about their experiences to help other women who could draw strength and healing from the stories written by Women Surviving Lavender Hill. At the launch of this remarkable book at the Artscape earlier this month, the women shared their experiences with the audiences of over a 1000 women and men.

Furthermore, the book is available for purchase as a means of income for these women and the various NPOs they are involved in, to effect change in the minds of not only other women, but men as well.

Margaret Arendse, Veronica Kroukamp, Mary Bam, Valerie Adams, Sheila Jacobs, Naema Moses, and Lorna Snyman personified the true essence of a woman who like a Phoenix rises out of the ashes. Through their courage they create a spark that ignites and inspires others to be brave.

We salute you! I thank you. [Applause.]

*[Hon member Gillion takes the Chair.]*

The TEMPORARY CHAIRPERSON: I see hon member Nkondlo.

Ms N D NKONDLO: Thank you hon member. In debating violence against women, Madam Speaker, in this House, one is inspired and must join in honour of heroines of 1956 that gave women a voice in the political space and in political institutions. This voice we were given not for its own sake and to parade women in positions of power, but more to position issues and the plight of women, especially of those vulnerable in society.

Allow me then to place the debate on violence against women to bringing to this House the plight of many other women but specifically the young woman who was recently abducted as she boarded a taxi from work in Goodwood. She was abducted, almost raped and later dumped in lower De Waal Drive in Zonnebloem. The kidnappers demanded a ransom of R3000, which was later sent by her family from the Eastern Cape, including her sister sent money in this regard.

I am sure, hon members, this is one too many of these kinds of reports of the violations women experience worldwide and even here closer home. With Cape Town declared as one of the dangerous cities where a report in the State of Urban Safety in South African cities revealed that Capetonians are the most fearful of crime.

Generally statistics have also shown that most victims of crime are women and in the main they are affected by violent crimes thus we agree with this debate, moreover stating that violence against women is too costly to ignore. We say this, informed by the international consensus, that violence against women is recognised as a violation of a woman's human rights.

South Africa remains a human rights country and as such its Constitution guarantees such rights to all men and women under Section 9, and also as first rights listed under our Bill of Rights. According to the report by the South African Medical Research Council, in collaboration with the London School of Hygiene and Tropical Medicine and the World Health Organisation, about 45,6% of women in Africa experience physical and sexual violence, compared to 35% world-wide.

Violence against women takes many forms; physical, sexual, economic, psychological and emotional, but they all represent a violation of human rights and dignity, with lasting effects and consequences both for women themselves and for the communities they live in. So surely the case of the young woman mentioned above should not just be treated as a sad story, that only shows how the three men that were in that incident are shameful and despicable human beings in society.

Given that violence against women permeates every area of society, its consequence and services towards it are widespread and are costly. The young woman, her family and those directly or indirectly affected had to deal

with the following, amongst others:

Firstly, the justice system. The entire criminal system, justice system has to lodge, investigate, has to arrest, has to investigate, prosecute and finally either convict the perpetrators, whilst the young woman must also pay for transport, walk to the nearest police station to report the case, further go and attend victims support programmes, attend court appearances, secure legal representation or the state provides one for her, until the conclusion of the case.

Secondly the health system must also be available, public or private, depending on the affordability for the young woman, to ensure doctors, health checks and her health is restored after the trauma. The direct and indirect cost to her health may also, both in the immediate and also as a long-term effect, be compromised, challenging her psychological resilience due to the trauma, which she may have to pay from her own pocket to seek counselling and related services.

This does not end. Further, her employer will have to afford her leave time and thus loss of productive capacity to the business, including administrative costs to secure replacement, or her colleagues will have to cover for her. Depending on the period she is able to come back to work, the young woman's livelihood is at risk, and outside of a labour relations regime, may face dismissal and thus loss of earnings. One must further mention the financial loss already incurred by the family of plus R3 000 from the ransom,

the burden of reduced income and loss of household output by her and her family.

Literature further reveals intangible costs as a result of violence to women, which include pain, suffering, fear and other secondary effects of violence. The *Cape Argus* advert reported to this incident of the young woman mentioned, that two other women from the neighbourhood who came to help the young woman, and also the mother of the young woman in the Eastern Cape, said she is not ready to talk to the media.

Once again, the effect of this one incident directly to the women who were involved and helped, and their rights to safety were compromised. This incident also goes a long way in affirming the stereotypes and the reality that women are easy targets for criminals.

These issues we place here, Madam Chairperson, to bring to this House, to take a firm stand against violence against women, given its human cost. We should not debate the experience of the young woman only to evoke emotive response and sympathy. We must consider how this House and this generation of public representatives sitting here, can collectively join the change of our society as it relates to how women are viewed.

Violence against women and these consequences are a function of an unequal social structure from a gender point of view. It depicts a discord in social and gender relations based on power concentrations between one group over

another. Thus the situation of unequal and uneven gender relations perpetuate interpersonal, structural or institutional violence towards women. We must denounce it, as a democratic and human rights country and citizens, as morally incorrect and socially unacceptable.

The implicit assumption of controlling women's behaviour to gain dominion, using salient or overt acts of violence, both in the public and private space, must be rejected. The debate must reject any system of un-ended advantage, entitlement afforded exclusively and that which socially confers dominance of males over females. The House must reject social inequality and thus the system of male dominance. We must do that as individuals, but also as hon members in this House, and in the work we do beyond limitations, beyond August month, and also roleplay our own behaviour.

We must focus on this social problem, not for its own sake, oblivious of its root causes, and thus paper over it. Our work to legislate, decided on resource allocation in our province and municipality, must be with gender-sensitive eyes. Violence against women continues to short-change social and economic development of women, their families and the broader economy. If we believe that violence against women tampers with their right to equality enshrined in our Constitution, then we must implement the provisions of the United Nations Declaration on the Elimination of Violence Against Women, the Beijing Platform for Action, and our own local and country policies. We must build Provincial and Local Government capacity to research, to collect data and compile statistics on the prevalence of violence against women.

This includes evaluations of our current interventions and their effectiveness, not only at output level, but more to document the impacts and outcomes thereof.

In my conclusion, Madam Chairperson, as a developing country and economy, our accountability framework must move beyond paper compliance. We must be wise in our resource allocation and improvement of the lives of the people we serve. Investments in detecting and ending violence against women at an early stage and good treatment programmes, will result in huge social savings in the future. It will further suggest that measuring the cost of violence proves, with accountability, that preventing violence against women is not only the right thing to do, but is also financially prudent.

We must lead, as this Government in dealing with violence against women. The case of the young woman already proves how business and its productivity may be affected by her ordeal. It does provide the basis to influence business on how to support her as a victim, but also to join the broader struggle of social change and ensuring gender equality.

The cost of violence against women is enormous. Economic development is limited as long as violence against women exists. All of the economic costing literature indicates that the whole of society pays for the costs of not addressing this pressing social concern. The sooner that countries bring in effective policies and programmes, including here in the province, on violence against women, the sooner we will begin to reduce the economic

cost of that violence to society, and benefit in the long run. I thank you.

[Applause.]

The TEMPORARY CHAIRPERSON: Hon member Maseko.

Ms L M MASEKO: Thank you very much, Chairperson. Sexual violence against women in South Africa is by no means a new occurrence. The violence that we have in the country does not have a race, and it is not politically affiliated. In fact, it is like cancer that creepingly grows on you.

We are tired of this as women. We are tired of living in fear. We are tired of being hostages in our own homes and own communities. We are tired of going to SAPS to report these abuses that we are experiencing, and when we get there, we have to report the matter to a male officer who is not really interested in what we have to say. We are tired of a patriarchal justice system that seems to protect the status quo. We are tired of being told how to dress, walk, speak and conduct ourselves. We are tired of having to constantly apologise for having been born female. This status quo cannot continue.

While we have detailed legislation to deal with such offences such as the Domestic Violence Act and the Children's Act, as well as the protection of Women Against Sexual Violence, outlined by our Constitution, very few cases are ever reported to the police, and even fewer men are held accountable.

Chairperson, maybe the only way things will improve at SAPS, is if we have more women in force. Maybe there will be more empathy in the justice system if there are more women. Maybe our women will become a lot more independent if we are active in the economic mainstream. This status quo of women having to do the same job as a man, but earning a lot less than a man, says a lot about what the company thinks about women. It is as if the system wants women to be dependent on men. It is as if the system forces women to be dependent on men. You see this at home, at the workplace and in broader society. It is like the status quo is saying, "You are less and should be treated as such." This cannot continue.

Ultimately the only way to eradicate sexual violence in South Africa, is creating a home for both the girl and the boy child, where the values of equality, respect and health and open emotional support systems are fostered. Charity begins at home. It has become paramount that we produce active role models for our young boys to follow. We need men who will, along with us, stand up and say, "Let us all stop this abuse immediately." The only way to end sexual violence against women, is to break the cycle of abuse in our homes, and this requires an all-sector approach, which includes the entire society, private entities, as well as Government. Again, Chairperson, the status quo cannot continue.

When a woman is beaten, she is said to have deserved it. When a woman is raped, she is said to have been asking for it. Have we become the antelope that the carnivores in the wild are yearning for? We both, men and women,

have the responsibility to empower our young boys and girls to identify abuse, and what to do when there are signs that it could happen.

To the many good men in our country who raise healthy socially aware boys, I salute and I thank you. However, I call on you to take your value system with you to work and to your social gatherings where you encounter other men, whose opinion of women still remains in the dark ages. If you, as a man, know better than the colleague or friend who continues to berate female South Africans, correct him. If our men can call out their peers on their unhealthy and archaic views of women in our society, we will begin to show our nation that there is no place for the belittlement of women in South Africa. Equally, if your female friend continues to endure the abuse of any man in her life, encourage her to take action or hold the perpetrator accountable.

Chairperson, we know that sexual violence against women is a social wound in South Africa. We have become so desensitised by rape, as it becomes common place on the pages of our newspapers, but change starts at home. Let us empower both our young girls and boys to respect each other as equals. Only by raising a generation of South Africans who advocate for gender equality, can we begin to eradicate sexual violence in our society.

In conclusion, Chairperson, I plead with all public representatives, fathers, mothers, society at large, to report all forms of violence. It must also be said that no violent act is acceptable. The status quo cannot continue, Madam

Chairperson. I thank you. [Applause.]

The TEMPORARY CHAIRPERSON: Madam Speaker.

The SPEAKER: Hon Chairperson, allow me to extend my appreciation to the members who participated in this debate today, and I must concur and agree with the hon member Beerwinkel that despite there not being any kind of caucus, there is a common thread that has emerged, and that is to defend and protect the rights of women in terms of sexual abuse. I am deeply disturbed at the level of violence against women and I must compliment this House today on the manner in which we conducted this debate. It certainly talks to a common purpose, and I would like to believe that we can work on this together.

So despite our political affiliations, let me reiterate that gender based violence aimed at women, is far too high across all spectrums of society. It is just excessive and it is unacceptable. But the one thing that we can all agree on is that increased efforts and increased awareness needs to take place. However, there is no overnight solution to the problem, and I think at this point it would be remiss of me not to mention that as legislatures we too come under fire.

At a recent Inter-Parliamentary Union survey which was conducted, they interviewed women from 39 countries across five regions, and 40% of those female MP's interviewed by the Inter-Parliamentary Union, said they had

received threats of death, rape, beatings or abduction while serving their terms, including threats to kidnap or kill their children. So the fight is real, and in order for us to go out there and fight the good fight, we need to understand the challenges that we as members of parliament, equally face.

So I am especially looking forward to serving with a strong group of women from our caucus when we represent the Western Cape Provincial Parliament at the International Women's Conference next week, when we speak in one voice about our concerns and recommendations to this very cause, to ensure that the international community, together with all countries, live up to the ideals of equal rights of men and women, and of human rights and human dignity for all.

I therefore plead to all hon members of this House to utilise their leadership free from political agendas, to assist in the fight of achieving a province and ultimately a country where women, girls, young boys and even men, can live free of fear and intimidation. It is but a small personal commitment to roll out in our constituencies to end the cycle of violence that affects us all. But we must ask ourselves, are we asking the right questions? Are we challenging the right bodies? More importantly, how are we going to work together to tackle this obvious burden on our economy, the threat to our democracy and the violation to our Constitution?

Before I close, I would like to quote Kofi Annan when he said:

“There is no tool for development more effective than the education of girls.”

And on that note I would like to thank you. [Applause.]

The TEMPORARY CHAIRPERSON: That concludes the Speaker’s debate. We will now deal with the questions as printed on the Question Paper. I recognise the hon Premier.

*[The Deputy Speaker takes the Chair]*

## **QUESTIONS FOR ORAL REPLY**

*Questions to the Premier standing over from Thursday, 17 August 2017, as agreed to by the House:*

### *White representation in top management*

#### **1. Ms N D Nkondlo asked the Premier:**

What will she be doing about the disproportionately high white representation in top management and on professional-qualified staff levels in the province, specifically with regard to Economic Opportunities, Tourism and Agriculture?

The PREMIER: Thank you very much indeed, Mr Deputy Speaker. The question assumes that there is a disproportionately high white representation in top management and on the professional qualified staff, but I have looked at the ratios very carefully, and they tell me that 73% are black and 26% are white.

It should be noted that the selection of successful candidates for posts at top management and professionally qualified staff levels in the province is primarily influenced by the individuals who choose to apply for advertised posts. We cannot select from amongst all South Africans who have the necessary qualifications, but from amongst those who actively apply for advertised posts.

It should also be noted that, as Premier, I do not have the legal competence to make appointments in departments. This power is vested in the executing authorities in respect of the departments they are responsible for, as enacted in the Public Service Act and the Public Service Regulations. These powers may be delegated at the discretion of the executing authority to the Head of Department and subsequently to lower performer levels as may be appropriate.

The Public Service Regulations, supported by appropriate policies, regulate recruitment and selection procedures.

The accountability in complying with the Employment Equity Act is vested in the Head of Department who, amongst others, must ensure that a one to five year Employment Equity Plan, as prescribed, is adopted for the Department. The plan provides for annual targets towards a goal to address shortfalls in the workplace demographic profile as well as identifying any barriers which may be preventing the attainment of equity and the concomitant mitigating measures. All departments of the Western Cape Government have compliant EE plans in place.

Both the Public Service Act, supported by the Public Service Regulations, and the Employment Equity Act, require the employment of suitably qualified persons, whilst having due consideration to the Employment Equity Plan. Difficulties in making appointments to meet the plan are described as barriers, addressed by the measures in the Employment Equity Plans as referred to earlier.

In considering what national legislation requires in making appointments to the public service, I must remind the hon member of the following Acts:

Firstly, let us look at what the Constitution includes as requirements for Public Administration in Section 195, which deals with basic values and principles governing public administration.

1. Public administration must be governed by the democratic values and principles enshrined in the Constitution, including the following

principles:

- a) A high standard of professional ethics must be promoted and maintained.
- b) Efficient, economic and effective use of resources must be promoted.
- c) Public administration must be development-oriented.
- d) Services must be provided impartially, fairly, equitably and without bias.
- e) Persons' needs must be responded to, and the public must be encouraged to participate in policy-making.
- f) Public administration must be accountable.
- g) Transparency must be fostered by providing the public with timely, accessible and accurate information.
- h) Good human-resource management and career-development practices to maximise human potential, must be cultivate; and
- i) Public administration must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness and the need to redress the imbalances of the past to achieve broad representation.”

In addition, the Public Service Act of 1994 says the following in Section 11

on the appointment and filling of posts.

11.1 In the making of appointments and the filling of posts in the public service, due regard shall be had to equality and the other democratic values and principles enshrined in the Constitution.

11.2 In the making of any appointment in terms of Section 9 in the public service:

- a. all persons who applied and qualify for the appointment concerned shall be considered; and
- b. the evaluation of persons shall be based on training, skills, competence, knowledge and the need to redress, in accordance with the Employment Equity Act, 1998, the imbalances of the past to achieve a public service broadly representative of the South African people, including representation according to race, gender and disability.”

When we look at the requirements of the Employment Equity Act the purpose of the Act is to achieve equity in the workplace, by:

- a. promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination; and
- b. implementing affirmative action measures to redress the

disadvantages in employment experienced by designated groups, to ensure their equitable representation in all occupational categories and levels in the workforce.”

Designated groups, Mr Deputy Speaker, are defined as black people, women and people with disabilities. And of course “black people” includes people who that previously would have been identified as Coloured and Indian.

It should be noted that the Act says that:

“It is not unfair discrimination to prefer or exclude any person on the basis of an inherent job requirement.”

The Western Cape Government does implement affirmative action measures for designated groups in compliance with Section 13.

It should also be noted that Section 15 describes affirmative action measures as measures intended to ensure that suitably qualified employees from designated groups have equal employment opportunity and are equitably represented in all occupational categories and levels of the workforce of a designated employer, but “equity” or “equitably” is not defined in the Employment Equity Act, but the word generally refers to what is fair or just when all factors are taken into consideration.

Section 15 also states that the measures referred to in subsection (2)(d)

include preferential treatment and numerical goals, but specifically exclude quotas, and quotas have been found to be unconstitutional by our Courts.

It goes on to say that nothing in this section requires a designated employer to take any decision concerning an employment policy or practice that would establish an absolute barrier to the prospective or continued employment or advancement of people who are not from designated groups, and that is a critical proviso.

Further guidance is given in Section 42 regarding the assessment of compliance. It says that in assessing compliance, the following factors may be taken into account:

- a. The extent to which suitably qualified people from and amongst the different designated groups are equitably represented within each occupational level in that employer's workforce in relation to the demographic profile of the national and regional economically active population."

Now that emphasises "suitably qualified people". Then (b):

- b. "Reasonable steps taken by a designated employer to train suitably qualified people from the designated groups; and
- c. Reasonable steps by a designated employer to implement its

Employment Equity Plan.

- d. The extent to which the designated employer has made progress in eliminating employment barriers that adversely affect people from designated groups.”

And finally:

“Reasonable steps taken by an employer to appoint and promote suitably qualified people from the designated groups.”

Bearing in mind this legislative framework, the hon member is requested to direct her specific questions from individual departments to the relevant Ministers, so that the accounting officers can prepare the replies.

It should also be borne in mind that the filling of posts is dependent on factors such as:

- Staff turnover;
- the availability of budget to fund vacancies; and
- the qualifications, skills and experience of the candidates who apply for vacancies and meet the requirements of the posts.

Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Hon member Nkondlo, follow-up? [Interjection.]

Ms N D NKONDLO: Thank you, Mr Deputy Speaker, and thank you to the Premier for the response. I just wanted to check with the Premier on the response that she just gave. As Premier of this province, overseeing the departments, does she not then see the issue of employment equity as a leadership area that she has to focus on, and thus when the question is brought to her, she is supposed to be capable enough to answer?

The DEPUTY SPEAKER: Madam Premier?

The PREMIER: Mr Deputy Speaker, I answered, even to the point of giving percentages.

The DEPUTY SPEAKER: Is there a second follow-up, hon member Nkondlo?

The PREMIER: You cannot ask follow-up question... [Interjections.]

The DEPUTY SPEAKER: Order, order.

Ms N D NKONDLO: Thank you, Mr Deputy Speaker, and thank you to the Premier once again. Given that the Premier agrees that she is able to answer, I want to understand where there is disproportionate representation, is the assumption that there are no suitably qualified people from the designated groups?

The PREMIER: Mr Deputy Speaker, I would be very happy to answer that question. I just want to note that follow-up questions are supposed to be based on what I said, not on pre-prepared follow-up questions that have nothing to do with the answer that I gave. [Interjections.]

The DEPUTY SPEAKER: Order.

Mr Q R DYANTYI: She stole it from the ANC that one.

The PREMIER: It may be of interest to this hon member to know that if one compares the Western Cape Government's staff to the economically active population of the province, black, coloured, Indian and white women are all overrepresented on the staff, while black, coloured and white males are all underrepresented on the staff. [Interjection.]

Only Indian males are equally represented related to their numbers in the Western Cape, and I hope the hon member is not then suggesting that we exclude women from consideration, especially as they are formally in the legislation described, across the board, whatever their race, as part of the designated groups.

Mr D JOSEPH: You should see at National Parliament.

The DEPUTY SPEAKER: Can we move on to – there is another follow-up? No. We can move onto the second question. Hon member Uys to the Premier

again. Hon Premier?

*Communications services to the Department of the Premier*

**\*2. Mr P Uys asked the Premier:**

(a) Who provides communications services to her Department, (b) when were they appointed, (b) until when are they appointed, (c) which services are being delivered and (d) what is the average monthly cost associated with these services?

The PREMIER: FCB South Africa, the Department contracted the services of Umlingani Group (Pty) Ltd, trading as FCB South Africa

- b) 1 September 2016 until 31 August 2018.
- c) Above the line campaign strategy, creative and conceptual development. Below the line design and production where applicable. Media buying, digital media services development and buying. This is an optional service in the contract, and then communication related research.
- d) R220 140,26 from September 2016 to July 2017.

The DEPUTY SPEAKER: Hon member Uys, do you want to follow-up?

Mr P UYS: Thank you, Mr Deputy Speaker, thank you, Premier. This company also created the video Safely Home, booze-free roads, if you can recall that. That video was withdrawn from the market, or withdrawn because it offended the people of the Western Cape. Are you planning to withdraw from this company, hon Premier?

The PREMIER: I am not sure what research the hon member Uys is relying on when he makes a broad generalisation like that, but certainly when the company develops products and we make independent evaluations of them, we decide whether to use them or not.

It is not my job to select a company or deselect a company. There are processes in Government which do that, in which I have no role.

The DEPUTY SPEAKER: Hon member Uys?

Mr P UYS: Thank you, Mr Deputy Speaker. It is a pity the Premier has no knowledge of that, because maybe... [Interjection.]

Mr M G E WILEY: It is not what she said.

Mr P UYS: ... hon Minister Donald Grant can help her in this regard. Hon Premier, may I ask you: this company, did they present any broad-based black economy empowerment points, when the points were granted and when you decided on this company?

Mr M G E WILEY: She did not decide on it. It was a process.

The PREMIER: Mr Deputy Speaker, I would like to remind the hon member Uys that politicians do not get involved in awarding tenders in this Government. What happened... [Interjections.]

The DEPUTY SPEAKER: Order.

The PREMIER: There are processes that we go through, and most certainly the frameworks can be described, the criteria can be established, the terms of the contract can be spelt out, but I had nothing to do with allocating this particular award, and I would not have anything to do with in future.

The DEPUTY SPEAKER: Can we move it? Hon member Uys, another one? A further follow-up question?

Mr P UYS: I think it is important that at least as a politician, Madam Premier, you are supposed to know. Mr Deputy Speaker, why would your Department and all departments go for a company in South Africa whose parent company is listed on the New York Stock Exchange? Why would you do that?

Mr K E MAGAXA: Answer that.

The PREMIER: I have no idea where any company is listed, except the

Guptas' companies. [Laughter.] They are listed all over in Dubai [Interjections.], they get shelf companies in Switzerland to buy them out, they allow vendor financing to finance their own companies in order... [Interjection.]

Mr K E MAGAXA: Answer the question.

The PREMIER: ... to launder money [Interjections.] and perhaps the ANC can ask where all of our state-owned entities are currently listed all over the world... [Interjections.]

Ms M N GILLION: Answer the question.

The DEPUTY SPEAKER: Order.

The PREMIER: ... under the Guptas' flag.

Mr K E MAGAXA: Answer the question.

The DEPUTY SPEAKER: Order. I see the hon member Mitchell. Is that a question? Is that a supplementary question?

Mr D G MITCHELL: Yes. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: You can take that.

Mr D G MITCHELL: Through you to the Premier. Hon Premier, what is the difference between the services being offered by this company and Hip-Hop Media?

An HON MEMBER: Huh-uh, that is a new question. [Interjections.]

The DEPUTY SPEAKER: Order. Madam Premier, do you want to respond?

The PREMIER: Yes. I think it is a very important question ... [Interjection.]

Mr Q R DYANTYI: Because that is what she wants [Inaudible.].

The PREMIER: ... because Hip-Hop Media was exactly an example of the kind of abuse... [Interjection.]

Mr P UYS: Talk about the listed company... [Interjection.]

The PREMIER: ... that this government... [Interjection.]

Mr P UYS: ... in New York.

The PREMIER: ... does not get involved in.

Ms P MAKELENI: Are they listed in New York?

The PREMIER: In this particular situation of Hip-Hop, what happened was that the Premier of the time, allegedly contracted certain associates...

[Interjection.]

Mr K E MAGAXA: What about [Inaudible.] you gave your son?

The DEPUTY SPEAKER: Order, order.

The PREMIER: ... to filter brown envelopes to certain news media to influence coverage [Interjections.] and that is fundamentally fraudulent.

[Interjections.]

Now the bottom-line, Mr Deputy Speaker, is that when we contract communications companies... [Interjection.]

An HON MEMBER: America.

The PREMIER: ... it is to do it properly... [Interjection.]

Mr P UYS: By Trump.

The PREMIER: ... and appropriately, and not to try and buy influence through bribery and corruption.

The DEPUTY SPEAKER: Order. We move onto the next one. New questions

to the Premier. Question 1, hon member Gillion to the Premier. Again the Premier.

*New questions to the Premier:*

*Children's Commission*

**1. Ms M N Gillion asked the Premier:**

With reference to the 25 children in the province who have reportedly been brutally murdered by 31 July 2017:

What is her Department doing to have this matter investigated and to ensure the appointment of a Children's Commission in the province?

The PREMIER: Thank you, Mr Deputy Speaker. As the hon member Gillion would have read in the media, I have decided to convene a meeting of non-governmental organisations specialising in child protection, to discuss the way forward regarding the recent spate of child murders in the province.

In my *Daily Maverick* column of 14 August 2017, I pointed out that research has shown that at least 900 children were murdered in South Africa in 2016 and 2017. Although the numbers were slightly higher in the Western Cape than other provinces... [Interjection.]

Mr Q R DYANTYI: Very, very high.

The PREMIER: ... it is a countrywide problem and I hope the hon member has urged her party colleagues in the other provinces and at national level...

[Interjection.]

Mr P UYS: Look at the stats [Inaudible.].

The PREMIER: ... to also address child murders in their jurisdictions. The pattern emerging from incidents in the Western Cape, in almost all cases, is that perpetrators are known and usually trusted by the victims and their families. Police investigations have established this. Perpetrators range from neighbours, landlords, lodgers, ex-boyfriends, husbands and even the fathers of victims. Many perpetrators were under the influence of alcohol or drugs when they committed their crimes. Some acted out of revenge against a partner or a former partner.

Mr K E MAGAXA: We are not talking about partners, we are talking about children.

The PREMIER: I have now undertaken to convene a meeting of stakeholders who are actively involved in child safety issues. I will also seek their response to my proposal for an in-depth expert study into six child murder case studies. This study will help us to determine whether a formal commission of inquiry is an appropriate step, or whether there are other,

more effective steps the Provincial Government can take within its constitutional mandate, to help prevent child murders.

The study would document what is known about each case, analyse the details, and use comparable international studies to recommend solutions. Meanwhile the Western Cape Government continues to facilitate extensive programmes aimed at child protection and welfare.

The Province's Social Development Department devotes R683 million to addressing the needs of children, families and victims of violence and crime in this province.

The scope of this work includes a network of 420 NGOs operating within a combination of Early Childhood Development Centres, Child & Youth Care Centres and drop-in centres that provide critical child protection services.

Our net is cast wide across 36 Social Development local offices, six district offices, 61 Child & Youth Care Centres, 190 child protection organisations with service delivery offices across the province, and 16 shelters for victims of abuse.

The budget for child protection in the Department of Social Development tops R1 billion if the full operational requirements of these services are factored in, including the salaries of 1 510 social workers.

There are 35 000 children under the Department's watch in alternative care placements, and a further 80 000 children in 1 100 ECD's funded by the Department. All of this excludes expenditure on child safety, for example, through the Department of Education, Community Safety and others.

But one thing I know for sure, Mr Deputy Speaker, no government can substitute for the role of committed families and communities in protecting children. In the end, a culture of active, responsible citizenship is indispensable to building a functional society that cares for its most vulnerable members.

With regard to the appointment of a Children's Commissioner, the hon member is well aware of the process underway, as I have explained it numerous time in this House. Thank you.

Mr M G E WILEY: Hear-hear.

The DEPUTY SPEAKER: Hon member Gillion?

Ms M N GILLION: Thank you, Mr Deputy Speaker. Hon Premier, I have got this answer that you gave us now, your clip that was printed on 15 August. I have got two questions.

The DEPUTY SPEAKER: One at a time.

Ms M N GILLION: I will take the first one. I would love to know what contributed to the change of the Premier's approach regarding the NGO's, when the Premier changed her approach on 15 August?

The DEPUTY SPEAKER: Hon Premier, do you want to respond to that?

The PREMIER: I have not changed my approach at all, Mr Deputy Speaker. My approach has been very consistent. It was the initial NGO's that saw me who changed their approach.

The DEPUTY SPEAKER: Hon member Gillion, your second question?

Ms M N GILLION: How many questions do I have, Mr Deputy Speaker?

An HON MEMBER: Four.

Ms M N GILLION: Four?

The DEPUTY SPEAKER: There are four in total, not necessarily all to you, but the House will have four opportunities.

Ms M N GILLION: Okay. Mr Deputy Speaker, I would love the Premier to outline her constitutional obligation to the Western Cape Constitution. Will the Premier please take this House into her confidence and tell us when the implementation of the Children's Commissioner will take place? I am not

talking about other provinces, because there is a Constitution in this province, that the Premier must adhere to.

The DEPUTY SPEAKER: Thank you. Hon Premier?

The PREMIER: Yes, it will happen when the necessary legislation is in place.

An HON MEMBER: Sjoe.

The DEPUTY SPEAKER: Hon member Wenger?

Mr K E MAGAXA: When?

Ms M M WENGER: Thank you, Mr Deputy Speaker. I would like to ask the Premier... [Interjection.]

Mr Q R DYANTYI: You are trying to help her.

Ms M M WENGER: ... if she would let us know which government entity is constitutionally mandated to investigate murder, and in particular the murder of children.

†Mnr Q R DYANTYI: Asseblief. [Tussenwerpsel.]

[Mr Q R DYANTYI: Oh, please. [Interjection.]] †But that is what she wants.

Mr P UYS: So, it is a good question.

The PREMIER: Thank you very much, Mr Deputy Speaker. The only entity that may investigate any crime is the South African Police Service, and so we are not in a position to investigate crime or to apprehend and charge criminals. That is the job of the criminal justice pipeline starting with the South African Police Service, going through the prosecuting authority and ending in the courts and the prisons.

As we know, the capture of those institutions, by particular interests in the ANC, is major news in South Africa. The lack of police resourcing is major news in South Africa, and the failure of the criminal justice pipeline...  
[Interjection.]

An HON MEMBER: Your MEC Dan Plato [Inaudible.].

The PREMIER: ... has to carry the blame primarily for the failure of National Government to fulfil its first duty to its citizens, which is protection of its citizens, especially children. [Interjections.]

The DEPUTY SPEAKER: Order. Order. Can I just before I see [Interjection.]  
– order.

The PREMIER: Oversight.

The DEPUTY SPEAKER: Order. Can I just give some guidance on the number of questions allowed on a question? There are four supplementary questions allowed. I would allow at least two to the person who asked the original question, and if there is nobody else wanting to ask a question, that person can get more. Up to four in fact.

The hon member Mitchell indicated he is also – do you want to ask a question?

Mr D G MITCHELL: Yes.

The DEPUTY SPEAKER: You may proceed then.

Mr D G MITCHELL: Thank you, Mr Deputy Speaker.

Ms M N GILLION: Why? I was standing here.

Mr D G MITCHELL: Mr Deputy Speaker, based on the Premier's response of what this Government is doing and the Premier... [Interjection.]

Mr Q R DYANTYI: What is your question?

Mr D G MITCHELL: ... had already... [Interjections.]

The DEPUTY SPEAKER: Order.

Mr D G MITCHELL: ... met with the NGO's... [Interjection.]

Mr K E MAGAXA: Do not mumble, do not mumble. You do not know the question.

Mr D G MITCHELL: Have the NGO's given the Premier any indication on why they continuously misrepresent her view on these child killings? [Interjections.]

The DEPUTY SPEAKER: Order. Hon Premier?

The PREMIER: Thank you very much, Mr Deputy Speaker. The answer to the question is this. When I am approached in what I believe is good faith by NGO's, I always try to meet them. This group of NGO's met with me, they asked me to establish a commission. I asked what the commission would be able potentially to establish in order to help us prevent child murders, because this is one of the instances in which the police usually find a perpetrator, and through DNA testing, can prove that it was someone well-known to the child, and very often a part of that child's family.

And so I asked what a commission would establish in terms of helping us prevent these circumstances, because these are very difficult circumstances to prevent if, in the normal course of every single day, children come into contact with people who are planning to rape and murder them.

They could not answer that question, but I said I have an open mind to this, so before we go through the long and formal and complex process of establishing a commission of inquiry, let us commission an immediate expert study... [Interjection.]

Mr K E MAGAXA: For five years.

The PREMIER: ... that can tell us if a commission of inquiry can help us prevent child murders, or if we would be better in spending that money in another way to benefit the children.

Mr K E MAGAXA: Five years.

The PREMIER: They agreed to that and then they went out and told the public another story.

So I was surprised at that, because I thought we had ended up the meeting agreeing on the way forward, and then I established that many of those NGO's are not specialist child safety NGO's. So I have now decided to consult the child specialist NGO's and I am going to have an important meeting with them. I already had a meeting yesterday with experts in the field, to help analyse and approach such a study, and indeed we will make progress in establishing whether there is anything we can do with only our powers of oversight over the police, that can help prevent child murders, which we take terribly seriously indeed.

The DEPUTY SPEAKER: Question 2, the hon member Dugmore to the Premier. Again the Premier. Hon member Dugmore, the Premier must first reply to the question. [Laughter.]

Mr C M DUGMORE: Oh, okay.

Mr M G E WILEY: Mr Deputy Speaker, we have established the first one.

*Former adviser to the Premier: conflict of interest*

**2. Mr C M Dugmore asked the Premier:**

Whether there was any conflict of interest between the private interest of her former adviser, whose name has been furnished to her office for the purpose of her reply, and his responsibilities in her office; if so, what are the relevant details?

The PREMIER: Mr Deputy Speaker, this just shows you what a farce the follow-up questions are, because the hon members on the other side of the House prepare their follow-up questions before they have even listened my answers, and that is why the fact that they have not listened to my answers, becomes patently obvious when they ask their follow-up questions. [Laughter.]

If you look at the Rules, you are not supposed to be either reading speeches

or reading questions that you are supposed to use as follow-ups to what I have already said, but be that as it may.

The reply is, not to my knowledge. I have previously stated in this House that the terms on which the advisor in question was appointed in the Office of the Premier, mitigated against any alleged conflict of interest. This is so because they provided for no involvement by him in any Western Cape Government project, other than the Conradie Better Living Game-Changer, this being the purpose for which his expertise had been secured.

However, If the hon member Dugmore has any new information which he would like me to investigate, he must please refer it to my office.

The DEPUTY SPEAKER: Hon member Dugmore, now is your opportunity.

Mr C M DUGMORE: Thank you. Arising from the Premier's response, I would like to ask... [Interjection.] whether the Premier had at any stage of her serving as Premier since 2009, been alerted to a potential conflict of interest before you appointed Mr Gary Fisher?

Mr K E MAGAXA: Answer, answer.

The PREMIER: As far as I can recollect, and I do not know exactly what the dates are, I was alerted to a potential conflict of interest and I think, if I recall correctly, it was after I had appointed Mr Gary Fisher, at which point I

made sure that his terms constrained his involvement, very specifically, to one area where I was assured and given evidence that there was no potential conflict of interests.

Mr Q R DYANTYI: So you knew [Inaudible.].

The DEPUTY SPEAKER: Hon member Dugmore, second one?

Mr C M DUGMORE: I would, as a follow-up, like to ask the Premier whether Mr Fisher submitted a declaration of interests to yourself before he was appointed in the Department of the Premier?

Mr Q R DYANTYI: It is getting deeper, it is getting deeper.

The PREMIER: There is a process for the submission of declarations of interest, and I know that in all of these cases due process is followed. I cannot specifically now say whether I saw something or not, as the case may be, but I ascertained firmly with legal advice and legal involvement, that ring-fencing his role to a particular project would be entirely within the boundaries of preventing any conflict of interest, which was my intention.

The DEPUTY SPEAKER: Hon member Dugmore?

Mr C M DUGMORE: Thank you, Mr Deputy Speaker. Just on a [Inaudible.] point if you do not mind. I still do have two questions, but obviously you

have explained that others have the right to answer.

The DEPUTY SPEAKER: Well, you are getting the third one already, so...

Mr C M DUGMORE: But will the, and will I obviously have... [Interjection.]

The DEPUTY SPEAKER: I am not sure whether, if somebody else will want to. Continue, you may get the fourth one as well. [Interjections.]

Mr C M DUGMORE: So I would like to ask whether your office submitted such declaration to the Public Service Commission, and what was the response from the Public Service Commission?

Mr Q R DYANTYI: Just let sleeping dogs lie. That is it.

The PREMIER: On the basis of my answer to his last follow-up question, this follow-up question makes no sense, because if he had listened to my previous question, he would not have asked this one.

Mr Q R DYANTYI: [Inaudible] your answer.

The DEPUTY SPEAKER: Hon member Dugmore... [Interjection.]

Mr C M DUGMORE: My final question.

The DEPUTY SPEAKER: ... your last opportunity.

Mr C M DUGMORE: And my final question, Mr Deputy Speaker, to the Premier is, are you aware that a company part-owned by Mr Fisher, who is also a non-executive director of this company, bought a property directly opposite Tafelberg in October 2013... [Interjection.]

Mr M G E WILEY: It has got nothing to do with the original question.

Mr C M DUGMORE: ... which was well before the Tafelberg site itself was advertised for sale? [Interjections.]

The DEPUTY SPEAKER: Hon Premier, if you want to respond to that.

Mr K E MAGAXA: Yes, she must.

The PREMIER: I know... [Interjection.]

Mr Q R DYANTYI: Oh, okay.

The PREMIER: I know that a company in which Mr Fisher was or is involved, had bought property somewhere in the vicinity of the Tafelberg School, and I did not know that at the time, but I do know it now.

Mr C M DUGMORE: Because I told you [Inaudible.].

The DEPUTY SPEAKER: We move onto the following question. Again hon member Dugmore to the Premier.

Mr D JOSEPH: No more questions.

The DEPUTY SPEAKER: Hon Premier, the third question.

Mr D JOSEPH: No more questions. It is finished. He is finished.

The DEPUTY SPEAKER: Hon Dugmore to ask the Premier.

The DEPUTY SPEAKER: About the Broadband.

Mr Q R DYANTYI: She is earning her money. Really, Sir.

The PREMIER: About the Broadband?

Mr C M DUGMORE: It is the one on the Broadband.

The PREMIER: Okay, let me find the question.

Mr Q R DYANTYI: They did not prepare anything for you. Let us move on.

The PREMIER: No it is fine, I will answer the Broadband.

Mr Q R DYANTYI: No-no-no, you must read it.

The PREMIER: I have got the Broadband. I have got all my answers.

*Broadband roll-out*

**3. Mr C M Dugmore asked the Premier:**

Whether the current broadband roll-out can be provided in a more affordable manner to the people of the Western Cape?

The PREMIER: The Broadband services were procured by the Western Cape Government via an open tender process and the award was made to the bidder who met all of the Western Cape Government's requirements and provided the lowest pricing for the specified Broadband services.

The State IT Agency has signed a Master Services Agreement with Neotel, which is now Liquid Telecom, on behalf of the Western Cape Government, and this agreement allows the Western Cape Government to do price benchmarking, should we deem this necessary. The price benchmarking exercise can be used as a means to determine whether the Broadband pricing in the MSA is still competitive.

Current informal benchmarks, as conducted with national and provincial entities with whom the Western Cape Government is collaborating in respect

of Broadband, indicate that the Western Cape Government pricing is still substantially more affordable than those offered to other SITA clients.

The Western Cape Government is currently assessing the possibilities of extending the free public WiFi Hotspot service to 1 600 sites. This will extend the service footprint far beyond the initial target of providing a WiFi Hotspot in each municipal ward. The extension of the service footprint will mean that there will be WiFi access for the public at most hospitals, clinics, libraries, schools and corporate offices, or Western Cape Government offices, across the province.

The rollout of the WiFi Hotspots to the 1 600 sites should take approximately 24 to 30 months to complete, and we expect to reach full rollout target by the end of March 2020.

The WiFi service will include a free allocation of 500 megabytes of data per user per month, after which users can purchase data bundles from Liquid Telecom at comparatively low rates. The rates being offered are:

- R5 for 700 megabytes;
- R15 for 2 gigabytes; and
- R45 for 5 gigabytes.

The DEPUTY SPEAKER: Hon member Dugmore?

Mr C M DUGMORE: Thank you... [Interjection.]

The MINISTER OF HUMAN SETTLEMENTS: Was that not your last one?

Mr C M DUGMORE: I would like to as a follow-up question, ask whether the Premier, in light of the fact that the question refers to the affordability of this rollout, can indicate how much has been paid to Neotel for work done so far, and also, in terms of the latest contract signed with Neotel, what is the value of that contract?

The PREMIER: I am afraid I do not get involved in administering contracts or paying tranches or dealing with invoices, or dealing with ensuring that delivery has taken place before the tranches are paid. This is an administrative function and if the hon member Dugmore would like an answer to it, could he please submit a formal question in that regard, and I will get accurate answers for him.

Mr Q R DYANTYI: So why did you let him speak?

The DEPUTY SPEAKER: Hon – just one second.

Mr C M DUGMORE: I am asking – sorry?

The DEPUTY SPEAKER: Just hon member Mitchell first, then I will come back to you. Hon member Mitchell?

Mr D G MITCHELL: Thank you. Mr Deputy Speaker, to the Premier, what is

the impact of corrupt dealings of the National Government, especially with the Guptas, on service delivery and with the rollout of this crucial technology... [Interjection.]

Mr Q R DYANTYI: No, that is completely irrelevant. Sit down.

Mr D G MITCHELL: ... in the poorest of the poor communities?  
[Interjections.]

The DEPUTY SPEAKER: Order, order, member. Order! That question is on the borderline of not being related to the original question, but if the Premier wants to respond in a way, she can. [Interjections.]

The DEPUTY SPEAKER: Order.

The PREMIER: Mr Deputy Speaker, corruption has almost decimated our prospect for development in South Africa, and one of the key requirements for development in the current context, is Broadband.

The Western Cape, because we allocate our resources appropriately, has been able to fund Broadband out of its equitable share. When I go to national meetings, representatives of other provinces come and ask me how we have managed to fund... [Interjection.]

Ms P MAKELENI: They ask Gauteng.

The PREMIER: ... our – in fact, representatives from Gauteng asked me how we have managed to fund our Broadband [Interjections.], because they have to seek... [Interjection.]

The DEPUTY SPEAKER: Order.

The PREMIER: ... additional funds outside of their equitable share to fund their Broadband. Because we do not tolerate corruption, and because we go through the proper processes and determine the right way to do things, we can deliver a far greater bang for the consumers buck than in any other province.

Ms S W DAVIDS: But it is not happening.

The PREMIER: For example, Gauteng applied to the National Minister to be able to bypass SITA. We applied and we were refused, so we had to go through SITA. Despite the fact that we had to go through SITA, we delivered far more quickly, far more efficiently and far more cost-effectively, and so the cost of corruption [Interjection.] in the National Government, is devastating not only to Broadband, but to all projects required for delivery.

The DEPUTY SPEAKER: Hon member Dugmore?

Mr C M DUGMORE: Thank you. Mr Deputy Speaker, it might be considered strange that the Premier does not know that the biggest line item on the

Western Cape budget, in other words, the Broadband rollout, the biggest line item, she is not aware of that amount, but given that I would like to ask her...

[Interjection.]

Mr M G E WILEY: It is not what you asked her.

Mr C M DUGMORE: I would like to ask the Premier whether in drawing up the speculations for this very critical procurement, why there was no consideration for the option of simply issuing every person in the Western Cape with a sim-card with a particular amount of Broadband, directly available on the phone, and whether that would have been less expensive than the current service being provided by Neotel and others?

The DEPUTY SPEAKER: Did the hon member refer to the specifications not the speculations? The specifications?

The PREMIER: Yes, he said speculations, but I know he meant specifications.

The DEPUTY SPEAKER: Thank you, hon Premier.

The PREMIER: Firstly, Mr Deputy Speaker, I do not get involved in drawing up specifications.

Mr Q R DYANTYI: Oh, there she goes.

The PREMIER: I do not get involved in drawing up specifications.

Mr Q R DYANTYI: Where do you get involved?

The PREMIER: I am not an IT expert. [Interjection.] I am not an IT expert and we have an entire department, the Centre of E-Innovation, who are real experts in this field [Interjection.], and they have to look at sustainability, and they have to look at the purpose for which we need Broadband.

Now if we gave, for example, a sim-card to every person in this province, would that be enough, for example, to develop an E-health system to every hospital? Would that be appropriate to deliver an E-learning system to every school?

Mr Q R DYANTYI: Answer the question. [Inaudible.]

The PREMIER: Would it be appropriate and possible to ensure that we could do all of the things that we want to do on E-government in that context? The specifications of this particular contract took literally months to compile, thinking of every eventuality and not thinking about a week ahead or a month ahead, or three months ahead but thinking of the next 15 to 20 years ahead. And you need real experts to do that and the reason that I know how long it took is that, although I was not involved, I was getting frustrated by the length of time it took to get those specifications done and I was convinced in the process that indeed it was a highly complex thing and had to be

considered from every single perspective.

The DEPUTY SPEAKER: Hon member Wiley? [Interjections.]

Mr M G E WILEY: Thank you. [Interjections.]

The DEPUTY SPEAKER: Order. Is that a question to the Premier?

Mr M G E WILEY: It is a question relating to the matter.

The DEPUTY SPEAKER: Yes that is the last one unfortunately hon member Dugmore.

Mr C M DUGMORE: Ah.

Mr M G E WILEY: Mr Deputy Speaker, given that the private enterprise charges some of the highest broadband rates, database rates anywhere on the globe, does the Premier think that it would have been wise to enter into any negotiations with regard to these companies charging these extortionate rates? [Interjections.]

An HON MEMBER: R45 for 5 gigs is cheaper [Inaudible.]

The PREMIER: I think that that is a very relevant question [Interjections.] because in fact I asked about what happens to market rates as we go forward,

[Interjection.] No, I do not get involved in the specifications but I ask questions. I ask questions like will 10 meg be enough? [Interjection.] That is a relevant question. When people say it is going to be 10 meg per institution, I ask will 10 meg be enough? That is the question that I ask.

When people say, this is R45 for I do not know how many gigs, I ask is that a good price and then I say when things, let us say, get cheaper over time, what is going to happen and the commitment is that whatever we are charged for, will reflect the prevailing market price or less? So we got an unbelievably good deal but I cannot help thinking that the hon opposition is asking these questions because the Guptas have some kind of sim card company that they want us to purchase [Interjections.] sim cards from and watch it happening in the other provinces. [Interjections.] Every single purchase in an ANC province is designed to make somebody wealthy through political manipulation in specifications.

The DEPUTY SPEAKER: Order, we move on. Order. Order. I understand the next question will stand over. Chief Whip is that correct? Question 9?

Mr M G E WILEY: Yes, the Minister is unfortunately on sick leave and the recipient of the question has also been informed on the other side.

The DEPUTY SPEAKER: Thank you. We will then move onto the next question. New questions, Question 4. Hon member Lekker to Minister Plato. I do not see Minister Plato here?

HON MEMBERS: Whoa!

The DEPUTY SPEAKER: Can I move onto ... [Interjections.]

Mr M G E WILEY: Mr Deputy Speaker, can I just say that Minister Plato did indicate to me he is dealing with a criminal emergency but he is back. [Interjections.]

The DEPUTY SPEAKER: I will allow Minister Plato to respond to the question, Question 4.

*New questions:*

*Cameras and gunshot spotters: Lower Cross Roads*

**4. Ms P Z Lekker asked the Minister of Community Safety:**

Whether any cameras and gunshot spotters have been installed in Lower Cross Roads since the occurrence of gang-related activities there; if not, why not; if so, what are the relevant details?

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, thank you.

Ms P Z LEKKER: Apologise.

The MINISTER OF COMMUNITY SAFETY: No, I will apologise. I am dealing with a situation, a very serious situation in Delft. It is Women's Month but we just had another incident in Delft with an adult male molesting young girls so we unfortunately have to deal with it. Thank you to the member for the question. My answer is as follows:

The City of Cape of Cape Town only had the budget to install ShotSpotter in Manenberg and Hanover Park and they would like to expand it to other areas, this will be subject to the necessary budgetary sources. The City of Cape Town however informed me that they have installed cameras in the following areas: in Crossroads, New Eisleben Road and Japhta Masemola Road. [Interjection.] Thank you for that correction - New Eisleben and Sithandathu Avenue, Govan Mbeki Road and Stock Road. The City further informs me that they envisage that the Transport Authority in the City will roll out cameras along Govan Mbeki, Japhta Masemola and Wetton Circle to Emms Drive. Thank you.

The DEPUTY SPEAKER: Hon member Lekker, follow-up question?

Ms P Z LEKKER: Thank you MEC. Through you, Mr Deputy Speaker, seeing that the gunshot spotters are not anywhere in the area of Lower Crossroads, I would like to understand when and how is the City going to be able to gather information in relation to the gang activities that have been taking place in the area of Lower Crossroads?

The DEPUTY SPEAKER: Order. Hon Minister Plato?

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, we would love ShotSpotter to be rolled out across all the hotspot areas. There is quite a number of them, the police have identified 20 hotspot areas on the Cape Flats but looking at the pricing to keep the ShotSpotter project in place, it costs the City millions and millions of rands per annum. They did approach my Department, they did approach the Premier herself. We are currently looking at it but the big issue I have to say is budget. It is not a cheap kind of a situation, it costs millions, really millions and millions of rands.

It is successful, it is providing us, where bullets fly on a day to day basis, and looking at Manenberg and Hanover Park, it sounds many a time really like a war zone and per day sometimes it is over a 100 rounds. Many days during the week rounds get shot and that sort of thing but we would love to see it rolling out across the Metropole. Thank you.

The DEPUTY SPEAKER: Hon Chief Whip, hon member Wiley?

Mr M G E WILEY: Thank you, Mr Deputy Speaker. Given that the strongest critics with regard to ShotSpotter have come from the other side of the House, can the hon Minister tell us what led to this Damascus conversion?  
[Laughter.][Interjections.]

The DEPUTY SPEAKER: Hon Minister Plato?

The MINISTER OF COMMUNITY SAFETY: Let me twist that question a little bit around by saying, I have said it in this House before and I want to repeat myself, I would love to see a situation - and maybe that is the reason for hon member Lekker's question - where you do not fight about crime and that we do not politicise crime and criminal issues [Interjections.]. I would love ... [Interjections.] Shhh!

I would love to see a situation for us across political lines to take hands because we cannot afford the current situation on the Cape Flats. My taking today is exactly the same as before, a bullet does not ask your political party but also likewise with what is happening in Delft right now, with children involved in things they must not get involved with, to what political party do those kids belong to? Fact of the matter is if perpetrators want to do their dirty work, they do it, it does not matter who is involved and who is in front of them. Thank you very much, Mr Deputy Speaker.

The DEPUTY SPEAKER: Is there another follow-up? Then we proceed to the next question which is Question 5. Hon member Olivier to hon Minister Schäfer. I see Minister Schäfer.

*Schools' codes of conduct*

**5. Mr R T Olivier asked the Minister of Education:**

- (1) Why has her Department failed to review all schools' codes of conduct to address sections that may give rise to racial prejudices, like we have seen with the recent incident at the Wynberg Boys' Junior School about hair;
- (2) whether her Department has any plans to review all schools' codes of conduct to eliminate the repeat of such cases; if not, why not; if so, what are the relevant details?

The MINISTER OF EDUCATION: Thank you, Mr Deputy Speaker. Thank you to the member for the question. The answer to part 1 is as follows: The assumption that the Wynberg Boys High School incident arose out of racial prejudice is incorrect. It was also not alleged to be a racial incident by the parents who said it was the manner in which the school dealt with the matter, that they were concerned about.

The school did in fact review their Code of Conduct in December 2016 and the matter was resolved between the parents and the principal. In terms of Section 8 of the South African Schools Act, the Schools Code of Conduct is the responsibility of the school governing body. In September 2016 I called on all schools in the Western Cape to review their Codes of Conduct to ensure that they are in line with the values of the Constitution and inclusive.

I requested that my Department formally issue a circular to this effect which they did, namely issue Circular 36 of 2016, wherein all schools were

requested to review their Codes of Conduct. Attached to the circular was the DBE's proforma Code of Conduct which schools used to draft their Code. The DBE's proforma code is legally edicted and is in line with the Constitution of South Africa.

The heads of management and governance in districts have also been instructed to assess and review compliance in sample schools on an on-going basis. This approach is premised on the reality that there is simply insufficient capacity to undertake such a huge task of reviewing every single school's code in one year, hence this approach. Furthermore any complaint received from a parent, learner or member of the community is addressed immediately.

Schools in terms of general policy processes are obliged to review their schools policies on a regular basis to ensure that they achieve their purpose in line with the Constitution while taking into account discussion on what Codes of Conduct should require. This is good practice. The answer to Question 2 is that I have answered it in Question 1.

The DEPUTY SPEAKER: Hon member Olivier if you want to follow-up?  
[Interjection.]

Mr R T OLIVIER: MEC given the enormous headlines in newspaper articles and in the print and electronic media about the effects of these codes of conduct, I listened to you with what you are busy with, is there a mechanism

that this issue can be prioritised seeing that you have now outlined a few processes that you are busy with, but do you believe that that is sufficient or urgent enough to deal with the problem?

The MINISTER OF EDUCATION: Thank you hon member. I have come to realise that one cannot rely on headlines in the print media because they are so often inaccurate and twisted that it actually does not necessarily reflect the reality of the situation. But, I think the measures we are taking are in fact sufficient. If we have any specific complaint from any school, it is dealt with. In this particular instance it was dealt with immediately by the school and I did not even have to intervene. It was an issue of the way it was dealt with and the school entered into a dialogue with the parents who were satisfied with the outcome.

The DEPUTY SPEAKER: Hon member Kivedo first and then I will come back to the hon member Olivier.

Mr B D KIVEDO: Thank you Deputy Speaker. Minister Schäfer, we saw the photo that was circulated on social media of the learner from Wynberg Boys Junior School and it looked to be neat and tidy. Why did the photo contravene the school's Code of Conduct?

The MINISTER OF EDUCATION: Thank you very much, hon member Kivedo. Yes. I also saw the photo that was circulated when this issue came to light and it did not appear to be problematic in my opinion but we have since

discovered that that photograph was actually one taken in January 2016 when it was the learner's first day at school and this was not the hair cut that he had at the time that the contravention was alleged.

The DEPUTY SPEAKER: Hon member Olivier?

Mr R T OLIVIER: MEC given the response on 3 August, if you still recall, I forwarded a Motion Without Notice that we debate and look at mechanisms of reviewing school codes and you were the one that objected. So given that approach when you know your Department has got all the processes in place and you look at this issue as urgent and you are dealing with it, why when we want to discuss and debate the matter are you the one that is objecting?

The MINISTER OF EDUCATION: Quite simply because you want us to review every single school's Code of Conduct which I said we do not have the capacity to do.

The DEPUTY SPEAKER: Hon member Olivier your last opportunity? Who is taking it? Hon member Olivier you have been given the opportunity.

Mr R T OLIVIER: Okay, my last one. MEC does the last part of your response, that you cannot review all the codes of the schools, does it therefore mean that you will continue ...

The DEPUTY SPEAKER: Just one second.

Mr M G E WILEY: I am sorry to interrupt the hon member's flow but could he address these things through the Chair please? [Interjections.]

The DEPUTY SPEAKER: Yes, point taken. You may continue.

Mr R T OLIVIER: Through you, Mr Deputy Speaker, to the Minister ...

Ms C F BEERWINKEL: The MEC as well.

Mr R T OLIVIER: To the MEC - does it therefore mean if there is no capacity or resources to look at all the codes, or standardising all the codes, will they continue dealing with these issues on a piecemeal basis as they come up?

The MINISTER OF EDUCATION: Mr Deputy Speaker, I have said we have an approach that we are dealing with sample schools on an on-going basis so we are not doing a piecemeal approach. If there are specific allegations then we will take it up with the school but I would like to remind the member that it is the governing body that has to do the Codes of Conduct not me and that I cannot even force a school to change a Code of Conduct other than to take them to court.

But obviously we will engage with the school if there is a problem and we are not doing it on a piecemeal basis, we are doing it as best we can with the very limited resources we have.

†Mnr Q R DYANTYI: Is jy seker?

[Mr Q R DYANTTI: Are you sure?]

†Die MINISTER VAN ONDERWYS: Ja.

[The MINISTER OF EDUCATION: Yes.]

†Mnr Q R DYANTYI: Asseblief!

[Mr Q R DYANTYI: Oh, please!]

The DEPUTY SPEAKER: I think that was it. We have already had the four questions now we move onto the next one. Question 6, hon member Botha to Minister Mbombo, Minister Mbombo.

*Service delivery at health facilities: affect of water crisis*

**6. Ms L J Botha asked the Minister of Health:**

- (1) Whether the current water crisis is affecting the delivery of services at any of the health facilities in the province; if so, what are the relevant details;
- (2) whether her Department has contingency plans to ensure that the water crisis does not affect services at health facilities in the province; if not, why not; if so, what are the relevant details?

The MINISTER OF HEALTH: Thank you. It is important to note that the hospitals in the Western Cape consume 1.8 million kilolitres of water per day. These hospitals cannot operate without water as it is an essential part in the rendering of health services. We do have a Provincial Disaster Management Centre, under Minister Bredell, that has a life risk register with contingencies and plans in place to ensure hospitals do not run out of water. From our side we have got a water preparedness plan that strives to conserve water, monitor water usage ...

Mr Q R DYANTYI: Speak louder please.

The MINISTER OF HEALTH: ... as well as how we can mitigate the effect on service delivery and we have actually started a process of getting new boreholes at all of our hospitals. The geohydrologist we recently appointed and now they are busy with a survey and making recommendations. Also, for example, in Karl Bremer Hospital we have reinstated the existing borehole which delivers about 10,000 litres per hour and we are busy with the second one. Also the Department of Transport and Public Works, are busy reinstating two existing boreholes at the Tygerberg Hospital. I am just making an example of the Metro. It is also happening in other hospitals, for example, other sites where existing boreholes will be reinstated including Lentegour, Mitchells Plain, False Bay and others. The drilling of these boreholes has been estimated at about R12 million but this does not include the cost of purification plants that may be necessary and I must also stress that this also comes from the existing budgeted money. It is not additional money that

comes from elsewhere.

We have also got rainwater harvesting methods where many hospitals will have great potential for this. In addition, what we are busy looking at now is using 'grey water' recycling, like in Lentegeur Hospital in the laundry, instead of using the same clean water, also 'black water' recycling like in Mitchells Plain Hospital in terms of the autoclave for the instruments. So that is just a summary of what we have.

The DEPUTY SPEAKER: Is there a follow-up, hon member Botha?

Ms L J BOTHA: Thank you, Mr Deputy Speaker. Hon Minister can you explore more on the plans for rural hospitals?

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF HEALTH: Okay. For the rural hospitals, I will keep on jumping. We have prioritised all the hospitals. We have got 51 hospitals and then we have prioritised, in terms of which ones will need an urgent 'Priority 1' or 'Priority 2', 'Priority 3', 'Priority 4' in terms of ensuring water security. For example on the issue of the boreholes, Knysna Hospital is 'Priority 1' with a time-frame by December 2017 and then 'Priority 4' for example is by February 2018. For example, Knysna Hospital requires about 2,737 litres per hour.

Just to also to have an understanding, in terms of how much water we use generally, look at Worcester Hospital where we use 600 litres per bed per day. Tygerberg uses 540 litres of water per hour, per bed. Why do I say per bed because with the bed, we have to change the linen daily, if you have to use oxygen it has got water content and also if you need to remove bandages or even the washing of hands. So that kind of the calculation is based on that.

Vredendal Hospital where we require about 449 litres per hour is also 'Priority 1', Ladysmith is 'Priority 1', Worcester is 'Priority 2', Paarl Hospital 'Priority 2', Beaufort West Hospital is 'Priority 3', Ceres Hospital 'Priority 3'. I am jumping around but it is all about these hospitals. Then to Brewelskloof Hospital 'Priority 3'. Then the others: Lapa Munnik, Montague, Maraisburg, Prince Albert, Robertson, Stellenbosch, Swartland, Vredenburg, Laingsburg, Malmesbury are the 'Priority 4'. So each and every hospital has undergone assessment in terms of what the requirement is based on the usage. With regard to the current buildings, remember some of the hospitals are as old as sixty or a hundred years old. So with the current structure you will find the challenges that we have. They were not built to take into account such a kind of a drought, therefore one may not even have access to use potable water in a case where the taps could close. Hence the priority with the boreholes.

That is also why with all our new upcoming hospitals, even the existing ones that the Department of Public Works built, they can accommodate potable water usage. That kind of infrastructure is accommodative around that.

The DEPUTY SPEAKER: Any further follow-up hon member Gillion and then I will come back to hon member Botha.

Ms M N GILLION: Thank you, Mr Deputy Speaker. Thank you, hon Minister for those answers. It seems like you are prepared for the worst situations. Now out of your answer MEC, when anything in future, in the health institutions facing the water crisis, goes wrong, are you prepared after your answer, to take personal responsibility for that?

The DEPUTY SPEAKER: Hon minister?

The MINISTER OF HEALTH: I am not exactly sure what question that is because as the Political Head of the Department, there is a legislative framework in the responsibilities. For example, in cases of medical negligence, although I am not even there, in that hospital, when the Department is sued, they are suing the MEC but it is not the MEC who stands there. So I am not sure exactly what but it is all within the framework.

Just to respond in terms of being prepared, our lessons are from the preparedness for load-shedding because at the time we prepared for the case of everything suddenly going dark and fortunately at that time National scored us very high in terms of preparedness. If I can make an example of energy, where our hospitals in spite of the fact that they are 24 hours and they run 365 days a year, you will find that our energy consumption is

probably far less, even more than half compared with some of the buildings like malls. For example, the Golden Acre and even some of the Government buildings where they are open from nine to five, not necessarily 365, but their consumption of energy is higher compared for example to other areas.

So our preparedness is because at the end, actually it is not only about the patients that are inside because we know that if it happens where they say there is no water, people will run to the places where there is water and in terms of the Constitution hospitals would be the last to be closed off.

So we have to prepare for even – it is not only about the number of beds. Like Tygerberg Hospital has 1,300 beds but in terms of how you prepare, you prepare for more than that, in case the hospital becomes overloaded and has got more patients. Thanks.

The DEPUTY SPEAKER: Hon member Botha?

Ms L J BOTHA: Thank you, Mr Deputy Speaker. I just want to ask the hon Minister, in terms of the water crises and where we are, has there been a decrease or a cut-down on medical procedures in theatres and if there were, what are the numbers that we are talking about and what kind of procedures are we postponing in terms of this water crises?

The MINISTER OF HEALTH: No, there has not been but in terms of water security, it actually starts with behaviour, that is the first part. The behaviour

is generally that which the municipality is giving, creating awareness among the residents.

So one of the behaviours is, for example, in theatre. We know that you use a lot of water. It could be, for example, during a time that the theatre runs late, one of the behaviour measures is where in the morning when you start, the tendency is to use more water. If now there are the same kind of operations throughout the day, then it means that instead of spending almost one hour, one person scrubbing, as you know how long it takes to scrub, then at least during the later parts of the day, you do not have to scrub as intensely compared to what you did in the morning.

Also the issue of taps, because previously when you scrubbed you just opened the water, it kept on running throughout but now at least it must only open when you are under the tap and then when you are out it must close itself because you cannot touch when you are still scrubbing. So we have not closed any operations.

The DEPUTY SPEAKER: Last opportunity, hon member Dyantyi?

†Mnr Q R DYANTYI: Baie dankie, agb Adjunkspeaker. Kan ons terugkom na die boorgat se vrae, boorgat ...

[Mr Q R DYANTYI: Thank you, hon Deputy Speaker. Can we get back to the borehole questions, borehole ...]

†The boreholes, let us go back to that. You just mentioned that in your

response and I am going to be very specific; are you piloting or are you starting to do boreholes in Mitchells Plain and Khayelitsha Hospitals, very specifically, or is it just Tygerberg and Groote Schuur?

The MINISTER OF HEALTH: No, we are not starting. We are saying that we are making assessments. Some of the hospitals do have boreholes but in terms of their status they have never been assessed. Hence now we have assessed them and then prioritised them in terms of improving or in terms of supplying more water. So, Khayelitsha is not part of it. For example, in the assessment we have done, we found that out of 51 hospitals we have about a total of 16 that have got boreholes. Remember others are using rain harvesting. In False Bay you will find that ... [Interjection.]

Mr Q R DYANTYI: Because they were never prioritised before?

The MINISTER OF HEALTH: No, it is because they are old infrastructures so they were not meant for such but all our newish ones, they are meant for such, so a total of those 16 have immediate access while the others require remedial action. Mitchells Plain and Khayelitsha are newish hospitals so they are not necessarily affected.

The DEPUTY SPEAKER: Thank you. We move on to that was the last opportunity. Question number 7 will also stand over, is that correct? Then we move ...

Mr P UYS: Mr Deputy Speaker, I would just like your ruling for the record.

There were no Interpellations and your interpretation is that even if there are no Interpellations the time that was supposed to be allocated for Interpellations would be utilised for Questions. If I can just get clarity I think in future it will be important.

The DEPUTY SPEAKER: Yes, thank you for that. Yes, there were no Interpellations, the 45 minutes are added to the Question time so we will end Questions at 17:12, that is the time. The current rule is a little bit ambiguous and we will change the rule in due course to make it clearer what the interpretation is. There is some uncertainty about the interpretation but I have made the call today that we will continue with Questions until we have exhausted time or the questions, whichever comes first. The Questions to the Premier will start immediately thereafter. Question number 8 then, number 7 stands over. We start with Question number 8, hon Mackenzie to Minister Plato.

*Mitchells Plain Police Station: police vehicles*

**7. Mr R D Mackenzie asked the Minister of Community Safety:**

- (1) (a) How many police vehicles does the Mitchells Plain Police Station have and (b) how many are (i) operational and (ii) not operational;

- (2) whether there are any plans to fix the vehicles that are not operational; if not, why not; if so, what are the relevant details?

The MINISTER OF COMMUNITY SAFETY: Thank you to the member for the question. Question 1 (a), it is 109 vehicles. Question (b) (i) it is 94 vehicles that are operational and 15 vehicles not operational.

Question number 2, yes of the 15 vehicles currently not operational, 12 are being repaired in-house whilst 3 are being outsourced to private service providers. Thank you.

The DEPUTY SPEAKER: Is there a follow-up to that question? If not we move on. Question number 9, hon Plato, Minister Plato.

*Mitchells Plain Police Station: detective vacancy rate*

**8. Mr R D Mackenzie asked the Minister of Community Safety:**

- (1) (a) How many detectives does the Mitchells Plain Police Station have and (b) what is the current detective vacancy rate;
- (2) whether there are any plans to fill these vacancies; if not, why not; if so, what are the relevant details?

The MINISTER OF COMMUNITY SAFETY: Thank you, Mr Deputy Speaker.

Question number 9's answer is as follows: It is 118 detectives and any plans to fill vacancies; yes, a process is currently in place to ensure that station management recruits suitable visible policing members as detectives in view of the envisaged re-enlistment process of the 2017/18 financial year. The focus will be on capacitating the detective environment amongst others at Mitchells Plain Police Station. Thank you.

The DEPUTY SPEAKER: Is there a follow-up question? Hon member Dyantyi?

Mr Q R DYANTYI: On the detectives, can we, now that you have raised this one, especially for Mitchells Plain, can you just quickly tell us what is the detective/community ratio in Mitchells Plain?

The MINISTER OF COMMUNITY SAFETY: I do not have a figure for the detectives. I can give you the policing ratio in general per population, but not detective ratio. That is a new question, I will bring you an answer for that.

The DEPUTY SPEAKER: Thank you. We will then move on to the next ...  
[Interjection.]

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, at this point I did talk to the Chief Whip, looking at the situation we face in Delft. I asked the Chief Whip after my answering of the questions to leave the House to go personally and pay attention to that problem, if it is okay with you?

The DEPUTY SPEAKER: Thank you. There no further follow-up questions so Minister you are relieved from the Chair side also. We move onto the next question, Question 10. Minister Madikizela?

Mr Q R DYANTYI: This is very [Inaudible.] ask for an apology.

Mr M G E WILEY: Unlike your Ministers who do not even pitch up!

*Provincial Priority Projects*

**10. Ms L M Maseko asked the Minister of Human Settlements:**

(a) How many of the 108 847 planned opportunities in the catalytic Provincial Priority Projects have been realised and (b) when will the entire project be completed?

THE MINISTER OF HUMAN SETTLEMENTS: Thank you, Mr Deputy Speaker. Detail on the progress of the individual projects is contained in this very long file but I will just summarise them. One there is [Inaudible.] development. Planned opportunities consist of approximately 4,188 units of which 630 social housing units have been constructed in Phase 1. Phase 2 is currently under construction. The second one is for a village which is planned for 5,177 opportunities. Currently 2,493 sites are being serviced of which 816 houses are to be built in this financial year and the balance will be completed in 2019/2020 financial year.

The Airport Precinct and Former Settlements Project currently still in planning phase; estimated construction will start in the next financial year; numeration study completed in May this year; conceptual development framework completed in June this year; initial geotechnical study completed and additional studies are currently underway and we are now following all the planning processes including securing the Urban Settlement Development Grant etc.

This project is earmarked to be completed in 2022 because the [Inaudible.] Formal Settlement Project is also currently in the planning phase and the estimated construction date is 2018/2019 and again the remuneration study was completed in May; the conceptual development framework was also completed in June and we are busy now with the process of application for the USDG and the Public Participation Meeting with sub-councils has been done. We have also established the projects standing committees. The Penhill Greenfield Development Project is also currently in planning phase. It will also be started in 2018/2019 and all the processes that I have mentioned above have been done, Mr Deputy Speaker. Ithemba Farm which is also a Greenfield project is also currently in planning phase and it will also start in 2018/2019. Loop application has been submitted in June; Nema application submitted in June; the public participation is currently underway.

Also, we are in the process of applying for the USDG, which is the Urban Settlement Development Grant, for infrastructure and in Paarl Vlakkeland all pending approvals have been obtained and typologies have been designed and

costed; the [Inaudible] contract has been appointed and is currently establishing site offices as we speak.

Worcester Transhex, all planning approvals are in place. The Municipality is currently upgrading its bulk sewer and storm water and the bulk and internal services tender for Transit Phase 1 has just closed and the tender is in the evaluation stage and we expect to award the tender before the end of this month.

Southern Cape Corridor Project which is Thembalethu in situ upgrading. Phase 1 which consists of 2,749 sites has been completed; Phase 2 - 456 service sites are under construction. The contractor has been appointed to start with the first phase of 700 units and Syferfontein and F3 25 East. We are busy with planning processes for 2,100 houses and West, the same area, Syferfontein we are busy. The planning processes are underway for 3 714 and also the last one is Wilderness Heights where we are busy with planning processes where we are planning to build 117 houses. Thank you.

The DEPUTY SPEAKER: Hon member Maseko.

Ms L M MASEKO: Thank you very much. Hon Minister, in mentioning all the projects what I want to find out is: are these developments close to economic opportunities and the other basic services like health and education?

THE MINISTER OF HUMAN SETTLEMENTS: Thank you, Mr Deputy Speaker. It is one of the criteria that we use when we plan these projects, Mr Deputy Speaker. Hence we call them catalytic projects, they must tick all those boxes, they must be in line with the concept of integrated human settlements. And they were recently passed by the Department of Human Settlements in line with that particular concept of making sure that we build for people closer to all those amenities. Thank you very much, Mr Deputy Speaker.

The DEPUTY SPEAKER: Hon member Davids first and then I will come back to the hon member Maseko.

Mr Q R DYANTYI: I just want to check that the Premier is coming back.

The DEPUTY SPEAKER: She will come back. Hon member Davids?

Ms S W DAVIDS: Thank you, Mr Deputy Speaker, through you to the MEC. I just want to get clarity on the issue of Vlakkeland, the answer that you gave there, but my question to you is: hon member Maseko asked if there were economic opportunities around these projects. What I want to know is: were there economic opportunities in the projects that were already tendered out and given to people? Was there compliance with the BBBEE and also the PPP? What is the monetary value of that?

THE MINISTER OF HUMAN SETTLEMENTS: In fact, it is part of the

condition, hon member, for every tender that PDI's or previously disadvantaged individuals must be part of all of those tenders. In fact if you look at the current situation we are required to make sure that it is at least 30% of those, but if you look at where we are as a department, in fact I can tell you that in the last financial year, 52% of our entire budget went to the PDIs.

The DEPUTY SPEAKER: Hon member Maseko first and then the hon member Davids can have the last one.

Ms L M MASEKO: Thank you very much. Hon Minister, I just want to find out, all these projects, do they fall under integrated development, meaning that it is not the same houses that you are building, BNG only, or social housing only. Is there mixed housing for those communities?

THE MINISTER OF HUMAN SETTLEMENTS: Absolutely, Mr Deputy Speaker, hence they are called catalytic projects. In all these projects hon Chairperson, Maseko even if you do visit them as a Standing Committee you will see if you start in Bela, that we are busy with social housing there, we are busy with institutional subsidy housing there, we are busy with BNG there. If you go to Forest Village now †apho kuqhume khona utuli [there is dust], you will see that we are busy with all those, we are integrating our communities. I mean Vlakkeland is the same. We are going to make sure that we cater for all different income categories from BNG up to FLISP.

The DEPUTY SPEAKER: Hon member Davids.

Ms S W DAVIDS: Thank you, Mr Deputy Speaker, the MEC. Can you tell us, the 52% of HDI that you have just mentioned, what is the monetary value of that because I can recall you said 52%, but in our Standing Committee it was said it is only a few contractors? So of the projects that are currently there, how much HDI monetary value is there, in these projects that you just mentioned?

THE MINISTER OF HUMAN SETTLEMENTS: Well again, Mr Deputy Speaker, let me just correct what the member said. 52% is referring exactly to the monetary value. Last year our budget was about just over R2 billion and I can tell you that about R1,2 billion was spent on PDIs, that is monetary value. We are talking monetary value, not just a number of companies that are participating. And as I said, the brief in all our tenders is that we must make sure that at least 30% of all these, all the work that is going to be done there, is going to PDIs. But of course we must make sure that people comply with the requirements in terms of your CIDB grading etc. So that is exactly what we are talking about, talking about monetary value not just the number of participants.

The DEPUTY SPEAKER: Thank you, we move to the next question which is Question 11. Again hon member Maseko to Minister Madikizela. Minister Madikizela?

*Female-owned construction companies*

**11. Ms L M Maseko asked the Minister of Human Settlements:**

(a) What is the number of female-owned construction companies that are contracted by his Department and (b) what are they doing to improve women representation?

THE MINISTER OF HUMAN SETTLEMENTS: Thank you very much, Mr Deputy Speaker. There were 14 female owned construction companies contracted by the Department for the financial year 2016/17. Three contracts have already been awarded to female contractors in this financial year which is 17/18. My Department has also reopened the database to allow more woman contactors to participate in the new framework agreement.

My Department had engagements with South African Women in Construction to encourage women contractors to enter the market and we are assisting SAWIC because there are a number of challenges that exist in SAWIC and we are working very closely to deal with those challenges because we want them to be part of this Department.

We will also be implementing the contractor development programme that will focus on women and youth development and all contracts have penalty clauses. In fact, that is what I was just saying earlier, all contracts have penalty clauses to ensure that the main contractor complies with HDIs or

PDI's including women representation as per tender requirements. Thank you.

The DEPUTY SPEAKER: Hon member Maseko first and then I will come back to hon member Davids second.

Ms L M MASEKO: Thank you very much. Hon Minister, I just want to find out, from the 14 female construction companies, with the three that were awarded, how many are in the city and how many are in rural areas, from the ones that applied, not the ones that were awarded the tenders.

THE MINISTER OF HUMAN SETTLEMENTS: Well I cannot give you that information off-hand but I can certainly get it, to understand where they come from. All I know is that there are 14 but as to exactly which areas, I can always come back with that information.

The DEPUTY SPEAKER: Hon member Davids?

Ms S W DAVIDS: Thank you, Mr Deputy Speaker. Hon Minister, you spoke about SAWIC, I just want to know is it the SAWIC of this province, and also there are only three contractors that were awarded contracts, but how many were there that only three were awarded to women?

The DEPUTY SPEAKER: Hon Minister?

THE MINISTER OF HUMAN SETTLEMENTS: Well, again, what I do know

is we are still appointing the service providers now. I think the figure that I reported here, hon member Davids, is that we have already appointed three. Now, since we have reopened our framework agreement, I am yet to get the stats of how many women contractors took the opportunity to register. And again I will come back with that information because there were women contractors that were registered with the Department before but we have opened up the database again to invite more women and I have not seen those stats because I think that database closed last week, if I am not mistaken.

The DEPUTY SPEAKER: Hon member Gillion and then the last one, hon member Maseko again. Unfortunately there are only four questions allowed hon.

Ms M N GILLION: Thank you, Mr Deputy Speaker.

Ms S W DAVIDS: Sorry, Mr Deputy Speaker, before hon member Gillion - I think the MEC misunderstood my question. I asked how many contracts were there, that only three went to women?

The DEPUTY SPEAKER: Yes, okay. The Minister may want to slip the answer in with the answer to the question which hon Gillion will now ask him.

Ms M N GILLION: Thank you, Mr Deputy Speaker. Thank you for the answer MEC. I have a very slight concern when you say that you open the

database and there is not a lot of women that are registered there, on the system. Will you give another opportunity and then your learnerships, to equip the women in this province to become part of your database and also the opportunities, are they aware? Do you have advocacy programmes in your Department that you can roll out to assist our women because there are lots of women who received some form of training years back but do not get that opportunity? So my question is if you did not receive a lot of applications to register on your database, will you again open it and will you in future have like a learnership programme to empower the women of the province?

The DEPUTY SPEAKER: Hon Minister.

THE MINISTER OF HUMAN SETTLEMENTS: Thank you very much. Let me answer this question, both at the same time. I think I did say through you, Mr Deputy Speaker that in the last financial year which is 2016/17 we contracted 14 women contractors. We had 14 women contractors and in this financial year we have already appointed three women contractors and the process of appointing is still on-going because this is a new financial year.

But what we have done, just to come to hon member Gillion - in the past the requirements were different in terms of people who are doing business with the Department; right now we are required by law that in order for us to give work to small contractors whether you are women or youth, we must start from CIDB1 in terms of grading. Now what we are doing is to encourage those established companies to take them under them as sub-contractors

because depending on the value of what they do, then their grading increases.

So I am hopeful that this time around we will have more women because they have graduated from CIDB1 to CIDB2 and when I said that there were not many who registered, I meant before. Because what we do, hon member Gillion, is that after every three years we open the pool and invite because our intention is to really invite those PDIs or HDIs. We have now opened the pool again. The last time we did it was in 2014. We have opened the pool again last month so I am now going to check to see how many women responded to that advert. That is why I said then I will be able to come back and say well after we have opened again, this is the number of women contractors that responded to the advert. Thank you very much.

The DEPUTY SPEAKER: Hon member Maseko for the last opportunity.

Ms L M MASEKO: Thank you, Mr Deputy Speaker. The question that hon member Gillion asked is the one that I wanted to ask him, so thank you very much.

The DEPUTY SPEAKER: You have taken out, you have slotted hon Hinana who wanted to ask a question. Hon Hinana do you still want to ask a question? No.

Mr N E HINANA: No, Mr Deputy Speaker.

The DEPUTY SPEAKER: We then proceed to the next question which is Question number 12. Hon member Christians to the Minister of Health, hon Minister Mbombo.

*Abortions: monitoring of*

**12. Mr F C Christians asked the Minister of Health:**

Whether she and her Department have a mechanism in place to monitor abortions in the province; if not, why not; if so, what are the relevant details?

The MINISTER OF HEALTH: Thank you for the question. The choice on the Termination of Pregnancy Act No. 92 of 96 gives all women the right to have free abortions, which is called termination of pregnancy, at a Government hospital or clinic during the first three months of pregnancy. So I was not sure but I made an assumption that the member is asking about legal abortions because we do not have monitoring mechanisms in place for the back-street abortions as it is dealt with by South African Police Services.

Government hospitals in the Western Cape offer safe and legal termination of pregnancy. This data is routinely recorded as part of our monitoring and evaluation process. For example, during the 2016/17 budget year we had about 15,098 legal termination of pregnancies that were performed and since April 2017 to date we had about 3,663 that were performed.

I must just also highlight that recently I have extended other designated areas to perform medical terminations of pregnancies, which is medical abortions. Because in these cases you will find that there are surgical abortions. To have a free abortion the request must be made at a primary health care clinic where the pregnancy will be confirmed, counselling provided, an appointment made and a referral letter be given to ascertain where the procedure can be performed. The Department relies on the support of the public to report if there are any illegal or back-street abortions. Thank you.

The DEPUTY SPEAKER: Hon member Christians?

Mr F C CHRISTIANS: Thank you, Mr Deputy Speaker. Thank you for the answer hon Minister. I was talking about legal abortions. Just the question because if a person is pro-active and we look at the numbers and it is monitored, then educational processes can take place and also maybe speak to those areas where you find an increase in abortions. So do you have those numbers where you see this is the area, what are the areas that you see the increase in and do you have plans to educate those individuals?

The MINISTER OF HEALTH: I assume that you want to link up the termination of pregnancy with the pregnancy rate. What I am trying to highlight is that when you are making an assumption that if there are areas that have got a high abortion rate, it means that probably the family planning might not be working, which is not necessarily the case because you might have a high pregnancy rate, specifically teenage pregnancy rate, and you even

have less abortions but it shows that there is unprotected sex that is happening there.

The first priority, ideally, will be where people are getting education and also have a foundation in terms of their values where they will be able to make informed choices so that it does not lead to an unplanned pregnancy. That is the ideal world. We see that this is happening throughout, not only in the Metro, throughout the rural areas, that is why I am making it an example.

I could quote you the areas where I have expanded for clinics to offer medical termination of pregnancies. For example, Swellendam local municipality all five clinics there. They are designated to perform medical abortions which is a pill because you see all these adverts around the street corners, a pill costing R500 and they will buy them but it becomes an illegal abortion as opposed to when they get it from a clinic. Cape Agulhas, five clinics already designated for that; Theewaterskloof, three; Langeberg, five; Stellenbosch Municipality, six; Witzenberg, six. That is an example.

As I indicated it should not start from there, not sex education, sexualate education, the issue of relationships; the issue in terms of life skills. We know when it comes to, especially, keeping girls in school, it is one of the things that we are able to provide to ensure that they do not exit because of a teenage pregnancy.

So some of our responses, for example, the young men and girls projects, we

do such things so that girls do not end up in a situation where they have got unplanned pregnancies, then the abortions.

The DEPUTY SPEAKER: Hon member Christians.

Mr F C CHRISTIANS: Mr Deputy Speaker, yes, I hear what the Minister is saying. What I am trying to figure out is if you have unprotected sex and there are a lot of births at one particular clinic, what I am asking is whose decision is it that this person is making to have the baby aborted, you understand? So some people have the baby delivered, others have the baby aborted and some of them maybe do not know about the consequences of that, I am talking about medical abortions, so I just want to know, in those areas do you have preventative measures or educational programmes to assist those people? I hope I am clear.

The MINISTER OF HEALTH: It is a whole package of sexual and reproductive health so that when you decide to continue with the pregnancy you will be counselled throughout until you deliver, until you have the child. The same applies when you decide you do not want the pregnancy, you go for counselling and throughout the process until you will be given an appointment date and again after the abortion has been performed. So it is part of the whole package that is required as part of sexual and reproductive health and rights.

The DEPUTY SPEAKER: Hon member Mitchell do you want to ask a follow-

up question? Not, then I see the hon member Tyatyam [Interjections.]

Mr S G TYATYAM: Thank you, Mr Deputy Speaker. I just want to understand hon Minister, do you get the situation in the province whereby doctors, who are either Christians or Muslim might refuse to do abortions? Do you have that in the province because in the other provinces we have that particular situation where women suffer because certain doctors do not want to perform abortions because of their religion or customs?

The MINISTER OF HEALTH: In terms of the Act, it does empower a health care provider firstly to undergo a course rated with the values clarification in order for the person to perform the termination of pregnancy service and because health is a right inclusive of the right to reproductive health services, you cannot refuse, as an individual, the person, to offer a service, but they must be referred to another person.

So I have got the right to say, no, for me individually I do not want to perform it but you cannot deny the service. But the other person you are calling must perform it because you are there as the State in order to create that environment for a woman to exercise her freedom of choice, so it does not work like that. The service must be there but it might not be necessary that you perform it if you cannot.

Previously, medical termination of pregnancy was mostly surgical where you used manual vacuum extraction. We find that it has been difficult to perform

this at the clinic level because the patient has to be admitted. But now, with the pill, a person goes to counselling and takes the pill and whatever happens it is not necessary that you feel that you are part of it, because you are not doing it. But remember it is a woman's right and women's rights are also human rights and our Constitution does make provision for bodily integrity in terms of the choices.

The DEPUTY SPEAKER: Hon member Christians, last opportunity.

Mr F C CHRISTIANS: Mr Deputy Speaker, I just want to know if a medical practitioner does refuse and I do know what the Minister is saying about the service, are there steps taken against that person or does that person have a right to say it is against my religion, somebody else can do it? Are there steps taken against those persons we are talking about when it is against your beliefs and you do not want to perform it, do they have a right to say no without disciplinary steps being taken against them?

The MINISTER OF HEALTH: I have responded to that but I can also give another example, because we must not just bracket and separate the issue of abortion with other services. There are people who have the belief that should not be any pre-marital sex. So what do you do when this 18-year-old or 19-year-old comes for family planning, for a contraceptive? Are you going to ask, are you married or not before I give you this Depo Provera or this injection?

So I am giving an example that people will always hold to their own values but by virtue that you are there, you are there to render a service [Interjection.] It is the same people who are Jehovah's Witnesses who are against blood transfusions. So now if a person is dehydrated or has bled and you need to save their life, you cannot just say I cannot. You have to save their lives or if you cannot do it at that moment then someone has to do it. So it is not that I am not going to do it and then fold my arms and that person dies.

So the same applies with abortion. If a 16-year-old, or an 18-year-old or a 50-year-old comes and looks for a service, I am there to render a service because it is an obligation and besides that you will have made an oath whether it is the Florence Nightingale Pledge or the Hippocratic oath. It is a right and you have to render that service.

The DEPUTY SPEAKER: Thank you. The time has now expired. The last question will be taken up in Hansard. We move on to Questions to the Premier without Notice. The first question is the hon member Dyantyi.

Mr Q R DYANTYI: Thank you very much, Mr Deputy Speaker, for the opportunity to interact with the Premier.

Hon Premier, it is very clear that you have been caught with your pants down. Can you please give clear reasons why the Western Cape Schools Amendment Bill was withdrawn and deferred?

An HON MEMBER: Sorry, what?

Mr Q R DYANTYI: The Western Cape Schools Amendment Bill was withdrawn and deferred.

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: I think that question needs to be addressed to the relevant Minister, Mr Deputy Speaker.

Mr P UYS: It is a Cabinet decision.

Ms M N GILLION: It is a Cabinet decision, it is not the Minister's decision.

The DEPUTY SPEAKER: Order. The Premier has responded. You may follow up.

Mr Q R DYANTYI: That response helps to go to the point. Hon Premier, can I put it to you, having not answered, that the reasons for this withdrawal stem from the backlash of the community... [Interjection.]

Mr M G E WILEY: What are the questions?

Mr Q R DYANTYI: ... the poor leadership of that MEC [Interjections.] for Education... [Interjection.]

The DEPUTY SPEAKER: Order, order.

An HON MEMBER: Your question?

The DEPUTY SPEAKER: Order, order. Hon member Dyantyi, frame that in a form of a question.

Mr Q R DYANTYI: Ja, that is exactly... [Interjection.]

The DEPUTY SPEAKER: If it is not a statement, you must frame it in the form of a question.

Mr Q R DYANTYI: I am framing it. I am saying can I put it to you? That is framing a question. [Interjections.] Can I put it to you, hon Premier, that the reasons for this withdrawal that you are not able to tell this House about, stem from the poor leadership of the MEC for Education, the community backlash on the Liquor Act, and the stupid contradictions of the MEC with National. Can you deny that?

The MINISTER OF HUMAN SETTLEMENTS: That is unparliamentary.

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: The hon member did put it to me, so there is no point in asking whether he can.

The MINISTER OF EDUCATION: Ja.

The PREMIER: That is the first answer. The second answer is that none of his reasons hold water whatsoever.

Mr Q R DYANTYI: What are the reasons then?

The PREMIER: The reasons are very simply... [Interjection.]

Mr Q R DYANTYI: Haibo.

The PREMIER: ... that the discussion with the National Minister must be allowed to run its course in terms of our cooperative governance framework, and our good relationship with the National Department... [Interjection.]

Mr Q R DYANTYI: Wow.

The PREMIER: ... and we are committed to following inter-governmental relations... [Interjection.]

Mr Q R DYANTYI: Thank you.

The PREMIER: ... and the hon the Minister of Education in this province... [Interjection.]

Mr Q R DYANTYI: A-ha.

The PREMIER: ... is committed to ensuring that this process runs smoothly, and that is the reason.

Mr M G E WILEY: Tell that to Minister Mokonyane.

The DEPUTY SPEAKER: The second opportunity. Your last opportunity.

Mr Q R DYANTYI: How much [Inaudible.] answering? Given the...  
[Interjection.]

Mr M G E WILYE: Mr Deputy Speaker ... [Interjections.]

The DEPUTY SPEAKER: Order, order. Order! Hon member Dyantyi. Order!  
Just take your seat. Hon Chief Whip?

Mr M G E WILEY: The insulting arrogance of the hon member...  
[Interjections.]

The DEPUTY SPEAKER: Order.

Mr M G E WILEY: ... leading up to his questions, has got to stop. It is not  
“she” or things of that nature. [Interjections.] He must just ask his questions.

The DEPUTY SPEAKER: Order! Order!

Mr M G E WILEY: I refer you to 204(9):

“The member called upon may ask a question in a concise form, not an insulting form, not with a precursor [Interjections.], just a concise form.” [Interjections.]

The DEPUTY SPEAKER: Order. I will listen carefully. The hon member Dyantyi, you may proceed, and please heed that call and come to the point... [Interjection.]

Mr Q R DYANTYI: Yes. Thank you, thank you very much. This is my last bite, Mr Deputy Speaker, am I correct?

The DEPUTY SPEAKER: [Inaudible.]

Mr Q R DYANTYI: Now given the foolishness of this move from the DA Cabinet, what are the implications in relation to the cost quantified, and the despair of our communities on the issue? Can you tell us that, hon Premier?

The PREMIER: Despair?

Mr Q R DYANTYI: Given the foolishness of this move by the DA?

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: There is a fundamental contradiction at the heart of that follow-up question...[Interjection.]

Mr Q R DYANTYI: What is it?

The PREMIER: ... and it is that if they wanted us to withdraw it, why is there now despair in the community, allegedly, as a result of that? It is a nonsensical question but let me respond to the question I think he wanted to ask.

Mr K E MAGAXA: The problem is you avoided the questions.

The PREMIER: There is no wasted cost at all.

Mr Q R DYANTYI: Are you sure?

The PREMIER: This is us hitting a pause button to continue discussions with the National Government. We are serious about the Inter-Governmental Relations Framework Act. There is one Minister who works very well with the provinces, and that is Minister Motshekga.

Unlike, for example, Minister Mokonyane or many of the other Ministers...  
[Interjection.]

Mr Q R DYANTYI: Come back to my question.

The PREMIER: ... who refuse ... [Interjection.]

†Mnr Q R DYANTYI: Asseblief.

[Mr Q R DYANTYI: Oh, please.]

The PREMIER: ... or keep cancelling appointments when we have important inter-governmental issues to deal with. The relevance is that where national Ministers, like Minister Motshekga, are prepared to constructively interact with us, we do that. We listen to their points of view... [Interjection.]

Mr Q R DYANTYI: Okay.

The PREMIER: ... we respond to our points of view, and if there's more time needed for discussion... [Interjection.]

Mr Q R DYANTYI: You are wasting the time of the officials to... [Interjection.]

The DEPUTY SPEAKER: Hon member Dyantyi, allow the Premier to please respond now.

The PREMIER: And if there are more discussions to be had, we are prepared to press the pause button temporarily.

Mr Q R DYANTYI: Okay.

The PREMIER: We have had extraordinary cooperation and support from the National Department of Education, and the recent SACMEQ results, Mr Deputy Speaker, show the results and the fruit that that cooperation is bringing in this province.

I, for one, am very pleased that the hon the provincial Minister has established such a productive relationship with the national Minister, that it is reciprocated and that we are making such excellent progress across every front of education in this province.

The Bill will go ahead, it will become an Act, and we are going to talk through the various aspects with the national Minister. We have concurrent powers in this area. We have had very clear guidance by constitutional experts on what concurrent powers are, and part of those concurrent powers have to be dealt with within the framework of the Inter-Governmental Relations Framework Act, and we are following due process of law.

The DEPUTY SPEAKER: Thank you. The second [Interjections.] – order. The second question, the hon member Hinana.

Mr N E HINANA: Thank you, Mr Deputy Speaker.

Mr Q R DYANTYI: You must give her a break, man. Give her ... [Inaudible.]

The DEPUTY SPEAKER: Hon member Dyantyi, you have your turn, please.

Mr N E HINANA: Now that, hon Premier, there is a water shortage crisis, I just wanted to check with you whether there is any engagement with the municipalities as far as the water shortage is concerned, which is brought about by the drought? If there are any, what are those details?

The PREMIER: Thank you very much, hon member Hinana. Yes, indeed. This week we had a Premier's Coordinating Forum in Oudtshoorn, and it was represented by I think all the municipalities, mostly in the form of their Mayors and municipal managers, and we discussed in-depth the issue of the water crisis and how we are dealing with it. We invited the CSI ... [Interjection.] We invited ... [Interjection.]

Mr Q R DYANTYI: You ran away last week.

The PREMIER: ... the CSIR to come and address us on innovation in government, which was an extraordinarily interesting set of presentations, and then we had various Western Cape governments to talk to us about their innovative approaches to various things, but specifically the water crisis.

We heard from Beaufort West, that is doing very interesting things in the line of reclaiming sewerage, for example, to the point of drinking water. They have the rather unappetising phrase of:

“From the toilet to the tap”

as their slogan, which we did not think was a great idea, but nevertheless, it is a very innovative programme and apparently that water is entirely drinkable.

Then we had another local authority talking about how they outsourced the maintenance of their infrastructure, which was producing excellent results, and thirdly, we had various inputs around accessing the aquifers and desalination, which is happening in a very large and growing measure across this province.

The City of Cape Town made a particularly important contribution, because we have a crisis as everybody knows, and we have to avoid day zero, and what the City of Cape Town did that was particularly innovative, was because there are so many entrepreneurs who are coming up with good, new solutions and potential solutions to the water crisis, they called for expressions of interest so that before they put out tenders, they could actually find what is new on the market and what is there and what is potentially available, because if we put out tenders for what we know has been there in the past, and confine our specifications to those limitations, then you will not be able to integrate new and innovative methodologies in trying to solve your problem.

So they had more than 100 entries, as I understand it, in the expressions of

interest, and now their tenders are beginning to go out, framed broadly enough to bring on the new forms of water technology.

There are going to be very interesting desalination solutions, which are mobile and indeed can be picked up in one place and plugged into another place very easily, which is an extraordinary new methodology. We have the proposal for barges at sea to be able to desalinate water and pump it to the land. We have proposals for reusing grey and black water. We have proposals for tapping into the aquifer and harvesting a lot more of the water from Table Mountain.

So there are many, many proposals that are there and many interesting new technologies, to the point that we are hoping that the water economy becomes like the energy economy, a real driver of growth and jobs in the future, and that this crisis will turn out to be an excellent opportunity. Thank you, Mr Deputy Speaker.

Mr Q R DYANTYI: Let us now go to the... [Inaudible.].

The DEPUTY SPEAKER: Hon member Hinana?

Mr N E HINANA: Thank you, Mr Deputy Speaker. [Interjection.] This presence of the innovations, hon Premier, how is this campaign being communicated to the community, to the residents and to the industries, so that the conservation of water is applied and is noted?

Mr Q R DYANTYI: Just wait for the interpellation, it is coming. Not a sweetheart question.

The PREMIER: Yes. There is a major communication campaign and Murray Williams was at the PCF to communicate with all the local authorities around the communication strategy.

What we have to do is communicate with all the ratepayers and all the residents of our cities, and ensure that everybody does restrict their water usage within limits, and does understand that the generation of new water sources, apart from groundwater, is going to carry a cost.

Demand management has been extraordinarily successful in many places. We have to get consistency across the board in all local authorities, because some have level 2 restrictions, some have level 4(b) restrictions and because we have a crisis province wide, it is going to be necessary to ensure that we have a consistent system across the board.

Communication is via radio, via the rates accounts, via direct communication and applications on cell phones to residents, and via the media. So there is a very comprehensive communication strategy, including expanding the H2O Heroes into the Conservation Heroes and the Generation of New Supply Heroes. So it is a very comprehensive programme and just as we managed to overcome the electricity crisis, Mr Deputy Speaker, we are hoping to do exactly the same with the water crisis.

The DEPUTY SPEAKER: Hon member Hinana, you have another opportunity if you want to take it.

Mr N E HINANA: Yes, Mr Deputy Speaker. Hon Premier, with municipalities that do not have the capacity to effect a successful campaign in terms of water shortage awareness, what assistance are those municipalities being given so that the effectiveness of this campaign can become successful?

Mr Q R DYANTYI: The Standing Committee told you last week. Do not waste our time.

The PREMIER: That is a very important question, Mr Deputy Speaker. The hon the Minister of Local Government, hon Bredell, and Mr Graham Paulse in the Department of Local Government, have built up a major template of the situation in every single local authority in the Western Cape, and what the best methodologies are going to be in each of those local authorities, to ensure that they can not only manage demand, but also generate new supply, and it is going to differ from place to place.

If, for example, we look at a place such as Beaufort West, they have got very little water, but they have got a huge problem on the demand management side, because almost 50% of their water is lost, and it is lost not only through leaking pipes, it is lost through what is known as water theft and bypassing the meter system, and in that kind of context, it is very, very difficult to curtail the abuse of water.

The other big problem, for example, in Beaufort West is that underground water can be polluted and in some instances has been polluted, by petrol from underground sources and storage tanks seeping into the water table. Now that kind of problem requires a completely different solution, which is why they have turned to recycling grey and black water, and reintroducing it into the drinking cycle, which is very innovative and very new. We know there is going to be quite a lot of resistance to that, but it is going to spread, and one of the proposals that they made in order to make it more acceptable was to introduce that recycled water back into the dam system, so that it can be mixed with other water and therefore be tested and become more palatable to the consumer.

But if you are looking at other places, for example, where those problems do not exist, you can do what, for example, the Mayor of Cape Town is doing. The Mayor of Cape Town has identified all of their excessive water users, and she has gone to individual water users, given them a warning that they are using more than they should be, fixing their leaks and making sure that that is not the problem, but then eventually she goes and personally inserts a water meter, as she told me, into their house, limiting the amount of water they may use.

Now obviously you cannot use that kind of system where people are bypassing the metres. So you can use it where, for example, in a place like Constantia, where I know there is one extreme overuse of water property, that in fact that would work very well there.

So it is horses for courses. In Overstrand the system of maintenance and outsourcing the maintenance, and building of infrastructure, has worked very, very well in the demand management cycle. Our big challenge remains what we do in many of the informal settlements with stand pipes, where stand pipes often leak, are often left running and where the critical need collectively to share water is not an individual responsibility, because water is almost a shared resource, and that makes it more challenging to save it.

The aquifers are another major challenge. I know the Minister of Local Government has in fact employed hydrologists... [Interjection.]

Mr Q R DYANTYI: Hinana is no longer interested in what you are saying.

An HON MEMBER: He is sleeping.

Mr Q R DYANTYI: You lost him. Just stop there.

The PREMIER: Well, the hon member Hinana asked me a question, so I am answering it. [Interjections.] Another major question is the aquifer. [Interjections.]

The DEPUTY SPEAKER: Order.

The PREMIER: The Table Mountain group aquifer, and that aquifer, Mr Deputy Speaker, extends across the entire province, and in some places it

is more amenable to drill into that aquifer than in other places, because in some places there is a great risk of, for example, getting sea water into the aquifer, which you do not want to do, or other forms of pollutants. So the Minister has hired a lot of hydrologists who have gone right across the province to identify the best places to drill into these aquifers, for example.

So all of these experts are absolutely essential. There is also the canals that go underground in the City of Cape Town, and those are being looked at to ensure that that water is saved and recycled and re-used, so that no water goes to waste, and that we use all of the water that we can:

- a. For human consumption;
- b. For other vital purposes, but that we do not use fresh drinking water anymore for purposes that other water can be used for.

Thank you, Mr Deputy Speaker.

Mr Q R DYANTYI: Now we come to the moment.

The DEPUTY SPEAKER: We still have time for the third question, hon member Gillion.

†Mnr Q R DYANTYI: Daarsy.

[Mr Q R DYANTYI: There you go.] †[[Inaudible.] I saw you doing this.

Ms M N GILLION: Thank you, Mr Deputy Speaker, †en dankie agb Premier vir die geleentheid om 'n vraag aan u te vra vandag. [and thank you to the Premier for the opportunity to ask you a question today.] My question, hon Premier, will you take this honourable House into your confidence to tell us about your recent tourist excursions to Ghana?

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: There was no tourist excursion to Ghana.

Mr Q R DYANTYI: What did you do there? What did you do there?

The DEPUTY SPEAKER: Hon member Hinana.

Ms M N GILLION: No, this is my question, Hinana, sit down. [Interjections.]

The DEPUTY SPEAKER: Order, order. Let me just say to the hon member Hinana there is no opportunity for a different question. Just the original question. You may ask two questions. [Interjections.] Please continue, hon member Gillion.

Ms M N GILLION: Now, Mr Deputy Speaker, thank you, Premier, for the answer. I need to find out from the Premier who accompanied the Premier on this excursion to Ghana?

The PREMIER: I was accompanied by a... [Interjection.]

An HON MEMBER: Wesgro.

The PREMIER: ... business delegation from the Western Cape, setting up business contacts in Ghana. We had a very, very significant meeting... [Interjection.]

Mr K E MAGAXA: And you sold the book.

The PREMIER: ... with a range of business people and Cabinet Ministers in Ghana, and we also met with Otumfuo and had a very, very good meeting with him, and it was all-in-all a successful venture to establish trade and business relations with Ghana, which is an up and coming economy with a new government, absolutely committed to become the fastest growing economy in Africa, and we also had representatives from the national Department of Trade Industry with us there, helping us.

The DEPUTY SPEAKER: Your last opportunity, hon member Gillion.

Ms M N GILLION: Thank you, hon Premier, and I notice that the MEC was left behind, but my question, my last question... [Interjection.]

Mr Q R DYANTYI: He is not in the same faction.

Ms M N GILLION: ... to the Premier... [Interjection.]

Mr Q R DYANTYI: Lennit Max is coming up. [Interjections.]

The DEPUTY SPEAKER: Order. I am waiting for the question.

Ms M N GILLION: Yes. My last question, Mr Deputy Speaker, to the Premier, is what lessons did the Premier learn from Ghana if every aspect of the legacy of colonialism were not bad or only negative, as the Premier claimed after her Singapore Tour ... [Interjections.]

Mr M G E WILEY: [Inaudible.]

Mr Q R DYANTYI: It is a question.

The DEPUTY SPEAKER: Order, order.

The PREMIER: I learnt an enormous amount from Ghana.

Mr Q R DYANTYI: Did you see Kwame Nkrumah's grave?

The PREMIER: Yes, I did see Kwame Nkrumah's grave, and I went and saw his monument and I met Kwame Nkrumah's daughter and we had an excellent meeting with Kwame Nkrumah's daughter. It was very, very good, and I have read Kwame Nkrumah's book, and I know quite a bit about the first country

in Africa to achieve democracy.

Mr Q R DYANTYI: And you sold yours too. [Laughter.] [Interjections.] You sell your book everywhere.

The DEPUTY SPEAKER: Order, order. Hon member, allow the Premier to continue.

The PREMIER: There are many things that are amazing about Ghana, and are very impressive... [Interjection.]

Mr K E MAGAXA: [Inaudible] to sell your book.

Mr M G E WILEY: Sorry ... [Interjection.]

The DEPUTY SPEAKER: Yes, I will respond. Hon member Magaxa, the Premier is trying to respond to a question by one of your own party members. Allow her the freedom to speak, please.

The PREMIER: Mr Deputy Speaker, I usually do not bother about these inane interjections, but for the hon member to suggest that I have used Government resources to sell my book ... [Interjection.]

Mr K E MAGAXA: No, you are selling your books everywhere.

The PREMIER: ... is a blatant untruth in this House.

Mr K E MAGAXA: You sell your book ... [Inaudible.].

The PREMIER: And there are rules against misleading this House.

Mr K E MAGAXA: You sell your books everywhere you go. Even when you  
[Inaudible.]

The DEPUTY SPEAKER: Order, order, hon member. Hon member Magaxa, please allow the Premier now to continue. She is almost finished with the questions to the Premier, and you are now interrupting her. Premier, please continue.

The PREMIER: Mr Deputy Speaker, the hon member has ... [Interjection.] has deliberately misled this House and there are rules about deliberately misleading this House, and I would like to ask you to rule on that subject.  
[Interjections.]

Mr P UYS: Mr Deputy Speaker, deliberately misled, you know it is not parliamentary.

The DEPUTY SPEAKER: Hon member ... [Interjection.]

Mr P UYS: Can the speaker please withdraw?

The DEPUTY SPEAKER: Order, order, order. The Rules, as they stand now, the conventions up to now, is that any references to “deliberately misleading” is unparliamentary. If a person says you are misleading the House, that is okay, that is acceptable, but if you add intent and intent with, then it becomes unparliamentary. Hon Premier, unfortunately that is the current status.

The PREMIER: Can I address you on that, Mr Deputy Speaker?  
[Interjections.]

The DEPUTY SPEAKER: Yes. [Interjections.] Order!

Mr P UYS: You made a ruling.

The DEPUTY SPEAKER: Order, order!

Mr P UYS: You made a ruling.

The DEPUTY SPEAKER: I will allow you, Premier, to address me.

Mr P UYS: You made a... [Interjections]

The DEPUTY SPEAKER: Order, hon members. [Interjections.]

The PREMIER: Mr Deputy Speaker, I am asking this question very genuinely.

How can it be in order to mislead this House, but not in order to point out that someone is misleading this House? [Interjections.]

The DEPUTY SPEAKER: Hon Premier, I take the Premier's point. It has come before, that same question and we are in the process of a Rules review, and if it is necessary we can look at that specific topic in the Rules review, but as it stands now until such time ... [Interjection.] we have ruled that before as unparliamentary, hon Premier, and I am afraid that is unparliamentary. [Interjections.]

An HON MEMBER: Oh, shame.

The PREMIER: May I say categorically, that I have never used state resources to promote or sell my book and I never would. [Interjections.]

The DEPUTY SPEAKER: Yes. [Interjections.] Order.

The PREMIER: And I withdraw the word "deliberate", but I do not withdraw "misleading" or "untruth".

An HON MEMBER: No... [Interjection.]

The DEPUTY SPEAKER: That is acceptable, that is fine, Premier.

Ms P Z LEKKER: You must succumb to the Rules.

Mr M G E WILEY: You cannot even spell.

The DEPUTY SPEAKER: Order, order. Hon Premier, you may continue.

The PREMIER: I learnt a lot from Ghana, and I was very impressed by that country. First of all I learnt how successful they have been in bringing down HIV infections.

Mr K E MAGAXA: And the market of the book? [Interjections.]

The DEPUTY SPEAKER: Hon – just one second. Hon Chief Whip?

Mr M G E WILEY: Mr Deputy Speaker, this is becoming a farce. Just because he has a voice, does not mean he is entitled to abuse his position. There is a very good reason why he is no longer the provincial leader. [Interjections.]

The DEPUTY SPEAKER: Order! Order! I want us to continue. That is the interjection. If the Premier wants to ignore it she is going to ignore it, if she wants to respond she can, but to do it – hon member Magaxa - just take your seat hon member Uys. Hon member Magaxa, you have said that a couple of times now, it becomes an irritation now. You have lost the power or the impact of your interjection. Do you still want to address me?

Mr P UYS: Yes. Yes, Mr Deputy Speaker, the hon Chief Whip said, “just

because he has got the voice,” but when the word “she” was used now, ugh, he almost jumped over the bench. [Interjections.]

The DEPUTY SPEAKER: Okay, let us carry on. We – †ons rafel nou †n bietjie uit,[we are unravelling a bit now] †if I can use that expression. Premier, you may continue.

Ms P MAKELENI: What was the market for the book? [Interjections.]

The PREMIER: Mr Deputy Speaker, I have made it clear that I will not tolerate untruths in this House, and I think [Interjections.] – and I think that [Interjections.] when you refer to the impact of the hon member’s interjections, and these things get recorded in Hansard, when they are fundamentally untrue, there has to be a way of curbing that in this House, because people have to earn the title of hon member. You cannot assume that everybody is honourable, irrespective of the way they behave and conduct themselves. So, Mr Deputy Speaker... [Interjections.]

The DEPUTY SPEAKER: Order. [Interjections.]

The PREMIER: When I have categorically made a statement that I do not use State resources to promote or sell my book and the hon member then again asserts the fact that he claims I do, that is reflecting on my integrity [Interjections.] and I will not accept that, because if we are not allowed to reflect on the integrity of hon members in the form of a deliberate untruth,

how is he allowed to reflect on my integrity? May I just ask you that?  
[Interjections.]

The DEPUTY SPEAKER: Order. Order. We have reached the end of the Questions to the Premier. [Interjections.] The Premier has withdrawn what I asked to withdraw, so that matter has been dealt with.

The issues raised by the Premier can be discussed in the Rules review process. If we find it necessary to change our Rules and our conventions, we can certainly do so.

We then move on to Statements by Members. [Interjections.] Order! Statements by Members, I see the DA first. Hon member Joseph.

### **STATEMENTS BY MEMBERS**

Mr D JOSEPH: Thank you, Mr Deputy Speaker. The protection of South Africa's 11 official languages is clearly outlined by our Constitution. Each and every South African child has the right to learn in his or her own mother tongue. We know that this is not always possible from a practical point of view, but that should not deter us from pushing for our children to at least receive some part of basic schooling in their home language, or be afforded an opportunity to learn it in our schools.

While English remains the language of instruction at most of our universities

and the lingua franca of South African life, the preservation and use of the other 10 official South African languages remains a priority. The Western Cape Department of Education has already stated that it remains open to the idea of teaching the Khoekhoegowab curriculum in the province, the language of the indigenous Khoi people of Southern Africa, pending approval by the Department of Basic Education and the availability of the relevant teachers.

Afrikaans and isiXhosa are also available to learners in the Western Cape where the resources are at hand and where governing bodies have so decided. This continued effort by our Provincial Department of Education shows our Government's commitment to upholding and enforcing the Constitution of our Republic, as well as the Constitution of the Western Cape.

The equal representation of South Africa's 11 languages in our nation's places of learning is the equal representation of our people. As a country known as the rainbow nation, and a melting pot of cultures and people, making sure that each and every person is recognised and represented is vital.

We can start this process by ensuring greater lingual representation in our places of learning, where our lingual and cultural differences can be taught and celebrated as an act of unity and reconciliation. I thank you.

The SPEAKER: Thank you. I see the ANC, the hon member Magaxa.

Mr K E MAGAXA: Thank you, Madam Speaker. The DA implosion grows by

the day and none other than its immediate past leader hon Helen Zille is giving impetus to its destruction.

The hon Premier Zille is aloof, mostly absent and adamant in taking that party down with her.

She spends a lot of time abroad to study the good aspects of apartheid and racist colonialism. She just ran to Ghana and has yet to report to this House what she has discovered in Ghana, that not all things under colonialism were bad.

She, together with Cape Town Mayor, Patricia De Lille, have become modern day Marco Polo globetrotters enjoying the spoils of public office. They spend a lot of time elsewhere, but not where they were nominated to serve people.

The hon Premier Zille also shows high levels of intolerance and illiberally storms out of sittings of this august House as and when it suits her. Otherwise, she misbehaves, throws tantrums, wants to juvenily hold this Legislature to ransom and goes bratty ballistic when she does not get her way like a spoilt rich child.

Just last week she refused to retract wrong language and had to leave the House, choosing not to answer probing questions by the Opposition. Shame on the DA for allowing its Premier to misbehave like that in their face.

The SPEAKER: I see the DA.

Ms L J BOTHA: Madam Speaker, hon member Magaxa forgets his tantrum that he threw ...[Interjections.]

The SPEAKER: Order please.

Ms L J BOTHA: ...and he forgets that he was in a brawl. [Interjections.]

The SPEAKER: Order please!

Ms L J BOTHA: Madam Speaker, recently a laboratory sample of a 10-year old girl at Tygerberg Hospital tested positive for Diphtheria, a contagious and potentially life-threatening bacterial disease. Sadly, the little girl passed away due to the severity of the disease the following day. Our deepest condolences to her family.

I was pleased to learn that the Department immediately initiated contact tracing and followed up with her immediate family. Throat swabs were collected from the household contacts and post exposure prophylaxis were provided. Three of the family contacts, two siblings and the mother, presented with symptoms and have since also been confirmed with Diphtheria.

Madam Speaker, I further welcome the Department's commitment that

contact tracing and the provision of post-exposure prophylaxis will continue as more contacts are being identified. More than 600 individuals have already been vaccinated in this specific community. This has been made possible through the good and pro-active collaboration between the Department and the City of Cape Town's early interventions.

As another pro-active measure in containing the spread of cases, the Department will embark on a vaccination campaign in children under 15 in the Asanda Village area as a first step and then Nomzamo as a second phase.

I would like to encourage all parents and caregivers to ensure their children's immunisation status are up to date and if unsure, they should visit their nearest clinic and take the child's *Road to Health* booklet with them.

I commend Minister Mbombo and her Department for their swift response. I thank you.

The SPEAKER: Thank you. In the absence of the EFF, I see the DA.

†Mnr B D KIVEDO: Baie dankie. Agb Speaker, bendes is georden, georganiseerd en georkestreerd. Hulle bedryf hul eie politiek. Strategie, beplanning, beleid, fiskale en beleidskwessies inklus. Hulle het hul eie koukus, wyke, rang-hierargiëe, ensovoorts. Dit gaan nie net meer oor 'n misdaadfenomeen gevoed deur sosiale patalogie nie.

Agb Speaker, bendes neem 'n ander politieke karakter aan, naamlik as onderdrukkers van ons grondwetlike regte. Hulle skend ons reg tot menswaardigheid, lewe en persoonlike vryheid. Hulle dwing mans, vroue en kinders tot slawe-gedrewe arbeid as koeriers en dwelmmuile. Hulle ontnem ons reg tot spraakvryheid en om ons eie opinies te lug. Beplan 'n optog teen hulle en dit is nag in Garies.

Hulle ontnem ons dus die reg tot vreedsame protes. Hulle kortwiek ons reg tot vrye beweging. Agb Speaker, die onderdrukking deur bendes het vyf pilare: uitbuiting, marginalisering, magteloosheid, kulturele oorheersing en geweld. Bendes hou ons gyselaar. Hulle koop ons om vir gunste en gawes op 'n korrupte wyse.

Die bendes floreer wanneer die onderdrukte totaal magteloos en kwesbaar is. Selfs ouers het dan nie die vermoë om hul kinders uit die kloue van bendes te verlos nie. Bendes maak seker hul eie kultuur is dominant. Dit wissel van unieke taalgebruik soos Shangaka, Sabella, Fadala, Jikela, Nwata ensovoorts, en hul eien dit vir hulself toe.

Soos 'n bendelid van Elsiesrivier aan my gesê het, “Die is onse *property*. Die taal is die *property* van die nommer en nie vir *ordinary* mense soos djy nie”, het hy vir my gesê. Die ernstigste is die geweld waarmee gediensdigheid, mans en vroue en kindergeweld afgedwing word ...[Tussenwerpsel.]

*[Translation of Afrikaans paragraphs follow.]*

[Mr B D KIVEDO: Thank you. Madam Speaker, gangs are ordered, organised and orchestrated. They practice their own politics. Strategy, planning, policy, fiscal and policy issues included. They have their own caucus, wards, rank hierarchy, etc. It not just about a crime phenomenon fed by social pathology any more.

Madam Speaker, gang are taking on a different political character, namely as suppressors of our constitutional rights. They violate our right to human dignity, life and personal freedom. They force our men, women and children into slave-driven labour as couriers and drug mules. They deprive us of our right to freedom of speech and to air our views. Organise a march against them and it is darkness in Garies.

They therefore deprive us of our right peaceful protest. They curtail our right to free movement. Madam Speaker, the suppression by gangs has five pillars: exploitation, marginalising, helplessness, cultural domination and violence. Gangs are holding us at ransom. They bribe us for favours and gifts in a corrupt way.

The gangs flourish when the suppressed are totally helpless and vulnerable. Even parents then do not have the ability to save their children from the clutches of gangs. Gangs ensure that their own culture is dominant. It varies from unique use of language such as Shangaka, Sabella, Fadala, Jikela, Nwata etc., and they claim it for themselves.

Like a gangster from Elsie's River told me, "This is our property. The language is the property of the number and not for ordinary people like yourself," he told me. The most serious is the violence with which obedience is forced upon men, women and children ...[Interjection.]

†Die SPEAKER: Agb Kivedo ... [Tussenwerpsel.]

[The SPEAKER: Hon Kivedo ... [Interjection.]]

†Mnr B D KIVEDO: Dis net vir selfgratifikasie vir die bendes.  
[Tussenwerpsel.]

[Mr B D KIVEDO: It is only for self gratification for the gangs.  
[Interjection.]]

†Die SPEAKER: ... u tyd is verstreke.

[The SPEAKER: ... your time has expired.]

†Mnr B D KIVEDO: Bendes pleeg misdaad. Agb Speaker, dit is tyd dat bendeverwante misdaad ... [Tussenwerpsel.]

[Mr B D KIVEDO: Gangs commit crime. Madam Speaker, it is time that gang related crime be declared ... [Interjection.]]

†Die SPEAKER: Agb Kivedo ... [Tussenwerpsel.]

[The SPEAKER: Hon Kivedo ... [Interjection.]]

†Mnr B D KIVEDO: ...as die gruwelikste vorm van menseregteskendings

verklaar word. Ek dank u. Baie dankie. [Applous.]

[Mr B D KIVEDO: ...as the worst form of human rights violations. I thank you. [Applause.]]

†Die SPEAKER: Dis duidelik. [Gelag.]

[The SPEAKER: That is clear. [Laughter.]]

†I now see the ANC, and I have noted the extra time. [Interjections.]

†Tydelik [Gelag.] [Timely [Laughter.]]

†UMnu R T OLIVIER: Enkosi Somlomo. Somlomo, iintanda kwiDemocratic Alliance ziye zibonakala, kweli phondo nakoomasipala. Wonke umntu uyakwazi ukuzibona namhlanje.

[Mr R T OLIVIER: Thank you, Speaker. Speaker the cracks are gradually showing in this province and in the municipalities. Everybody is able to see them today.]

†Charges of racism and discrimination abound in how DA leaders paternalistically deal with its ordinary members and branch leaders. This causes dissatisfaction and alienation of especially people of colour.

One of the latest revelations is newspaper reports of how the hon Premier Helen Zille's favourite MEC, Debbie Schäfer, spoke to DA branch members in the township of Nyanga East.

It is reported that she said to some branch leaders she is tired, and I quote of “black people like you” and that she is the boss. If true, it confirms our reservations that she does not care for our poor and people of colour, particularly those at school level.

It is the same hon MEC that forges ahead to turn our schools into shebeens. Her Department withdrew an ill-considered Amendment Bill to give the Education Head of Department the right to give permission to schools to sell liquor or alcoholic beverages on education grounds. [Interjections.] The public will judge you. The public is upwelling against this Bill ... [Interjection.]

The SPEAKER: Order please, hon members.

Mr R T OLIVIER ... grows in DA base areas and it will be rejected. We hope that the national Minister will talk sense into the MEC to withdraw and to scrap this Bill. Thank you.

The SPEAKER: Thank you. I see the DA. Sorry, excuse me, are you rising on a point of order? Hon member Mnqasela, kindly take your seat. Hon member Joseph?

Mr D JOSEPH: Madam Speaker, thank you for the opportunity. I would like to know if it is parliamentary when the hon member Olivier makes an untrue statement saying that the MEC is turning schools into shebeens? It is an

untruth. [Interjections.]

The SPEAKER: Hon member Olivier, kindly take your seat. Sorry. There have been deliberations around statements that have been made and the veracity, the truthfulness or untruthfulness of the statement. As eluded to in terms of the Rules, it is difficult for presiding officers to make any definitive ruling. However, I must caution hon member Olivier, I do not think the intention is to turn any school anywhere in the world into a shebeen. So, you have made a statement ... [Interjections.] A statement has been made. It has been noted but there is a difference. [Interjections.] Excuse me. There is a difference to a shebeen and a school, hon member Magaxa, thank you.

Mr R T OLIVIER: Madam Speaker, may I address you on this issue?

The SPEAKER: Yes, you may.

Mr R T OLIVIER: Madam Speaker, I hear what you are saying, but I think if you can just clarify for me so that I can understand in future: if you bring whatever form of alcohol into a school, what do you then make out of that facility? [Interjection.] And that is the reference I am making, because alcohol is being served at shebeens. Now if you bring it to a school, what are you doing with that school? And that is the reference I am making.

The SPEAKER: Okay. I hear your comment, hon member Olivier. We will move on. I see the ACDP. The DA. Hon member Mnqasela, it is your turn to

speak.

Mr M MNQASELA: Madam Speaker, the efforts by Whale Coast FM to expand their antenna is welcome. The need to expand Whale Coast FM's broadcasting region will increase the reach of the station to many visitors to this tourist attraction destination. When one travels, like one does, it would be nice to pick up 96FM not only in Hermanus, but also beyond the borders of town.

In some suburbs like Voëlklip in Hermanus, people cannot pick up a signal at all. ICASA should consider this request and grant Whale Coast FM dedicated bandwidth with a broader broadcasting spectrum so that we can listen to the rhythm in all communities of the Overstrand Municipality and Overberg region in general, who choose to listen to the station.

This radio station is instrumental in SMME development, job creation, tourism, economic growth, trade and investment promotion in the region [Interjection.]

The SPEAKER: Order please.

Mr M MNQASELA: Madam Speaker, this goes a long way in fostering cultural diversity, integration, inclusivity, thereby building strong and sustainable communities through social cohesion. I call on all interested to support this call and sign the petition, like I did in supporting this radio

station so that ICASA grants this license and antenna to expand the broadcasting reach. Thank you very much. †Siyabulela, [Thank you.]

The SPEAKER: Thank you. Hon members, can we go back to the women's debate. We had such a different vibe in the women's debate. Let us just pretend we are going back there for a minute. I now see the ACDP and I am not inferring in any way that you are a woman, hon member Christians. Thank you. [Laughter.][Interjections.] †Hy sal rustig en kalm wees. Laat ons net aangaan mense. [He will be peaceful and calm. Let us just proceed, people.]

Mr F C CHRISTIANS: Madam Speaker, as the ACDP we are very concerned about the reports in the media about corporal punishment. These forms of assault are encountered daily in our schools.

A newspaper article dated last year stated that in the 2015/6 year, 222 teachers were charged with assault. Madam Speaker, now in August this year, a grade 4 pupil aged 11, was allegedly hit with a broomstick over the head.

When this pupil got home the father went to go speak to the teacher and the principal and the teacher did admit his wrongdoing. We ask the MEC and the Department to address these matters of assault on our children urgently. I thank you.

The SPEAKER: Thank you. I see the ANC.

Mr P UYS: Thank you, Madam Speaker. On 26 November 2015, this House appointed advocate Romeo Maasdorp as the Legislature's Registrar of Members' Interests. Out of the blue, on Friday 18 August 2017, an advertisement was circulated by the Legislature inviting applications for the Registrar of Members' Interests with a closing date of 1 September 2017.

All of this happened, Madam Speaker, when no vacancy exists. The Registrar did not resign, no process rescinded the House's decision taken in accordance to law and neither did his term lapse. And then the Speaker asked for nominations for an interview panel.

This is an illegal process against a resolution of the House. Why were all proper processes and procedures ignored? Why is it now so urgent to quickly replace the Registrar? The Registrar reported on transgressions by the hon MEC Madikizela, so, this is just an unconstitutional and illegal process to protect this acting Western Cape Leader of the DA.

Further, Madam Speaker, previously a report by the Conduct Committee was scheduled on 23 March 2017 by the Programming Authority for debate in the House. This just disappeared not to be seen since and it is now August. The manipulation in this Legislature continues.

All is sacrificed in the fight to help MEC Madikizela in his internal party

struggles and for party-political gains by the DA.

Ms M N GILLION: Amandla!

The SPEAKER: I thank you. I see the DA.

Ms M M WENGER: Madam Speaker, under the administration of the current ANC National Government, we continue to see more and more people falling into poverty. Earlier this year, it was announced that the growth prospects looked remarkably bleak for the year, with various reports expecting a growth rate of less than 1% for 2017.

The StatsSA poverty report for 2017 released earlier this week noted that the current policy regime is failing the people of this country. Since 2011, we have witnessed dramatically high levels of unemployment and several other policy failures, which speaks directly to the National Government's failures, where approximately 30,4 million out of the 56 million South Africans now live in poverty. One in three South Africans live on less than R800 per month with women and the youth continuing to be the hardest hit by unemployment.

Madam Speaker, these figures raise serious concern because they mean that we are losing the grip on pulling the most vulnerable in society out of poverty. This is especially concerning considering that we have an abundance of resources at our disposal and we should not have so many people going

poor and hungry. [Interjections.]

The SPEAKER: Order, please.

Ms M M WENGER: As Mmusi Maimane said this week:

“What is clear is that under the ANC Government, poor South Africans are suffering and have lost hope in this ANC-led Government bringing freedom and economic opportunity to those who need it the most. The ANC is no longer the voice of the poor.”

The SPEAKER: Thank you. Sorry, hon member Mnqasela, are you rising on a point of order?

Mr M MNQASELA: Point of order.

The SPEAKER: Hon members, we have a member on the floor. If we could have some quiet. You may proceed.

Mr M MNQASELA: Point of order, Madam Speaker. Rule 39, when a member speaks, at least the decency should be given for her to be heard. It is a right in this Parliament and I think this has been somehow compromised in the members being able to speak to us in this Parliament. [Interjections.]

The SPEAKER: Thank you, hon member Mnqasela. Hon members, order

please. May I appeal for co-operation. We have had good co-operation earlier in the day and somehow now we seem to be spiralling downward rapidly. So, if I could say, that then is the end of Members' Statements. Let us please just move on. We now move to Notices. Are there any motions where notice is given? Again, I am going to ask for co-operation. I am going to do rounds of three. I see the hon member Hinana, I see hon member Makeleni and I see the hon member Christians. We will take the next three and I am going to ask the Table staff to assist me in this regard. Thank you. You may proceed hon Hinana.

#### **MOTIONS WITH NOTICE**

Mr N E HINANA: Madam Speaker, thank you very much. I give notice that I shall move:

That the House debates the StatsSA Poverty Report 2017, released by the Statistician-General, Pali Lehohla, and the failure of South Africa's policies to tackle poverty and unemployment. I so move.

*[Notice of motion as moved by Member.]*

The SPEAKER: Notice taken. I see the hon member Makeleni.

Ms P MAKELENI: We did not share notes, Madam Speaker, I give notice that I shall move:

That the House debates the increase in poverty levels between 2011 and 2015 as reported by StatsSA.

*[Notice of motion as moved by Member.]*

The SPEAKER: Notice taken. I see the hon member Christians.

Mr F C CHRISTIANS: Madam Speaker, I give notice that I shall move:

That the House debates the ongoing corporal punishment at our schools.

*[Notice of motion as moved by Member.]*

The SPEAKER: Thank you. I then see the hon member Mngqasela, hon member Magaxa and hon member Olivier for the next round. Thank you.

Mr M MNQASELA: Madam Speaker, I give notice that I shall move:

That the House debates the provision of basic services by the municipalities in the Western Cape and its impact on the quality of life and quality of governance. Thank you.

*[Notice of motion as moved by Member.]*

The SPEAKER: Notice taken. The hon member Magaxa.

Mr K E MAGAXA: Thank you, Madam Speaker, I give notice that I shall move:

That the House debates the violation of people's socio-economic rights in the Western Cape.

*[Notice of motion as moved by Member.]*

The SPEAKER: Notice taken. I see the hon member Olivier.

Mr R T OLIVIER: Madam Speaker, I give notice that I shall move:

That the House debates the subsidies paid to independent schools by the Western Cape Education Department. I so move.

*[Notice of motion as moved by Member.]*

The SPEAKER: Notice taken. I see the hon member Joseph.

Mr D JOSEPH: Thank you, Madam Speaker, I give notice that I shall move:

That the House debates the state of the economy and the impact it has on unemployment and poverty.

*[Notice of motion as moved by Member.]*

The SPEAKER: Notice taken. I see the hon member Kivedo and then hon member Nkondlo, are you in the queue? After hon member Kivedo, hon member Nkondlo.

Ms P MAKELENI: Hon Kivedo withdraws.

The SPEAKER: Okay, withdrawn. Hon member Joseph?

Mr D JOSEPH: Thank you, Madam Speaker, I give notice that I shall move:

That the House debates teenage pregnancies, violence and drug abuse in schools.

*[Notice of motion as moved by Member.]*

The SPEAKER: Notice taken. I see the hon member Nkondlo. Not you? Hon member Olivier.

Mr R T OLIVIER: Madam Speaker, I give notice that I shall move:

That the House institutes an investigation into why the Western Cape Education Department has failed to act despite knowing of youth gangs terrorising learners to and from their way to school in Delft. I so move.

*[Notice of motion as moved by Member.]*

The SPEAKER: Notice taken. Anyone else? We are busy with Notices of Motion. No more? That concludes Notices of Motion. We now move to Motions without Notice. I see the hon member Wenger. I see member hon Nkondlo. I see hon member Botha. I see hon member Gillion. I am doing it in rounds of 4. Just remember your sequence please. You may proceed.

### **MOTIONS WITHOUT NOTICE**

Ms M M WENGER: Madam Speaker, I move without notice:

That the House commends Mr Albert Glass and extends its sincere gratitude to him for decades of selfless volunteerism in organising the annual one-on-one day for intellectually impaired children and adults.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion being moved without notice? There are no objections? Hon member Nkondlo?

Ms N D NKONDLO: Mr Deputy Speaker, I move without notice:

That the House congratulates farmworkers across the country, especially from the Western Cape, for the sterling work they have done to ensure that farming income, production and exports increase despite the severe drought; notes further that because of their work South African

agriculture sector recorded a positive trade balance of \$2,3 billion in 2016; and calls on the trade unions to ceaselessly fight for farmworkers to be fairly remunerated for all their hard work and contribution to this economy.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? No objections? Agreed to. Hon member number 3? Hon member Gillion and then I think it is the DA next.

Ms M N GILLION: Thank you, Madam Speaker. I move without notice:

That the House notes that people's lives were put at risk by this careless Government which did not warn them nor embark on a public awareness campaign after the outbreak of Diphtheria in Strand, which claimed the life of a 10-year-old girl and infected a number of people; and encourages more residents in the area to visit health care facilities for screening and vaccination.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? There is an objection. The motion will be printed on the Order Paper. I see the hon member Hinana and sorry, hon member Botha first and then hon member

Hinana and then I will come to hon member Magaxa and then hon member Lekker.

Ms L J BOTHA: Madam Speaker, I move without notice:

That the House notes and congratulates the Western Cape Department of Health for managing a recent outbreak of Diphtheria, a contagious and potentially life-threatening bacterial disease in the Strand area. Unfortunately, a 10-year-old little girl lost her life, but the Department has since launched a vaccination campaign for all children under the age of 15 in the affected areas. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? There is an objection. It will be printed on the Order Paper. I see the hon member Hinana.

Mr N E HINANA: Madam Speaker, I move without notice:

That the House notes and congratulates Minister Bonginkosi Madikizela for assisting the Makanda family, out of his own pocket, with the burial of six family members that passed away in a Philippi East shack fire last month. [Interjections.]

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? There is no objections. Agreed to. I see the hon member Magaxa.

Mr K E MAGAXA: Madam Speaker, I move without notice:

That the House notes the ANC's victory in the latest Western Cape by-election held in Bergrivier Municipality, Ward 5, which includes Bo-Berg by democratically winning back the ward from the DA who held it since 2011 and also notes activist Billy Claassen is the new councillor; and that the ANC still carries the hopes and aspirations of the poor and working class, as has been witnessed. Thank you. [Applause.]

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? There is an objection. The motion will be printed on the Order Paper. I see the hon member Christians. [Interjections.]

I see the hon member Christians, after which I see the hon member Simmers, hon member Wenger and then the next round.

Mr F C CHRISTIANS: Madam Speaker, I move without notice:

That the House congratulates the 16 schools in Mitchells Plain who participated in annual children's fashion show that took place in Mitchells Plain at Liberty Shopping Centre; the theme was super heroes; the event was aimed at spreading the message of anti-bullying among school children and also saw that learners also tackled cyber-bullying among adults. Mondale high School won 1<sup>st</sup> prize and received R20 000; Woodville Primary was 2<sup>nd</sup> with R20 000; and Cedar High School, 3<sup>rd</sup> place with R10 000.

Madam Speaker, we admire the hard work of our learners. I thank you.

*[Motion as moved by Member.]*

The SPEAKER: Thank you. Are there any objections to the motion being moved? There are no objections. Agreed to. Before we proceed in the order I had announced, I must apologize. I overlooked the hon member Lekker, who was in the queue. Hon member Lekker, you may proceed.

†UNksz P Z LEKKER: Enkosi Somlomo. [Thank you, Speaker.] Madam Speaker, I move without notice:

That the House condemns the break-in at the Cape of Good Hope SPCA premises in First Avenue, Grassy Park, where thieves stole car batteries, tyres and computers; notes further that their offices were also targeted causing damage of R100 000 and calls on the police to speedily bring

the perpetrators to book.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion being moved without notice? There are no objections. Agreed to. The next person I think was the hon member Simmers and then hon member Kivedo. Oh, hon member Wenger, my apologies. I am taking my guidance from the Table.

Mr T A SIMMERS: It is alright, Madam Speaker.

The SPEAKER: Thank you so much.

Mr T A SIMMERS: Madam Speaker, I move without notice:

That the House congratulates the call by the National Government to finally declare the Western Cape a drought disaster area; furthermore, that this House notes and welcomes the R20,8 million boost granted to the City of Cape Town for drought relief. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion being moved? There are no objections. Agreed to. I see the hon member Wenger.

Ms M M WENGER: Thank you, Madam Speaker, I move without notice:

That the House notes the concerning findings of the Urban Safety Group's report on the state of Urban Safety, released yesterday. This places a spotlight on the failure of SAPS to reduce the availability of guns and drugs, which according to the report is fuelling crime in the City of Cape Town.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? There is an objection. It will be printed on the Order Paper. I see the hon member Kivedo, Chief Whip Wiley and then hon member Gillion and then I will take the next round. Thank you.

Mr B D KIVEDO: Thank you, Madam Speaker, I move without notice:

That the House congratulates the Western Cape Education Department on their excellent results in the latest Southern Africa Consortium for Monitoring Educational Quality report (SACMEQ), being the only province in the country to achieve a score of over 600 in both language and mathematics and commends our country for improving its score to over 500. I so move, thank you.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion being moved? There are no objections. Agreed to. I see the Chief Whip Wiley.

Mr M G E WILEY: Thank you, Madam Speaker, I move without notice:

That the House takes note of the fact that at the recent Legislature Conference held in Boston USA, South Africa had the single largest delegation of MPs, MPL's and officials from all national and provincial legislatures in the world. Additionally, the daily tariff given to MPL's from the ANC provinces was up to four times that allowed by regulations. What a waste of public funds. [Interjections.]

*[Motion as moved by Member.]*

The SPEAKER: There are objections. It will be printed on the Order Paper. The next speaker, hon member Gillion.

Ms M N GILLION: Thank you, Madam Speaker, I move without notice:

That the House notes that after suffering for four years with a rare brain ailment called Batten Disease, little Tyrell Jaden Arendse, age 7, died on Sunday; notes further that it is only one in every 20 000 people that carry the gene for this disorder in which genetic mutations disrupt the cells' ability to dispose of waste. We convey condolences to his parents and family.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion being moved? There are no objections. Agreed to. The next round, I see the hon member Makeleni, I see member Mngasela and I see the hon member Magaxa.

Ms P MAKELENI: uMngasela.

The SPEAKER: Mngasela. I will get it right one day.

Ms P MAKELENI: Madam Speaker, I move without notice:

That the House notes while the Premier is playing politics with the plight of children and women in the province, the list of victims who are killed and raped increases; notes further that a 49-year-old HIV positive man was arrested after raping and almost killing a 5-year-old girl in Mitchells Plain on Sunday; condemns this incident with the contempt it deserves; welcomes the arrest and commends the young girl for leading police to the home of the man who raped her.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? There is an objection. It will be printed on the Order Paper. [Interjections.] Who is the next person? [Interjections.] Order please. Hon member Mngasela. Order

please, members.

Mr M MNQASELA: Thank you, Madam Speaker, I move without notice:

That the House commends Mayor Patricia De Lille and the City of Cape Town Municipality on their endeavours to curb the excessive use of water in this historic, hydrological disaster period, through the installation of Water Management Devices Systems. This initiative is truly welcome; [Interjection.] Further notes that such action by municipalities should be encouraged and water saving be the way of life for all of us. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Thank you. Are there any objections? There is an objection. It will be printed on the Order Paper. I see the hon member Magaxa.

Mr K E MAGAXA: Thank you, Madam Speaker [Interjections.]

The SPEAKER: Order, please hon members. There is a speaker on the floor.

Mr K E MAGAXA: I move without notice:

That the House notes that the 34<sup>th</sup> anniversary of the United Democratic Front was celebrated at Rocklands Civic Centre over the weekend; notes

further that it was formed at the same venue 34 years ago by 400 religious, civic, student, trade union and women's organisations as a united front against apartheid to advance the ANC agenda and congratulates its founder members, comrade Archie Gumede, including its first secretary, Popo Molefe, who spoke at the event. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion being moved? There is an objection. It will be printed on the Order Paper. The next round please. I see the hon member Makeleni, hon member Olivier.

Ms P MAKELENI: Madam Speaker, I move without notice:

That the House notes while the DA-led administration in the province and City of Cape Town are stalling the rezoning process in Imizamo Yethu, more people's lives are at risk of dying and losing their belongings to informal settlement fires; notes further that this week a further 60 people were left homeless after another fire in the area and calls on Minister Lindiwe Sisulu to urgently intervene as this Provincial Government snoozes;

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the ... [Interjection.] There is an

objection. It will be printed on the Order Paper. The next person is the hon member Olivier and then I see hon member Gillion, hon member Lekker and then I will get to hon member Mnqasela.

Mr R T OLIVIER: Madam Speaker, I move without notice:

That the House congratulates Maitland High School for winning this year's Cape Argus Food Lover's Market High Schools Quiz; Mondale High School which won the Generation Green Recycled Fashion Show and Woodville Primary which won the Primary School category of the same competition. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? There are no objections. Agreed to. The next person. Hon member Gillion?

Ms M N GILLION: Thank you, Madam Speaker, I move without notice:

That the House conveys its condolences to the family and friends of Dimitri Williams, a matriculant at the Groenberg Secondary School in Grabouw; also notes that it is the second young matriculant at the Groenberg Secondary School to pass on in the last two weeks; let us keep the matriculants and the staff of the school in our thoughts and prayers.

*[Motion as moved by Member.]*

The SPEAKER: Thank you. Are there any objections to the motion being moved without notice? There are no objections. Agreed to. I see the next person, hon member Lekker.

Ms P Z LEKKER: Thank you, Madam Speaker, I move without notice:

That the House notes with dismay the Provincial Government's inaction to prioritise the safety of children in the street, leaves more children in danger and the Walking Buses are failing to protect them from the wrath of gangs in the Cape Flats following the shooting of Maxine Warnick (12) from Kensington; notes further that she is recovering after doctors successfully removed a bullet from her head; wishes her a speedy and full recovery; welcomes the arrest of the perpetrator.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion [Interjection.] There is an objection. It will be printed on the Order Paper. I see the hon member Mngasela.

Mr M MNQASELA: Madam Speaker, I move without notice:

That the House congratulates the National Sea Rescue Institute crews

that rescued a 20-metre Southern Right Whale 50m offshore, entangled with rope and a flotation buoy around the tail, between Palmiet and Kleinmond, after midday on Sunday 20 August 2017; the NSRI Hermanus duty crew were activated following numerous calls from witnesses and visitors; further notes, Madam Speaker, that this is a specialised operation and requires exceptional skill and expertise; that the House recognize the efforts and dedication displayed by the following heroes:

The sea rescue craft *South Star*, crewed by the NSRI Hermanus crew, Deon Langenhoven and James Janse van Rensburg, Bennetts Coetzee and Charl Henn; and secondly

The sea rescue craft *Jaytee III*, crewed by the NSRI Hermanus crew Jean le Roux, Alwyn Geldenhuys and André Barnard, who were launched carrying the SA Whale Disentanglement Network cutting gear;

The sea rescue craft *Jaytee III* was attached to the whale, then using the cutting equipment all of the rope and the flotation buoy, were cut from the whale and recovered in calm sea conditions and the whale swam away appearing to be healthy and the operation was without doubt successful. I so move, Madam Speaker.

*[Motion as moved by Member.]*

The SPEAKER: Hon member Mnqasela, before I go to asking if there are objections, we are busy dealing with motions without notice and that constituted a statement. If I could just alert you to that, but I will still continue to ask, are there any objection to the motion being moved?

Mr Q R DYANTYI: Objection.

The SPEAKER: They object, based on the fact that it was too long. It will be printed on the Order Paper. Anybody else for Motions without Notice? I see the hon member Max, hon member Makeleni. Please help me, guys.

Mr L H MAX: Thank you, Madam Speaker, I move without notice:

That the House notes and wishes all the best to our National Homeless Street Soccer Team [Interjection.] who will be participating in the 2017 ... [Interjection.]

The SPEAKER: Order please [Interjection.]

Mr L H MAX:

... Homeless Street Soccer World Cup.

Ms P MAKELENI: Leadership.

Mr L H MAX: The 15<sup>th</sup> edition of the Homeless World Cup, where over 500

players from 50 countries will be in attendance, will take place in Oslo's Radhusplassen, Norway from 29 August 2017 to 5 September 2017; that this House further congratulates the 8 players who were selected, especially Mzikayise Depha, Thando Mthambo - both from New Crossroads - Igshaan Gantina, Ricardo Swartz - both from the Ark in Faure - and Aviwe Ganyathi from Swellendam; may they bring the trophy home to South Africa. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? There are no objections. Agreed to. I now see the hon member Dyantyi. I know you are keen, but it is first the hon member Makeleni and then you may have a turn. And let us just practice that same - let us go there. You may speak, hon member Makeleni.

Ms P MAKELENI: Madam Speaker, I move without notice:

That the House notes that the City of Cape Town's decision to evict Sassa from its premises in Witsand has disadvantaged the beneficiaries who now have to wake up early and walk 10 km or pay R24 return taxi fare to access services or collect grants at a Sassa satellite office outside Atlantis; condemns this reckless act with the strongest contempt it deserves, and calls on the National Department of Local Government to intervene.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion being moved? There is an objection. It will be printed on the Order Paper. I see the hon member Dyantyi. [Interjection.] Hon member Magaxa, we have a speaker on the floor. Thank you. Order please, hon members. Hon member Dyantyi, please take your seat. I just need to caution the hon member Magaxa about facial expressions. We cannot go down that road. Last week I was caught laughing. So, let us not go there. Thank you. You may proceed, hon member Dyantyi.

Mr Q R DYANTYI: Madam Speaker, I move without notice:

That the House welcomes the decision to honour the late firefighter, Bradley Richards, who died while battling a blaze in the Southern Cape earlier this year with the National Order of Mendi, and once again wishes his family strength. You can object.

*[Motion as moved by Member.]*

An HON MEMBER: Hear-hear!

The SPEAKER: Thank you. Are there any objections to the motion? There are no objections. I see the hon member Gillion and then hon member Dyantyi and then hon member Mnqasela and then hon member Olivier, in that order please. All honourables.

Ms M N GILLION: Mr Deputy Speaker, I move without notice:

That the Houses conveys its sincere condolences to the family of Ms Linda Claasen who passed away after a long suffering with cancer; I salute a brave young mother and a pillar of strength to her family, and especially to the youth within the community of Hawston.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion being moved without notice? There are no objections. I see the hon member Dyantyi.

Mr Q R DYANTYI: Madam Speaker, I move without notice:

That the House calls on MEC. Willem Bredell, to guide the City of Cape Town to improve living conditions for the people of Masiphumelele as well as immediately bring to an end their sewerage problems that the City left unattended for a whole year.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion being moved without notice? No objections? Agreed to. I see the hon member Mmqasela.

Mr M MNQASELA: Madam Speaker, I move without notice:

That the House commends and supports the efforts of an application for application to ICASA by Whale Coast FM Radio 96FM in Hermanus to expand their broadcasting antenna to accommodate a wider reach of their audience in the Overstrand and Overberg regions; further notes the radio station's instrumental role in SMME development, economic growth, trade promotion, tourism and job creation in the region; that the House further appreciates that this goes a long way in fostering cultural diversity, integration, inclusivity, thereby building strong and sustainable communities through social cohesion. I so move, Madam Speaker.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion being moved? There is no objection. I now see the hon member Olivier and then I see the hon member Mitchell. Hon member Lekker after hon member Mitchell. Hon member Olivier, you may proceed.

Mr R T OLIVIER: Madam Speaker, I move without notice:

That the House notes that the Western Cape Government's alcohol Bill has been hastily postponed following the intervention by the National Basic Education Minister, Angie Motshegka, who summoned [Laughter.] DA MEC Debbie Schäfer for an urgent meeting; welcomes the Minister's intervention and calls on the Minister to follow the guidance of the

National Minister to withdraw and scrap this inhumane Bill. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections? There are objections. [Interjections.] It will be recorded on the Order Paper. I see the hon member Mitchell. Hon members, we are busy with serious affairs here. Let us regain our composure. Hon member Mitchell, you may proceed.

†Mnr D G MITCHELL: Dankie, agb Speaker, ek stel sonder kennisgewing voor:

Dat die Huis sy gelukwense oordra aan die 46 leerders van die Laerskool Nico Brummer in Beaufort-Wes wat aan die Karoo Eisteddfod deelgeneem het; 'n totaal van 3 brons-, 12 silwer-, 15 goud-, 3 dubbelgoud- en 11 trippelgoud sertifikate was ontvang; spesiale gelukwense aan Nomasonto Mohlake, Lana le Grange, Marnè Sieberts, Francois Moolman, Zantè Potgieter, Yuka De Wit, Njapalo Didi, Inge Nel, Mienke Fourie, Eliska van Wyk; en dan ook 'n spesiale gelukwensing aan Nomasonto Mohlake en Inge Nel wat ook merietesertifikate sal ontvang vir die beste prestasies in hul onderskeie afdelings. Ek stel so voor.

*[Voorstel soos deur lid voorgestel.]*

Die SPEAKER: Is daar enige beswaar teen die voorstel? Geen beswaar. Goedgekeur.

*[Translation of Afrikaans paragraphs follow.]*

[Mr D G MITCHELL: Thank you Madam Speaker, I move without notice:

That the House congratulates the 46 learners of the Primary School Nico Brummer in Beaufort West who competed in the Karoo Eisteddfod; a total of 3 bronze, 12 silver, 15 gold, 3 double gold and 11 triple gold certificates were received; special congratulations to Nomasonto Mohlake, Lana le Grange, Marnè Sieberts, Francois Moolman, Zantè Potgieter, Yuka De Wit, Njapalo Didi, Inge Nel, Mienke Fourie, Eliska van Wyk; and then also a special congratulations to Nomasonto Mohlake and Inge Nel who will also receive merit certificates for the best achievements in their respective divisions. I so move.

*[Motion as moved by Member..]*

The SPEAKER: Is there any objection to the motion? No objection. Agreed to.]

Who is the next person in the line? Hon member Lekker and then hon member Olivier.

Ms P Z LEKKER: Madam Speaker, I move without notice:

That the House applauds the police for the good work they do to combat drugs and gangsterism in the Western Cape, Eastern Cape and KwaZulu Natal, the three provinces identified as the main trouble spots for gang-related violence; notes that KZN has 6 identified gangs, Eastern Cape, 15 gangs, but the Western Cape is leading with 73 identified gangs; and commends the SAPS for making 2 892 gang-related arrests in the province from April 2016 to July this year; further notes this was coupled with the confiscation of drugs with a street value of more than R78 million in that period.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? There are objections. It will be recorded on the Order Paper.

Ms P Z LEKKER: But they are your body guards, nè? It is good ...  
[Interjection.]

The SPEAKER: Hon member Lekker, there has been an objection. It will be recorded. Minister Winde, we have a speaker on the floor. [Interjections.] Order please. Hon member Olivier, you may proceed if your members will allow you to.

Ms M N GILLION: No, but the MEC also [Inaudible.]

The SPEAKER: I did caution the MEC too. [Interjections.]

Ms P MAKELENI: Well, he does not listen.

The SPEAKER: Order please. Hon member Olivier, kindly take your seat.  
Hon member Joseph?

Mr D JOSEPH: Thank you, Madam Speaker. I would like to know  
[Interjections.]

The SPEAKER: Order please.

Mr D JOSEPH: No, I was waiting for the mic to come on. Thank you, Madam  
Speaker. I would like to know if it is parliamentary for a member to say to a  
MEC †“Hayi suka” [“you go”] [Interjections.]

The SPEAKER: Hon member Joseph, it has been a long day. Let us proceed.  
You may continue, hon member Olivier.

Mr R T OLIVIER: Madam Speaker [Interjections.]

The SPEAKER: Order please, otherwise I am going to be like another Deputy  
Speaker and say “hey, hey, hey!” [Laughter.] Let us not go there. You may

proceed. [Interjections.] Now stop now, behave now, come-come-come.  
[Laughter.] Hon member Olivier, please.

Mr R T OLIVIER: Thank you, Madam Speaker. Now I can ... [Interjections.]

The SPEAKER: You may proceed [Interjection.]

Mr R T OLIVIER: Madam Speaker, I move without notice:

That the House condemns the vandalism of tombstones at the Mount Pleasant graveyard in Hermanus and calls on the Overstrand authorities to urgently find solutions to this criminal behaviour. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Are there any objections to the motion? There are no objections. Agreed to. Any further motions without notice? Hon member Max and hon member Olivier.

Mr L H MAX: Madam Speaker, I move without notice:

That the House notes and congratulates Nadeel Wildschutt for being rewarded with an athletics study bursary at the University of Coastal Carolina in USA; this 20-year old from Ceres has been setting the road race scene alight and has as recently as this past Saturday won 1<sup>st</sup> place

in the Atlantis half-marathon; further wishes the athlete from the Itheke Athletics Club all the best, as he over the next four years also pursues his degree in Business Studies; this young man epitomises the importance of acquiring an education whilst also pursuing an athletic career. I so move.

*[Motion as moved by Member.]*

†AGB LEDE: Hoor-hoor!

[HON MEMBERS: Hear-hear!]

The SPEAKER: Are there any objections? There are no objections. Agreed to. Any further? Hon member Olivier. I think, ja, that is it. We, that concludes [Interjection.] Hon member Max? [Interjections.] Order please, hon members.

Mr L H MAX: I have another 5 because I could not complete with these people. Madam Speaker, I move without notice:

That the House notes and congratulates Benni McCarthy on the excellent start of his coaching career at Cape Town City Football Club; Benni, who hails from Hanover Park on the Cape Flats and is still South Africa's leading goal scorer with 32 goals for Bafana Bafana, is now also showing his skill in his first ever full-time coaching role; his team managed wins in his first two league encounters, beating Bidvest Wits 1-0 away from home and then last night securing a 3-1 victory at home

against Platinum Stars; his team also reached the semi-final of the MTN-8 Cup; furthermore that this House wishes Benni all the success as a coach. [Applause.]

*[Motion as moved by Member.]*

The SPEAKER: Thank you. Hon members, whilst that motion is obviously agreed to, I must caution, be careful that you do not end up making a statement instead of a motion without notice. Are there any further, hon members? If there are not, then just before we get the end of our business for the day may I get your attention please? Order please, hon members.

During the opportunity for Members' Statements on 3 August 2017, the hon Minister of Education raised a point of order on the remarks made by hon member Nkondlo in her delivered statement. The hon Minister felt that the comments made by hon Nkondlo were casting aspersions on her character and that of two other Ministers, and that the comment should be ruled unparliamentary.

In her statement hon member Nkondlo said amongst others, "it seems hon Schäfer, hon Winde and Bredell are all conflicted by different interest groups that are not aligned to the City's Mayor De Lille".

I undertook at that time to consult Hansard and to return to the House with a ruling. Having had an opportunity to study the Hansard, I wish to rule as

follows:

It is clear from hon member Nkondlo's utterances that serious aspersions were cast on the characters of members Schäfer, Winde and Bredell. Hon member Nkondlo preceded her direct remark about the three Ministers with the following statement:

“The DA had a stated objective to roll out the red carpet to developers for party funding through kick-backs compared to the need for food and water security”, and then following this up by stating that the three Ministers were conflicted by interest groups.

It is inescapable to connect the two statements and to link the three Ministers as protagonists in the alleged conduct. If this were true it would constitute reprehensible conduct on the part of the said hon Ministers.

It has been ruled often enough in this House that members may not make unsubstantiated allegations against or cast aspersions on other members. Such allegations cannot be made flippantly and using members' statements to make the allegations does not make them any more parliamentary.

In view of this I rule the hon member Nkondlo's utterances in her statement out of order and ask her to withdraw the allegations regarding the Ministers.  
Hon member Nkondlo?

Ms N D NKONDLO: I draw.

The SPEAKER: No, I have asked you to withdraw, hon member Nkondlo.

Ms N D NKONDLO: Withdraw.

The SPEAKER: Thank you. Hon member Nkondlo has now stopped drawing and withdrawn and on that note, we will adjourn, but before we adjourn I would like to remind members that the Budget Committee Meeting will commence in the Chamber after the adjournment of this sitting. That concludes the business for the day. The House is adjourned.

The House adjourned at 18:37.