
THURSDAY, 12 NOVEMBER 2015

The House met at 14:15.

The Speaker took the Chair and read the prayer.

ANNOUNCEMENTS, TABLING AND COMMITTEE REPORTS - see p

The SPEAKER: Members, before we are seated, can I ask that we observe a moment's silence. I have just received the news that a vehicle with certain members from the Health Department had been involved in a terrible accident and we have lost three officials in the process, so I would like that you share with me in observing a moment's silence, please.

[Moment of silence observed.]

You may be seated, thank you. I recognise the Deputy Chief Whip.

(Notice of Motion)

Mr D JOSEPH: Thank you, Madam Speaker. I give notice that I shall move:

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

The SPEAKER: Any objections?

Mr Q R DYANTYI: Not from me. [Interjections.]

The SPEAKER: Hon member Mr Dyantyi. Any objections? No objections? Agreed to.

**DYSFUNCTIONAL COMMUNITIES AND THEIR CONTRIBUTION
TOWARDS THE RAMPANT INCREASE OF CRIME AND
UNEMPLOYMENT IN THE WESTERN CAPE**

(Subject for discussion)

The SPEAKER: Okay, the next item on the Order Paper - members, if we can settle down please, order. The next item on the Order Paper is the subject for discussion in the name of the hon member Mr F C Christians as printed on the Order Paper. I recognise the hon member Mr Christians.

Mr F C CHRISTIANS: Madam Speaker, the subject matter at hand today, dysfunctional families, dysfunctional communities, contributing towards crime and unemployment is a fact. A father taking his four daughters to the Cape Town docks to sell their bodies as prostitutes must show us that we are

living in a dysfunctional society. A married man, father of four, making a girl in matric pregnant, seeing things as rather - he is with her because of sex, that must tell us that we are not living in a normal society. A mother sitting outside Pick 'n Pay at Vangate Mall telling her ten year old son to go shoplift because they do not have food, tells me that we are not living in a normal society. A mother sexually abused by her own son, and not reporting it to SAPS shows us we are living in a dysfunctional society.

Alcohol abuse remains a big problem and yet we are extending alcohol trading hours on Sundays. The young dropouts at schools are an enormous problem and yet we cannot bridge this gap. After 20 years of democracy we still have nine out of 358 learners in this last term, the third term, passing mathematics; nine out of 358 learners passing mathematics. We still have in this province 14.9% learners passing mathematics in Grade 9. Surely there is something wrong and we must take full responsibility. Educators must take full responsibility. The ACDP calls on strong family values. Government must resist calls from organisations that want to promote immoral laws that undermine family values. Government cannot make laws that undermine family values and that is the core of our problem. We need strong families, where we have strong families we have strong communities.

Mr K E MAGAXA: What are those laws?

Mr F C CHRISTIANS: A teacher who wants to administer medication to a school child needs parental permission, yet when it comes to access to

contraceptives and abortion you do not need the parent's permission. That is absurd. Absurd!

Government must implement support programmes, initiatives to strengthen our families. When we get the family right we will get the community right. We will get our society right. Most of our youth still in Manenberg, in Heideveld, in Langa, do not have a chance in hell to make a success of their lives... [Interjection.]

Mr P UYS: Why are you saying hell?

Mr F C CHRISTIANS: ...because after 20 years we still have the same problems in the communities. How is it that when we go to communities they protect our gangsters? Gangsters get protected by communities because youngsters still see gangsters as role models. We need to turn this around.

Mr Q R DYANTYI: I hope you are listening.

Mr F C CHRISTIANS: Youngsters need to be guided by the inner man and the ACDP was calling ... [Interjection.]

The SPEAKER: Order!

Mr F C CHRISTIANS: ... and still is calling that we have religious instruction at schools. [Interjection.] We need to feed the inner man, try to

change their mindset and we will have a better community.

Mr Q R DYANTYI: Speak to them.

Mr F C CHRISTIANS: A study was done in Site B in Khayelitsha, and it says that teenagers are involved in crime, but their parents deny it. People come to their parents saying your child is involved in crime. They deny that. [Interjections.]

Surely we need to change this mindset. One person that was interviewed said when parents are told that their children are involved in crime they aggressively defend their children, but yet, after 20 years of democracy, our communities did not change. We are still dysfunctional. When you drive out in Bonteheuwel, Elsies River, all those areas, people do not have hope.

Mr K E MAGAXA: The pastors have.

Mr F C CHRISTIANS: We need to be a Government of hope to give hope to our children so that they can also succeed. I thank you. [Interjections.]

Mr K E MAGAXA: You must pray. [Interjections.]

The SPEAKER: Thank you. [Interjections.] Order please members.

†Mnr Q R DYANTYI: Dis nie 'n probleem nie. *That is not a problem.

The SPEAKER: I see the hon member Ms Gillion.

†Mnr Q R DYANTYI: Gooi kole nou. *Throw coals now.

Ms M N GILLION: Madam Speaker, I am worried that this topic is debated in the absence of the hon Premier Zille, the DA Chief Whip Wiley and the MEC for Economic Development, hon Minister Winde. [Interjections.]

An HON MEMBER: They ran away. [Interjections.]

Ms M N GILLION: Because ultimately it is also the responsibility of this Western Cape Government to mitigate and eradicate crime, unemployment and poverty in this province. Dysfunctional communities are the consequence of the structural deficiencies of our social, economic and political landscape in this province.

Mr Q R DYANTYI: Ja, there it is.

Ms M N GILLION: This DA run Government dismally failed... [Interjection.]

†Mnr Q R DYANTYI: Nou praat ons. *Now we are talking.

Ms M N GILLION: ...to eradicate these deficiencies. [Interjections.] It failed to improve the living standard of poor people and better their living

conditions, namely more access to clean water, more dignified sanitation, proper road infrastructure in townships and rural areas, equitable education and healthcare. [Interjections.]

Mr Q R DYANTYI: That is it. †Gooi kole *Throw coals!

Me M N GILLION: The Western Cape has the biggest growing gap of inequality between the rich and the poor and is recorded amongst the highest in the country. It is in this context that the debate and the dysfunctional communities must be located, in particular as it affects the poor and rural communities, which happens to be where a majority of black people reside.

In 2006, Children Count and the University of Cape Town's Children's Institute conducted a study under child-headed homes and it revealed that child-headed households had at least one child who was fifteen or older and with no adults to take care of them. In many cases the children are without proper papers. [Interjections.]

An HON MEMBER: Where?

The SPEAKER: Order please.

Ms M N GILLION: Therefore had no access to social grants, education and healthcare. [Interjections.]

The SPEAKER: Order please members.

The MINISTER OF SOCIAL DEVELOPMENT: No, serious.

Ms M N GILLION: In order to come out of this predicament and provide means to survive, these children drop out of school to take care of their siblings and to provide food on their tables. This is one of the underlying causes of the dysfunctional communities. [Interjections.]

An HON MEMBER: [Inaudible.] bread for election.

Ms M N GILLION: This challenge was acknowledged by the Social Development Minister, Bathabile Dlamini, when she said in 2013, we do not want you, these youngsters, to fall through the cracks. We want to have a register of all child and youth-headed households in this country and to ensure that you have access to all the rights enjoyed by children whose parents are still alive. At least R13 billion was set aside for social relief grants, which include assistance for child-headed households. What is this Western Cape doing to assist such households? [Interjections.]

In fact, please listen carefully. [Interjections.] The Western Cape Constitution provides for the establishment of a Children's Commission to look after the interests of the children, promote and protect their interest and their rights. This Government has an opportunity to do something good, but instead they show its true colours of carelessness about protecting the rights

of the children, especially mostly those that are most affected by poverty and unemployment in poor communities, and guess what, the honourable Premier bluntly refused to implement this provision of the Constitution... [Interjections.] ...even after a lengthy public hearing conducted by this Government early this year, that concludes the urgency of the appointment of the Children's Commission. The youth at risk is another area of concern that this Government has been neglecting and failed to deal with comprehensively. In 2013 it was reported by SAPS that gangsterism in the Western Cape had increased and 2580 murders were gang-related. [Interjections.]

Mr R D MACKENZIE: And guess who voted against it [Inaudible.]

Ms M N GILLION: This was an 86% increase from 2012. It was also revealed... [Interjections.]

The SPEAKER: Order! Order please.

Ms M N GILLION: ...that children as young as fourteen... [Interjections.]

The SPEAKER: Hon member Ms Gillion, will you please take your seat. Members, we cannot proceed in this way. There is a speaker on the floor and it is my duty... [Interjections.] Hon member Mr Dyantyi, there is a speaker on the floor. Can you please afford the speaker - I need to protect the speaker because I cannot hear her at the cost of being drowned out. [Interjections.]

An HON MEMBER: Like the ANC.

Ms M N GILLION: Thank you for the protection, Madam Speaker.

The SPEAKER: Members, please leave your fights for outside of the Chamber thank you. You may proceed hon member Ms Gillion.

Ms M N GILLION: Thank you Madam Speaker. It was also revealed that children as young as fourteen were arrested on gang-related murder charges. These youth became embroiled in making communities dysfunctional as they are involved in criminal activities and are largely unemployed. Instead of fighting gangsters and related activities, the Western Cape and Cape Town befriend gang leaders and offer them contracts as protection fees in gang stricken communities such as Manenberg and Hanover Park. [Interjections.]

HON MEMBERS: Yes, ja.

Ms M N GILLION: The recently released crime stats by SAPS showed that the rate of serious crimes such as murder, attempted murder and armed robberies increased in townships like Nyanga, Khayelitsha, Gugulethu and Philippi. [Interjections.] The much talked about Youth Centres and MOD Centres are by no means sufficient to be used as the only tools to prevent youth at risk of becoming involved in crime. In fact it fails.

How can we say that this DA-led Government is serious about gang violence and crime? [Interjections.]

Mr Q R DYANTYI: Over my dead body.

Ms M N GILLION: During the recent annual report review it was reported that this Department has an underspend by R18 million on infrastructure projects and goods and services. This is the money that can help to improve the living standard of child-headed households and youth at risk, respectively, to make our communities functional, to minimise crime and unemployment in the Western Cape. Let us stay in the Western Cape members, because we...

The SPEAKER: Hon member Ms Gillion.

Ms M N GILLION: ...because we are responsible for this Province. I thank you. [Time expired.]

The SPEAKER: Thank you.

Mnr Q R DYANTYI: Mooi, mooi, mooi! [Applous.]

The SPEAKER: I see Minister Plato.

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, thank you for

the opportunity. The murder rate in Gauteng and KwaZulu Natal is higher than the murder rate of the Western Cape. That is fact. [Interjections.] Look at the crime stats. That is fact. [Interjections.]

The SPEAKER: Order please, hon member Mr Dyantyi.

The MINISTER OF COMMUNITY SAFETY: Do not give wrong information to this House. [Interjections.]

The SPEAKER: Order please.

The MINISTER OF COMMUNITY SAFETY: I take strong exception to the labelling of an entire community as dysfunctional.

An HON MEMBER: It is not our province.

The MINISTER OF COMMUNITY SAFETY: The majority... [Interjections.]

The SPEAKER: Minister Plato, take your seat please. Are you rising on a point of order, hon member Mr Dyantyi?

Mr Q R DYANTYI: Yes, can I ask the Minister a question? [Interjections.]

The SPEAKER: Member, will you take a question?

Mr Q R DYANTYI: He must answer.

The SPEAKER: No, the Minister is not prepared to take a question. Members, you cannot engage the speaker directly. The speaker speaks to the House through the Chair. Please, you need to manage yourselves appropriately. You may proceed Minister Plato.

The MINISTER OF COMMUNITY SAFETY: I take exception to labelling an entire community as dysfunctional. The majority of those living in South Africa as well as those living in the province are law abiding citizens. It remains only small groupings in our communities that do not respect the law. That is it. Many people in this country and in this province are burdened by negative social circumstances which act as a barrier to progress. Challenges we find across South Africa, also in the Western Cape and all governments dealing with it. Let us not politicise these pressing issues. We have to be cognisant of the challenges people face every day with poverty, the legacy of a divisive past and the barriers such as crime and unemployment. Just because you are poor or from a poor community, does not mean that your community is dysfunctional or that your community is contributing to crime or increases in unemployment. Many of us present in this House grew up in communities which were plagued by the same injustices and social illnesses.

†Mnr Q R DYANTYI: Daai is waar. *That is true.

The MINISTER OF COMMUNITY SAFETY: It is in our communities, which

carry the biggest burden of social ills and challenges such as crime, unemployment and poverty where you find at its core a community with a strength to survive. These communities are not dysfunctional. These are communities in desperate need for assistance in removing the barriers that prevent them to live their lives and use the opportunities available to them and there are many opportunities available.

My office has been unable to obtain the research from the hon member Mr Christians, which he claims reveals the dysfunctional state of our communities and its contributions to unemployment and crime, but what are the facts?

According to the latest Provincial Economic Review and Outlook, PERO, the Western Cape's unemployment figures are 21% narrow unemployment and 23% broad unemployment, which are considerably lower than the South African average of 25% narrow and 32% broad unemployment and our members want to give the impression you find those issues only in this province. [Interjections.]

Mr Q R DYANTYI: That is true, but say the next sentence.

The MINISTER OF COMMUNITY SAFETY: Thanks for that admittance.

Mr Q R DYANTYI: What is the next sentence?

The MINISTER OF COMMUNITY SAFETY: Though these figures seem laudable we should be very aware of the work that still needs to be done. We all aim as public servants in the province to see our communities function without the burden of crime, unemployment, poverty and inequality. We are determined to create an environment where people are free from any barrier to access the services they deserve and free to access the opportunities available to them to create the lives they want to live. The PERO identifies where our work is most needed. Communities of individuals face barriers, specifically women remain relatively disadvantaged within the labour market. Young people between ages 15 to 24 are more economically excluded than those between 25 and 34 years old or older than 34. Unemployment is lower for people with higher levels of education and that is what we need to concentrate on. Education is the key to empowerment.

Mr Q R DYANTYI: It is the solutions we are looking for.

The MINISTER OF COMMUNITY SAFETY: That is one issue and you know that and let us work together to achieve just that. Furthermore...
[Interjection.]

The SPEAKER: Minister Plato, kindly take your seat please. Hon member Mr Dyantyi, I need to address you. Interjection is allowed but constant heckling, drowning out the speaker is not going to be condoned so I am going to urge you to manage yourself and afford the speaker an opportunity to speak. I do not mind interjections, but no heckling on an ongoing basis. You may

proceed, Minister.

The MINISTER OF COMMUNITY SAFETY: Furthermore the PERO shows that increasing levels of crime and substance abuse continue to negatively impact on socio-economic conditions and the economy. The social ills in our communities, crime, substance abuse and the scourge of alcohol are contributing to conditions where the economy cannot grow, where jobs cannot be created to reduce unemployment and where the criminal few take a hold over our communities. The Western Cape Government is determined to address the social ills, the barriers to our communities. We have made great strides in delivering key infrastructure. We have built and continue to build schools, hospitals, clinics, houses [Interjection.]

An HON MEMBER: We have done all of that.

The MINISTER OF COMMUNITY SAFETY: ...and access through roads and public transport, for instance to improve the conditions our communities live in for them to prosper. The Department of Community Safety has taken the dual responsibility to help ensure a better quality of policing service delivery to communities through effective oversight over SAPS, but also spearheads targeted interventions through effective partnerships to reach our communities with the greatest need and we are doing it currently, right now.

Since the start of 2015 the Department and I have embarked on huge focus safety outreaches, where our youth at risk can access the opportunities to

build a better life for themselves, free from the problems of crime and many youngsters are making use of these opportunities.

†'n AGBARE LID: Hoor-hoor. *Hear-hear.

Mr Q R DYANTYI: Give them bread for elections. [Interjections.]

The MINISTER OF COMMUNITY SAFETY: Through the Chrysalis Academy our use of educational training opportunities secures them initial employment. Through our partnerships with our FET Colleges we are providing youth with further education and training opportunities to kick-start their career path. We might not see the end result of that success tomorrow but down the line you will see that. Our Youth Safety and Religious Partnership with the religious fraternity in the province provides safe educational and developmental opportunities for our youngsters during the school holidays as they run the risk of being drawn into negative social behaviour such as substance abuse and gangsterism, and I want to thank our churches and religious fraternity to partner us in that aspect.

We support the police and law enforcement entities to the best of our abilities with the sole aim of helping to create safer communities. Currently targeted interventions include the deployment of our safety kiosk as a visible point of safety in many communities and the mobilisation of the Chrysalis graduates as a force multiplier to provide safety.

The Department's annual policing needs and priorities consultation process gives a voice to our communities on their specific safety and policing needs, which the National Minister has a constitutional duty to consider when determining an equitable distribution of police resources. Our new approach to the PMPC is a practical and implementable safety plan drawn up for every community to allow the whole of society, the police, the Government Departments, neighbourhood watches, safety forums, safety stakeholders, and the community at large to have increased safety in their immediate community. A problematic enabler of crime in our province is a functional under-resourcing of our police. The latest Provincial annual report also shows that we need 1500 police officers to ensure that all stations are at least 98% staffed. Too few police resources are a barrier for many communities to function in a safe environment.

Other resources include, and listen to this, police to population ratios in this province and in some communities almost double that of the national standard.

Mr Q R DYANTYI: Like Khayelitsha and [Inaudible.]

The MINISTER OF COMMUNITY SAFETY: The demise of police reservists in the province, a 66% decrease since 2008... [Interjections.]

The SPEAKER: Order please.

The MINISTER OF COMMUNITY SAFETY: ...and no new reservists recruited in the last three years is a contributing factor and the refusal to bring back the specialised units, including the Drug Unit, including the Gang Unit as a credible answer to curb gangsterism and the scourge of drugs in the province. [Interjection.] We may ask the question why is that to keep the passages for the gangsters open in the province? No-one must keep an eye on them. No-one must bring them to task and we have many, many questions to ask in that regard.

Mr K E MAGAXA: Your time is up.

The MINISTER OF COMMUNITY SAFETY: These barriers add to the burden of crime in our communities, which remains a constant threat to the functioning of many of our communities and I will continue to call on the National SAPS Management to rectify these in order to remove the barriers to safer communities in the province. Our Court Watching Briefs, unit success, and that of the newly established office of the Western Cape Police Ombudsman restore the trust in our police in service delivery as it promotes quality policing services availability to our people.

Our communities are not dysfunctional. Our communities need us and they need help and they need us now, and I want to urge the public servants to leave politics at the door when we claim to make decisions on communities' behalf. Our communities require of us to always look at how best we can remove the barriers they face individually and as a whole which prevents

them from accessing opportunities to live a life that each person in the province aspires to.

Mr Q R DYANTYI: Start with the CPFs.

The MINISTER OF COMMUNITY SAFETY: We as the Western Cape Government, and we do support the CPFs and neighbourhood watches, will continue to work with our communities, with the police and with any willing partner in order to reduce the scourge of crime, gangsterism, drugs and alcohol abuse as well as to create the conditions in which the economy can succeed. Thank you Madam Speaker.

The SPEAKER: Thank you Minister. I see the hon member Ms Davids.

†Mnr Q R DYANTYI: Mooi praat, mooi. *Speak nicely.

Ms S W DAVIDS: Thank you Madam Speaker. I first want to speak to hon member Mr Christians. That is a good subject that he brought to the House, but one thing he must know that as a man of God you must not judge. The word is very clear on that... [Interjections.] ...and in his statement he made a whole sentence, two, three sentences of judgement... [Interjections.]

An HON MEMBER: Yes.

Ms S W DAVIDS: And for that he must really go and confess tonight to God.

[Laughter.] And then to the hon Minister Plato, you are saying that the National Government is opening the doors for the gangsters to move around but yet your councillor, a DA councillor, writes a letter to court when a gangster was going to prison... [Interjection.]

An HON MEMBER: Pleading for the gangster.

Ms S W DAVIDS: ...pleading for him to get a lesser sentence. What are you saying about that? You are contradicting yourself, MEC. [Interjections.]

The SPEAKER: Order please.

Ms S W DAVIDS: If you struggle to pay your bills and do not know where your next meal is coming from, studies show you are more likely to be incarcerated. Once you fall into that cycle it is difficult to break out. When people get out of jail they usually have no money or a stable home to return to. This is the reality for many poor Coloureds and African communities in the Western Cape.

Unemployment continues to be a primary factor driving poverty. When comparing poverty drivers in the Western Cape, lack of participation in the economy is the leading factor driving poverty in this province. Research shows that income levels, time spent at school, quality of neighbourhoods and safety and security are also presiding factors to dysfunctional communities.

The SPEAKER: Order please members.

Ms S W DAVIDS: The Western Cape Government's skewed spending...
[Interjection.]

The SPEAKER: Sorry hon member Ms Davids, if you could take your seat. Minister Grant, sorry, if you could just tone it down. You are drowning out the speaker. [Interjections.]

Mr Q R DYANTYI: He is not supposed to see while he sits there [Inaudible.]

The SPEAKER: Hon member Mr Dyantyi, I will not tolerate any of your behaviour going forward. You are proving to be divisive and I would urge you to manage yourself. [Interjections.] No, your behaviour is not in keeping with the dignity and decorum of this House. I would urge you to engage Minister Plato in a discussion outside of the Chamber but kindly manage yourself appropriately in terms of interjections. It is becoming disruptive. Hon member Ms Davids you may proceed.

Ms S W DAVIDS: Thank you Madam Speaker. The Western Cape Government's skewed spending and lack of service delivery has resulted in a situation where dysfunctionality is found in African and Coloured communities, where their socio-economic conditions have remained the same for the past six years. In fact, statistics shows that the Western Cape is

worse off now under the DA than it was in the past. [Interjections.] When the ANC came into government in the Western Cape the unemployment rate was at 18... [Interjection.]

The SPEAKER: Order!

Ms S W DAVIDS: Just listen for once because then you will learn how to govern. Just listen. [Interjections.]

The SPEAKER: Order! [Interjections.]

Ms S W DAVIDS: When the ANC come in to govern the Government in the Western Cape the unemployment rate was at 18.6%.

Mr Q R DYANTYI: That is it, it is very true.

Ms S W DAVIDS: This rate was steadily decreased to a lowest point of 16.3% in 2006. The unemployment rate of the Western Cape was at its highest in the 2012 at 23.4% as a result of this DA Government.

Mr Q R DYANTYI: It is rising again.

Ms S W DAVIDS: These statistics therefore shows that unemployment was at its lowest when the ANC was in government in the Western Cape and the DA has only reversed those job gains made by the ANC. We spent millions for

one job. It was proven in our annual report.

Jobs amongst youth was the highest in 2006 with 934 000 youth jobs. Under the DA youth jobs were at its lowest in 2012 at 844 000. The Quarterly Labour Survey for Quarter 2 2015 shows that 5000 more young people become unemployed in the Western Cape. Where jobs are created in the Western Cape they do not benefit Africans and Coloured living in poor communities but rather the white and wealthy. White competitors who make up 60% of Western Cape residents of working age in 2014 benefited from 57% of total job growth in the province. In contrast Africans make up 32% of the working age population, but got just 16% of jobs, while Coloureds who made up 51% of the population also accounted for a very small part of the new jobs growth.

The Western Cape has experienced little economic growth over the last six years. In fact the latest available Regional Economic Growth Statistics shows that the economic growth of the Western Cape was at a rate of 5.6%. When the ANC came into office it steadily grew to 6.3% in 2006 where it was at its highest during this period. When the DA came into office in 2009 economic growth fell to minus -1.4%. [Interjections.]

The SPEAKER: Order please!

Ms S W DAVIDS: When it comes to the delivery of housing to the poor the DA has failed to uplift the dignity of our people through human settlements.

The 2014 General Household Survey shows that 14.8% of residents of the Western Cape live in informal dwellings, making the Western Cape the second highest province of residence living in informal dwellings. [Interjections.] The dysfunctional alliance has not taken this province anywhere, because the ACDP is supposed to preach and not to politicise things. [Laughter.] [Interjections.]

The Western Cape has the second-highest level of dysfunctionality amongst households when it comes to the public healthcare with 10% of households being very dissatisfied with their public healthcare facilities in the province. Access to basic services such as water, sanitation and electricity have not changed in this province under this Government. [Interjections.]

The SPEAKER: Order please!

Ms S W DAVIDS: In 2002 98.9% of households in the Western Cape had access to water. In 2014 the figure is still the same, no improvement. [Interjections.]

The MINISTER OF HUMAN SETTLEMENTS: It is a good thing.

Ms S W DAVIDS: On sanitation... [Interjection.]

The SPEAKER: Order please!

Ms S W DAVIDS: On sanitation 90.6% of households of the Western Cape have access to improved sanitation. In 2002 there was 98.9%. This shows that the DA game-changers have only changed things for the worse in the Western Cape. [Interjection.]

The SPEAKER: Hon member Ms Davids...

Ms S W DAVIDS: The DA took over a good performing Western Cape and have since have gone down in terms of jobs, economic growth, housing and basic services... [Interjection.]

The SPEAKER: Hon member Ms Davids, your time has expired.

Ms S W DAVIDS: The dysfunctional alliance had brought dysfunctionality to the Western Cape.

The SPEAKER: Thank you.

Ms S W DAVIDS: I thank you. [Time expired.] [Applause.]

The SPEAKER: Order please members. Order please. [Interjections.]

An HON MEMBER: You do not count [Inaudible.]

An HON MEMBER: Go Google, use Google. [Interjections.]

The SPEAKER: Hon member Ms Davids, your time has expired. Hon member Mr Mnqasela, I recognise you.

Mr M MNQASELA: Thank you Madam Speaker. Hon members...

Ms M N GILLION: Please stay in the Western Cape.

Mr M MNQASELA: Hon Ministers, invited guests in the gallery and the members of the media. [Interjections.] The ghosts of apartheid continue to haunt us as we march down the road to economic freedom and prosperity. [Interjections.] [Laughter.]

It is no surprise that we debate what is before us today but rather to say one will not be bothered by the semantics and the phraseology of whether is it working community or is it dysfunctional community? I would rather say that we have got some challenges in our communities and nobody dismisses that. [Interjections.] In latching onto what the Minister Dan Plato said, much of the problems that we encounter in the Western Cape are made by the National Government. [Interjections.]

†ILUNGU ELIBEKEKILEYO: Haibo!

*AN HON MEMBER: Oh no!

Mr M MNQASELA: That is why when you look at places like Manenberg the

gangsterism and the fact... [Interjections.]

The SPEAKER: Order!

Mr M MNQASELA: ...that it took much longer to address that problem. [Interjections.] It is primarily because the Central Government refuses to cooperate.

†UMnu Q R DYANTYI: Haibo, Mnqasela!

Mr Q R DYANTYI: Oh no, Mnqasela!

Mr M MNQASELA: If you look at the problem in Khayelitsha, and the mere fact that we had to take decisions as this province to have the Commission of Inquiry in responding to the problem in Khayelitsha, it is the failures of the National Government led by this ugly ANC. [Interjections.]

The SPEAKER: Order! [Interjections.]

Mr M MNQASELA: According to the Institute for Security Studies this is both a historic problem and a structural problem and politicians have successfully used this problem to stay in power since 1994 and before 1994.

Structurally the Human Sciences Research Council as well as the South African Institute for Race Relations has raised the very sharp point that at least 33% of children in this country are raised by single parents. †Yingxaki

leyo ootata bengekho. *It is a problem that the fathers are not there.

The SPEAKER: Order please members.

Mr M MNQASELA: 92% of children are raised by both parents in white and Indian families and that shows the responsibility that rests on our shoulders as Government. The problem here is that this is both a societal problem and a moral problem... [Interjections.] ...partly as a response to this we need to invest in both the boy-child and the girl-child [Interjections.]

The SPEAKER: Order please members. There is too much noise.

Mr M MNQASELA: We need to ensure that the state invests more resources...

The SPEAKER: Hon member Mr Mnqasela, will you take your seat please. Are you rising on a point of order?

Mr K E MAGAXA: Yes Chair, I was checking with the honourable if I can ask just one question. [Laughter.]

The SPEAKER: Will you take a question hon member Mr Mnqasela?

Mr M MNQASELA: No. No that is - there is no time for it now. When I am done.

The SPEAKER: The member will not take a question. Thank you. You may proceed.

Mr M MNQASELA: We need to invest in the boy-child as we need to ensure that young black men are raised to become responsible partners to their loved ones and then show that they act as real fathers to their children. Similarly and most importantly the state must pour resources into the education and empowerment of a girl-child. This will create independent young black and Coloured women, because they will no longer have to be forced to make decisions to a bad decision taken by somebody else, about their own bodies. No man will take advantage of them as the hon member Mr Christians was raising that issue there and furthermore they will become independent economically and educationally.

Ms S W DAVIDS: We know that [Inaudible.]

Mr M MNQASELA: We need to invest more and more resources to stabilise our communities. Politically until 1994 South Africans had little reason to respect the law because they had no reason to respect what was called a “rule of law” which had no law, because during apartheid only those that were favoured by the law knew what law was because it only served the few. Now mainly you would find that the mothers and the parents and the fathers that are present here, especially the fathers, were in the forefront of the struggle and at times when there are those people that were called Impimpi’s - †Kwakuvele kuthathwe itsheyini kuthathwe itayara *they used to just take a

chain and a tyre †and the necklacing activity manifested itself into what was a gruesome and the most dangerous crime committed in the so-called social justice.

Mr Q R DYANTYI: And in Vlakplaas.

Mr M MNQASELA: We see that now more and more in communities because of anger. We need to heal that anger in our communities. In 1994 the programme was that of RDP and the programme of saying how do we reconstruct this community, but what we failed in achieving is ensuring that we heal the souls. Our people are angry and the soul is very frustrated and how do we then come in and heal the wounds that are deep-seated inside? The ghosts of apartheid continue to haunt us in this day and age. [Interjections.]

Mr Q R DYANTYI: Through the DA you align with Vlakplaas...

Mr M MNQASELA: The liberation movements and the oppressed majority and the ANC know better about this particular issue, when there is a problem it is very easy for the ANC to say we will resort to violence, including those red jackets there. When you hear people saying anything about disagreement we will see in Tshwane, when we campaign winning votes the ANC responds with violence because they know nothing else but violence when they lose votes. [Interjections.] We need to ensure that we go deeper... [Interjection.]

Ms S W DAVIDS: There is no relevance.

Mr M MNQASELA: ...and ensure that our communities, especially the communities that I have highlighted here, both the Coloured communities and the black communities, that whatever we do we invest more in our women. We have good role models, hon member Ms Davids, we need to have good role models that are able to lead by example. We need to lead by example. We need good parents, good fathers and good mothers and we can start from here and then show that we save our community. Let us lay the ghosts of apartheid to rest. I thank you. [Interjections.]

The SPEAKER: Thank you.

Ms S W DAVIDS: There is no ghosts. Where are the ghosts? You feed the ghosts.

The SPEAKER: Members, can I call for order please? Too much noise. I see the hon member Mr Joseph.

Mr B D JOSEPH: Madam Speaker, the ghost of apartheid is continuing. We are here in the province that represents all that is wrong in our country. Talking about dysfunctional communities, this is a province that has the highest racialised inequality in this country, with whites enjoying all that the criminal apartheid government... [Interjection.]

Mr Q R DYANTYI: That is the ghosts.

Mr B D JOSEPH: ... illegitimately bestowed upon them, while blacks continue to be on the margins of the economy. Dysfunctional - it is a pity he is not here - is a loaded term, since it is analogous to abnormal. It denotes an entity that is not functional, the way it is supposed to, according to the commonly accepted standards. The problem with standards is that it is usually shared by a dominant group in society. We therefore wonder what the DA understands a dysfunctional society to be.

Under apartheid that dominant group was white, and therefore black standards or behaviour and black communities were termed dysfunctional by the white government of the past. [Interjections.]

We wonder therefore if communities in Nyanga, which is the murder capital of South Africa, will be considered dysfunctional by the DA. Grassy Park has as a result of years of neglect become a haven for drug users and dealers. [Interjections.]

The SPEAKER: Order please.

Mr B D JOSEPH: Which we considered a dysfunctional area by the DA. [Interjections.]

The SPEAKER: Order!

Mr B D JOSEPH: The central cause therefore of crime in this province is deeply entrenched; racially geography of apartheid that is being maintained over the years by both the ANC and the DA. They are bedfellows in a systematic effort to render black and Coloured communities dysfunctional so that these communities can continue being fodder for greedy money launderers who use them for expanding their drug business. There is a chronic housing shortage...

The SPEAKER: Hon member Mr Joseph, your time has expired.

Mr B D JOSEPH: ...and millions of families are denied basic facilities promised by the ANC and the DA.

The SPEAKER: Hon member Mr Joseph, your time has expired. Thank you.

Mr B D JOSEPH: Can I just conclude Madam Speaker?

The SPEAKER: Finish. [Interjections.]

Mr B D JOSEPH: The EFF contends ... [Interjection.]

The SPEAKER: You must finish your sentence hon member Mr Joseph, not start a new story.

Mr B D JOSEPH: Okay. The EFF contends that the solution is not an increase

in policing or better technology but to treat the causes of the problem, hence a few proposals... [Interjections.]

The SPEAKER: Thank you hon member Mr Joseph. [Interjections.] Order please members. I see the hon member Ms Wenger.

Ms M M WENGER: Thank you Madam Speaker. The debate today is whether dysfunctional communities cause crime and unemployment. In essence what we are debating is the cause of crime and unemployment. Is it dysfunctional communities that cause crime or do crime and unemployment cause dysfunctional communities?

There is a large body of research and criminology theory that postulates that in order for crime to occur one needs three components. These are a motivated offender, an opportunity to commit a crime and the absence of a capable guardian.

These are the ingredients for crime to occur. This cocktail of factors come together in a toxic mix and results in crime. If these are the ingredients then... [Interjections.]

The SPEAKER: Order please.

Ms M M WENGER: What are the causes? What causes the motivation to commit crime? What creates opportunities to commit crime and why is there

a lack of capable guardians? The question we need to ask is why these ingredients so frequently come together. The Centre for the Study of Violence and Reconciliation was commissioned by the National Government to conduct research on the reasons for South Africa's high crime levels. Their research report entitled simply "Violent Crime in South Africa", which was released in 2010 identified the following reasons.

Poverty, unemployment and marginalisation, a weak criminal justice system, the easy availability of firearms, inadequate parenting, and alcohol and substance abuse. So let us examine these in terms of motivators and opportunities for crime. Motivators include poverty, unemployment, inadequate parenting and substance abuse. So if these are the known causes of motivating factors, what are we doing about them? To tackle poverty, unemployment and marginalisation we are improving education outcomes through ensuring that more children stay in school and complete their matric. The Western Cape has the lowest dropout rate of all provinces because the DA really cares about children's education...

An HON MEMBER: No, that was not [Inaudible.]

Ms M M WENGER: ...and it is not just chasing targets at the expense of learners. [Interjections.] We are training our teachers, delivering textbooks, and focusing on numeracy and literacy. [Interjections.]

The SPEAKER: Order please.

Ms M M WENGER: We are tackling unemployment through internships, EPWP programmes and... [Interjections.]

The SPEAKER: Order!

Ms M M WENGER: ... through training. [Interjections.]

An HON MEMBER: You cannot carry it out.

An HON MEMBER: It was before your time. [Interjections.]

Ms M M WENGER: Hon member Ms Gillion, you will be very pleased to know... [Interjections.]

The SPEAKER: Order please!

An HON MEMBER: In the Eastern Cape they build a school. [Interjection.]

Ms M M WENGER: Hon member Ms Gillion will be very pleased to know that the UN compiled a report that shows that Cape Town is the most equal City in South Africa and despite misleading statements this City is the most equal. [Interjections.] It is Johannesburg, Buffalo City and Ekurhuleni, all ANC governed municipalities at the top of the list of the most unequal cities in the world... [Interjections.]

The SPEAKER: Hon member Ms Wenger, please take your seat.

An HON MEMBER: Ask them to Google. [Interjection.]

The SPEAKER: Are you rising on a point of order Minister?

The MINISTER OF HUMAN SETTLEMENTS: Madam Speaker...

The SPEAKER: Order please. Hon member Ms Davids there is a speaker on the floor.

The MINISTER OF HUMAN SETTLEMENTS: Madam Speaker, that is exactly the point that I am raising on. We cannot hear the member speaking. This side of the House is really... [Interjections.]

The SPEAKER: Hon members, members can I request your cooperation? It is a courtesy to the speaker to refrain from constant heckling. Now when you drown out the speaker it is my duty to protect the person on the floor and I am talking to both parties across the way from me. A little bit of respect will go a long way. Hon member Ms Wenger, you may proceed.

Ms M M WENGER: Thank you Madam Speaker. I will repeat that sentence so my colleague can hear it, but I beg for those 30 seconds to be put on at the end. The UN compiled a report that shows that Cape Town is the most equal

City in South Africa... [Interjection.]

An HON MEMBER: You can Google that.

Ms M M WENGER: ...and despite misleading statements, this City is the most equal and it is Johannesburg, Buffalo City and Ekurhuleni that are all ANC governed... [Interjections.]

The SPEAKER: Order please. [Interjections.]

Ms M M WENGER: ...that top the list of the most unequal cities in the world. [Interjections.]

The SPEAKER: Order please hon member Mr Magaxa. Hon member Mr Mackenzie. [Interjections.]

Mr R D MACKENZIE: Madam Speaker, I am sitting right next to my colleague, but I did not hear that sentence. I would like her to repeat it again. [Interjections.] [Laughter.]

The SPEAKER: Members, may I remind you that we have a duty to the citizens out there. This sitting is being televised and I really shudder when I think what ordinary South Africans feel and think if they watch what is playing out here. It is incumbent on us to manage ourselves and to maintain the dignity and decorum of this House. I am appealing to you please, allow

the speaker to continue and if you have any jibes or remarks keep them below the level of drowning out the speaker. You may proceed hon member Ms Wenger.

Ms M M WENGER: Thank you Madam Speaker. If the DA governs nationally we would implement a youth wage subsidy... [Interjection.]

The SPEAKER: You may take your seat, hon member Ms Wenger. Is it a point of order? Hon member Ms Wenger, there is a member on the floor. Hon member Ms Gillion.

Ms M N GILLION: Madam Speaker, may I address you?

The SPEAKER: Yes you may.

Ms M N GILLION: I just need to get clarification from you, Madam Speaker. You refer to respect in this House and I have got a problem. The member who put this debate on the table for discussion in this House has left after he has spoken. What respect is that?

The SPEAKER: Your point of order is noted. However, I cannot control the movement of members, hon member Ms Gillion, and unfortunately that member does not have a Chief Whip who can call him into line. [Laughter.] So it is a matter though which I will address. Thank you. [Interjections.] Members, can we get some order please? Hon member Ms Wenger, you may

proceed.

Ms M M WENGER: If the DA governed nationally we would implement a youth wage subsidy to make sure that young people can get a foot in the door and encourage employers to hire young people. We would introduce opportunity vouchers for school leavers to subsidise their education to help guarantee a loan, or to put towards capital to start a business. This policy proposal makes sense but when we march for jobs and to push this good proposal, what happened? The ANC and its alliance partners threw clay bricks at us. When it comes to inadequate parenting there is nothing that can replace the role that loving and committed parents play in the development of a child's physical, emotional, mental and moral development. However, as Government we do what we can to ensure that children are safe and in caring environments as far as possible. This is done through family support programmes especially for those child-headed households. We also have early childhood development focus and Minister Fritz' department funds over 1000 ECD Centres so that children can receive quality learning to equip them with the necessary language and cognitive skills to master Grade 1. [Interjections.]

When it comes to substance abuse, we all know that drug and substance abuse are all too prevalent. This Government has shown that it is serious about dealing with this problem and has improved drug treatment and intervention services. The Social Development Department is ensuring that infrastructure and service delivery is at the best this Government can offer.

When the DA came into power in 2009 there were only seven treatment sites. We now have 24 drug and substance abuse treatment sites across the province, which is more than a 200% increase. [Interjections.] And what of opportunities for crime? These include alcohol, in which people are made vulnerable, as well as the availability of firearms. [Interjection.] The Department of Community Safety has recently completed some very interesting research of firearms. They found that there is a lack of resources and not enough computers for police officers, no scanners and systems for the police's designated firearm officers to capture information. [Interjection.]

In the Western Cape not all police stations have access to an electronic system and are forced to use a paper-based system. [Interjections.]

The SPEAKER: Order! Order please. [Interjections.]

Ms M M WENGER: None of the identified stations had more than three SAPS members for firearm licensing and liquor control. This means that officers cannot always determine whether the applicant is fit... [Interjections.]

The SPEAKER: Order please, members. I am going to call for silence.

Mr K E MAGAXA: Your time is up.

The SPEAKER: No-no, your time is not up. I am calling for order and silence

in the House. You may proceed hon member Ms Wenger.

Ms M M WENGER: This means that police officers cannot always determine whether the applicant is fit to own a firearm including checking the domestic violence register to see that no final protection order has been issued against the applicant. In Nyanga it takes three and a half years to convict a perpetrator of a firearm related crime and on average only one in five firearm-related crimes are likely to end in a conviction.

Alcohol abuse fuels violence, injuries and other criminal behaviour.

An HON MEMBER: Well, what is Plato doing about that?

Ms M M WENGER: So tackling alcohol and substance abuse most certainly is a priority for this Government and it is one of the strategic game-changers being led by Minister Mbombo. [Interjections.] The final element is a lack of capable guardians. The CSVI identified a weak criminal justice system as a cause of violent crime. A weak criminal justice system is highly problematic because it cannot deliver justice. It also means that there are inadequate guardians which is one of the ingredients for crime I mentioned earlier. We have a critically under-resourced police service in the Western Cape with close to 3000 vacancies. The SAPS annual report says that they need in excess of 1500 employees to ensure the minimum staffing is achieved and their own report says unequivocally that in the absence of such...

The SPEAKER: Hon member Ms Wenger, your time has expired.

Ms M M WENGER: No-no-no.

The SPEAKER: You may finish your sentence. [Interjections.]

Ms M M WENGER: No Madam Speaker I am terribly sorry, but I timed the speech. [Interjections.] I timed the speech very carefully and it is as a result of the interjections... [Interjections.]

The SPEAKER: Sorry. Hold on. [Interjections.]

Ms M M WENGER: I have not been ... [Interjections.]

The SPEAKER: Please take a seat hon member Ms Wenger. I will check with the Table. Please take your seat. How much time do we have left? [Interjection.]

An HON MEMBER: ... a minute and a half left.

Ms M M WENGER: I have still got two minutes.

The SPEAKER: Okay, you may proceed. You still have a minute left according to the clock.

Ms M M WENGER: Thank you.

The SPEAKER: Thank you.

Ms M M WENGER: At the same time those things that are meant to help the police are either being ignored or done away with. It includes private security, the Metro Police, neighbourhood watches and police reservists...
[Interjections.]

The SPEAKER: Order please members.

Ms M M WENGER: Madam Speaker.

Mr K E MAGAXA: You must behave to the Speaker.

The SPEAKER: Hon member Mr Magaxa. No, her time has not expired. It was my error and I apologise. I have checked with the Table staff. There is still a minute left.

Mr K E MAGAXA: It is wrong, the clock is wrong. It is bias.

The SPEAKER: Hon member Mr Magaxa, we have the technology. Sorry. No.
[Interjections.] Members, I am not going to allow this debate. I am guided by the Table staff and this clock has served all other speakers who preceded the hon member Ms Wenger so I will continue to use this clock until the end

of the session. I am not going to engage in a debate. There is still a minute left for the speaker to carry on. [Interjections.] Minister Madikizela.

The MINISTER OF HUMAN SETTLEMENTS: Madam Speaker, I raise on a very serious point here. Hon member Mr Magaxa is casting serious aspersion on your integrity... [Interjection.]

The SPEAKER: Absolutely.

The MINISTER OF HUMAN SETTLEMENTS: ...of the Chair sitting here in front and I want the Speaker to rule on that, to even say that “that is nonsense”, this is very, very serious. [Interjections.]

An HON MEMBER: Bias, I heard the word bias.

The SPEAKER: Okay, sorry. Hon member Mr Magaxa there is another speaker on the floor. Hon member Mr Mnqasela.

Mr M MNQASELA: Thank you Madam Speaker. I am glad the Leader of Government Business has picked up this point. The point that the hon member made was when hon member Ms Wenger spoke and he says “you are glad you have a speaker.” That actually casts aspersions on the integrity... [Interjections.]

An HON MEMBER: No, what did he say? What did he say?

Mr M MNQASELA: ...and you need to rule on this Madam Speaker, and I am very much worried about the conduct of the ANC today. [Interjections.]

The SPEAKER: Thank you. Hon member Mr Tyatyam.

Mr S G TYATYAM: Madam Speaker, as members in this House we respect your rulings and when you raise your ruling we accept every one. Even the members of the DA, even if she was speaking, to raise or accept your ruling.

An HON MEMBER: And she did not.

Mr S G TYATYAM: She continued to speak, hence we were surprised when there was a change. Must we do that? Must we contest you? We cannot do that because we respect your ruling so that is the reason that we are contesting that.

The SPEAKER: Okay.

Mr S G TYATYAM: And I would assume, Madam Speaker, that maybe in future before you terminate someone, consult with the Table. [Interjections.] so that we do not have this confusion. Thanks.

An HON MEMBER: That is what she did.

The SPEAKER: Thank you hon member Mr Tyatyam. I have listened to all the inputs. I made an error. I called time a minute before the time for which I apologised. However, the inference of hon member Mr Magaxa to the integrity of the members of the Table is something that we cannot allow.

An HON MEMBER: Absolutely.

The SPEAKER: Because the members at the Table are here to guide the Presiding Officers, and the fact that this clock has been told, is called into question, it calls the integrity of the timekeeper into question and for that reason I have said we will continue to use the device. However, I am going to ask the hon member Mr Magaxa to withdraw the statement that he made to the Table staff regarding the fact that this thing is not working and basically calling it into question and saying what came from the Table is not true.
[Interjections.]

An HON MEMBER: No, no.

The SPEAKER: He said that. I heard it and I stand by that, people. I am asking hon member Mr Magaxa to withdraw his statement regarding the timing, the statement that he made to the Table saying: “You are wrong around the time.”

I consulted the Table. The members indicated there was still a minute and 16 seconds left. I said, “Proceed hon member Ms Wenger”, at which stage hon

member Mr Magaxa said: “The Table is wrong”, and this is why I am saying let us not call the integrity of the Table staff into question please.

Mr K E MAGAXA: Okay, thank you Madam Speaker. I withdraw.

The SPEAKER: Thank you hon member Mr Magaxa. [Interjections.]

Ms M N GILLION: Haibo! You are not the speaker. [Interjections.]

The SPEAKER: Order members! Order. [Interjections.]

Ms M N GILLION: You are not the speaker.

The SPEAKER: Order, hon member Ms Wenger can I just test your time before you proceed. How much time do we have left? You have a minute left. You may proceed, thank you. [Interjections.]

Ms M M WENGER: There has been a 66% decline in the number of active police reservists since 2008, but what is worse is that the number of reservists called up on paid duty in 2008... [Interjections.]

The SPEAKER: Order!

Ms M M WENGER: ...was just over 22 000 and this year it is zero, and speaking of zeros the Western Cape Police in the last three years have not

managed to recruit a single reservist - not one. [Interjections.]

The SPEAKER: Order members! [Interjections.]

Ms M M WENGER: This deliberate... [Interjections.]

The SPEAKER: Hon Deputy Chief Whip?

Mr D JOSEPH: Thank you Madam Speaker, I know you wanted...
[Interjections.]

The SPEAKER: Members.

Mr D JOSEPH: Madam Speaker, thank you, I would like you to from this point on, that you really apply the Rules. I think everyone, DA members and ANC, had enough time to control themselves. Please proceed with the Rules. Thank you.

The SPEAKER: Thank you. Your point is noted. Members, I am appealing to you please. Let us maintain the decorum. Can we proceed?

Ms M M WENGER: The deliberate under-resourcing of the police shows that the National ANC Government does not care about citizens who suffer crime in our province. If they did they would have sent more officers to Nyanga and Mitchells Plain. They would have re-established the specialised units for

drugs and gangs. If they really cared about people they would not have robbed us of officers and reservists. If they really cared they would not have sent the fewest officers to the areas most affected by crime, but then the leader of that party boasts that what is most important to him is not South Africa but his politics.

The SPEAKER: Your time has expired hon member Ms Wenger.

Ms M M WENGER: Peace is not something that you hope for. It is something that you work for. As public representatives...

The SPEAKER: Hon member Ms Wenger, your time has expired.

Ms M M WENGER: Can I finish my sentence?

Ms S W DAVIDS: Madam Speaker, a point of order.

Ms M M WENGER: Can I finish my sentence?

Ms S W DAVIDS: Madam Speaker, again the member is undermining your authority. Please act on that.

Ms M M WENGER: As other members have been afforded the opportunity to finish their sentence, may I finish my sentence?

The SPEAKER: You may finish your sentence.

Ms M M WENGER: Thank you. As public representatives we must be reminded of our democratic project and our commitment to peace. It is up to each of us to actively work for that peace and to share it. [Time expired.]

The SPEAKER: Thank you. [Interjections.] Members, when hon member Mr Joseph was finished, he asked if he could finish, and I allowed him the time to complete so I have to be fair in the application. Members, please you know what the timeslot is that is allocated to you to speak. Just be mindful of the time when you do render your presentation. I see the hon member Ms Lekker.

Ms P Z LEKKER: Thank you, Madam Speaker, I guess it has become a norm that the Democratic Alliance remains in denial of the triple challenges that we are facing in the Western Cape, particularly Cape Town. It is disturbing to hear that the Western Cape is the most or Cape Town is the most equal area in the Western Cape. [Interjections.]

If that research was conducted properly - I am worried, maybe it was commissioned to friends. [Interjections.] [Laughter.]

The SPEAKER: Order please members.

Ms P Z LEKKER: I want to concur with my colleagues and make this very important observation that the rampant increase of crime and unemployment

must be squarely put at the doorstep of the Democratic Alliance Government in this province. I want to take everyone through memory lane, which reminds me of the sad and painful history of gang wars and violence in this province. Historically South Africa's segregation laws have been instrumental in creating a platform for some of the violent crimes related to urban gangsterism and Government sponsored criminal activities. In the mid- and late 1980's after I experienced a gruesome black on black violence between the apartheid racist regime sponsored Witdoeke communities and the Comrades in the areas such as Nyanga, where I come from, Nyanga Extension KTC and Old Crossroads where many lives were lost. Communities were destroyed, children were left without parents and women were widowed. It is estimated that almost 30 000 people were displaced during this violence. Who would have forgotten the reign of terror that was unleashed by the Witdoeke and the Kids Constables on community activists? Who dared to oppose them on those atrocities? 3300 civil cases were instituted against the police by people who lost their homes during this period. Regrettably many if not all were never compensated.

This is how dysfunctional communities were exacerbated in some of the poor communities in this province. It was not surprising then therefore that the Witdoeke warlords †uJohnson Ngxobongwana kunye noHoza *Johnson Ngxobongwana together with Hoza †joined the then National Party and later joined the Democratic Alliance in 2011. [Interjections.]

An HON MEMBER: Ja, the ANC, they joined the ANC. [Interjections.]

Ms P Z LEKKER: On the other hand the Cape Flats was dominated by gangsters, drug dealers and their peddlers who were terrorising people and were reportedly perpetuated. [Interjection.]

The DEPUTY SPEAKER: Order! Order! Order hon member. Hon Deputy Chief Whip or Acting Chief Whip, I see you first.

Mr D JOSEPH: Mr Deputy Speaker, I would like the member to withdraw the words, shouting to them, to the members, “shut-up” at the back. That is not right.

The DEPUTY SPEAKER: Who did that? I did not hear that. Who said that?

Mr D JOSEPH: Hon member Mr Magaxa.

The DEPUTY SPEAKER: Hon member Mr Magaxa, did you say that?
[Interjections.]

Mr K E MAGAXA: There was nobody.

The DEPUTY SPEAKER: Order! Order! Hon member Mr Magaxa, just get up. Just stand up please. Did you refer to any member in the House?

Mr K E MAGAXA: No, not in the House.

The DEPUTY SPEAKER: Then I will accept your word. Please continue hon member Ms Lekker.

Ms P Z LEKKER: Drug dealers and their peddlers were terrorising people and were reportedly perpetuated by security forces during apartheid days. This is what we see under the DA-led Government today. Instead of fighting gangsters and their related activities, the Western Cape Government befriends gang leaders and offer them contracts as protection fees in gang-stricken communities such as Manenberg, Hanover Park and Kraaifontein. [Interjections.]

The DEPUTY SPEAKER: Order!

Ms P Z LEKKER: The recently released crime statistics by SAPS showed that the rate of serious crime such as murder, attempted murder and armed robberies have increased in townships like Nyanga, Khayelitsha, Gugulethu and Philippi. This urban terror activities in the Cape Flats and township referred to above, contribute to dysfunctional communities in poor working class areas, and I repeat, the DA remains in denial that there are no dysfunctional communities. [Interjections.] You must fix this because it was started by your forbearers. It remains your responsibility to fix it. Even today, as we speak, in each and every township in this province, there are densely populated informal settlements, with no infrastructure.

[Interjections.] and no proper ECD Centres and schools. [Interjections.]

An HON MEMBER: We want the money. [Interjections.]

The DEPUTY SPEAKER: Order.

Ms P Z LEKKER: The CPFs are constantly being undermined by the neighbourhood watch groups, who claim that they only account to the Department of Community Safety and not the CPF. The neighbourhood watch members are in direct conflict with the CPF structures and thanks to the Department of Community Safety for creating confusion at the expense of the communities. The CPFs are deliberately set up for failure against the favoured neighbourhood watches, because this Western Cape Government wants to control and influence party political activities and its interest [Interjections.]

Ms S W DAVIDS: Exactly.

Ms P Z LEKKER: They are not given the necessary resources including financial support unless they agree to be part of the EPP as if there is no other method of monitoring the CPFs. This is clearly the violation of community participation and the DA's sick approach in frustrating those who are not aligned to its policies.

An HON MEMBER: [Inaudible.] Oh.

Ms P Z LEKKER: The City of Cape Town's VPUU is not assisting. Its leadership is white, they do not understand the plight of our own people in the townships.

An HON MEMBER: But you witnessed the oversight [Inaudible.]

Ms P Z LEKKER: Clearly this DA aligned people continues to disperse patronage to its white friends and I ask a question: is there no other black, Coloured or African people who can perform these duties?

An HON MEMBER: No man.

Ms P Z LEKKER: You rather go out and give money to Michael Crous. You give it to Noah Maltz, you give it to Nathaniel Roloff. Is there no other people who can render this service?

Mr Q R DYANTYI: They give them bread, remember.

Ms P Z LEKKER: Please stop what you are doing. [Interjection.]

Mr Q R DYANTYI: For the election.

Ms P Z LEKKER: You even do not have confidence in your own people.
[Interjections.]

The DEPUTY SPEAKER: Order! Order! Hon member Mr Mngasela.
[Interjections.] Order! Order! [Interjections.]

Mr M MNQASELA: Thank you, Mr Deputy Speaker. I would like to know whether they have a problem with the Chief Whip sitting with their side...
[Interjections.]

Mr Q R DYANTYI: What is the point of order?

Mr M MNQASELA: ...that he was in the National Party... [Interjections.]

The DEPUTY SPEAKER: Hon member, order, are you raising a point of order?

Ms M N GILLION: What is the point of order?

Mr M MNQASELA: I am raising a point of order, Chair.

The DEPUTY SPEAKER: What is the point of order?

Mr P UYS: What is your point of order?

Mr M MNQASELA: Whether the Chief Whip of the ANC is a problem because he was in the National Party.

The DEPUTY SPEAKER: Order! Order! [Interjections.] Order! Members that is not a point of order. Please continue.

Ms P Z LEKKER: I am calling on the Democratic Alliance to stop dispersing patronage and encouraging white supremacy ... [Interjections.]

Ms M M WENGER: A point of order.

Ms P Z LEKKER: ...while in the political dispensation... [Interjection.]

Ms M M WENGER: A point of order.

The DEPUTY SPEAKER: Order! Member, your time has almost expired. Hon member Ms Wenger?

Ms M M WENGER: On a point of order, the honourable member is misleading the House. [Interjections.]

The DEPUTY SPEAKER: Order! Order! Please take your seat. [Interjections.] Order! Order! Hon member Ms Davids, when the Chair is asking for order, he means order, not shouting. Hon member Ms Wenger, raising a point of order to say somebody is misleading the House is not a point of order. That is a debating point. Hon member Ms Lekker, you may finish off. It is almost expired. Your last sentence.

Ms P Z LEKKER: Thank you Mr Deputy Speaker. Workshop, hon member Ms Wenger, while we cannot politicise crime... [Interjections.]

Mr R D MACKENZIE: Mr Deputy Speaker...

The DEPUTY SPEAKER: Order, hon member Mr Mackenzie?

Mr R D MACKENZIE: Is the member willing to take a question?
[Interjections.]

The DEPUTY SPEAKER: She is not. I am allowing the member to finish her speech. Please, your last sentence.

Ms P Z LEKKER: While we cannot politicise this issue, crime knows no boundaries. This DA-led Government must stop lambasting SAPS and work together with the National Government to resolve the challenges facing the Western Cape working class community. [Interjections.]

The DEPUTY SPEAKER: Thank you member, your time has now really expired.

Ms P Z LEKKER: Thank you. [Time expired.] [Applause.]

The DEPUTY SPEAKER: The hon Minister of Social Development.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you, Mr Deputy Speaker. [Interjections.] I am always... [Interjections.]

The DEPUTY SPEAKER: Order!

The MINISTER OF SOCIAL DEVELOPMENT: The hon members of the Opposition never ever fails to amuse me and to really get me near to a very, very serious heart attack, Mr Deputy Speaker. [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order Minister, before you continue. Order! The noise level in the House particularly from the ANC bench really is too high and I want to appeal to you and also the other side, but particularly to my left-hand side, we cannot continue like this. Minister, please continue.

The MINISTER OF SOCIAL DEVELOPMENT: Hon Mr Deputy Speaker, I will really fail in my duty if I do not start by raising a number of very pertinent issues raised by the Opposition.

An HON MEMBER: Raise it, raise it.

The MINISTER OF SOCIAL DEVELOPMENT: And I want to say that it is always, as I said, really interesting when I come into this House because the last speaker hon member Ms Lekker - with absolute respect to the hon

member - speaks and almost becomes blatant racist when she talks about the VPUU that they endorsed. By the way we inherited them, and when it suits them then these people are all racist and all white but when they work with it, it is no problem. [Interjections.] And so I want to say, we must stop the hypocrisy and I like at the end when she says, oh, we must not politicise the issue. She is very correct. We must not politicise the issue, because the people's lives are at stake. People's lives are at stake here, and they have time to make jokes about the lives of people, and you know, Mr Deputy Speaker... [Interjection.]

The DEPUTY SPEAKER: Order Minister, just one second. Hon member Mr Magaxa?

Mr K E MAGAXA: On a point of order, is it parliamentary for a member to do this gesture to us as he is... [Interjection.]

The DEPUTY SPEAKER: Hon member Mr Magaxa, he is emphasising a point in his speech. I think there is nothing more to it, but I will look at it in future.

Mr K E MAGAXA: Mr Deputy Speaker, can I address you on this one?

The DEPUTY SPEAKER: Are you talking about the Minister speaking?

Mr K E MAGAXA: Yes, he is pointing. If he is not pointing, he will like, you

know, we are not such small. You know, this is a very derogatory kind of a gesture.

The DEPUTY SPEAKER: Thank you for pointing that out, but Minister Fritz, please continue.

The MINISTER OF SOCIAL DEVELOPMENT: The other point of the hon member Ms Lekker that really worries me, because these are the very same people who go with the committees. They go with the committees on oversight to the very VPUU and then she actually says: “Oh, great work...” the very one who does that... [Interjections.] ...and I am really amazed, but allow me to make a very, very important point about not only the House but the members of this House and this is a [Inaudible.]. This really applies to everyone. It is very clear from the debate and the content of research that came up specifically from the Opposition, that they do not read annual reports. [Interjections.]

An HON MEMBER: Aikona!

The MINISTER OF SOCIAL DEVELOPMENT: They do not read annual reports. [Interjections.] That is the truth.

The DEPUTY SPEAKER: Order! [Interjections.]

†'n AGBARE LID: Dis nie lekker nie. *It is not nice.

†Die MINISTER VAN MAATSKAPLIKE ONTWIKKELING: Dis nie lekker nie. Dit maak seer. Dit maak baie seer. [Tussenwerpsels.] *It is not nice. It hurts. It hurts a lot. [Interjections.]

The DEPUTY SPEAKER: Order! [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: Because had they read, they know the very - it is very hurtful. It is very hurtful. [Interjections.] The †arme *poor researchers - I feel sorry for the researchers, but had they read the annual reports, most of what they said would have been debunked completely and so I want to concur with a number of speakers today who spoke about the idea. I think hon member Mr Christians, it is a bit disparaging really, to call communities dysfunctional, because as I think most speakers pointed out, a lot of the issues you raised were anecdotal. Our communities are great overall. I think we need to work on the social dysfunctions that exist within certain families and then one can address some of that, and I really think what is so interesting about the debate was that the very ANC emphasised the issue of economic development, of job creation, of education, but they are the first ones to destroy the ability to an enabling environment to create jobs. They are the first that destroys the whole issue of education... [Interjection.]

Ms S W DAVIDS: The rich, white rich people.

The MINISTER OF SOCIAL DEVELOPMENT: And when it suits them they want to come to black and white, rich and poor and then not one of the children of the very honoured members of the Opposition goes to a SADTU school, that is run by a SADTU school.

Ms M N GILLION: Says who?

The MINISTER OF SOCIAL DEVELOPMENT: They all go to middle-class white schools where the teacher is white. That is where their children are going to school.

Ms M N GILLION: Says who?

The MINISTER OF SOCIAL DEVELOPMENT: I say so because I know so.

The DEPUTY SPEAKER: Order!

The MINISTER OF SOCIAL DEVELOPMENT: I am so happy that the hon member Ms Lekker and my colleague at the back also introduced the ghost of apartheid. You see, the ghost of apartheid one can interpret - we can interpret... [Interjections.]

The DEPUTY SPEAKER: Order Minister, just one second Minister. Is that a question, hon member Mr Olivier?

Mr R T OLIVIER: It is a point of order.

The DEPUTY SPEAKER: A point of order, I am listening.

Mr R T OLIVIER: Is it parliamentary for the MEC to mislead the House?

The DEPUTY SPEAKER: I have just ruled on that very same point to say it is not a point of order to stand up on “misleading the House.” So you must refute that by argument, not by a point of order.

Mr R T OLIVIER: Can I address you Mr Deputy Speaker?

The DEPUTY SPEAKER: On what? [Interjections.] Order! Order! Order!

Ms S W DAVIDS: You are misleading the House.

An HON MEMBER: †Hayi *No man, Fritz man.

Mr R T OLIVIER: Mr Deputy Speaker, on the question of none of our kids are at... [Interjection.]

The DEPUTY SPEAKER: Hon member Mr Olivier...

Mr R T OLIVIER: Can I address you on that one?

The DEPUTY SPEAKER: Order! Order! I have given the ruling. If you disagree with the comment made by the Minister, you cannot raise a point of order on that. That is a debating point. You must argue that point in debate. If you had said... [Interjections.]

Ms S W DAVIDS: The spies ... [Inaudible.]

The DEPUTY SPEAKER: Order! If you had said the Minister was deliberately misleading the House, then your deliberate reference again is unparliamentary, but just saying the Minister is misleading the House is simply a debating point. It is not a point of order. I am listening, Minister, you can continue.

The MINISTER OF SOCIAL DEVELOPMENT: And I want to go a bit further, with the hurt that I create to my hon colleagues and comrades, hon Madikizela over there, my comrade from yesterday. The third point I want to make to my former comrades was that they must be careful when they raise the ghost of apartheid, because before pointing fingers to anyone on this side of the House we must always remember that there were a number of very important spies who worked for the apartheid government, who caused the death and today's destruction of apartheid... [Interjections.] ...and now they want to show, point fingers here, and they know that I work on the archives and they know I know exactly who the spies are who sit today still in National Parliament and so they must be very careful when they raise certain things. [Interjections.]

But let us come to some of... [Interjections.] ...allow us to come to some of the substantive issues and let us deal a bit with substantive issues. Hon member Ms Gillion raised the issue, and that whole definition hon member Ms Gillion - and I am now very constructively debating - of child-headed households, remember the figure given by Stats South Africa, the 3482 figure, is a broad definition of a child-headed household. It is far broader, because they know I have raised personally in this House in the Committee that I would really like to go visit any child-headed household where a child alone grows up and I promise you we cannot - it is really, really difficult to find. [Interjections.]

But I want to tell this House that soon I will be implementing a register that will look at, and we will go find child-headed households, and I want people to report it to us.

Ms M N GILLION: What about the Children's Commission?

The MINISTER OF SOCIAL DEVELOPMENT: Let me come to the Children's Commission. Now allow me to come to that. Allow me.

I just want to make the point of a child-headed house register for children that is registered by that. I also want to say to say to the hon member Ms Gillion that she raises the issue of the Commissioner. This House and this Government in the Western Cape is on record of saying that we have no issue

with appointing. We will appoint that job and in fact I am working on it. [Interjections.] I am working on the Child Commissioner and you are going to be surprised to see... [Interjections.] I was going to surprise you... [Interjections.]

The DEPUTY SPEAKER: Order!

The MINISTER OF SOCIAL DEVELOPMENT: But unfortunately you take the cat out of the bag, but I want to say we have no issue with that. We are dealing extensively with children and child protection in this province and we will not - and I want to emphasise hon member Ms Gillion - allow any child to be abused in this province, specifically creating our systems that is in place, because you... [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: I am speaking, I am now busy with you.

Ms M N GILLION: Do no address me.

The MINISTER OF SOCIAL DEVELOPMENT: The other point I want to make and I really want to remind the honourable members of the Opposition, they talk such a lot about this and that. Tell their President to not spend the R4 billion on a jet. That is vulgarity. That is criminal and it is abuse of power. [Interjections.]

They must address that, and you know what... [Interjections.]

The DEPUTY SPEAKER: Order!

The MINISTER OF SOCIAL DEVELOPMENT: Then they have the audacity to say to us we must go learn to govern from the National Government. How the hell - how can we learn from the National Government? [Interjections.] Please.

The DEPUTY SPEAKER: Order! Order!

The MINISTER OF SOCIAL DEVELOPMENT: Please, get a life.

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

An HON MEMBER: Get a life.

The DEPUTY SPEAKER: Order! The general noise level in the House is really too high. I watched the proceedings on the monitor a couple of minutes ago and really, it is an embarrassment to see what is happening in this House. I want to appeal to our members now again, to please contain themselves. Hon member Mr Tyatyam, is that a point of order or a question?

Mr S G TYATYAM: Just Mr Deputy Speaker, it is going to be like this, the

commotion, if you allow members to deliberately... [Interjection.]

Ms C F BEERWINKEL: Talk nonsense.

An HON MEMBER: No man.

Mr S G TYATYAM: To deliberately give misstatements because what the speaker is saying about the plane, he knows it is nonsense. There is no plane that has been bought... [Interjection.]

The DEPUTY SPEAKER: Hon member Mr Tyatyam...

Mr S G TYATYAM: There is nothing like that.

The DEPUTY SPEAKER: Thank you, you have made your point. It is not a point of order. Hon member, please continue.

The MINISTER OF SOCIAL DEVELOPMENT: Those who try to cover up afterwards, let me remind hon member Ms Davids that I have just heard criticism and criticism and criticism on this side of the House, not once did they come up with a solution to the problems. They do not bring any model that this is how we are going to do this or that. Oh, it is so easy to be in opposition, it is so easy, now come with alternative solutions. They have no solutions. [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order! Hon member Mr Magaxa.

Mr K E MAGAXA: Thank you, Mr Deputy Speaker. I would like to check if the honourable Minister will just take one question about the bread he was distributing yesterday.

An HON MEMBER: Yes, yes, he can take one.

Mr K E MAGAXA: Can I just ask a question?

The DEPUTY SPEAKER: Minister, are you prepared to take a question?
[Interjections.]

An HON MEMBER: The Minister of Bread!

The DEPUTY SPEAKER: The Minister is not prepared to take a question.

Mr K E MAGAXA: Just only about the bread, you were buying votes...
[Interjections.]

The DEPUTY SPEAKER: Order!

Mr K E MAGAXA: I just want to ask a question about that one.

The DEPUTY SPEAKER: Minister, your time is running out very quickly

so...

The MINISTER OF SOCIAL DEVELOPMENT: But I am disturbed, by the hon member Ms Davids.

Ms S W DAVIDS: No! [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: You are disturbing me.

The DEPUTY SPEAKER: Order!

The MINISTER OF SOCIAL DEVELOPMENT: I just want to finally say this, every member of the ANC knows after having read the annual reports, or if they *have* read the annual reports, that we spend 98% of our budget in poor areas in this Government... [Interjection.]

Ms S W DAVIDS: The MEC of old bread.

The MINISTER OF SOCIAL DEVELOPMENT: And what they do not want to say is the truth. [Interjections.]

Ms M N GILLION: Stop pointing your finger man.

The MINISTER OF SOCIAL DEVELOPMENT: And that is the problem and they know. Hon member Ms Davids specifically openly misled this House, do

I say obviously or deliberately, no, but when she said that the economic growth in this province is higher than the national growth. We are at 2.3% where the National Government is 1.7%, honourable, so please we create lots of jobs. [Interjections.] Saldanha is going to be the next place. So I just want to say my throat is not allowing me to really deal with this kind of absurdities raised by the hon great members, former comrades and friends and enemies. Thank you.

The DEPUTY SPEAKER: Thank you Minister. [Applause.] [Interjections.] Order! Can we come to order please? Hon member Ms Davids, I am competing with you again. I have asked for order. That concludes the debate on this subject. We now proceed to Interpellations as printed on the Question Paper. The first Interpellation is in the name of the honourable Minister of Health, Minister. Mr Chief Whip?

Mr P UYS: A point of order please, Mr Deputy Speaker, I wonder if you cannot help the Deputy Chief Whip please. He is the Deputy Chief Whip, but he decided to move to the seat of the Chief Whip. When you are a Deputy you remain in your seat. You are not the Chief Whip. [Laughter.] Please help him.

Ms M N GILLION: You are not allowed to sit there.

The DEPUTY SPEAKER: Hon member Mr Uys, thank you for raising that. I am not going to rule on that. He may sit there if he wants to but...

Mr P UYS: But not speaking.

Ms M N GILLION: He is not allowed to speak from there. He cannot speak from there.

The DEPUTY SPEAKER: Hon Deputy Chief Whip, you wanted to raise a point of order or what was it?

Ms M N GILLION: He cannot speak from there.

Ms C F BEERWINKEL: No, go to your seat.

Ms M N GILLION: Go to your seat and speak from there.

The DEPUTY SPEAKER: Just stand to the other side that you may...

Mr P UYS: Stand on the other side.

The DEPUTY SPEAKER: Just stand... [Interjections.]

Ms M N GILLION: You are not allowed to speak from that seat.

The DEPUTY SPEAKER: Hon member Ms Joseph, just stand on the other side.

Mr D JOSEPH: I have been elected [Inaudible.] [Interjections.]

Mr P UYS: He is not listening to you.

Ms M N GILLION: He is not allowed to speak from there.

The DEPUTY SPEAKER: Hon member Davids, hon Joseph, sorry, Mr Joseph, just stand in your bench. Just stand in your own bench.

Ms M N GILLION: He is standing in the wrong space. He cannot speak from there.

Mr D JOSEPH: Mr Deputy Speaker.

The DEPUTY SPEAKER: Hon member Mr Joseph.

Mr D JOSEPH: I want to address you on that point.

The DEPUTY SPEAKER: I am raising the point of order that you are standing in a new bench. Just move to your correct one. [Interjections.]

Ms M N GILLION: You cannot speak from there.

The DEPUTY SPEAKER: Thank you.

Mr D JOSEPH: Mr Deputy Speaker, I have been appointed as an acting Chief Whip. [Interjections.]

Ms M N GILLION: There are Rules of the House.

Mr R T OLIVIER: Acting the same in the position.

Mr D JOSEPH: That is fine. Mr Deputy Speaker, before we start with the Interpellations I just need to bring to your attention that Interpellation 2 and 3 as well as Questions 1, 2, 6 and 7 will stand over for the next sitting, due to the fact that the Premier and the Minister are not able to be here... [Interjection.]

Mr Q R DYANTYI: He is running away from the spooks.

Mr D JOSEPH: ...in their absence, and then something has come up urgently that Minister Meyer must deal with, so Question 4 and 5 will also stand over. Thank you.

[Interpellation 2 and 3 to stand over to 19 November 2015.]

[Questions 1, 2, 4, 5, 6 and 7 to stand over to 19 November 2015.]

Mr P UYS: Mr Deputy Speaker.

The DEPUTY SPEAKER: Has that been cleared with the other parties?

Mr P UYS: Mr Deputy Speaker, may I address you?

The DEPUTY SPEAKER: Yes, hon member Mr Uys.

Mr P UYS: Yes, we were warned before the time that the Premier and MEC Winde are overseas. They will only be landing at four o'clock today and they might be very tired and not be here, but I mean it is just really protocol to inform members and not to stand up now that MEC Meyer will not be here. We all knew what was the programme and now he just ran off.

The DEPUTY SPEAKER: Yes, I cannot comment on the last part, but I agree. It would have been better if people were informed in time, but unfortunately this is the situation we are faced with. We will then proceed with Interpellation 1. Thank you hon member Mr Joseph, I appreciate that. The hon Minister of Health.

INTERPELLATIONS

HIV-positive patients

1. Mr K E Magaxa asked the Minister of Health:

Whether it is the policy of her Department to turn away HIV-positive patients from renal dialysis therapy and organ transplants?

The MINISTER OF HEALTH: Thank you, Mr Deputy Speaker. †Enkosi koBekekileyo utat' uMagaxa ngalo mbuzo. *Thank you to the Honourable Mr Magaxa for the question. No, it is not a policy of the Department of Health to turn away HIV-positive patients in need of renal dialysis therapy and also the Department does have a practice that is in place that is in line with that of the Renal Society of South Africa, which is the physicians and also medical experts in ethics and renal medical conditions. We do treat HIV-positive patients and if you go to Tygerberg Hospital - there are two hospitals, Tygerberg Hospital and Groote Schuur Hospital - you will see the patients there.

I must also indicate that this is an extremely sensitive and difficult issue for any patient and the families, but unfortunately because of the conditions when it comes to renal dialysis, it is also not only provincial but also national and actually international in terms of the challenges we have. For example, in the Western Cape the demand is about 1 220 new patients per year in the public sector and you find that already normally we have about 300 patients per year who are currently now receiving dialysis, and out of those we find that there are also an additional 60 patients who have been successfully transplanted. So roughly you talk about almost 7.8% of the patients who are on dialysis. And most patients actually do qualify – they wait for over two to three years. It is not only about that because when it comes to dialysis you have to look at some of the criteria, like transplantation to the patient, the overall medical condition of the patient in

terms of their suitability to receive lifelong treatment and also of course the high cost related to the public sector.

We prioritise patients according to their suitability and we do not focus on discrimination of the patient against those who are not suitable. For example, we have to look at the existing underlying conditions. As I indicated, the overall patient's medical condition counts. If you already have an existing underlying disease that will compromise the health outcomes without even undertaking dialysis, that does not count in your favour; for example, if you have existing cancer, are terminally ill, have irreversible progressive conditions of vital organs like heart disease, liver disease, lung disease and also if you have got other underlying conditions such as AIDS – not HIV-positive, AIDS. So we look at all of those types of criteria, before the patients are able to undergo dialysis. Thank you. [Time expired.]

The DEPUTY SPEAKER: Thank you, hon Minister, your time has expired.

Hon member Mr Magaxa?

Mr K E MAGAXA: Thank you, hon Minister Mbombo, for your explanation. However, while you have just confirmed that this is not necessarily the policy in the Western Cape, the fact of the matter is that a 28-year old woman from Gugulethu was sent home from Groote Schuur Hospital because she did not qualify for dialysis because of the fact that she was HIV-positive and apparently it is not the only case. Thousands of HIV-positive patients with kidney failure are being denied lifesaving dialysis treatment every year in the

Western Cape.

Fewer than one in ten patients suffering from kidney failure are receiving the necessary treatment they need. In actual fact these patients, if they happen to have HIV, most of them, by and large, come from poor backgrounds and if they are chased out of a particular hospital you are actually already signing their death warrant.

In a review of the Draft Guidelines dated September 16, it states that only category 1 patients are guaranteed treatment, which means only patients who are under the age of 50, with a body mass index less than 30, HIV-negative and Hepatitis B-free. These policies of the Department are refusing HIV-positive patients, who are very ill, their right to life and access to healthcare services as enshrined in the Constitution. Instead of exercising their core function, which is to save lives or prolong lives, doctors in the Western Cape are involved in an exercise of dictating who deserves to live and who should be sent home to die.

Interestingly, some hospitals, the private hospitals, do take care of these people or similar patients, meaning that a person from hon Wenger's background, Rondebosch, in a high-up family, would get those services because she could afford a private hospital. But a person from Khayelitsha, where I am from – because me and hon Wenger come from different backgrounds – I will not have access to that service and it means that I will just be dying at home. [Time expired.]

The DEPUTY SPEAKER: Thank you hon member Mr Magaxa. Your time has expired. Hon member Ms Botha?

Ms L J BOTHA: Thank you, Mr Deputy Speaker. What a shame that the people of this province who voted for the ANC in the Western Cape are so sorely let down by the mediocrity that marks the ANC in the province. [Interjections.]

That mediocrity is so clearly exhibited in the bizarre question posed to the executive members of our Parliament. Shame! What a shame, hon member Magaxa. One wonders what drives such under-performance. I implore the hon member Magaxa to be honest with himself. He must please ask himself whether this sort of questioning is really in the interests of those who he represents in this House.

In the Democratic Alliance, under our current leader, hon Mmusi Maimane, and the leaders before him, including the hon Premier Helen Zille, we strive for excellence. We are an organisation that is marked by the culture of the pursuit of excellence. We are not perfect, but we make a real and concerted effort to focus our attention on our objectives and then apply ourselves fully to achieve those ends. And we are disappointed when we must endure the below par performance that such a misguided question exhibits.

An HON MEMBER: What?

Ms L J BOTHA: In case the hon member Magaxa has forgotten, his role is oversight. It is not to taunt with meaningless rhetoric, rhetoric that is designed to spark empty controversy and simultaneously waste the public money that funded his fruitless exercise. Has the hon member Magaxa done so? Does he believe that he has? By posing suggestions that are hollow and devoid of content, does he believe that he has achieved this?

I will continue to hope against all odds that one day the ANC in the Western Cape will take seriously its mandate of effective oversight. But hon member Magaxa, the question remains: are you really serious about your role as a public representative doing oversight? Clearly not. I thank you, Mr Deputy Speaker. [Time expired.]

The DEPUTY SPEAKER: Hon member Ms Botha, your time has expired. Hon member Mr Tyatyam?

Mr S G TYATYAM: Mr Deputy Speaker, I do not know how to put this but I just want to know in terms of your role, are you not supposed to tell a member to sit down if he is saying something that is not relevant?

The DEPUTY SPEAKER: Hon member Mr Tyatyam ... [Interjections.] Order! Order! Order! The hon member did take some liberties with the reply and I was on the point of asking you whether we are talking about the same question.

Mr P UYS: Ja, exactly. Exactly!

An HON MEMBER: Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: The time has expired. Hon member Mr Magaxa?

Mr K E MAGAXA: Thank you, Mr Deputy Speaker. My question, which I think was partially answered by the hon Minister, honestly – my take on this is that why, if the Minister is saying it is not a policy, meaning that it is based on the considerations that she has raised; among those issues that she raised, was the issue of the health condition, meaning that there might be a risk in the health of the patient, if I understand her correctly. Also the fact that there are high costs, and that is where my point is directed to because if we put more emphasis – I am not saying the issue of health is not important - on the question of costs, that automatically says that the life of a person who is poor, who comes from a background of Khayelitsha, Gugulethu, Mannenberg, Mitchells Plain, those particular people will always be disadvantaged by that, you know.

For example, that 28-year old woman I referred to, who the hospital rejected and said she must go home, meaning that she must go and die, is still alive you know. She has not died, she is still alive. It means that something can still be done for her or something can still be done for a patient similar to her.

Therefore I want to ask, on behalf of those patients, how the Department can intervene in those cases because 20-year olds still have a future, they still have time. We all understand that HIV is not necessarily a death sentence. [Interjection.]

The DEPUTY SPEAKER: Order.

Mr K E MAGAXA: A person can live. Is there any mechanism by which the Department can intervene to save those lives? [Time expired.]

The DEPUTY SPEAKER: Thank you, your time has expired. Hon member Mr Mitchell, is this the hon member's maiden contribution? [Interjections.]

HON MEMBERS: Yes!

Mr D G MITCHELL: Hon Deputy Speaker, I trust that the hon member Magaxa raised this matter with Minister Mbombo before this, because as public representatives we have an obligation to do that, so that it is not for the first time in this House. But despite the limited resources that the Western Cape Government receives from National Treasury, the Department of Health operates to the best of its ability with the limited resources received from National Treasury.

When there are limited resources it becomes all the more challenging to reach

the optimal ends. Even with the limited resources the Provincial Health System was able to do exceptionally well. Some of their achievements include the unqualified audit, an 11-year track record. It performed really, really well. So I would like to take this opportunity to once again commend the Western Cape Department of Health for its exceptional delivery, despite the challenges it faced. The Department is committed to delivering quality healthcare to all the people of this province. I thank you. [Time expired.]

HON MEMBERS: Well done.

An HON MEMBER: Hear-hear!

The DEPUTY SPEAKER: Order, hon member, your time has expired. Hon member Mr Magaxa?

Mr K E MAGAXA: I must say, Chair, I am not surprised by some of the speeches that are coming from that side. This issue was in the public domain, it was in the media. I got it from the public media, from the papers, you know. Therefore if we all do our work - because the issue of oversight is not only to go and visit - reading newspapers about issues affecting the communities we serve is very important.

Now I think this issue here ... [Interjections.] Chairperson, I am ... [Interjections.]

An HON MEMBER: Ask for protection.

The DEPUTY SPEAKER: Order!

Mr K E MAGAXA: If you look at the number of issues or the cases – HIV, diabetes, high blood pressure, heart disease, all those issues, those kinds of diseases are diseases that are common in poor communities. That is why I want to emphasise that if we do not intervene in this, as this Government, who claims to care for people, we will not be able to drive an equal society – that vision that hon Wenger has. We will not be able to, but if we start now – I trust this Minister. In fact she is one of the Ministers that I trust who can make a decisive intervention in this and try to reverse this thing or make an appeal to the medical practitioners to give it serious consideration, because we come from a similar background to her. At least she knows the same pain that I have. This was not a white rich person from Southern Suburbs, it was a person who comes from Gugulethu who was in that paper.

The DEPUTY SPEAKER: Thank you. Hon Minister?

The MINISTER OF HEALTH: Thank you for that. Let me just reiterate what the hon member has just indicated, that the public service is for those people who cannot afford to pay. So it is not about whether you are black or white. When it comes to a patient there is no colour, there is no gender. A patient is a patient. So, we take that seriously.

An HON MEMBER: Thank you. I hope they are listening [Inaudible.].

The DEPUTY SPEAKER: Order!

The MINISTER OF HEALTH: The issue is, as I indicated earlier and you mentioned, in terms of the categories like obesity and all of those issues, the most important criteria is where the person can be transplantable. Some patients are offered a transplant and then when they refuse the patients cannot go to the next level of dialysis. Also, in some instances you also have to look in terms of the [Inaudible] medical. You mentioned diabetes. For example, chronic diabetes and hypertension are actually risks for chronic kidney disease. So already when you have these existing conditions, depending on the severity of those, it compromises your health outcome.

Therefore, if you are going to – remember with dialysis, it is lifelong. For the rest of your life you will have to have dialysis. So it is crucial because the person has to come to the hospital, whether it is in-hospital or the person has to continue with the treatment. With some of those given transplants it might be because of the expense of immuno-suppressants, which are given if you get another kidney, as it might be rejected.

You have to look at the whole thing. It is the whole patient and overall medication. So there is no way a person can be excluded just because he is HIV-positive. There will always be other underlying factors – what is the viral load, which is very crucial, what is the CD4 count? Are there any other

conditions?

Then when I talk about costs, for example in the private sector, they can take patients up to category 3, which are those patients who are very, very ill but because they have money they take them even if the prognosis means the health outcome is compromised and there is no guarantee. In most instances they will initiate that patient and then if the patient cannot afford it or exhausts the money then ... [Interjection.]

The DEPUTY SPEAKER: Order.

The MINISTER OF HEALTH: ... they dump the patient at the hospital. So when you say that the cost – it is not cost-related that we do not ... [Interjection.]

The DEPUTY SPEAKER: Minister, just finish off. Your time has expired but just finish off.

The MINISTER OF HEALTH: When it is at that level of severity and the outcomes are very compromised, then it becomes a challenge for the public sector. As I indicated, it costs R120 000 per year for one person. [Time expired.]

The DEPUTY SPEAKER: Thank you, hon Minister. Your time has really expired. That brings us to the end of the Interpellations. [Interjection.]

[Debate concluded.]

Q R DYANTYI: [Inaudible]

The DEPUTY SPEAKER: Hon Dyantyi, I am competing with you again this time.

The DEPUTY SPEAKER: That is the end of the Interpellations. We now move on to Questions. The first question for oral reply is Question number 3, hon member Mr Tyatyam to hon Minister Grant. Minister Grant?

QUESTIONS FOR ORAL REPLY

Filcon Construction Company

3. Mr S G Tyatyam asked the Minister of Transport and Public Works:

What is the relationship between the Filcon Construction Company and his Department?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Thank you, Mr Deputy Speaker, and thank you for the question from the hon member Mr Tyatyam. The question posed is: what is the relationship between the Filcon Construction Company and my Department?

The answer is as follows. The Oxford Dictionary defines a relationship as the way in which two or more people and things are connected. There are no connections between my Department and the Filcon Construction Company. There is therefore no relationship. [Interjections.]

The DEPUTY SPEAKER: Hon member Mr Tyatyam, first follow-up.

Mr S G TYATYAM: Thanks for the Oxford Dictionary. My question would be: if there is no connection, then why is Filcon continuing to get contracts despite there being no connection? [Laughter.]

The DEPUTY SPEAKER: Thank you. Hon Minister Grant?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, in response, may I ask the hon member from whom Filcon is getting contracts?

The DEPUTY SPEAKER: Second question?

An HON MEMBER: You cannot answer the question with a question. Answer the question, do not ask a question.

Mr S G TYATYAM: Filcon received contracts from the Department. They continue to do poor and shoddy work but the Department, his Department,

continues to give them work - even though they were taken to the High Court because of that shoddy ... [Interjection.]

The DEPUTY SPEAKER: Just ask your question, hon member Tyatyam.

Mr S G TYATYAM: I have asked it. It is in the Department that they are getting ... [Interjection.]

The DEPUTY SPEAKER: Is that is your second question?

Mr S G TYATYAM: Yes.

The DEPUTY SPEAKER: Minister Grant, do you want to respond to that?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Certainly, Mr Deputy Speaker. My response to that is that the current status of Filcon as a company is that their tax clearance certificate has expired, that their BBBEE has expired, that the registration has been suspended from the WCSB and the CIDB status has expired and actually the company registration status is in the process of deregistration. So I am unable to comprehend, and that is why I asked the question: with whom are they contracting ...

The DEPUTY SPEAKER: Thank you, that concludes ...

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ... because I do not know how one contracts with a ghost.

The DEPUTY SPEAKER: Hon member Tyatyam, do you want another question? [Interjections.] Order!

Mr S G TYATYAM: Thanks, Mr Deputy Speaker. [Interjections.] The Department contracted with a ghost. [Laughter.] There are four schools which are incomplete because of that Department but the question also that I want to ask is: how much has been spent by the Department to rectify some of the shoddy work of the ghost?

The DEPUTY SPEAKER: Thank you. Hon Minister Grant?

Mr S G TYATYAM: How much?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, the final amount was discussed in our Standing Committee a short while ago and it was said to the members of the Standing Committee that we are still in the process, the replacement contractor, of completing the shoddy work of Filcon.

We expect that workmanship to finish on all the outstanding contracts before the end of December. And furthermore, the total estimated cost of the damages to the Western Cape, we hold a guarantee from an independent

financial institution which in my estimation is more than double the potential cost to the Western Cape. So therefore I hope this is the last time I will be called to answer questions on this matter from the hon members of this House.

The DEPUTY SPEAKER: Hon member Mr Tyatyam, your last opportunity, the fourth one?

Mr S G TYATYAM: Thanks, Mr Deputy Speaker. So, is the hon Minister saying to us that regarding the contractor that is busy finalising this work, that there is an open cheque for them because if there was no budget what is the budget that we have given to those contractors who are doing that work? It cannot be that there has not been an amount that was said: you work under this particular amount. Do we have a blank cheque?

The DEPUTY SPEAKER: I think the question is clear. Hon Minister Grant?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, let me just reiterate what I said to the hon member Tyatyam. The completion of those three contracts is underway. We will only know the final outcome of the total cost once it has been assessed and that there is no blank cheque. The bottom line here is that when you fix someone else's work there are variation orders and basically we will know, probably by January, what that final amount is. But the Western Cape Government and the taxpayer will

not be prejudiced as we hold a financial guarantee far in excess of the expected additional costs of those contracts.

The DEPUTY SPEAKER: Thank you. We now move on to the next question, Question no 8, hon Olivier to Minister Schäfer?

Teacher-learner ratio: reduction of

8. Mr R T Olivier asked the Minister of Education:

Whether her Department has any practical measures in place to reduce the unmanageable teacher-learner ratio in most working-class schools; if not, why not; if so, what are the relevant details?

The MINISTER OF EDUCATION: Thank you, Mr Deputy Speaker. It is unclear from the member's question which schools he is referring to as working class. In South Africa the National Department of Education classifies schools according to the quintile system. This system supposedly reflects the poverty of the community around the school as well as taking into account certain infrastructural factors. However, we all know that in reality there are many schools in the Western Cape falling into quintile 4 and 5, which are very poor, but we are not funded accordingly.

The targeted teacher/learner ratios in the WCED schools are, for secondary schools, one to 36 and primary schools one to 34. However, due to the recent

nationally negotiated wage increases, otherwise known as ICS or Improved Conditions of Service for public servants, which were above the rate of inflation, we are unable to meet these targets in the schools. The shortfall that needed to be funded, over and above the provisions we had budgeted for, is approximately R516 million based on the latest CPI projections for the 2016/17 financial year.

If we were to have spent the full R516 million on post-level 1 educators, we could have funded another almost 1 500 teachers. However, we have had to try and find savings simply to avoid cutting our basket of posts. As we know, wage negotiations are done on a national level which is beyond our control.

It is time that we all realise that if wages continue to increase above inflation and economic growth continues to decrease, we will sit with fewer and fewer posts and the concomitant increase in the teacher/learner ratio. Therefore our most practical measure in reducing the teacher/learner ratio is to lobby National Government to be more responsible during wage negotiations. The hon member Olivier and colleagues on the other side of the House could be most helpful in this regard.

Despite these challenges, the WCED has taken all steps possible to keep the teacher/learner ratio as low as possible, especially in the foundation phase, by providing additional posts where needed and where possible.

Unlike the Gauteng Education MEC, who blatantly disregards his constitutional obligations to provide basic education to all learners and simply says that no learners will be enrolled at all next year, we have been proactive and also kept back some posts to try and accommodate the additional learners that we are expecting from other provinces next year. Nevertheless, our system is under severe strain.

The DEPUTY SPEAKER: Thank you. Is there a follow-up question, hon member Olivier?

Mr R T OLIVIER: Thank you.

The DEPUTY SPEAKER: You may proceed.

Mr R T OLIVIER: Mr Deputy Speaker, to the Minister: MEC, despite the issue of lobbying National Government, as a radical measure, do you not think that placing some of these kids from working class – meaning those poor schools, it does not matter how you categorise them but the meaning basically is those poor schools – do you not think that part of or maybe as a follow-up to not only lobby National Government for funding or for placement of teachers, to also place these learners in the half empty classes in the affluent schools?

The DEPUTY SPEAKER: Hon Minister Schäfer?

The MINISTER OF EDUCATION: Thank you, Mr Deputy Speaker. I would like the hon Olivier to tell me which are the half empty school classrooms he is referring to? I am not aware of any.

The DEPUTY SPEAKER: Any further follow-up? Hon member Magaxa?

Mr K E MAGAXA: No, I just want to check with the Minister, related to that question on the fact that in Khayelitsha, in Gugulethu, in Nyanga, every year there are children who received textbooks only now, between September/October. Every year. [Interjections.] I will just mention that. [Interjections.]

An HON MEMBER: Where? Which schools?

An HON MEMBER: He has just mentioned them.

Mr K E MAGAXA: I just mentioned them.

The DEPUTY SPEAKER: Order! Hon Minister Schäfer, I am not sure that question relates to the original question but you are welcome to respond.

The MINISTER OF EDUCATION: The question is completely unrelated to the original question but I will try and answer it. They are probably receiving their textbooks for the following year because we are so organised that they are already, as at the end of October, delivered. Alternatively, if they have

not received them, they should have received for this year. They could have been late, they could have come in late or ... [Interjection.]

Mr K E MAGAXA: For this year.

The MINISTER OF EDUCATION: Yes ... [Interjection.] So am I. We have just delivered all our textbooks for next year by the end of October this year.

The DEPUTY SPEAKER: Hon member Magaxa, order. That question was totally off the topic here.

An HON MEMBER: Yes.

The DEPUTY SPEAKER: The topic relates to the learner ratio, on which the hon Olivier wants to ask another question.

An HON MEMBER: [Inaudible.]

The DEPUTY SPEAKER: She attempted, but I will not give you another turn for this one. Hon member Mr Olivier.

Mr R T OLIVIER: Mr Deputy Speaker, does the Minister in her response say to us and to this House that those overcrowded schools – one example, Napier Primary School, a Grade R class which has got 42 learners in a class, that is just one example - does the Minister say if National does not give funding or

she is not able to lobby National, those class/teacher ratios will remain the same and that the Minister and the Department are unable to resolve the issue of overcrowding and that the only solution, according to her response, is lobbying for more funds?

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF EDUCATION: Well, Mr Deputy Speaker, as I have already said, Gauteng has just said: well, sorry, we are not taking any more learners at all. We at least are trying to comply with our constitutional obligations but the reality is for us to bring down the teacher/learner ratio we need more teachers and without more money we cannot get more teachers. That is the reality.

The DEPUTY SPEAKER: A last opportunity, hon member Olivier?

Mr R T OLIVIER: In the annual report there has been an indication that this Department has appointed more than 600, 700 teachers this financial year. I think they have been bragging here with that report. Now having given those 600 educators, will that 600 be able to address some of the challenges we are facing in terms of overcrowding in classes?

The MINISTER OF EDUCATION: The 676 posts that we had at the beginning of this year are already taken into account in our establishment for now. Every year we have to have new negotiations on our basket of posts for the

following year, which we have already had. Because of the cost of ICS we were looking at reducing the number of teachers in the basket next year but because of efficiencies we managed to not do that, but we are still expecting a growth next year which we are very concerned about. We have kept back a few posts, some posts for next year for anticipated growth but we are really in a very difficult situation.

The DEPUTY SPEAKER: Thank you. That disposes of Question number 8. We move on to Question number 9, again hon Olivier to Minister Schäfer. Minister Schäfer?

Mr Q R DYANTYI: [Inaudible.] she is doing her work for a change.

The MINISTER OF EDUCATION: Hey! That is rude. Sorry, Mr Deputy Speaker. Yes ... [Interjection.]

Mr Q R DYANTYI: [Inaudible.] did you say, what?

The MINISTER OF EDUCATION: Sorry? I said that is rude, honourable Dyantyi.

The DEPUTY SPEAKER: Hon member Dyantyi, please contain yourself. Minister Schäfer, you may respond.

Early registration and placement of learners

9. Mr R T Olivier asked the Minister of Education:

Whether her Department has instituted registration committees at all district offices in the province to assist learners with early registration and placement; if not, why not; if so, what are the relevant details?

The MINISTER OF EDUCATION: The answer is: Yes, the Department has identified an official at each district to manage registration and placement. In addition to the co-ordinator, every circuit also has an administrative assistant to help parents who are looking for places.

The DEPUTY SPEAKER: Hon member Olivier?

Mr R T OLIVIER: Mr Deputy Speaker, do I hear the MEC correctly, that the report indicates that a committee – and the Minister’s response is that, yes, we have identified an official? Can you just clarify the two, a committee and one official?

The MINISTER OF EDUCATION: Maybe if his colleagues stopped interrupting and he listened he would be able to hear the answer. I said they had identified an official at each district, i.e. eight officials, together with a co-ordinator in every circuit, of which there are a number of circuits in every district. So that could classify as a committee. If you have a different version, please tell me what your definition of “committee” is.

The DEPUTY SPEAKER: Thank you. Is there a further follow-up? Hon member Olivier, your second opportunity.

Mr R T OLIVIER: Hon Minister, can you just clarify for me how does this circuit manager or this committee or whatever it has been called by yourself, because in the report it says an enrolment committee which is in every centre in a district office – how do they assist a learner who comes to school and enrolls and finds difficulty not being accepted while they are at the district office level? How is that support being done by the committee and that circuit official?

The MINISTER OF EDUCATION: We always advise anyone who wishes to enrol their child to first go to the school until we close the registration date, which was in June this year. After that they are advised to go to the district offices where these people who have been allocated, will assist them in trying to find a place for their child.

The DEPUTY SPEAKER: Is there no further follow-up?

Mr R T OLIVIER: Just an indication, is this committee and the circuit managers' information and detail available to parents at all schools so that when they are not able to get placement, they are able then to make contact with such an office? Is it readily available to all schools or what is the communication between a parent and that specific committee?

The DEPUTY SPEAKER: Hon Minister?

An HON MEMBER: Do not answer something you do not know.

The MINISTER OF EDUCATION: I will not. I cannot say I have been to every school and know what has been communicated by every school to every parent. We publicise many times a year what has to happen ... [Interjection.]

Mr Q R DYANTYI: You never went to any schools in the townships.

The MINISTER OF EDUCATION: Sorry, if you want to hear the answer maybe I can speak. I have been to lots of schools in the townships, all the time, actually. [Interjections.]

Mr Q R DYANTYI: [Inaudible.]

The MINISTER OF EDUCATION: Like? Khanya Primary, the other day.

The DEPUTY SPEAKER: Please continue, hon Minister.

The MINISTER OF EDUCATION: Anyway, we publicise all the time what procedures have to be followed for parents to apply for their children. There is a website that is available and they are welcome to contact the Department or my office anytime for the information if they have not got it.

The DEPUTY SPEAKER: Thank you. We then proceed to Question number 10.

Complaints in suggestion boxes at health facilities

10. Ms D Gopie asked the Minister of Health:

(a) What is done with the complaints dropped in suggestion boxes at health facilities and (b) where is the information registered if there are no health committees?

The DEPUTY SPEAKER: Hon Minister Mbombo?

†UMPHATHISWA WEZEMPILO: Enkosi koBekekileyo umama uGopie ...

*THE MINISTER OF HEALTH: Thank you Honourable Ms Gopie.

Just to be clear that the Health Committees are not necessarily the ones who are responsible for managing the complaints system. I will just firstly respond in terms of what the processes are for managing the complaints system.

From the suggestion box, within five working days, the health facility manager together with some of the Health Committee members, specifically the Chairperson, deal with that. What needs to happen is that you need to record the date and then you respond. When complaints are made they write

either an address or telephone number and then when you respond to a person, you have to inform the person when they can expect a response and then you give a reference number. Afterwards you have to put it into the Department's information system, Sinjani.

The complaints management system is part of every senior manager from the HOD, to the chief CEO at the hospital and also the manager of the health facility. We have a policy in terms of how we manage the complaints where we say that they must be responded to within 25 working days because it is part of the National Core Standards. Nationally each and every facility is being assessed around that as part of the criteria. Also what is crucial is that it is part of the Patients' Rights Charter that anybody can complain and also for the person's complaint to be managed too. So we have various stages in terms of how we manage that.

The Health Committees are not necessarily part of that and also you mention some accusation that there are no Health Committees. I just checked now. All my Health Committees are there. What I know all the Health Committees are busy with now, they are supposed to have Health Forums of which the AGMs are coming up. So I do have all my Health Committees and I have met all of them.

The DEPUTY SPEAKER: Hon Member Ms Gopie, is there a follow-up?

Ms D GOPIE: Mr Deputy Speaker, it is not an allegation. MEC, it is not an

allegation.

The DEPUTY SPEAKER: It must be a question.

Ms D GOPIE: What I am saying is that I know that there are no Health Committees in most of the hospitals and we also came across that when we were doing oversight. If I can give you one example ...

The DEPUTY SPEAKER: Hon member Ms Gopie, just formulate it in the form of a question. You must ask ...

Ms D GOPIE: The question is: do you know that in Swellendam there is no Health Committee?

The DEPUTY SPEAKER: Thank you, hon member. Hon Minister?

The MINISTER OF HEALTH: The Health Committees are within the health centres and the primary care clinics. In the hospitals we have got the Facility Board, so there should not be a Health Committee if you are talking about hospitals but if you link that with the complaints management system, as I indicated earlier, it is the role of every professional up to the level of management to manage the system.

That is why, if a month or even two years later, you may be accused that a certain complaint was never managed – even for me even when I am sitting in

the office - you can check on the system in terms of what the processes have been and perhaps log in and respond to that, what date and all of those kinds of things.

It is not a Health Committee, it is not a Facility Board, but as part of the discussions that we need to have as part of the whole of society approach, especially because if they are complaining about the facility the professionals might try to hide it, so that is why the Chairpersons of the Board or the Chairpersons of the Health Committees have become part of that. But in terms of managing through the system, it goes further, as I indicated that it is part of the performance agreement of all of them.

So for Swartland, if we are talking about the hospital I am not expecting to have a Health Committee. They need to have a Facility Board.

Ms D GOPIE: So according to your knowledge, all the health facilities do have Health Committees and [Inaudible] hospitals, according to what you have there?

The MINISTER OF HEALTH: The question here is about Health Committees. I am confirming these are the health facilities that require Health Committees. They are: the community health centres, the community day centres and the personal primary health clinics. They all have Health Committees. This is the list.

Now the hospitals do not have Health Committees. They are not required, because at that level they have a Hospital Board, which is another Act. But, what I have done is to combine for the upcoming Bill which is still for public participation when I come back here. I have combined the 2001 Hospital Facility Board and then I have included the Health Committees. They were never part of the system, they were never legislated but I felt that they have a very important role to play.

We cannot only start at the hospital level so we must start to involve the community. That is why I now put it as part of the legislation to combine them and then state the functions clearly because we need community engagement and participation in every health service delivery.

In terms of complaints management it is still within the Bill. We were not expecting them to do so because some of the complaints are more technical, they are about the patient. Remember the issue of confidentiality; it is only the patient – if they do not want to share it with their partner or with the family - so that is why we have to be careful.

In some of the management of the hospitals or the clinics, it is part of the Board or it is part of the Committee, but the management do engage.

The SPEAKER: A further follow-up, member Gopie? That is it. We then move to the next question, Question 11. Hon Minister Bredell.

Integrated Waste Management Plans

11. Ms T M Dijana asked the Minister of Local Government, Environmental Affairs and Development Planning:

Whether municipalities have included their Integrated Waste Management Plans in their Integrated Development Plans; if not, why not; if so, (a) how many and (b) what are the relevant details?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, Madam Speaker, and thank you to the member for the question.

The (a) part of the question, 11 out of the 30 municipalities, in other words 37%, have integrated their second generation Integrated Waste Management Plans with the Integrated Development Plans.

The (b) part of the question, the main reason for not integrating the Integrated Waste Management Plans with the Integrated Development Plans can be attributed to the fact that a lot of the draft second generation Integrated Waste Management Plans were submitted to the Department for assessment. The municipalities are now busy amending their plans based on the Department's assessment and comments and therefore they have not been approved by the respective councils. Thereafter, the integration process will follow.

The Department gives strong support to the municipalities with regards to Integrated Waste Management Planning, which includes, amongst others, firstly, the training of Integrated Planning; secondly, the assistance with waste characterisation and, thirdly, the development of tools to assist municipalities with Integrated Waste Management Planning.

It should be noted that the Western Cape is the only province in South Africa where all the municipalities have Integrated Waste Management Plans. In fact, the province is in the process of moving from first generation plans to second generation plans. The quality of the Municipal Integrated Waste Management Plans has improved significantly with the transition from the first to the second generation plans. Thank you.

The SPEAKER: Thank you. Follow-up question, hon member Dijana?

Ms T M DIJANA: Thank you, Madam Speaker. Out of the 19 there are 11 outstanding municipalities. I understand that the Integrated Waste Management Plans are there to ensure that all waste generators are compliant; now my question is: how will the Department be able to promote, educate and raise awareness in those municipalities if there are no IWM plans in place? Thank you.

The SPEAKER: Hon Minister?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you for the question. Hon Speaker, the municipalities do have all the integrated plans. It is now to integrate the Integrated Waste Management Plans within the IDP. We had a first phase, so 11 have been done. The second phase; most of the municipalities do have it now but because of the comments and sessions that the Department put on the table to better the plans, the municipalities must now take it to the councils and as soon as it is in the councils it will be integrated with the IDP.

We must acknowledge that we are worried about waste. That is why over the last year we put in a huge effort to licence all our waste sites. I think that was a first step and by doing that, I always said we must realise that is the first step; now we must get the municipalities to manage the sites within the licensed conditions, but waste will be with us and we will need to manage waste. For the next couple of years the waste management within our municipalities will be under pressure.

The SPEAKER: Follow-up?

Ms T M DIJANA: Thank you, Madam Speaker. Can the MEC tell us how the waste quantification system will be monitored if there are no plans in place in those municipalities who do not have plans?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS

AND DEVELOPMENT PLANNING: The plans are in place; they are just not integrated with the IDP. Everybody is aware of the conditions within the sites and we will manage them accordingly to comply with the licensing conditions of waste. Thank you.

The SPEAKER: Hon member Dijana. Okay. No more follow-ups. We then move to Question number 12. I see the Minister of Community Safety.

On-going violent gangsterism

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

What is his Department's plan to deal with the on-going violent gangsterism and its negative societal effects in the province?

The MINISTER OF COMMUNITY SAFETY: Thank you, Madam Speaker, and thanks to hon member Lekker for the question. The Western Cape Government is committed to working better together in the fight against crime, including tackling the ongoing problems of gangsterism, drugs and its negative societal effects in the province.

We will not be successful in breaking down the culture if each of us tries to do this on our own or in isolation from one another. Meaningful partnerships are at the heart of the Department of Community Safety's Whole of Society Approach to increase safety in the province. The Department of Community

Safety aims to increase safety through local and inter-governmental safety partnerships to reduce youth violence and gangsterism.

Within the Western Cape Government, the Department's ongoing interventions for youth at risk include training at our academies, such as Chrysalis, to provide opportunities for identified youth.

The key component of the Chrysalis Academy three months' residential programme focuses on career guidance, aptitude testing and the acquisition of technical and vocational skills in order to ensure that the students return to formal learning at schools or further education and training institutions for them to become active citizens in our communities and divert them from negative social behaviour, such as gangsterism.

The Department is also proud to announce that it had its first youth intake of 30 youths at the new Wolwekloof Youth Academy in September and the second intake will start on 21 November this year. The Wolwekloof Youth Academy focuses on youth from specifically rural areas, addressing youth violence in these particular areas.

The Department has also managed to cement partnerships with SAPS, VPUU, City of Cape Town, district municipalities and the religious fraternity, among others. Most notably, our partnership with the City of Cape Town includes support to the Stabilisation Unit which has already seen numerous successes in bringing down gangster activity, violence and associated criminal

activities, specifically in the Manenberg area and the aim is to roll it out to other areas as well.

Our partnerships with the religious fraternity, youth safety and religion programmes offers youth developmental, educational and entertainment opportunities during the school holidays when the youth are most at risk of being lured into negative social behaviour, such as gangs and drugs.

During the June holidays the Department approved 147 projects throughout the province and I can say to the members today that we have concluded MOUs with just over 150 entities, just for this December/January holiday period.

One of the key programmes of the Department is the Youth Safety Work Programme. Through this programme the Department provides youth with work opportunities as an ideal opportunity to create work within the areas of safety promotion, creating economic activities in communities most at need and providing people with a suitable alternative to crime and that is very important.

The Department continues to build capacity within CPFs and neighbourhood watches that will facilitate responses to the safety needs and concerns that exist within communities.

The Expanded Partnership Programme was designed to enable CPFs to

facilitate community safety issues in gang affected areas. Through the PNP process, the Department developed safety plans for all communities in the province. In turn, the Department will then enter into a memorandum of understanding with the municipality on how to address specific issues in the safety plans as identified by the respective community representatives at that PNP session.

The findings and recommendations of the Khayelitsha Commission of Inquiry into policing inefficiencies in the Khayelitsha area and a breakdown in the relationship between the police and the community, spoke out against the prevalence of youth gangs and recommended the necessary actions by both the SAPS and the Department of Community Safety to effectively address these, together, with the community.

The Western Cape Government remains committed to see all the recommendations implemented and the task team appointed by both entities is making considerable progress in this regard.

As part of our oversight mandate over policing in the province, the Department of Community Safety regularly scrutinises the policing shortcomings in the province and aims to address these through inter-governmental co-operation. In this regard, the Department has been calling for the reintroduction of the specialised units, including the gang and drug units, as the appropriate policing entity to deal with the scourge of drugs and gangs in our communities.

The Western Cape Government has also in the past called for the South African National Defence Force to be deployed in our worst affected areas as a peacekeeping entity to free up the SAPS officers needed to do proper investigative work so as to ensure that the gangsters are arrested, with sufficient evidence, to eradicate them from our communities.

Our continuous call for the adequate and equitable resourcing of the Western Cape SAPS is to ensure that the safety service delivery our communities receive is aligned to the needs of the respective community. Thank you.

The SPEAKER: Thank you. Hon member Ms Lekker?

Ms P Z LEKKER: I would like to find out whether the Department has got any evidence-based outcomes that show that the programmes that are there have, in a way, managed to discourage the youth from engaging in any gang activities. That is my first question.

The SPEAKER: Thank you. Hon Minister?

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, thank you very much and I think it is a very important question and I once again want to thank the member for that.

Let me say that our interventions are targeted, like they will be now during

this holiday period, even during the upcoming 16 Days of Activism of No Violence Against Women and Children, but we need to understand that there are many youngsters – and I want to refer to the member's area of Nyanga and I think the member is well aware of the fact that next week I am back in Nyanga, in a different area, to up-command that youth to become part of our programmes.

Now there are hundreds and hundreds of youngsters making use of those opportunities, but we need to admit that there will always be a portion of youngsters that will never want to be part of any programme. They will never accept any programme that is posed to them. They want to continue with their drama in the communities and that is an issue I have already discussed with the Western Cape SAPS leadership to say; that the Department is running with many, many targeted programmes but that portion of youngsters and people who do not want to make use of them, it is for the SAPS to deal with those youngsters in a very appropriate manner.

I have to admit that there are many of the youngsters who say: we want to see blood, gangsterism is part of the blood, we grow up like that. So we are facing a situation on the Cape Flats where the gangsterism and the drug problem is part of modern day life. So it will take time to break it down. I do not foresee that we will get it right in a short period of time, but we need to continue with our interventions. It is like eating a lion, portion by portion by portion until you reach your goal. So that is what it boils down to. Despite the violence, I need to say – like I said previously – there are many, many

youngsters who are law abiding, who are not doing crime, even in the poorest ... [Interjection.]

HON MEMBERS: Hear-hear.

The MINISTER OF COMMUNITY SAFETY: ... of backstreet communities. [Interjection.] but that small portion, that is our problem, that is our challenge.

The SPEAKER: Thank you hon Minister. Follow-up question, hon member Ms Lekker?

Ms P Z LEKKER: I did not get any indication that there are evidence-based outcomes that are preventing young people from engaging in criminal activity, except talking to the converted. Now my question was: are there evidence-based outcomes, because the crime statistics are telling us that it seems like a drop in the ocean and are telling us that we have not done anything. If you are talking about a drop in the ocean it simply means in essence you have not done anything.

Gangs, gang culture and gang violence create what we call post-traumatic stress disorder to those who have been victims or to those who have observed it. Now, is there a plan that systematically links all other institutions in dealing directly with the offspring of gang violence?

An HON MEMBER: A good question.

The SPEAKER: Thank you. Hon Minister?

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, with regard to the plan, it was in my speech. It seems to me the member did not listen.

An HON MEMBER: Yes.

The MINISTER OF COMMUNITY SAFETY: There is a plan and that plan is working. We are doing what we need to do to address the issues in a meaningful manner.

An HON MEMBER: Ja.

The MINISTER OF COMMUNITY SAFETY: But where the member is right is: how do you deal with the people in your communities who do not want the assistance? And that is why we said we test what we are doing, the outcomes are there. Our relationship with the FET Colleges speaks for itself. Many a time I had our students here coming from gangster communities, coming from disadvantaged communities. The other day I attended some of the FET Colleges' graduation ceremonies to see poverty-stricken youngsters, gangster youngsters, druggie youngsters, receive their diplomas. To look where they come from to what they are now, that speaks for itself. The member is most welcome to come with me.

And let me say from her area, I said it to the member some weeks ago, since I entered Nyanga we received hundreds of applications from Nyanga and that I can prove to the member. I can even give her the names, it is fact, it is testament, it is there. But I agree, we need to do more. We need to continuously become more innovative in our approach but I want maybe to say lastly, with what happened in the Range on Sunday and what appeared in the papers on Monday with community members taking up the hand against SAPS.

It is true, I was there, I saw it and that is the essence of the problem, to change people's mindsets, to change behaviour. That is why you need targeted interventions on the ground, in the communities to bring about that change and it is exactly what this Department of Community Safety is doing.

And I want to thank some of the members entering some of the communities with me and my team. So the successes are there, but definitely yes, we need to do more.

What I cannot understand - and that is where we, as a whole, are talking about the Whole of Society Approach where all, as parents and as adults and as leaders can play a big role - are youngsters under the age of 15 years old running around with guns. And something is also wrong with our laws. For people to stand around the Flats, gangsters to stand around the Flats, firing shotguns at the police - now the moment the police shoot back and kill one

gangster or kill one bystander, it is immediately policy brutality. So also with what we say, how we do our business, we need to be careful not to incriminate and weaken the hand of the police as well. The police today believe: rather stand by, leave the situation than continue, etcetera, etcetera.

But Madam Speaker, I want to conclude. We can say much more about it. We need to begin to work with our parents as well, with our families as well, because that also is where the problem lies; parents who do not see that the kids are in school and finish school. It has become a problem for Social Development and for SASSA because they end up going to stand in a SASSA queue instead. Thank you.

The SPEAKER: Thank you. Hon member Ms Lekker, any further follow-up?

Ms P Z LEKKER: Madam Speaker, this is going to be my last question and once again I am going to say that I have made mention of all other institutions and not referring to SAPS or the City of Cape Town or the law enforcement, but to all other Government Departments, and I have made an example of the post-traumatic stress disorder because that is linked to health.

That was an example to say, not only these other Departments that you have mentioned but you need to get the involvement of all other institutions. And the response that I got from the MEC does not fit into my question and I am not sure when I am going to get a response that says all other Government Departments are going to be engaged and find an amicable solution to this

issue. Yes, gang violence is a worldwide issue. [Interjection.] Excuse me, you are not the Chairperson.

The SPEAKER: Order, please.

Ms P Z LEKKER: Hold your horses. My question still stands, Madam Speaker. Is there any plan to include all other Government Departments, including those that are here in the Western Cape? Thank you.

The SPEAKER: Thank you.

The MINISTER OF COMMUNITY SAFETY: The short answer is yes, we do work closely together with all other State Departments to bring about the necessary interventions. Thank you.

The SPEAKER: Thank you. Shall we then move on to the next question? It is a question to the Minister of Cultural Affairs and Sport. I see the hon Minister.

Initiates report

13. Ms P Makeleni asked the Minister of Cultural Affairs and Sport:

- (1) (a) What is the status of the initiates report for the previous winter and summer season, (b) how many initiates did the province have

and (c) what is the percentage or ratio compared to the national figure;

- (2) whether any deaths occurred during this time; if so, what are the relevant details?

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you, Madam Speaker. Thank you, hon member Ms Makeleni, for this question. Because we cannot disclose any information while the initiation season is underway, due to the cultural sensitivity around this sacred rite of passage, a report is compiled after each season. A report was compiled after the previous winter and summer seasons, which reflects the number of initiates that underwent the rite of passage, number of sites that were in operation as well as services provided and challenges experienced during the reporting season.

Initiation takes place in our province during the winter season, May to July, and the summer season from November to January of each calendar year. The summer season will start at the end of November of this year.

The number of initiates for the 2014/2015 financial year was: winter 463, summer 1 485. During the 2014/2015 financial year, 1 948 initiates were recorded to have undergone the rite of passage in the Western Cape. Information related to national statistics for 2014/2015 was requested from Mr Jacob Mashishi from the National House of Traditional Leaders. The information received was that they estimate, nationally, based on figures

received, that more than 35 297 boys underwent initiation in the past year, 2014.

During the winter season of 2014/2015 one initiate died at the Mandela Initiation Site at Khayelitsha, as a result of a poisonous bite which was unrelated to the cultural practice.

During the summer season, initiates died – and remember it is 2014/2015: in De Doorns one initiate died as a result of assault; in the Paarl one initiate died as a result of dehydration and in Mossel Bay one initiate died of unknown causes.

In the 2015/2016 winter season there were zero fatalities and no hospitalisations incidents reported. Thank you.

The SPEAKER: Thank you. Follow-up question, member Makeleni?

Ms P MAKELENI: Thank you, Madam Speaker. My next question would be: with the drought that is approaching our province, is there the necessary sanitation and water supply for all the initiation sites for the upcoming season?

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you. I have had a meeting just in this week with the City of Cape Town Municipality and I have had a member ... [Interjection.]

The SPEAKER: Sorry, hon Minister Marais. Hon members Lentit and Max, please. You may proceed.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you, Madam Speaker. I will start again. I have had a meeting with the City of Cape Town, with all the role players, to ensure that there will be water provided at our initiation sites in the metro and in the rural areas. The municipalities assure me that they will have water and sanitation provided at our proclaimed initiation sites. Thank you.

The SPEAKER: Thank you.

Ms P MAKELENI: Thank you, Madam Speaker. I also want to check if the province is doing whatever is necessary to encourage young men to use our facilities, rather than leaving the province and actually spending more money going to other provinces, to have [Inaudible.] done.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you. I think it is worth mentioning that I have a very good working relationship with our Initiation Forums in the province and we are the only province to have Initiation Forums and these forums serve as a go-between, between our Department and the initiation practitioners because, quite rightfully, they are looking at using the initiation sites in a rightful way. Thank you.

The SPEAKER: Thank you.

The SPEAKER: Right, we go to the next question. There are no more follow-ups, I take it? Okay. Hon Minister Fritz, we are now on Question 14.

Children, safety of

14. Mr D Joseph asked the Minister of Social Development:

- (1) Whether his Department has places of safety for children in Hessequa; if not, why not; if so, what are the relevant details;
- (2) how does his Department manage children from dysfunctional families where intervention is needed?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you hon member Joseph, for the question. Hessequa falls within the Eden Karoo region as per the classification of areas within the Department of Social Development. The area is serviced by the Riversdale local office of the Department and three funded child protection organisations exist in that area. Hessequa has screened and trained safety parents within the community whose services are utilised for the temporary safe care of children.

The Department is focusing more on keeping children within their communities of origin rather than institutionalisation of children and

childcare and I think that is a very important point we want to emphasise. However, as a last resort and depending on the severity of the risk factors, children may be placed in any of the three funded child abuse care centres within the Eden Karoo region.

Now anyone who knows this part, is that the classification of children at four levels – level 1, 2, 3 and 4 – and specifically level 3 and 4, normally requires, hon member Olivier, institutionalisation. Level 4 generally is the level applicable for children in conflict with the law that Minister Plato was talking about earlier and who, when they actually come into our centres, for the first time are exposed and subjected to routine. Because there we emphasise that they must get up at six o'clock, they must shower by seven o'clock they must breakfast by eight o'clock and they must go to school by half past eight. And so that is a very, very important thing in terms of rehabilitation.

The SPEAKER: Thank you, hon Minister. Is there a follow-up question hon member Joseph?

Mr D JOSEPH: Thank you, Madam Speaker. Thank you, hon Minister for the answer. I just want to ask the Minister if there is a waiting list for the places of safety in Eden or at Riversdale and I also want to ask the Minister about the budget because I personally have received a request from people?

I think there are people who want to start on their own, maybe not knowing

that there are these places of safety, but I think that indicates to me there are a number of children still out there that are not in these places of safety. So I want to know if there is a waiting list. Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: I am a bit confused, Madam, Speaker, because surely children are first assessed and when there is a need for a child to be placed into an institution, the first choice, as I said, level 1 and 2 are generally put into what we call safe houses. And just recently we had an advertisement for more than 300 people to come forward as safe houses where children are placed into and then we can again decide: is it foster care or is it temporary care? I sometimes get in some areas, like my dear friend, where people think they want to start this and that, but there is a system. We cannot just start this because we think we need to have a little youth centre, a child and youth centre. There is a system and it is statutory by law and it is determined by the Children's Act.

So I just want to make the point that the last resort is any institution and even in level 4, when a child has committed a crime, it is as a last resort that the Child Justice Act says that the child goes to an institution. And there is a very big one there in the Eden Karoo. It is called Outeniqua. So I just wanted to make that point. Does that help the member?

The SPEAKER: Thank you, Minister. Hon member Joseph?

Mr D JOSEPH: Thank you, Madam Speaker. Thank you, Minister. I would

just like to know what are the criteria for the parents? I believe there are certain individual homes where parents are asked to assist, besides institutions. What are the criteria? Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Generally you will go through a screening process, hon member. Firstly, you must be a fit person. We cannot take a child from one dysfunctional house and family to another dysfunctional family. So there is a very thorough screening and I want to say this is one of the areas that I am really very serious about. Currently all our regional directors are in a Cape Town meeting and we have emphasised that. I said my next focus is going to look at every one of those 2 000 foster care parents and assess, and even if we get a team of our colleagues within the House, we go and visit houses and we go and check, because this is the point about oversight. We need to go and look at those houses and look at whether the parents are fit because many a time I get the impression that people are just doing it because there is a little grant that is attached to the foster care.

So we need to, and we will always, make the criteria very stringent, always look at what we call public spirited people because we have in our communities people who are really caring. We all know who the aunty in the road is who has always been caring and sometimes she does not even ask for a cent and sometimes we do not even give that lady a stipend to be able to look after the children. So we are going to look for those people who are publicly spirited to assist us in carrying out the mandate, specifically around child protection.

And again, the second point is sometimes a safe house can have children, not ever more than six but sometimes they have their own six children plus another six. Again we need to look at that because you cannot manage 12 children. So it is just an important point about that, hon member Joseph.

The SPEAKER: Thank you. Any further follow-up questions? We then move to Question number 15, which is to the Minister of Health. I see the Minister.

Wheelchairs, allocation of

15. Mr D Joseph asked the Minister of Health:

Whether her Department allocates wheelchairs to various regions or districts; if not, why not; if so, how do patients obtain these wheelchairs?

The MINISTER OF HEALTH: Thank you, hon member Joseph. Yes, we do have centres across the province where one can access wheelchairs. Metropole have got two centre, Cape Winelands have got one centre, four centres on the West Coast and six sites in Eden and Central Karoo. In terms of the access, a person can just go or the family can just go to the nearest primary healthcare clinic and fill in the forms and also, if need be, they can bring the person to be assessed by the therapists, whether it is a physiotherapist, orthopaedic care and also a health professional that is there.

The SPEAKER: Follow-up question, hon member Mr Joseph?

Mr D JOSEPH: Thank you. Thank you, hon Minister. I would just like to know if these wheelchairs are issued in terms of criteria of disability, if there are various types of wheelchairs and then I would like to know if there is a cost to it? And then I would also like to know if there is a waiting period for the patients who fill in these forms? Thank you.

The SPEAKER: Hon Minister?

The MINISTER OF HEALTH: Assistive devices are part of rehabilitative care which is, in most instances, for public services. The services are free but the person needs to be assessed in terms of the level of disability. As I indicated earlier, they will be assessed by an occupational therapist, which is related to whether the person, in terms of the support systems, of assisted devices for walking, a physiotherapist or, if it is related to bones, the orthopaedic people will be able to do the assessment, so it depends.

It is difficult to say what the waiting period is because for example for children to access – what do you call it - a pushcart, it depends on the severity of the disability. It might be urgent, whereas for others it might not necessarily be urgent, it depends.

Lastly, regarding the issue of costs, we always encourage people to donate

second-hand. We have a lot of second-hand devices as well.

The SPEAKER: Any follow-up questions? People, we have come to the end of Questions for Oral Reply. We will now, whatever questions are left, we are now going to move to Members' Statements and I think first on Members' Statements, I see the DA.

Mr M MNQASELA: Thank you, Madam Speaker. The ANC's obsession with spying is revealing. [Interjections.] Here is a political party whose President escaped more than 783 charges by simply using unofficial and illegal means to obtain the information. [Interjections.]

So the ANC knows better than anybody else when it comes to spying. Now the ANC's Provincial Leader spins a fanciful tale of the Premier spying on people, forgetting that they tried this before with the Erasmus Commission – and you failed. [Interjections.]

Let me once more remind the ANC that facts and facts are the only thing that matter in this Parliament. Do not come with the frivolous, useless lies that you bring here. The facts are ... [Interjection] ... let me tell you the facts.

The SPEAKER: Order, please.

Mr M MNQASELA: The facts are that the Western Cape Government publishes all service providers on its websites and on its website the

Government has got a contract showing that Eagle Eye Solutions Technologies was hired to debug cell phones, to ensure that cell phones are not bugged, that there is no bug in the cell phones. [Interjections.]

And I am saying this a year later, after 2010. The Premier was asked about this matter in this House by the then leader of the ANC, uMama Lynne Brown, who asked a very beautiful question. The question was ... [Interjection.]

The SPEAKER: Order!

Mr M MNQASELA: No, no, listen. Listen!

The SPEAKER: Order please, people.

Mr M MNQASELA: The then Leader urged the Premier to take her concerns about being bugged to the National President and to the then mayor. Now the question is: if you are bugging me or I suspect you are bugging me, will I come to you? [Interjections.]

I mean the reality is, the answer is no. Hence the service provider that was appointed by the Premier and the Western Cape Government at the time. [Interjection]

The SPEAKER: Hon member Mr Mnqasela your time has expired.

Mr M MNQASELA: And the ANC did the same in National Parliament.
[Interjections.][Time expired.][Applause.]

The SPEAKER: Your time has expired. I see – members, can we have some order in the House, please? Order. [Interjections.] Hon member Mr Uys?

Mr P UYS: Thank you, hon Speaker. It is appropriate that we heard that statement. No amount of DA spin and lies can cover up the scandal Premier Helen Zille brought over this Western Cape Government with its illegal hiring of a covert operative. [Interjections.]

In fact, Premier Zille's obsession and fixation has made her a liability for this Government, this Legislature and you will see also, the DA.

The last revelation sounds like a horror movie – if it was not as serious: An unstable covert intelligence gatherer, a state official paid by the taxpayer – this money here – to do the work, was directly hired, bypassing proper competitive tender processes, for an undisclosed period of time by her own Department, a state department, for an initial amount of R115 800.

The official reason entered says it was to debug cellphones. I wonder whose cellphones were debugged? The hired operative himself claims and I quote:

“we specialise in the extraction, analysis and presentation of data from

mobile telephones, cellular networks and all forms of mobile computing communications technology”.

So, we all know exactly what this means. [Interjections.]

The SPEAKER: Order.

Mr P UYS: It was doing surveillance on cellphones. Renowned for spying on her own people ... [Interjections.]

The SPEAKER: Order, please.

Mr P UYS: ... and opponents, the ANC waits for the full truth to be disclosed on Premier Zille and every day more is exposed. The ANC calls on all people, especially the staff in Premier Zille’s office, to now come to the fore before they are also entangled in this spy web. [Interjections.] Just this week ... [Interjection.][Time expired.]

The SPEAKER: Hon member Mr Uys, your time has expired. Thank you. I see the DA. Hon members, two minutes are all you have for your statements please. Two minutes for statements.

Mr R D MACKENZIE: Madam Speaker, it is quite sad to hear that the member has not divulged - my statement, let me do my statement. The member has not once divulged the fact that his Leader never denied the

allegations. He is associated with gangsterism but he denied the fact that he was *uitgevang*. [Interjections.]

At the beginning of the year the Premier committed ... [Interjection.]

The SPEAKER: Order.

Mr R D MACKENZIE: ... to five strategic goals and among those was the commitment to improving education outcomes and opportunities for youth development. The PAY Project aims to assist students that have passed matric and would like to gain some work experience in the public service. Up to now, the project has provided many opportunities.

The project focuses on Western Cape matriculants; who are not going to study further the following year, who are unemployed and who have written and passed the National Senior Certificate in the Western Cape.

The DA in the Western Cape welcomes this programme and this will go to great lengths in equipping participants with the necessary work experience which will ensure they are employable. It will give further support to the youth and assist them in making informed career choices going forward.

The PAY project is only one example of what happens when public funds are well spent. Instead of buying R4 billion jets, we create employment. The

Western Cape Government is committed to affording the youth of this province all the opportunities they need to improve their lives.

I would like to take this opportunity to also urge all matriculants to apply for the programme and to take full advantage, as this will open up other doors to the future. The applications open on Tuesday, 1 December, and can be done online at www.westerncape.gov.za/pay and I urge all members of this House to use this information and take it to their constituents, so by next year we have thousands more employed matriculants in the Western Cape. I thank you.

The SPEAKER: Thank you. I see the EFF.

Mr B JOSEPH: The EFF notes the intention of the Western Cape Provincial Government to close off Lehlohonolo Primary School in Gugulethu. This primary school has been in existence for over 50 years and is one of the only few primary schools that caters for Sesotho speaking children in Cape Town and accommodates pupils from as far as Kraaifontein and Khayelitsha. The Western Cape Provincial Government is specifically targeting the school because they say that the Western Cape has three official languages and that Sesotho is not one of the official languages of this province.

South Africa is not a federal state and the Western Cape therefore cannot exclude other South African children on the basis of the language they speak. That is blatantly unconstitutional and exposes the DA's hypocrisy and lack of

empathy towards black pupils. If the school closes, it will lose a constitutional right to be taught in the language of their choice. The DA's contention that it is a waste of taxpayers' money to keep the school operational is a gross insult to many poor students who want to study in the language of their choice.

The DA has done the same thing at Fezeka High School by not employing Sesotho teachers; further alienating Sotho-speaking children. It is also for this reason that they want to close the school because they say they will not have a high school that offers Sesotho.

The parents of pupils of the school have been sent from pillar to post by the district office of the Department of Education and the MEC, and are still none the wiser about what will befall ... [Interjection.] [Time expired.]

The SPEAKER: Hon member Mr Joseph, your time has expired, thank you. [Interjections.] I see the DA.

Ms L J BOTHA: Hon Speaker, the DA in the Western Cape is concerned at reports that childhood cancer rates in the Western Cape are among the highest in the country. A study published in the South African Medical Journal found that the overall survival rate for children admitted to two paediatric cancer units, one of which is Tygerberg Hospital in the Western Cape, were lower than the data published from developed states as a result of late detection.

What is clear is that new strategies to improve cancer awareness are urgently required in order to improve early detection and thus improve the survival rate.

The Integrated Management of Childhood Illnesses, or IMCI, is a strategy developed by the World Health Organisation's Division of Child Health and Development and UNICEF. This strategy focuses on the child as a whole, rather than on a single disease or condition. Sick children often arrive at primary healthcare facilities with a number of sicknesses and have to be managed in an integrated manner, at home and at the clinic. IMCI includes both preventative and curative elements that are implemented by families and communities as well as by health facilities.

As it stands the IMCI is focused on the following illnesses affecting children: diarrhoea, acute respiratory infections, including asthma, upper respiratory infections, including ear infections, malnutrition, tuberculosis, HIV-AIDS, child abuse, meningitis and management of the critically ill child.

I ask that the Minister considers including cancer in the scope of the IMCI, being that the number of affected children is on the increase. The DA-led Western Cape Government is committed to delivering continuous quality healthcare to the people we serve. I thank you.

The DEPUTY SPEAKER: Thank you. The ANC, hon member Mr Tyatyam.

Mr S G TYATYAM: Thank you, Mr Deputy Speaker. The Democratic Alliance has once again been exposed for its racism, sexism and hypocrisy. Their sacrificial lamb, Dianne Kohler Barnard, who is in actual fact a true representative of DA members in the majority, was kicked out of the party for admitting that she misses apartheid under PW Botha.

An HON MEMBER: She never admitted that.

Mr S G TYATYAM: Interestingly when similar comments were made at the DA's Federal Conference a few months ago, where Verwoed was hailed as one of the best leaders in history, these comments were welcomed by the DA.

The DA was quick to sweep its sex for jobs scandal under the rug when top leaders of the DA, including Maimane, were accused of sleeping with young girls within the party in return for jobs. The drugs that were allegedly found at Maimane's church were never investigated. Instead Dianne Kohler Barnard was made a sacrificial lamb in an attempt to hide the obvious apartheid nostalgia for many in the DA.

Could it be that Dianne was fired for spilling the beans about the DA agenda without their permission or was it because she was a woman? The South African public is not fooled by the shenanigans of the Democratic Alliance. The fact that the DA's opportunistic demagogue, Maimane, was chased away by the students at UCT during the protests is a testimony to the fact that the

DA has been exposed for its true colours of being a racist.

The DEPUTY SPEAKER: Hon Member, your time has expired. Just finish your last sentence.

Mr S G TYATYAM: Yes. Even Helen Zille, who obviously still sees herself as a DA leader, was also chased out at Stellenbosch University. [Time expired.]

The DEPUTY SPEAKER: Thank you, your time has expired. The DA.

Ms L M MASEKO: Thank you, Mr Deputy Speaker. How can a member of this House call those who support the Democratic Alliance and I quote “children of Hitler”. As Members of Parliament we all swore allegiance to the Constitution of South Africa. We took that oath here. How then can we behave in a manner that offends that oath? I will write to the office of the Speaker of this Parliament as well as the Chief Whip of the ANC caucus to take action against member Davids for deliberately violating the conduct that must be upheld by the honourable members who sit in this Parliament.

The Democratic Alliance is growing and it is a fact. There is nothing that the ANC can do about that. If the ANC wants to compete for voter support let it be in a manner that is becoming of this esteemed House.

Rather than focusing on the ANC’s by-election operation yesterday, member

Sharon Davids spent the day insulting people who voted for and supported the DA. Member Davids said the following: that a former ANC supporter who has now joined the DA is a traitor; that DA members are children of Hitler; that the DA abuses the votes of black people; that the “Boere” - and this word was called hate speech by the Constitutional Court in the Julius Malema case - are misusing the people.

How can such a hate speech be tolerated in a democracy? How can such a conduct be allowed to go unpunished? Member Davids swore allegiance to the Constitution when she took office in this Parliament in 2014. Yet, her behaviour was completely unacceptable. It is a violation of the Constitution that she swore to uphold. I thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Order. Order. I see the ANC. Order! Order! I see the ANC again.

Ms M N GILLION: Thank you, Mr Deputy Speaker. The cracks and the disintegration of the leaderless DA are growing on a daily basis. The ANC earlier this week welcomed 16 senior DA disillusioned members of the Matzikama area as the DA continues to lurch from shame to scandal.

The rejection of the DA was very clear when its national leader Mmusi Maimane was chased away from the campuses of the Universities of Stellenbosch and Cape Town and also his predecessor, Premier Helen Zille, from the University of Stellenbosch ... [Interjection.]

The MINISTER OF COMMUNITY SAFETY: That is a lie. Premier Zille was never chased away. I was with her.

Ms M N GILLION: ... amidst the student demonstrations against high fees. The DA is losing it too in Cape Town. Recently the DA provincial leader and the Mayor of the City of Cape Town, Patricia de Lille ... [Interjection.]

The DEPUTY SPEAKER: Order, order. Just one second. Order, hon member. The corner there, hon Maseko and I think it is hon Botha next to her. There is too much noise coming from that corner. Please continue hon member.

Ms M N GILLION: Thank you, Mr Deputy Speaker. Recently the DA provincial leader and Mayor of Cape Town, Patricia De Lille, could not handle a simple information session in Bonteheuwel. Instead De Lille crudely insulted residents and shouted at them from behind a line of bodyguards and Metro Police Officers.

An HON MEMBER: Is that a leader?

Ms M N GILLION: We see more killings due to the DA's uneven handling of taxi permits. Many operators have been waiting for far too long for permits, while this administration, under Premier Helen Zille, issued instant permits for a large number of Uber operators that jumped the line.

This is a recipe for disaster as it comes under more criticism and here it is accused of treating its workers like slaves as it does and not adhere to labour legislation. Thank you. [Time expired.]

The DEPUTY SPEAKER: Hon member your time has expired. Thank you.
The DA, the last one is the DA.

Mr N E HINANA: Thank you, Mr Deputy Speaker. When Eskom is shedding electricity the ANC compliments it. They shed votes. The DA by-election success here is a taste of more things to come. We had a number of by-elections yesterday. The DA gave a taste of what is to come in the 2016 local elections.

Let us look at what happened in Cape Agulhas, Drakenstein and Oudtshoorn. In Ward 1 in Cape Agulhas the DA won 51% and also in Ward 2 the DA received 74% of votes. It is a disgrace. I will not even mention the votes that the ANC got. Disgrace.

In Ward 14, Drakenstein, which is the vote of the ANC, the DA got 57% votes and the ANC continues to shed votes just like Eskom is shedding electricity. [Laughter.] These results bode very well for the DA's support. Round after round of by-elections the DA continues to confirm that the momentum is growing behind the DA as we head toward Local Government Elections next year.

It is the responsibility of Government to provide quality services. Parties that are in government must realise that to stay in power does not mean to only show up during election time but it means to continue providing quality services to the people throughout the term of office.

It also means that you must be excellent in good governance which is the mandate that the electorates are giving the DA-led Government. Local government must provide these services to improve the lives of our people. It must broaden access to opportunity, it must as well expand inclusivity and equality. It must create freedom that we can use.

The DEPUTY SPEAKER: Order. Hon member your time has expired if you want to finish off?

Mr N E HINANA: Mr Deputy Speaker, I implore that the Western Cape Government continue its critical role in facilitating the support to the municipal governments throughout Cape Town in true freedom, fairness and opportunity. [Time expired.]

The DEPUTY SPEAKER: Order. Your time has expired. We have reached the end of Statements. Order, hon members. We move onto Motions. Are there any motions where notice is given? Are there any motions? Hon member Magaxa?

MOTIONS WITH NOTICE

Mr K E MAGAXA: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the effectiveness of the Western Cape Government's strategies to halt the road carnage in the province as during the Traffic Month alone the road carnage claimed the lives of more than a 100 people, averaging double digits every weekend.

[Notice of motion as moved by Member.]

The DEPUTY SPEAKER: Notice taken.

Mr M MNQASELA: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the spy saga currently playing itself out in the public domain. I so move.

[Notice of motion as moved by Member.]

The DEPUTY SPEAKER: Notice taken.

Ms P Z LEKKER: Mr Deputy Speaker, I give notice that I shall move:

That the House debates this DA-run Government's response to the war between taxi bosses and the Western Cape Government.

[Notice of motion as moved by Member.]

The DEPUTY SPEAKER: Notice taken.

Mr M MNQASELA: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the sustainability of our water resources to be able to cater for our current demands as well as the needs of our future generations and come up with solutions.

[Notice of motion as moved by Member.]

The DEPUTY SPEAKER: Notice taken.

Mr R T OLIVIER: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the high incidences and severity of bullying at schools around the province which has led to suicides and hospitalisation of some of the pupils.

[Notice of motion as moved by Member.]

The DEPUTY SPEAKER: Notice taken.

Ms T M DIJANA: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the high number of gang related deaths in the province under the DA.

[Notice of motion as moved by Member.]

The DEPUTY SPEAKER: Notice taken.

Mr N E HINANA: Mr Deputy Speaker, I give notice that I shall move:

That the House calls on National Government to implement the necessary austerity measures and to prioritise the budget in order to find the necessary funds to adequately fund tertiary education.

[Notice of motion as moved by Member.]

The DEPUTY SPEAKER: Notice taken.

Ms D GOPIE: Mr Deputy Speaker, I give notice that I shall move:

That the House debates interventions of the Western Cape Government to mitigate strokes which are reported to be the third leading cause of death in the Western Cape as well as one of the leading causes of disability in South Africa.

[Notice of motion as moved by Member.]

The DEPUTY SPEAKER: Notice taken.

Mr B D JOSEPH: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the horrific continuation of the use of rape and sexual violence as a means to subject women around the world to this type of torture.

Further notes the shocking scale of this crisis in Cape Town where an estimated 21 women are raped daily, just in 2015 thus far 7,309 in 2015 alone.

We, as the EFF, therefore demand an end to these atrocities of crime in an effort to find answers to the recent rape of a Zimbabwean woman by two white males, who will be appearing in the Wynberg Court tomorrow, and to examine the processes put in place to assist victims. I cannot help but think what would have happened if this situation were visa-versa in terms of ... [Interjection.]

The DEPUTY SPEAKER: Order, hon member Mr Joseph. You are motivating. Order! You gave a proper notice and then you start motivating which is not in order but I will accept the first part of that. Are there any

further? Nothing further? We then move on to Motions without Notice.

MOTIONS WITHOUT NOTICE

Mr R D MACKENZIE: Mr Deputy Speaker, I move without notice:

That the House extends its deepest condolences to the family, loved ones, football fraternity and friends of the late soccer star, Cecil Lola. Lola was a great role model for the youth, not only for the people of Cape Town but for his home province of the Eastern Cape and South Africa at large. His presence will be sorely missed.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the notice being moved without notice? No objection to the motion itself.

Agreed to.

Mr S G TYATYAM: Mr Deputy Speaker, I move without notice:

That the House notes with profound sadness the brutal murder of Ndonga Ngementu, an ANC, Deputy Chairperson of Ward 38, New Crossroads, former provincial spokesperson of the ANC Youth League in the Western Cape. That the House further notes that:

- (a) Comrade Ngementu died in a shooting incident while watching the semi-finals of the Rugby World Cup between the Springboks and the All Blacks and,
- (b) that he leaves behind his mother, twin sisters, fiancé and his six year old daughter;

Further notes that the House condemns his senseless killing and calls for SAPS to work hard to apprehend the killers.

[Motion as moved by member.]

The DEPUTY SPEAKER: Thank you. Are there any objections to the motion being moved without notice? No objection to the motion itself.

Agreed to.

Ms L J BOTHA: Mr Deputy Speaker, I move without notice:

That the House congratulates Alexious Shoko from Piket-Bo-Berg, who has been crowned with the Farmworker of the Year award from the Western Cape Department of Agriculture.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the notice itself?

Agreed to.

†UNksz P Z LEKKER: Enkosi Sekela Sthethi *Thank you, Mr Deputy Speaker. I move without notice:

That the House conveys its deepest condolences to the family of Defence and Military Veterans Minister, Nosiviwe Mapisa-Nqakula and husband Charles Nqakula, after the death of their son Chumani Nqakula who was stabbed to death.

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the notice itself?

Agreed to.

Mr M MNQASELA: Mr Deputy Speaker, I move without notice:

That the House extends condolences to the family and friends of the two young girls, Chrismedine Siegels, aged 12 and Jamie-Lee Samuels, aged 11, who lost their lives when a concrete slab of a dilapidated house in Hawston tragically collapsed and fell on top of them, and the House also wishes Raldo Wilson a speedy recovery from his injuries

which he sustained during the same accident. May their souls rest in peace.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the notice itself?

Agreed to.

Mr K E MAGAXA: Mr Deputy Speaker, I move without notice:

That the House notes the passing away on 29 October 2015 of Comrade Sarah Carneson, who was 99:-

- (a) a dedicated ANC member;
- (b) a proud communist since 1934;
- (c) a trade unionist who joined the Young Communist League at the tender age of 15 in 1931;
- (d) she was banned by the apartheid government in 1954, in 1960 she went underground;
- (e) in 1967 she was imprisoned for breaching her banning order. After her release in 1968 she went into exile and worked for SACTU;

- (f) she and her husband, Fred Carneson, returned to the country after the unbanning of the ANC and the SACP; and
- (g) she is survived by her children Lynn, John and Ruth Carneson.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Ms L J BOTHA : Mr Deputy Speaker, I move without notice:

That the House welcomes the conviction of the five former SASSA employees in the Bellville Specialised Commercial Crimes Court for social grant fraud. Further, that we congratulate the Western Cape Social Development Minister, Adv. Albert Fritz, for his persistent efforts to have SASSA, a national entity, clean up its administration and pursue all social grant corruption and fraud. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: Order, order. No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

†Mnr D G MITCHELL: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis sy medelye betoon met die vriende en familie van mnr Richard Mackeet, 'n gemeenskapswerker in Matjiesfontein. Hy sal onthou word vir sy onbaatsugtige diens aan die gemeenskap van Matjiesfontein.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Enige beswaar teen die voorstel sonder kennisgewing? Geen beswaar teen die voorstel self nie?

Goedgekeur.

*Mr D G MITCHELL: Mr Deputy Speaker, I move without notice:

That the House commiserates with the friends and family of Mr Richard Mackeet, a community worker in Matjiesfontein. He will be remembered for his unselfish service to the community of Matjiesfontein.

[Motion as moved by member.]

*The DEPUTY SPEAKER: Any objection to the motion without notice? Any objection to the motion itself?

Agreed to.

Ms D GOPIE: Mr Deputy Speaker, I move without notice:

That the House commiserates with the family, friends and comrades on the passing of Kirstie Rendall-Mkosi (54), an academic and activist, one of the unsung heroines of health policy development in South Africa, having made a huge contribution to understanding the social and health challenges of alcohol during pregnancy. She died in October at the end of a four year battle with ovarian cancer and she leaves behind her husband Sicelo and two sons.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Mr R D MACKENZIE: Mr Deputy Speaker, I move without notice:

That the House congratulates Professor Athol Williams, the Mitchells Plain born academic, who won the prestigious Sol Plaatjie European Poetry Award for his 2015 entry, *Streetclass Disease*, a poem that highlights the plight of Cape Town's homeless people. Apart from his academic achievements, Professor Williams' NGO "Read to Rise" has distributed more than 20 000 new books to schools in Mitchells Plain.

[Motion as moved by member.]

The DEPUTY SPEAKER: Thank you. No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Ms T M DIJANA: Mr Deputy Speaker, I move without notice:

That the House commiserates with the family, friends and comrades of the slain Constable Nkosiphendule Makeleni (37), father of three from Strand, who was gunned down during a suspected robbery on the grounds of Ludwe Ngamlana Primary School on Tuesday night, October 27th 2015 in his uniform; further commends SAPS for the swift arrest of a suspect alleged to be involved in the killing and recovered his robbed pistol; and also calls for more measures to be implemented to protect our officers from criminals targeting them. I move so.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Mr R B LENTIT: Mr Deputy Speaker, I move without notice:

That the House sends good wishes to our Hindu community for a joyous Diwali which is also known as the festival of lights.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Ms S W DAVIDS: Mr Deputy Speaker, I move without notice:

That the House commiserates with the passing on of 12 fishermen when they abandoned a fishing trawler which took in water during rough seas on Sunday 27 September 2015.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Mr R D MACKENZIE: Mr Deputy Speaker, I move without notice:

That the House congratulates Jared Houston from Melkbosstrand on the phenomenal achievement of winning the Pro Body Boarding World Tour in Puerto Rico on Monday 9th November.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

†UMnu R T OLIVIER: Sekela Somlomo, ndiphakamisa ngaphandle kwesaziso:

Ukuba le Ndlu inqwenelela bonke abafundi beliphondo lelizwe abahlalele iimviwo ukuba baphumelele ngokwasemagqabini, ndindulula

ngolo hlobo.

[Isiphakamiso njengoko siphakanyiswe liLungu.]

*Mr R T OLIVIER: Mr Deputy Speaker, I move without notice:

That this House wishes all students of this province of the country, who are writing their exams, may pass with flying colours. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Mr R B LENTIT: Mr Deputy Speaker, I move without notice:

That the House congratulates all the officials from the Western Cape Government who received recognition for their commitment to reduce red-tape through their respective functions.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without

notice, no objection to the motion itself?

Agreed to.

Ms S W DAVIDS: Mr Deputy Speaker, I move without notice:

That the House commends the Food and Allied Workers' Union for successfully blocking the bid to close Oceana Fishmeal Factory in Hout Bay which would have resulted in 98 workers losing their jobs, and also commends the signing of an agreement at the CCMA between Fawu and Oceana to extend the operating lease of the factory from one to five years.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Ms M N GILLION: Mr Deputy Speaker, I move without notice:

That the House notes that Lee Ann Adonis (20) a matric student at Hawston Secondary School drove his fellow matric students to school because the driver of the bus was late and they were in risk of missing

their maths literacy examination; notes further that because of his good deed he is now facing hefty fines totalling to the amount of R5 000 for driving without a licence and faces disciplinary action at school as well; and we also commend the student for putting the interest of his fellow pupils first.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Mr M MNQASELA: Mr Deputy Speaker, I move without notice:

That the House congratulates the Department of Local Government under the stewardship of Minister Anton Bredell, for the excellent leadership in launching the debut Western Cape Association of Public Accounts Committees. This association will bring all Municipal Public Accounts Committees in the Western Cape together and will result in better oversight over public goods and finances as per the Municipal Finance Management Act. Furthermore, that this House congratulates the newly elected Chairperson of the body, Councillor Mxolose as the Chairperson and Councillor Chetty as his deputy. They were elected unanimously.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Ms D GOPIE: Mr Deputy Speaker, I move without notice:

That the House notes with serious concern that Sakhumzi Gungqaya died after he was beaten with a bed pan by another patient at Heideveld Community Day Centre, conveys its deepest condolences to the family and calls for the Department to investigate the security breach at the facility which left many health care workers fearing for their lives after the incident.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

†Mnr D JOSEPH: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Ek stel 'n mosie in van gelukwensing aan die Albertinia Senior Groep wat die grootse handgebreide trui in die wereld gebrei het met 'n armlengte van 8.2m en wat nou opgeteken is in die *Guinness Book of Records* en met die sertifikaat wat hulle ontvang het op die 29ste September aan Nina Maarte, die projekteier, en ook dat hierdie projek ook mense insluit wat nie goed kon sien nie, wat eintlik blind was. Ek stel voor dat die Huis 'n brief van gelukwensing aan hulle stuur.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennisgewing? Geen beswaar teen die voorstel self nie?

Goedgekeur.

*Mr D JOSEPH: Mr Deputy Speaker, I move without notice:

I propose a motion of congratulations to the Albertinia Senior Group who knitted the largest hand-knit jersey in the world with an arm length of 8.2m and which is now recorded in the *Guinness Book of Records*, and for the certificate they have received on the 29th of September, handed to Nina Maarte, the project leader, and also notes that this project includes people who do not see well, who are actually blind. I move that the House sends a letter of congratulations to them.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself?

Agreed to.

Ms T M DIJANA: Mr Deputy Speaker, I move without notice:

That the House notes that the country is faced with a water crisis due to a prolonged drought; calls on the residents to use water sparingly and commends the Department of Water Services and Sanitation for their prudent response to the challenge.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Mr M MNQASELA: Mr Deputy Speaker, I move without notice:

That the House congratulates municipalities and district municipalities that participated in the Western Cape Greenest Municipality competition and wish Hessequa Local Municipality all the best for what they have achieved with the Greenest Municipality in this province and also Eden District Municipality for the Greenest District Municipality competition. Furthermore I urge this Provincial Parliament to wish all the other municipalities the best for participating in other categories. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Ms P MAKELENI: Mr Deputy Speaker, I move without notice:

That the House congratulates the courageous women of Hangberg, Imizamo Yethu and Ocean View for launching their Womens League Forum in partnership with the ANC.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection? There is an objection? Order. It will

be printed on the Order Paper.

†Mnr R D MACKENZIE: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis Chernelle Hector, 'n onderwyseres wat verbonde is aan Belmor Primêre Skool, Hanover Park op die Kaapse Vlakte, gelukwens met haar benoeming deur die Wes-Kaapse Departement van Onderwys as die beste laerskoolonderwyseres in die provinsie.

Ek gee verder kennis dat die Huis Wiwe Ras-Pretorius, 'n drama-onderwyser van die Sekondêre Skool, Desmond Mpilo Tutu in die Paarl, gelukwens met haar benoeming as Wes-Kaapse Onderwyser van die Jaar.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Enige beswaar teen die voorstel sonder kennisgewing? Geen beswaar teen die voorstel self nie?

Goedgekeur.

*Mr R D MACKENZIE: Mr Deputy Speaker, I move without notice:

That the House congratulates Chernelle Hector, a teacher at Belmor Primary Skool, Hanover Park on the Cape Flats, on her nomination by the Western Cape Education Department as the best primary school teacher in the province.

I further move that the House congratulates Wiwe Ras-Pretorius, a drama teacher of the Secondary School Desmond Mpilo Tutu in Paarl, on her nomination as Western Cape Teacher of the Year.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Ms C F BEERWINKEL: Mr Deputy Speaker, I move without notice:

That the House sends a vote of congratulations, belatedly, to Marsha Lombard, a young girl from Swellendam who successfully qualified for the SA Idols competition with her angel voice but unfortunately fell out at the next round of auditions. Swellendam is rightly proud of her.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Mr R T OLIVIER: Mr Deputy Speaker, I move without notice:

That the House congratulates all 10 teachers from across the Western Cape who received top awards at the 16th Annual Provincial Teaching Awards, especially Mr Hendrik Botha from Excelsior Primary School, De la Haye, Bellville, who received this year's Lifetime Achievement Award for dedicating 41 years of his life to teaching of which 18 years was served as a principal of Excelsior Primary.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

†Mnr R D MACKENZIE: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis die volgende atlete gelukwens met hul eie onderskeie benoemings vir die 2015 SA Sporttoekennings in Johannesburg:

- Die Wes-Kaap gebore naelloper-atleet Wayde van Niekerk – Sportman van die Jaar;
- Wes-Kaap gebore Andrew Julius – Nuweling van die Jaar in Atletiek;
- Skoolspan van die Jaar – Oakdale Hoër Landbouskool;
- Ontwikkelende Skoolspan van die Jaar – Iqhayiya Sekondêre Skool;
- Sportsman met ‘n Gestremsheid – Ernst van Dyk;
- Sportvrou van die Jaar – Ilse Hayes en Peggy de Villiers;
- Vrywilliger van die Jaar – Zelda Hansen;
- Inheemse Spelespan van die Jaar – Wes-Kaapse Lintonga-span.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennisgewing? Geen beswaar teen die voorstel self nie?

Goedgekeur.

*Mr R D MACKENZIE: Mr Deputy Speaker, I move without notice:

That the House congratulates the following athletes on their respective nominations for the 2015 SA Sports Awards in Johannesburg:

- The Western Cape born sprinter athlete Wayde van Niekerk – Sportsman of the Year;
- Western Cape born Andrew Julius – Newcomer of the Year in Athletics;
- School Team of the Year – Oakdale Agricultural High School;
- Developing School Team of the Year – Iqhayiya Secondary School;
- Sportsman with a Disability – Ernst van Dyk;
- Sportswoman of the Year – Ilse Hayes and Peggy de Villiers;
- Volunteer of the Year – Zelda Hansen;
- Indigenous Games team of the Year – Western Cape Lintonga Team.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice. No objection to the motion itself?

Agreed to.

Ms D GOPIE: Mr Deputy Speaker, I move without notice:

That the House notes with great appreciation that the National Government last week unveiled the Aceso machine which detects breast cancer at an earlier stage which will assist the public health system in the country to fight the disease with this patented South African innovation hailed as an exciting development and commends the Industrial Development Corporation which played an important role in funding the development of the project.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Mr S G TYATYAM: Mr Deputy Speaker, I move without notice:

That the House notes that the 2015 Red October was filled with a lot of student protests demanding that fees must fall and further notes the swift response by President Jacob Zuma [Interjections.] with an urgent meeting with student leaders and University Chancellors, where a moratorium on fees was agreed and we congratulate the President for providing the leadership.

[Motion as moved by member.]

The DEPUTY SPEAKER: Order. Are there any objections? There is an objection. It will be printed on the Order Paper.

Ms M N GILLION: Mr Deputy Speaker, I move without notice:

That the House congratulates John Michels as the new councillor of the ANC, in Ward 11 in Grabouw, after the ANC took the ward from the DA during the by-elections last month.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection? There is an objection, it will be printed on the Order Paper.

Ms D GOPIE: Mr Deputy Speaker, I move without notice:

That the House notes with serious concern that Hanover Park residents, who depend on public clinics, now have to obtain health services in other areas following the DA-run City's decision to temporarily close their clinic due to gang wars, condemns the City with the strongest contempt possible for compromising health services for the people and calls on the security services to intervene to restore peace and order in the area.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved? Is there an objection? It will be printed on the Order Paper.

†UMnu Q R DYANTYI: Sekela Somlomo, ndiphakamisa ngaphandle kwesaziso:

Ukuba nam ndiyenyuka ndithi le Ndlu mayiqaphele omnye osemanqwanqweni pha kuMaspala eGeorge, uphandwa ngamapolisa uCeba weDA UHenry Jones, kuba enukwa ngokuthengisa izindlu zeRDP. Ndiphinde ndithi le Ndlu mayiqaphele nokuthi kwale DA ifuna ukusebenza okoNonkala ithi ngapha senza kakuhle sinoRhulumente ococekileyo kodwa apha kuJones imchwakraze ngesandla okomntwana.

*Mr Q R DYANTYI: Mr Deputy Speaker, I move without notice:

That that I too, rise and say this House must note that a high ranking official in the George Municipality is investigated by the police, DA councillor, Henry Jones, because he is accused of selling RDP houses. I also say this House must note that this same DA that wants to act like a crab, saying on the one hand we are doing well we have a clean government, but when it comes to Jones they slap him with hand like a child.

The DEPUTY SPEAKER: Order, order. Hon member Mr Dyantyi in terms of the interpretation it is not a motion, it is almost a speech.

Mr Q R DYANTYI: No it is a motion.

The DEPUTY SPEAKER: I want to urge you to stick to the format of a motion.

Mr Q R DYANTYI: Ja, no, it is a format. I am doing it in Xhosa.

The DEPUTY SPEAKER: Please continue, I am listening very carefully.

Mr Q R DYANTYI: I am doing it in Xhosa. It is a format.

†Imchwakaze okomntana yathi makarhoxiswe endaweni yoba imsuse ixele uDianne Kohler Barnard, caba ke noko kuya khethwa apha.

[Isiphakamiso njengoko siphakanyiswe liLungu.]

*Instead of expelling him from the DA he got a slap on the hand unlike Dianne Kohler Barnard, showing favouritism.

[Motion as moved by member.]

The DEPUTY SPEAKER: Order, there is an objection it will be printed on

the Order Paper.

Ms P Z LEKKER: Mr Deputy Speaker, I move without notice:

That the House welcomes the visit and leadership of the Deputy Minister of Police, Maggie Sotyu, last month where she undertook to get more staff for the Nyanga Police Station and to look into the issue of the mobile satellite station in Brown's Farm and ... [Interjections.] and ... †he lona, le lerata ... *hey you – you are noisy! [Interjections.]

The DEPUTY SPEAKER: Order, hon member Ms Lekker.

Ms P Z LEKKER: Hon member Maseko, you will understand what I am talking about.

The DEPUTY SPEAKER: Just one second. Order!

†Ms P Z LEKKER: Batho bana bare rasetisa. *These people are making noise.

The DEPUTY SPEAKER: Order, hon member Ms Lekker, I am talking to you. Just take your seat. Hon member Mnqasela?

Mr M MNQASELA: Mr Deputy Speaker, I want to ask for your guidance here. We seem to be getting speeches now. Member Statements are past, we are dealing with Motions. So I will leave that with you as a point of order.

The DEPUTY SPEAKER: That is correct. Order. I am listening carefully. It must be in the format of a motion so the member may proceed but that is the rule. It must be in the form of a motion.

Ms P Z LEKKER: Mr Deputy Speaker, I move without notice:

That the House welcomes the visit and leadership of Deputy Minister of Police, Maggie Sotyu, last month where she undertook to get more staff for the Nyanga Police Station and to look into the issue of mobile satellite stations in Brown's Farm and Samora Machel.

[Motion as moved by member.]

The DEPUTY SPEAKER: That is in order. Any objections? There is an objection. It will be printed on the Order Paper.

Ms P MAKELENI: Thank you Speaker. I move without notice:

That the House congratulates the UWC Creative Arts Choir's heavenly melodic voices for once again representing the Western Cape in the large category of the National Choir festival in Bloemfontein.

[Motion as moved by member.]

The DEPUTY SPEAKER: Are there any objections to the motion being moved without notice? No objection to the motion itself?

Agreed to.

Mr K E MAGAXA: Mr Deputy Speaker, I move without notice:

That the House commends the South Road Families Association for taking up the fight against the DA run City of Cape Town which intended to evict 26 families to make way for MyCiti bus route as earlier last month Western Cape High Court Acting Judge Weinkove ruled in their favour, halting the evictions and ordered the City to conduct a meaningful public participation process before serving residents with eviction notices and demolishing their homes; further notes that the DA run City of Cape Town is hell-bent on keeping alive the legacy of apartheid as it applied for leave to appeal against the ruling, issued further eviction notices against Plumstead families and that the House condemns the City for resuscitating apartheid tactics and applauds the judge for this progressive judgement.

[Motion as moved by member.]

The DEPUTY SPEAKER: I sense there is an objection to that? If there is an objection it will be printed on the Order Paper.

Ms M N GILLION: Mr Deputy Speaker, I move without notice:

That the House commends the National Department of Social Development for obtaining an international award for excellence, in America, during this week.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Mr R T OLIVIER: Mr Deputy Speaker, I move without notice:

That the House condemns in the strongest terms the abuse of an official vehicle to transport voters by Transport and Public Works MEC, Donald Grant, during a by-election yesterday in Cape Agulhas.

The DEPUTY SPEAKER: Are there any objections to that? If there is an objection it will be printed in the Order Paper.

Ms P MAKELENI: Mr Deputy Speaker, I move without notice:

That the House notes the Western Cape Old Mutual National Choir

Festival held in September and congratulates the Simon Estes Alumni Choir who won the standard category and will represent the Western Cape on this magnificent stage on the 12 and 13th December 2015.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

†UNksz P Z LEKKER: Enkosi, *Thank you, Mr Deputy Speaker, I move without notice:

That the House commends the South African Police Service for arresting a 25 year old suspect after the killing of five young people in Nyanga during the month of March this year as well as for two other unrelated murders that took place in Gugulethu and Nyanga.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice, no objection to the motion itself?

Agreed to.

Mr R D MACKENZIE: Mr Deputy Speaker, I move without notice:

That the House congratulates the Hon Anroux Marias and the Department of Cultural Affairs for launching the Water Safety Awareness through Aqua Sport Initiative at the Strandfontein Pavilion and learning to surf.

Kaleb Swanepoel who survived a shark attack at Buffelsbay and Nigel Savell, founder of the Nile Mile Project, taught the Minister water skills. This youth and community development project uses surfing and swimming to promote transformation, focusing on vulnerable youth in Cape Town. It also raises awareness on water safety to address the high number of drowning instances in the Western Cape and yes, the Minister was in a bathing suit.

[Motion as moved by member.]

HON MEMBERS: Objection!

The DEPUTY SPEAKER: No objection? There is an objection. It will be printed on the Order Paper. Are there any further, for the last time? Order. Then we proceed with the Order Paper. The Secretary will read the Order of the Day.

ORDER OF THE DAY

1. Consideration of Report of the Conduct Committee on a complaint against a Member of the Western Cape Provincial Parliament in terms of the Code of Conduct for Members of the Western Cape Provincial Parliament, dated 15 September 2015.

The DEPUTY SPEAKER: We have a speaker's list. The first speaker is hon member Tyatyam.

Mr S G TYATYAM: Thank you, Mr Deputy Speaker. The Western Cape Provincial Parliament Code of Conduct, Act 3 of 2002 as amended by Act 4 of 2003, gives effect to Section 27 of the Constitution of the Western Cape by providing for a code of conduct governing the members of the Provincial Parliament and to provide the matters incidentally hereto and states in Section 2 that members of the Provincial Parliament must comply with the code of conduct in performing their official responsibilities. As a very senior law maker, member Dennis Joseph broke this Legislature's own law.

He is also a former Member of the National Parliament and he knows very well when matters in the committee are dealt with in closed session, even the media are not allowed to get a brief of that session. When we dealt with the matter which he pleaded guilty to, translators, the media and support staff who have not taken oath were requested to excuse themselves because it is a closed session meaning the discussion was embargoed.

However he went to the media to give details of the meeting, further also lying to a certain extent about some of the issues that were not even raised at the Conduct Committee. The question that we must ask ourselves is: should we trust the Chair of this committee? Should we trust that the integrity of this committee will be kept intact under him? No, he can never be trusted. He can never be trusted and we are moving, as the ANC, that the penalty which is being proposed be rejected because it is just a reprimand. It is just in fact that the reprimand is we are just polishing our shoes.

In fact, we must say that it is not new in the DA because the predecessor of the DA, Helen Suzman, leader of the so-called PFP, on her oversight visit to Robben Island in 1983, despite the fact that political prisoners told her about their unbearable conditions and the despicable food they were forced to eat, she went out to the media, commended the diet and said political prisoners were good and healthy.

An HON MEMBER: You are misleading the House.

Mr S G TYATYAM: In this House we know some ex-political prisoners who passed away because of the conditions you know. As Chairperson of the trusted Conduct Committee he failed dismally. He breached the confidentiality and oath of his office. He abused his position to disseminate detailed information on petty party political point scoring. He also comprised the credibility, the integrity of his office as a Public Councillor thereby breaking the public trust in his position.

Can you trust him again? Not again. The committee needs a better person, it cannot be chaired or be under him again. The second way this committee and especially the DA deals with rivals, the ANC in particular, they deal with others and make sure that they do not give a light slap with a tongue reprimand. They make sure that in others they want a supreme, a high and extreme penalty.

Ms M N GILLION: Disgraceful.

Mr S G TYATYAM: The Chairman is not an ordinary man or a lay person. He is a Chairperson who is well versed with the rules, the laws and the secret oath, the Deputy Chief Whip of the ruling party and one that serves as a Chairperson of two other important Standing Committees, namely budget and finance. He is therefore supposed to know very well that when it is said that it is a closed session, nothing can go out of that session and be reported to the media. In any event he went and then claimed that he was not aware and that he needed more induction. We were all inducted in that committee. We knew that you do not do things outside of that committee, hence translators and many other people, who have not taken oath, were taken out of that committee.

By acting like a newspaper informer to wilfully and deliberately divulge detailed information discussed in confidence, behind closed doors, compromised the credibility and the integrity of the committee. He did this

intentionally to embarrass members because they are not in his political party. In fact in our society the police are the law enforcers. When they are found guilty they get a double sentence because they are supposed to be the ones that uphold the discipline. He broke the public trust in him and the committee. He was caught in the act and he had no choice but to admit guilt. He said he was sorry but was not convinced he was sorry. No one was convinced he was sorry. In fact he ran short of actually telling us who actually sent him and said "go to the media".

What is worse is, the way in which information was built to the media for publication to besmirch the names of his opponents, speaks of his prejudice and the fact that the DA was predisposed to that matter. When all things are taken into consideration, the affected members had no chance of a fair hearing. They were publically punished by bad publicity and hon Joseph and the DA are hell-bent to further punish them. What he said was not honourable at all.

He should be removed as a Chairperson of the Conduct Committee by his party. He should in fact be so embarrassed that he himself must just resign voluntarily without being pushed because he has not upheld the oath that he took. Will the DA act against him? I do not think so. They only act against a female like Dianne Kohler Barnard. No, even though he can never ever be trusted.

He now becomes the face of a party without direction, principle or policy, a double standard party that says no to other people and yes to other people. What is going to be the direction of this party, and we must make sure that we correct what has been done wrong by member Joseph. He must leave.

The DEPUTY SPEAKER: Thank you. The next speaker is the Hon member Christians.

Mr F C CHRISTIANS: Mr Deputy Speaker, by hon Joseph's own admission the statement he made to the media was an oversight on his part and it was not intentional and the member accepted responsibility. The right thing to do when you make a mistake is to apologise, which he did. Member Joseph had breached the code and was reprimanded. Member Joseph did not fabricate anything or intend to be malicious about what he was saying. He stated what was factual but he did so prematurely. I therefore want to concur with the sanction that the reprimand stands, I believe the sanction is fair and just. I thank you.

The DEPUTY SPEAKER: Thank you, hon member Max?

Mr L H MAX: Thank you, Mr Deputy Speaker. It is very important that we look in toto to the facts of this particular matter at hand. It is common cause that on the 22nd of May 2015, the Conduct Committee meeting was in camera. It was confidential. And according to the Code of Conduct, in terms of

paragraph 51 of the report before the House, it makes it very clear; the Act and I quote:

“The Act makes provision for the Provincial Parliament to adopt a Code of Conduct prescribing the standards and rules and to promote an open democratic and accountable government. The Code must further include provisions to inter alia; provide that members at all times act in good faith and in the best interests of good governance.”

Section 2.2 subsection 2 stipulates ...

“Members of the Provincial Parliament must comply with the Code of Conduct in performing their official responsibilities.”

as my counter-part on the other side argued in this matter. Now it goes further at point 5.3 that the Registrar Report dealt in May with the members’ disclosure forms which were due on the 30th of April 2015, as well as the disclosure forms submitted in the previous year. The meeting was advised that for 2015, two members submitted their forms late, these members being Ms Dijana and Mr M Fransman.

So, this action before the House today emanates from a discussion of the people which I refer to. In paragraph 5.5, the response of the member concerned and that is now Member Joseph, the Chairperson of the Conduct Committee, was as follows: He said:

1. The two members who were elected public representatives and mandated by their political parties to serve in the Provincial Parliament;
 2. The purpose of the Code is to ensure that members remain accountable to the public and that their services are beyond question;
 3. The Chairperson of the Conduct Committee has the authority and responsibility to outline and inform the public about acceptable behaviour and unacceptable behaviour of members of the Provincial Parliament that is of public interest, and lastly;
 4. He did not regard the failure to submit registers of members' interests as confidential and therefore rejected the complaint made against him.
- That was his response at first hand.

It is how he, as a member of this Parliament, given the paragraphs which I referred to previously, interprets and would like to execute, in terms of an open and transparent governance. So that is what he did.

An HON MEMBER: Very convenient.

Mr L H MAX: That is what he did. In paragraph 7 of the report is a conclusion by the Registrar and it reads as follows:

“Based on the above, the Registrar concludes that the Chairperson of the Conduct Committee has breached the Code of Conduct by

disclosing details of a matter serving before the committee in a closed meeting to the media.”

Then lastly, in paragraph 9 of this very report in question, the Registrar states the following:

“The Registrar is of the view that there is a need for the Conduct Committee to have a thorough induction of the Code to ensure that all members of the committee are aware of what its role and responsibilities are and that the Registrar will extend this training to the staff supporting the committee.”

Now, Mr Deputy Speaker, in having regard to what is contained in this report, it is obvious that the hon member Joseph, at bona fide, understanding his responsibilities and was then found of breaching it, there was no deliberate action of member Joseph to deliberately contravene the Code of Conduct.

So I would like to say to hon member Tyatyam; you know Dr Wayne Dreyer once said:

“the highest form of ignorance is when you reject something you do not know a thing about.”

So, what I am saying is: if you look into all the facts of this particular matter, there is not an iota of evidence which suggests that hon member Joseph acted wilfully to contravene this. He acted bona fide in executing his duties according to how he understood it at the time, to the best of his ability representing a constituency.

Mr Q R DYANTYI: That is very convenient.

Mr L H MAX: Mr Deputy Speaker, it would be presumptuous to assert and foolish to assume that hon member Joseph acted deliberately ...
[Interjection.]

Mr Q R DYANTYI: It is such a diluted [Inaudible.].

The DEPUTY SPEAKER: Order, order. Hon member Mr Dyantyi, you are becoming an irritation now. You cannot have a running commentary after each comment from that side.

Mr L H MAX: It is perfectly clear that this Conduct Committee is non partisan. This Conduct Committee is there to be the watchdog of all of us, from the Premier down to the lowest ranking member in this House. That is why the wider Conduct Committee is there. It is proof that this Conduct Committee exerted its powers over the Chairperson of the Committee and found him guilty and imposed a sanction accordingly. It is proof that we as

the Conduct Committee will in no way conduct and execute our responsibilities in favour of a particular political party, not at all.

We will execute our responsibilities without fear or favour. The hon member Mr Tyatyam argued that the punishment imposed, the sanction which the Committee imposed was not good enough. So, once you evaluate circumstances, evidence, then you take all the factors into account. Once a court or any other institution gets to the point where they have to implement or impose a sanction, it depends on the conduct of the individual, it depends on the plea of the individual and it depends on whether the individual shows remorse or not.

Now, having regard to all these factors, it was then concluded by the majority of the Committee that member Joseph admitted a wrong-doing. Now an admission of a wrong-doing is, in terms of the law, a first indication of remorse. Secondly, he verbally then requested that the Committee be lenient and accepts the fact that it was an oversight. That is what we did.

Now, in terms of our view and in *State versus Rabie*, it is very clear what the court says; the court says that the sanction imposed should fit the criminal as well as the crime, be fair to society and be blended with a measure of mercy according to the circumstances. Mr Deputy Speaker, that is exactly what we, as the members of the Conduct Committee, took into account before we imposed the sanction and we would submit that the sanction imposed is proportional to the transgression.

So, this Conduct Committee will, as we did in the past, execute our responsibilities without fear or favour and this Conduct Committee is of the view that what we did was factually correct, it was fair, it was an open exercise towards it and it is acceptable. So, Mr Deputy Speaker, from the Democratic Alliance, we support this report. [Applause,]

The DEPUTY SPEAKER: Thank you. Order. Can please have your attention? That concludes the debate on this report. The question before the House is that report be adopted. Are there any objections to the report being adopted?

There is an objection, I then put the question: those in favour of the report will say 'aye', those against 'no'.

I think the 'ayes' have it and so they have. The objections of the ANC and also the EFF will be recorded. The Speaker will give effect to the House Resolution, as required by paragraph 33.3 of the Code.

Before we adjourn, I would like to remind hon members about two things. One is that the Budget Committee will sit immediately after the adjournment now and secondly that the next sitting of the House will be Friday the 20th of November at ten o' clock in the morning.

That concludes the business of the day. The House is adjourned.

The House adjourned at 18:23.