

# PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

## ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

THURSDAY, 14 MAY 2020

### COMMITTEE REPORTS

1. **Annual Report of the Standing Committee on Agriculture, Environmental Affairs and Development Planning for the 2019/2020 financial year, dated 31 March 2020, as follows:**

#### **Members**

The Committee comprised of the following members:

Van Der Westhuizen, AP (DA) (Chairperson)  
Baartman, DM (DA)  
Herron, BN (Environmental Affairs and Development Planning) (GOOD)  
Marais, PJ (Agriculture) (FF Plus)  
Marran, P (ANC)  
Maseko, LM (DA)

#### **Alternate Members**

America, D (DA)  
Mitchell, DG (DA)  
Schäfer, BA (DA)  
Smith, D (ANC)

#### **1. Introduction**

The mandate of the Committee was to:

- 1.1 maintain oversight over the Executive Members and the Departments and its Entities, of the way in which they perform their responsibilities including the

- implementation of legislation and to hold them accountable to the Western Cape Provincial Parliament; and
- 1.2 consider and report on legislation, other matters and the Annual Reports referred to it by the Speaker.

In fulfillment of its mandate the Committee:

- 1.3 facilitated public participation and involvement in the legislative and other processes of the Committee;
- 1.4 conducted its business in a fair, open and transparent manner;
- 1.5 promoted co-operative governance; and
- 1.6 reported regularly to the House.

## **2. Reporting Department(s) and Entities**

- 2.1 Department of Environmental Affairs and Development Planning
- 2.2 Department of Agriculture
- 2.3 CapeNature
- 2.4 Casidra

## **3. Overview of Committees Activities**

Number of Committee Meetings	15
Number of Public Hearings	6
Number of Oversight Visits	4

## **4. Oversight activities**

The 2019/20 year was considered a productive year in which interactions with the Departments and Entities and the many stakeholders consulted were both cordial and productive and ensured that committee members could approach their oversight function with objectivity and insight.

Important to note is that 2019 was the start of a new parliamentary term, the Sixth Parliament of the Western Cape Provincial Parliament (WCPP).

The financial year was eventful and several initiatives have resulted in follow-up activities and meetings. The following is a summary of the Committee's activities during the year.

- 4.1 The year commenced with both the Department of Environmental Affairs and Development Planning and the Department of Agriculture providing the newly constituted Committee with an overview of their respective organisational structures and programmes. The same focus was placed on the Entities, CapeNature and Casidra. National priorities for 2019 to 2024 were highlighted as well as strategic provincial priorities and the associated plans of action. The Departments outlined their priority areas and challenges as well as proposed legislation and policy reform initiatives.

Similarly, CapeNature and Casidra provided the Committee with a brief overview of their institutional arrangements and organisational structure. The significance of biodiversity and its link to marine protected areas that are managed by

CapeNature were expanded upon. Job creation, eco-tourism achievements and innovation projects were highlighted. The challenges associated to climate change were presented to the Committee as well as remedial steps to remedy this.

- 4.2 The Committee focused on rural safety and the broad scope of the newly formed Inter-Ministerial Committee and Technical Committee on rural safety. The Department of Agriculture and the Department of Community Safety provided the Committee with a brief overview of the Minister of Agriculture's key priority areas, outlining that rural safety was one of them and expanded on the background of the establishment of a Rural Safety Plan. The broad scope of the Inter-Ministerial Committee and Technical Committee on rural safety was provided to the Committee. Highlights from the Western Cape Crime Summit relative to rural safety were also emphasised. The effect of crime on emerging farmers was an area that could not be expanded upon as the only evidence the Department of Agriculture had to this effect was anecdotal evidence. The Department further informed the Committee that no economic analysis was done on the impact of crime on agricultural production in the Western Cape. This was of concern to the Committee. Of further concern to the Committee was the perceived underreporting of crime in the province. The Committee will continue to follow up on this matter in the new financial year.

- 4.3 The Department of Environmental Affairs and Development Planning provided the Committee with a brief overview of the Spatial Planning and Land Use Management Act, (Act 16 of 2013) and its implications for spatial planning processes in the province and municipalities.

The Committee expressed concern regarding the lack of capacity and knowledge in some municipalities to effect the necessary amendments to their Municipal Spatial Planning Bylaws and the impact that this will have on economic development in those specific municipal areas.

- 4.4 The management and increased pressure on water resources in the Western Cape was of importance and concern to the Committee and it therefore invited the National Department of Water Affairs and Sanitation to brief it on the management of water in the Olifants River catchment area as well as the construction of the Clanwilliam Dam project. The Western Cape Department of Agriculture and the Western Cape Department of Environmental Affairs and Development Planning were also present at this engagement and provided the Committee with information on their respective roles in the afore-mentioned catchment area and the potential economic opportunities associated with the project. The Committee then resolved to conduct an oversight visit to the Clanwilliam Dam. Due to the expected future economic benefits, the effect of water restrictions on farming activities as well as the alleged serious delays in the work related to the raising of the dam wall and the upgrading of the canals, the Committee visited the Clanwilliam Dam construction site.

- 4.5 The Committee undertook this oversight visit to the Clanwilliam Dam on 11 February 2020.

The visit commenced with a briefing by the National Department of Water Affairs and Sanitation at the Cederberg Municipal Council Chamber in Clanwilliam. Various stakeholders were in attendance, including the Cederberg Municipality, the Matzikama Municipality, the Lower Olifants River Water Users Association,

the Provincial Department of Agriculture and the Provincial Department of Environmental Affairs and Development Planning. All stakeholders were allowed to give input and ask questions. The Committee was briefed on the distribution and allocation of water rights, the response by and actions of the National Department of Water Affairs and Sanitation during the last drought, the effectiveness of the monitoring of water usage and the co-ordination of the respective roles of the National, Provincial and Local spheres of government. The Committee then proceeded to the Clanwilliam Dam to see the construction progress that was made.

- 4.6 An oversight visit was also undertaken to the Elsenburg College (formerly known as the Elsenburg Agricultural Training Institute) where the Committee was provided with an overview of the Institute and information pertaining to the various Agricultural Skills Development Programmes. The Committee also met with the Chairperson and Vice President of the Student Representative Council, after which the delegation embarked on a tour of the Library, Lecture Rooms, Percheron Hall, Manor House, Agri Hub and the wool shed. The oversight visit concluded with a tour of the wine cellar and a meeting with the wine-making lecturer and her students.
- 4.7 In addition, the Committee undertook an oversight visit to Regional Socio-Economic Programme and Violence Prevention Through Urban Upgrading (RSEP/VPUU) projects in Saldanha Bay, Piketberg and Malmesbury, focusing on the Programme's content and its impact on communities. The visit commenced with a briefing by the Department of Environmental Affairs and Development Planning at their Dorp Street offices where the itinerary for the day was outlined. The objectives of the Programme were spatial upliftment, towns working together and improved joint planning. The Committee commends the Department of Environmental Affairs and Development Planning as well as the respective municipalities for the great initiatives aimed at the reduction in crime and improvement of residential areas through the upgrading projects.
- 4.8 Subordinate legislation affecting provinces were referred to the Western Cape Provincial Parliament by the Select Committee on Land Reform, Environment, Mineral Resources and Energy at the NCOP. The Speaker, subsequently, referred the two pieces of subordinate legislation to the Committee. Both pieces of subordinate legislation related to the the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004). The first, related to the trade in rhinoceros horn and the effects of rhinoceros horn legislation on the Province of the Western Cape. The second related to threatened or protected terrestrial fish species and fresh water species.

The Committee expressed its opinion, concern and recommendations to the NCOP Select Committee. In addition, the Committee also expressed its dissatisfaction with the timeline in which to submit comments to the NCOP and therefore appealed to the NCOP to allow more time for provinces to make more meaningful input.

- 4.9 The Committee, as part of the Cluster B Visit Week that took place in February 2020, visited the Amalienstein and Waaikraal farms in the drought stricken Klein Karoo Area. The Committee expressed concern relating to the current state of affairs on both farms and noted the dire effect of the current drought on farming in the Klein Karoo, including the farming activities at Waaikraal and

Amalienstein. The Committee also noted that both these farms failed to meet the initial high expectations of the communities in terms of job creation. Both farms benefitted in the past from considerable investments by, among others, the Western Cape Department of Agriculture, and have not been economically viable. Various turnaround strategies have failed to ensure the economic viability of these farms.

The Committee recommended that serious decisions need to be taken by Casidra and the Department of Agriculture about the future ownership of the farms and resolved that it would invite the Department of Agriculture, Casidra and the Department of Transport and Public Works to brief it on the viability of the farms and the long term plan for the properties in the new financial year.

The Committee acknowledged the struggle that Casidra found themselves in with limited resources to ensure the sustainability of the farms. And expressed its appreciation to the Department of Agriculture for its provincial interventions to alleviate the impact of the drought in the Western Cape.

- 4.10 The Annual Reports of the Department of Environmental Affairs and Development Planning and its Entity, CapeNature, as well as the Annual Reports of the Department of Agriculture and its entity, Casidra were evaluated. The Western Cape Adjustments Appropriation Bill [B 6–2019]: Vote 9, Environmental Affairs and Development Planning and the Western Cape Adjustments Appropriation Bill [B 6–2019]: Vote 11, Agriculture were the subjects of intense discussion. So too was the Western Cape Appropriation Bill [B 3–2020]: Vote 9 and Western Cape Appropriation Bill [B 3–2020]: Vote 11.

## **5. Legislation**

In the 2019/20 Financial Year, the Committee dealt with the following items of legislation:

### **5.1 Provincial Bills**

- 5.1.1 The Western Cape Adjustments Appropriation Bill [B 6–2019]: Vote 9 - Environmental Affairs and Development Planning;
- 5.1.2 The Western Cape Adjustments Appropriation Bill [B 6–2019]: Vote 11- Agriculture;
- 5.1.3 The Western Cape Appropriation Bill [B 3–2020]: Vote 9 – Environmental Affairs and Development Planning; and
- 5.1.4 The Western Cape Appropriation Bill [B 3–2020]: Vote 11 – Agriculture.

### **5.2 NCOP Bills (Section 76)**

The National Forests Amendment Bill [B 11B–2016] (NCOP) and the National Environmental Management Laws Amendment Bill [B 14D–2017] (NCOP) were referred to the Committee on 19 November 2019. The Select Committee at the NCOP's programme and cycle will begin in the 2020/2021 financial year.

## **6. Facilitation of Public Involvement and Participation**

In line with its mandate to facilitate public participation as part of the legislative process, the Committee held four public hearings in consideration of the Provincial Money Bills for Votes 9 and 11 and two public hearings in consideration of the Department of

Environmental Affairs and Development Planning, the Department of Agriculture and its respective Entity's Annual Reports.

## **7. Financial Particulars**

The Committee's actual expenditure for the 2019/20 financial year as at 31 March 2020 was R77 988.75 against a budget of R100 000.

## **2. Report of the Ad Hoc Committee on COVID-19, in performing oversight on the work of the provincial executive authority as it responds to the COVID-19 pandemic, including oversight over any part of the provincial executive authority, any provincial department, any organ of state and any provincial entity involved in activities dealing with the pandemic, on the themes covered for April 2020, as follows:**

**The Ad Hoc Committee on COVID-19 consists of the following members:**

Mr R Allen (DA)  
 Mr D America (DA)  
 Ms D Baartman (DA)  
 Mr G Bosman (DA)  
 Mr F Christians (ACDP)  
 Mr C Dugmore (ANC)  
 Mr B Herron (GOOD)  
 Ms P Lekker (ANC)  
 Mr P Marais (FFP)  
 Mr D Mitchell (DA)  
 Ms W Philander (DA)  
 Mr A van der Westhuizen (DA)  
 Ms M Wenger (DA)(Chairperson)  
 Ms R Windvogel (ANC)  
 Mr M Xego (EFF)

### **Alternative Members:**

Ms L Botha (DA)  
 Mr R MacKenzie (DA)  
 Ms M Maseko (DA)  
 Ms N Nkondlo (ANC)  
 Mr K Sayed (ANC)  
 Mr D Smith (ANC)

### **Procedural Staff:**

Ms Z Adams, Procedural Officer  
 Ms L Cloete, Senior Procedural Officer  
 Mr W Matthews, Procedural Officer

## **1. Introduction and Background**

The Ad Hoc Committee on COVID-19 (the Committee) was established by the Speaker of the Western Cape Provincial Parliament on 14 April 2020 in accordance with Standing Rule 119(1)(b) of the Standing Rules of Western Cape Provincial Parliament. The Committee was tasked with the responsibility to perform oversight on the work of the provincial executive authority as it responds to the COVID-19 pandemic, including oversight over any part of the provincial executive authority, any provincial department, any organ of state and any provincial entity involved in activities dealing with the pandemic.

The meetings would be held virtually, so as to comply with COVID-19 lockdown regulations issued by National Government, especially in terms of social distancing rules, until such time as the spread of the virus has been adequately contained so as to render in-person meetings safe.

## **2. Election of Chairperson, Adopted Themes and the Rules of Engagement**

On 17 April 2020, Member M Wenger (DA) was elected to serve as the Chairperson of the Committee in accordance with Standing Rules 82(1) and 85. The Committee adopted 12 themes around which it would address the COVID-19 pandemic, also agreeing to hold two meetings per week, given the urgency of the matter. Each meeting would primarily focus on one theme. The 12 adopted themes were as follows:

1. Health Department Responses and Preparations
2. Policing, Security and Police Brutality
3. Food Security
4. Protection of the Vulnerable
5. Disaster Management and Local Government Oversight
6. Economic Recovery, Support and Livelihoods
7. Transport and Infrastructure
8. Schooling and Education
9. Human Settlements
10. Citizen Surveillance
11. Intergovernmental Relations and Community Cooperation
12. Government Finance and Budgets

**Additionally, the Rules of Engagement during virtual meetings were indicated as follows:**

1. All meetings would be open to members of the public and media via livestreaming;
2. All Members' microphones must be muted at the beginning of the meeting to avoid background noise;
3. Members are to flag Points of Order in the Chat Function of Microsoft Teams (the application through which virtual meetings are held);

4. All videos and audio must be switched off to improve the quality of the connection; however, if a Member/Minister/HOD/Official is speaking, they may put on their mic and video;
5. Participants must switch off their mics once they are finished speaking;
6. In terms of maintenance of order, in accordance with the “Directives for Sitzings of the House and Meetings of Committees by Electronic Means”, ATC’d on Friday, 17 April 2020, Section 8 states that “when a Member is considered to be out of order by the presiding officer, the presiding officer may mute the microphone of such a Member and call such a Member to order”; and
7. Section 10 of the Directives ATC’d on 17 April 2020 speaks to the application of Standing Rules. Section 10 states that “in instances where these directives are not clear or do not cover a particular eventuality in respect of sittings of the House or meetings of the committees by means of videoconferencing, the Standing Rules must apply as far as this is reasonably and practically possible and, in instances where they cannot be applied, the ruling by the presiding officer must be final”.

**The themes covered in April 2020 included:**

- Health Department Responses and Preparations – 22 April 2020
- A situational report from the Premier – 22 April 2020
- Food Security – 24 April 2020
- Protection of the Vulnerable – 30 April 2020

**3. THEME: Health Department Responses and Preparations**

**3.1 Overview and background**

The Committee requested a briefing from the Premier, the Provincial Director-General, the Provincial Minister of Health and the Head of the Western Cape Department of Health, on 22 April 2020, to discuss matters relating to the theme of “Health Department Responses and Preparations” in the context of the COVID-19 pandemic.

The purpose of the meeting was to receive a situational analysis on the COVID-19 pandemic in the Western Cape, covering matters such as infections amongst healthcare workers and homeless shelters, the establishment of quarantine and isolation sites, screening and testing, the provincial government response structure, peak projections, mortuary capacity, efforts to protect essential service workers, and planning for further extension of the lockdown or the phased-in approach to lifting the lockdown.

**3.2 Observations and challenges**

- 3.2.1 A “Whole of government and society” approach was needed to combat the pandemic, however, the availability of services did not ensure ease of accessibility to those services.
- 3.2.2 It was projected that there would be approximately 80 000 cases of COVID-19 at its peak in the Western Cape, projected to occur in mid-August 2020. This figure did not include persons who could be asymptomatic. This meant that all work streams would be under severe pressure, and that government had to prepare for the escalation of new cases admitted to hospitals. This preparation included the development of temporary hospitals to relieve healthcare facilities from strain brought upon by the increase of new cases. However, there would still be a shortage of hospital beds.



- 3.2.3 Issues such as hunger and starvation, unemployment and looting could further exacerbate the situation in the Western Cape. A Western Cape Government (WCG) call centre was established to handle requests for assistance. This call centre has received approximately 10 000 calls a day, which has resulted in a backlog of cases that require assistance. However, volunteers have been recruited from WCG departments to respond to requests for assistance. The Western Cape Department of Social Development has developed feeding initiatives that take place through Early Childhood Development Centres and Non-Governmental Organisations (NGOs) schools, which have supported approximately 135 000 households. NGOs have been feeding a further 200 000 households.
- 3.2.4 Local transmissions of COVID-19 have increased rapidly in the Western Cape, with the majority of the cases being reported in the City of Cape Town where there were local transmissions in every sub-district. The majority of people infected with COVID-19 who were admitted to hospital were admitted to general wards, while very few were admitted to the Intensive Care Units (ICU). Approximately 88.7% of people infected with COVID-19 do not have to stay in hospitals and may recover from home. Approximately 70% of COVID-19 patients who had succumbed to the illness had one or more co-morbidities.
- 3.2.5 Concerns were raised about risks for homeless shelters, particularly around the Strandfontein Homeless Camp and whether there had been compliance with health regulations.
- 3.2.6 The Minister stated that she was not satisfied with matters related to social distancing and other preventative measures generally, in homeless camps and everywhere else where people were queuing but not following social distancing requirements.
- 3.2.7 The hijacking of trucks and general looting of stores was a concern as it was believed according to Intelligence Reports that some motivations were criminal in nature, rather than from starvation or desperation. However, the WCG is looking at strategies to improve security.
- 3.2.8 The politicisation of food parcels was of grave concern. There were allegations of cases around the country, including areas in the Western Cape, where beneficiaries were denied food parcels if they did not support a particular political party. The Premier indicated that he disapproved of this behavior and that it would not be tolerated.
- 3.2.9 There was a shortage of N95 Respirator masks because there was only one company in South Africa that was licensed to manufacture the masks, which required particular materials and machines. In fact, there was a global backlog as there were not many registered N95 Respirator manufacturers in the world. These companies were overwhelmed as they had to supply globally.

#### **4. THEME: Food Security**

##### **4.1 Overview and background**

The Committee requested a briefing from the Provincial Minister of Agriculture, the Western Cape Department of Agriculture, the Provincial Minister of Social Development, the Western Cape Department of Social Development and the South African Social Security Agency (SASSA) Western Cape, on 24 April 2020, to discuss matters around the theme to “Food Security” in the context of the COVID-19 pandemic.

The Western Cape Department of Agriculture briefed the Committee on food production in the Province and challenges experienced, the transportation of food across the

Province and the protection of farmworkers and the use of Personal Protective Equipment (PPE).

The Provincial Minister and Western Cape Department of Social Development were requested to brief the Committee on food relief programmes implemented during the lockdown period, criteria for accessing food parcels, how the distribution of food parcels is determined, the amount of money spent on food relief during lockdown, the amount of money received by the Western Cape through the Solidarity Fund allocation,

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collaborations with NGOs and Civil Society Organisations, and assistance provided to the homeless in the province.

SASSA Western Cape briefed the Committee on the criteria used to grant social relief of distress assistance, how applications are considered, the total amount paid in terms of social relief of distress to Western Cape residents for the lockdown period, the total number of food parcels distributed, the strategy for food parcel distribution, the distribution plan for rural areas, and the reason SASSA offices are not open in the Western Cape.

## **4.2 Observations and challenges**

- 4.2.1 The Western Cape Department of Agriculture indicated that there was adequate availability of food and that the empty shelves in grocery stores was an indication of “panic-buying”. However, there was an expectation that the prices of certain foods would increase, due to an increase in import costs, which would impact more severely on the poor and vulnerable. The full impact of import price increases for the agricultural sector may only be experienced during next season’s harvest.
- 4.2.2 The high exchange rate will impact on the importation of certain products such as rice and certain types of wheat. The price of eggs has increased by 19% since the initiation of the lockdown. This is not due to an inadequate supply of eggs; it is because the manufacturing of the cartons/containers used to transport the eggs were not considered an essential service. Hence, there is a shortage of containers used to transport the eggs.
- 4.2.3 Persons living in low-income quintiles do not have proper access to grocery stores and major supermarkets, which emphasises the importance of informal trade in order for people to access food. The lockdown regulations have also negatively impacted on small-scale traders working in fresh food markets.
- 4.2.4 Law enforcement agents have been stopping farmers from attending livestock auctions, which was unlawful since agriculture is an essential service. These issues have been raised with the National Minister of Agriculture.
- 4.2.5 The Western Cape Department of Agriculture has distributed face masks and hand sanitiser to farmworkers across the Province, as well as educational material to assist in making farmworkers aware of the COVID-19 pandemic and safety measures that must be employed. The safety of farmworkers is seen as a threat to food security.
- 4.2.6 The Western Cape Department of Agriculture has written to the National Minister of Agriculture to assist seasonal farmworkers who have completed their work and would like to return home to other provinces. A legal opinion has been issued, which states that seasonal farmworkers, who are effectively essential workers, should be allowed to move to their homes in other provinces.

- 4.2.7 Minister Fernandez and the Department of Social Development (DSD) emphasised that food relief should be apolitical, non-partisan and should not be used as a tool to discriminate against any person on the basis of race, gender, culture or religion. Additionally, food relief must be equitably distributed, with priority given to those in greatest need.
- 4.2.8 The lockdown had resulted in a loss of income for a large number of workers in formal and informal sectors, which extended the need for food relief beyond the 1.6 million SASSA beneficiaries in the Province, and beyond SASSA's existing budget. Provincial Cabinet has therefore directed that the Province assist with emergency food relief, prioritising those that are currently not receiving any other form of state assistance.
- 4.2.9 The allocation of funds for emergency food provision includes R20 million for the distribution of 50 000 food parcels (each of which can support a family of four for one month), R5 million to supplement existing food relief initiatives where gaps are identified, R18 million for special school feeding programmes, and R10 million to increase the number of beneficiaries receiving food at existing DSD feeding schemes to 6 520 people. To date, DSD has spent R30 million for the COVID-19 food relief interventions for 50 000 food parcels and hot food at feeding sites.
- 4.2.10 The WCG call centre had experienced constraints with the number of inbound calls for assistance, however, this problem was being fixed and additional call centre agents had been brought in to assist with the large number of calls.
- 4.2.11 DSD funds 27 shelters for homeless adults at a cost of R19.8 million, which provides for three daily meals, two social work supervisors, 22 social workers and four social auxiliary workers. An additional family shelter was established in Somerset West that can accommodate 120 family members. Municipalities have also established temporary shelters. The DSD provides food through appointed NGOs as well as psychosocial support when required. There are currently 6 681 homeless persons in the shelters and bed spaces are at full capacity. Some homeless persons have opted not to remain at the shelters; some suffer from psychiatric disorders and addiction disorders and are unable to adjust to a shelter environment. Additionally, there is legal uncertainty around roles and responsibilities in terms of running the shelters and whether people in shelters are allowed to leave. There is also a concern that the regulatory requirement for temporary shelters may not be compatible with the need to de-congregate people and maintain social distancing rules during lockdown.
- 4.2.12 In terms of assistance for cases of Gender-Based Violence (GBV) during lockdown, the DSD funds 20 shelters for survivors of GBV at a cost of R28 million, which provides for three daily meals, 20 social workers, 15 social auxiliary workers and 60 housemothers. The survivors are not to be released from the shelters and they are not to receive visitors. 320 beds had been filled by 21 April 2020. However, there was a shortage of protective gear such as masks, and clients that have finished their programme and should have been able to exit the shelter could not due to lockdown regulations. This could impact on the number of beds available for the lockdown period, which could hinder the intake of new survivors of GBV. This posed the same challenge for persons staying in treatment facilities for drug abuse.
- 4.2.13 On average, SASSA receives 2 000 calls per day requesting assistance, which has resulted in a backlog of 6 300 calls that they still need to resolve. SASSA distributed a total of 689 food parcels in the Province in their first week of food parcel distribution.

- 4.2.14 According to the COVID-19 lockdown regulations, although the payment of social grants is an essential service, the administration of social grants is a non-essential service. SASSA offices have therefore been closed, however, there are more than 200 SASSA staff members who have volunteered to assist with the processing of the Social Relief of Distress (SRD) applications and the distribution of food parcels.
- 4.2.15 SASSA had not received any additional funds for COVID-19 related food parcels and was using the annual SRD allocation for this purpose.
- 4.2.16 The looting and closing of spaza shops has forced people to use shopping centres where they would have to queue between one and three hours just to get in to shops, increasing the risk that people will be exposed to the virus.

## **5. THEME: Protection of the Vulnerable**

### **5.1 Overview and background**

The Committee requested briefings from the Provincial Minister and Head of the Department of Social Development, the Provincial Police Commissioner (South African Police Service), the Unemployment Insurance Fund (UIF), and SASSA Western Cape around the theme “Protection of the Vulnerable” within the context of the COVID-19 pandemic on 30 April 2020.

The briefings addressed the issues of domestic violence, Gender-Based Violence (GBV), assistance for the elderly and homeless, protection and assistance for children and child-headed households, drug addiction assistance during lockdown, UIF assistance, and COVID-19 related grant relief.

### **5.2 Observations and challenges**

- 5.2.1 The Provincial Police Commissioner clarified that the issuing of protection orders for domestic violence cases is the sole responsibility of the courts according to the Regulations under the Domestic Violence Act (Act 116 of 1998). For the period 27 March 2020 to 27 April 2020, SAPS received 420 final protection orders from the court and 364 final protection orders were served on respondents. In terms of interim orders, 1 045 interim protection orders were received from court and 900 were served on respondents. There were 1 891 domestic violence-related cases – the majority of the cases emanated from Mitchell’s Plain and the Blue Downs clusters. There were 2 928 domestic-related complaints, which mostly emanated from the Eden and Mitchell’s Plain clusters.
- 5.2.2 SAPS is responsible for securing the scene of domestic violence incidents and assisting the complainant to find suitable shelter and obtaining medical treatment. However, complainants had indicated that there was difficulty accessing particular courts for obtaining protection orders. Additionally, Mosaic volunteers responsible for assisting applicants were denied access to court buildings. These issues were highlighted by the Department of Social Development and the Department of Community Safety, in a meeting with SAPS and the Department of Justice and Constitutional Development. The Department of Justice and Constitutional Development has committed to liaising with court managers to ensure access for all complainants and volunteers to the courts.
- 5.2.3 In addition to the above challenge, all domestic violence related cases have been postponed except the most serious cases, no final or interim protection orders

have been received from certain courts, and some periodical courts have been closed under further notice.

- 5.2.4 The DSD has continued to fund various NGOs specialising in assisting GBV cases. These NGOs have been fully operational during the lockdown period and have continued to provide shelter and psychosocial support to victims of domestic violence. A total of 20 shelters have been operational, offering 394 bed spaces. A total of 20 NGOs have been providing therapeutic interventions for victims of crime and domestic violence. All DSD offices have been operational and have continued to provide services and interventions as well. According to COVID-19 regulations, victims cannot be released from facilities, visitors are not allowed and there has been suspension of the family reunification and interaction programme.
- 5.2.5 In terms of challenges, the DSD has experienced a shortage of protective gear such as masks, and clients that should have exited the shelters once they have

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completed their stay have not been able to do so because of COVID-19 lockdown regulations, which could result in the unavailability of beds for new intakes. A request has been submitted to the National Department of Social Development to consider relaxing the guidelines and to allow clients that have completed their programme and are ready for reunification to be allowed to exit by 30 April 2020.

- 5.2.6 The DSD funds various Old Age Homes specialising in care and support services to older persons that have been fully operational during the lockdown period. There are a total of 120 Old Age Homes, with 9 323 bed spaces. Older persons have been provided with therapeutic interventions if needed and the Department of Health is in the process of finalizing the roll out strategy for screening for COVID-19. So far, two cases of COVID-19 have been reported; one in a private retirement village and one in a community housing project. There has been a shortage of protective gear such as sanitizer for the Old Age Homes, however, DSD and other donors will be supplying these facilities were more stock. Isolation of older persons from their families and communities has also been a challenge, however, the DSD has encouraged families to make telephonic contact with older persons.
- 5.2.7 In terms of shelters for homeless persons, the number of homeless people at shelters vary on a daily basis, thus making the provision of relief services available to beneficiaries challenging. Additionally, some homeless persons do not want to remain at the shelters, including those with psychiatric disorders and/or addiction diseases.
- 5.2.8 There is still legal uncertainty around the roles and responsibilities in terms of running the shelters, and whether people staying in shelters are allowed to leave. Additionally, the challenge remains in terms of temporary shelters not being conducive to social distancing rules.
- 5.2.9 There has been an indication from the City of Cape Town that the homeless camp in Strandfontein will be closed once the Risk-Adjusted strategy is implemented and the national directive for this temporary accommodation expires.
- 5.2.10 The DSD has indicated that post-lockdown, all services such as food provision, psychosocial support, family reunification and skills development for homeless persons will resume again.
- 5.2.11 The DSD funds 53 child and youth care facilities at a cost of R110 million. A total of 4 450 children are currently in lockdown across all the facilities in the Western Cape. Current lockdown regulations have stated that no children will be released from facilities, there are no visitations, the family reunification and

interaction programme has been suspended, and there will be no new admissions except if declared in relation to the Children's Act (Act 41 of 2007).

- 5.2.12 During the lockdown period so far, 107 cases of child abuse were reported, and 60 children were removed from their households. The DSD continues to provide psychosocial support for these children and affected families.
- 5.2.13 In terms of UIF claims for the lockdown period so far, there is an email address for enquiries and applications, which issues potential claimants with all the mandatory documents that need to be completed and submitted. However, this is a long process that requires people to have a fair amount of data and access to the internet. There have also been claims that there are companies that refuse to apply on behalf of their employees. The process to finalise claims takes approximately 10 days.
- 5.2.14 The UIF indicated that for the period from 26 March 2020 to 29 April 2020, there had been a total of 62 213 ordinary benefit claims, of which 49 770 related to unemployment claims amounting to approximately R812 million. The majority of the claims were from the personal services and trade sectors. The Western Cape received 15% of the overall payments to beneficiaries.

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- 5.2.15 Between 14 April 2020 and 23 April 2020, SASSA received a total of 12 695 calls for assistance, of which 2 248 were responded to, leaving a backlog of 10 447 calls that still need to be addressed.
- 5.2.16 In terms of food parcels, 5642 food parcels were distributed across the Province, with the majority of the parcels distributed to Athlone, Bellville, Khayelitsha, Wynberg, Mitchell's Plain, Gugulethu and Eerste River areas. Food parcels have also been distributed to the Boland Overberg District, Eden Karoo District and West Coast District areas.
- 5.2.17 SASSA payment of grants for the months of April and May 2020 have amounted to R1.95 billion. In terms of Grant Relief Measures, there will be an increase of R300 for the Child Support Grant (CSG) to be paid in May 2020 (only) per child. Thereafter, from June to October 2020, a R500 grant will be paid to caregivers of the children on the CSG. All other existing grants will increase by R250 per month from May to October 2020.
- 5.2.18 The special COVID-19 Social Relief of Distress (SRD) Grant of R350 per month will be available to all South African citizens, permanent residents and registered refugee persons who qualify for the grant. The SRD grant will be paid from the date of approval up to the end of October 2020. The SRD Grant applicants must be 18 years and older, unemployed, not receiving any income or any social grant, UIF benefit or NSFAS stipend, and must not reside in a government-funded or subsidised institution. Applications for the SRD grant may be submitted via WhatsApp or email. The grants are paid directly into the recipients bank accounts. SASSA will continue to distribute food parcels until the SRD grants are paid out to beneficiaries.

## **6. Acknowledgements**

The Committee thanked the Premier, various Provincial Ministers and officials for their willingness to meet with the Committee and to share information. The Committee also acknowledged the hard work and dedication of health workers and all other essential workers during the lockdown period.