

980804 free state

PUBLIC HEARING ON THE DRAFT WHITE PAPER ON SAFETY AND SECURITY

30 JULY 1998

GLASS HOUSE, BLOEMFONTEIN

1) DETAILS OF THE HEARING

The hearing was held at the Civic Theatre (Glass Palace) in Bloemfontein on the 30th of July 1998. The coordinator of the hearing was Bobby Seroto of the Institute for Democracy in South Africa (Idasa). Mduduzi Mashiyane from Idasa and Mr Neo Masithela, chair of the Standing Committee for Safety and Security in the Free State Legislature, co-chaired the hearing.

3) ATTENDANCE AT THE HEARING

102 persons from a variety of organisations, government departments and business attended the hearing.

ATTENDANCE REGISTER

NAMES	ORGANISATIONS
A. Syrberry	SANCO
V. Khanyile	SANCO
A. Motshoeneng	Bloemfontein TLC
E. Mktjie	Royal SOS
L. Mabele	SANCO
F. Mabele	Kagisanong CPF
K.Tjemolong	Safety & Security Department
M. G. Lehaba	Provincial Board
I. Oganne	Fire Department
L.A. Nogabe	Jacaranda Taxi association
S. Ditlhakanyane	SABC
N. Taioe	Eastern Free State Area Board
Z. Nzamo	Free State Legislature
L.Lephoi	CPF
M. Du Preez	F.S WomenAgric. Union (V.V.L.U)
Brenda Pearce	Provincial Board
V. Mothibi	Safety & Security
C. Britz	Park Road CPF
M.P. Mzizi	Senekal CPF
P. Dennis	Park road SAPS
S. Tsuelle	Edenburg CPF
M.J. Majoang	Kroonstad CPF
A. Steyn	NP Womens Action Group
J. Pearce	Bloemfontein Chamber of Commerce & Industry
K. Sello	Kroonstad CPF
M.J. Booi	Redersburg CPF
S. Mokobe	Thaba Nchu CPF
E.M. Makamba	SAPS
P.D Duiker	Boithuso CPF
N Mtirara	Free State Legislature

R. Duminy	Provincial Board (Chairperson)
T.A Boilane	Free State Legislature
R. Lebuso	Free State Youth Dev. Ass.
T.Loate	Secretariat (Free State)
L. Mogotsi	Dealsville CPF
G. Masoabi	Private
M. Machogo	Depart. Safety & Security
A. Buthelezi phori	MEC Safety
C. Ontong	Dept. Safety & Security
H. Venter	Koefel Handel Raad
H.Morakeng	BBT Radio (SABC)
C. Merahe	Dealsville CPF
Enoch Mboniso	Private
A. Taylor	Bayswater CPF
Ms Pontsa	Safety & Security
M.M. Manis	POPCRU
M. Kula	M.T.R.O Taxi Ass
Oupa Khoabane	Speaker's Office
J. Maruping	ICD
L.M. Mberekang	ICD
J. Mothobi	ICD
L.I Myburgh	Dept. of Health
L. Van Der Waldt	NP
J.N Swart	City Council Bloemfontein
I.D Nisane	Thaba Nchu CPF
A.I Du Toit	Attorney General office
L. De Jager	Free State Agricultural Union
C S Hibert	Dept. of Welfare
H.C Skosana	Dept. of Wefare
J. Hanse	Area District Council
W. Ellis	Centre for Citizenship Education
T. Scheepers	Royal SOS
L. S Ramahlaha	Batho CPF
P P Majoro	Boithuso CPF

A.A Manosi	Boithuso CPF
A.B Mahlaule	SA Liberal Student Ass.
H.L Goliath	Leidedal CPF
A.G Afrika	SAPS
E. Peterson	Virginia TLC
J. Sesedinyane	SANCO

3) WELCOME AND OPENING REMARKS

The chairperson of the Standing Committee, Mr Neo Masithela, welcomed all present and made some remarks on the importance of the hearing. He said that this hearing is taking place at a time when South Africa is confronted with a serious problem of crime. The public hearing would afford people of the Free State the opportunity to present their opinions on a critical document which would ultimately guide government policy on safety and security for the next five years.

Thereafter Mduduzi Mashiyane gave a brief presentation on the role of Idasa in the hearing, and then explained the hearing procedure as per the day's programme.

4) PRESENTATION ON THE DRAFT WHITE PAPER

Mr Eric Pelser from the National Secretariat outlined the process followed in developing the Draft White Paper and outlined the key issues contained in the document.

Questions on Eric Pelser's presentation

Who will fund the proposed municipal police ?

What is the timeframe for the decentralisation / devolution of responsibility for the police budget?

Won't the CPF's be politicised if local government politicians get involved in community policing?

How can the Provincial Commissioner be autonomous – is he not accountable to the MEC and the Provincial Government?

Is this DWP going to create more jobs on the gravy train and mean fewer police on the beat?

What will be the role of the MEC in relation to local government and the police, if their power to direct is removed?

How will the new local government relationship affect the lines of command and accountability for the station commissioner to the Area Commissioner and the CPF?

Will the police be more accountable to the local government than to CPF's?

How will the law be changed if the proposals in the White Paper are in conflict with the Act?

What is the role of the Provincial Department of Local Government in the new system of relationships between local authorities and the police?

Are we going to restrict the accountability of station commissioners to the social crime prevention arena only?

How will the WP address integration between law enforcement and the rest of the

justice system?

The WP does not address public perceptions about crime and the police.

The WP does not deal with all aspects of safety & security – will this not lead to “loopholes” and allow some roleplayers to evade their responsibilities?

Are the police and police vehicles insured against damages incurred in the course of duty?

How effective will the Human Resource Management function of S&S be under the new institutional arrangements, given executive command and control of the SAPS which remains largely unchanged?

5) WRITTEN SUBMISSIONS RECEIVED AT THE HEARING

NAME	ORGANISATION
Mr R Duminy	Free State Provincial Boar
Mr B Venter	Free State Department Safety and Security
Mrs H Hilbert	Department of Welfare
Mr J Pearce	Bloemfontein Chamber of Commerce
Mr A Taylor	Bayswater CPF
Mr Lambrecht	Bloemfontein City Council
Mr Taioe	Eastern Free State Board
Mr Letele	Monyakeng Advice Office
Dr L van der Watt	National Party (Free State)
Mr O Khobane	Speaker's Office
Mr A Motshoeneng	Local Taxi Association
Mr Mabone	Free State Youth Development Association
Mrs M du Preez	Vrystaatse Vroue Landbou-unie
Mrs Adele Steyn	National Party Women's Action
Mr de Jager	Free State Agricultural Union

6) VERBAL SUBMISSIONS RECEIVED AT THE HEARING

NAME	ORGANISATION
Mr C Wakeford	Democratic Party
Mr AF du Toit	Attorney General's Office
Mr de Beer	Edenburg CPF
Mr Coetzee	Smithfield CPF
Mr J Erasmus	Heidedal CPF

7) SUMMARY OF MAIN POINTS OF SUBMISSIONS

The following table represents a summary of the main points covered in all written and oral submissions at the hearing. The full versions of the written submissions are annexed.

The question whether police should make submissions at the hearing was debated:

Unhappiness was expressed at the exclusion of police submissions from the hearing. It was agreed that police trade unions should be allowed to make submissions at the

hearing

It was also suggested that individual SAPS members be allowed to make submissions as members of the public, and not on behalf of the SAPS. Police officials were encouraged to use the formal internal channels to make submissions to the national level.

Submissions:

Ref	Comment	DWP page #	W / O	Name of Organisation, Institution, Department, Individual
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<p>Bloemfontein Chamber of Commerce and Industry</p>	<p>W</p>	<p>P 5: Policing in a democratic South Africa</p>	<p>Pleased to note recognition given to good economic policies in crime prevention Sound economy will be critical to generate funds for implementation of this strategy Business reliant on a safe and secure environment</p>	<p>De cor by unc dev</p>
		<p>P11: Law enforcement in a democracy</p>	<p>Welcome aim to improve the efficiency of the SAPS Productivity should be dramatically enhanced Training and better management of SAPS members is a basic business principle that will have great benefit</p> <p>Business community have long campaigned for visible policing and encouraged it by way of Business Watch forums</p>	<p>Loc gov cri lon DW bus</p>
		<p>P16: Ensuring effective crime prevention</p>	<p>Provision for protection of witnesses and victims welcomed but a question is raised as to how the necessary financial resources will be acquired This approach has a great reliance on private sector and business, but it is no good training people if business cannot provide jobs Business and CBO's have a key role to play in researching, supporting and conducting social crime prevention programmes, but the role and representation of business as envisaged in the DWP is not clearly understood</p>	<p>Co imp the cor</p>
		<p>P19: Institutional reform at national level</p>	<p>Political impartiality is welcomed but the practice</p>	

**P25:
Institutional
reform at
local and
provincial
level**

thereof questioned
The appointment of a civilian
accounting officer to bring
emphasis to basic business
principles is welcomed
Provision for agreed
performance standards
welcomed

Responsibility given to local
and provincial government is
welcomed

Business recognises its role as
employers and providers of
revenues

**P30:
Implementa
tion**

Diagram 4 leaves the
impression that the policing
system will be very politicised
– CPF's as the only
independent body on the LCPF
now have positions set aside
for local government

No clarity about major players
at local and provincial level –
where do business and labour
fit in?

Members

perception exists that too
multiple

The isolation awaiting trial
prisoners fill the jails and have
to wait months before going on
trial

The fact that people have to
live locked into their own
homes

Many VVLU members serve on
their local CPF's and will do
anything to promote peace,
stability

	<p>Criminal investigations</p> <p>P13: Sharing the burden</p> <p>P13: Visible policing</p> <p>P14: Victim support</p> <p>P16: Section III</p> <p>P19: Section IV</p> <p>P25: Section V</p> <p>P29: Diagram 4</p> <p>P28: Local government</p>	<p>DWP suggestions have serious financial repercussions</p> <p>This is the cornerstone of real policing, but has financial implications Human resources are needed to live up to this ideal</p> <p>Perpetrators are cared for at state expense; DWP does not address financial implications of injuries incurred by the victims of crime</p> <p>Communities should be involved at all levels of crime prevention, but be mindful of vigilante groups who want to take the law into their own hands</p> <p>CPF's need to remain apolitical; this cannot be said about local government structures</p>	<p>DW this</p> <p>All pro Inv pol mir sho</p> <p>Sp dev vic fin</p> <p>Est lev Pol to 1 Dis pro pro</p> <p>ICE pro pro stru ME</p> <p>Rei and loc Re: onl SA Em as fun</p>
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			Cannot burden taxpayers further in order to set up municipal police	Stip is s res
Bayswater CPF	W	<p>P3: Introduction</p> <p>P12: Section I</p> <p>P17: Section III</p> <p>P19: Section IV</p> <p>P25: Section V</p> <p>P26: Municipal</p>	<p>- This document is a lot of words, means very little in practice</p> <p>Object to use of the word "African" when referring to black people</p> <p>Strongly support the concept of crime intelligence</p> <p>Strongly support the concept of community crime prevention</p>	<p>Set ser op SA cor org</p> <p>Giv car anc juri Saf</p> <p>The dis the Sec Bot offi cle Sup vic a S fun Sec CP</p> <p>Pro dir pro the Sec shc fon fun fun lev On fun nat</p>

		<p>policing</p> <p>P28: CPF's</p>	<p>CPF's not as effective as planned Do not see the need for CPF's and a local crime prevention forum – this is a duplication of activities</p> <p>DWP does not address any of the following: Trade unions in the police low morale in the SAPS the role and function of private security services the role and function of traffic police the role of marshals or civic police</p>	<p>eff org The pol ma per</p> <p>Su Bo nat me cor str ME</p> <p>Re for vis</p> <p>Inv in r For ind tra Co civ rigl</p>
National Party	W			<p>Pre cri Go the Bri bea res The wit Ap for Off offi Str ins pre</p>

ins pol Dre pol cri imp cur pul pre Alli res Sat Col The def tog NC to i NC The to l prc The coc anc pat imp Fui Jus anc in t

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	Effective
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	NP Women's Action Group
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		<p>Effective social crime prevention</p>	<p>Most petty crimes are the result of unemployment and therefore frustration and need</p> <p>Address issues IRO courts, court procedures and the criminal justice system Children need to develop a respect for the law The current legal system creates the impression amongst criminals that nobody is ever punished The public are told that there is a shortage of magistrates, however, many are not appointed due to affirmative action</p>
<p>Free State Welfare Department</p>	<p>W</p>		<p>Social crime prevention should focus on environmental as well as social development -</p>

Monyakeng Advice Office	W		Resources at police stations are a serious problem Reservists have no appointment cards or firearms -

Free State Dept for Safety and Security	W	P10: Diagram 2	The role provinces have to play in crime prevention is disregarded in this diagram	Inc Go pre crit Inc rol pre
		P12: Specific interventions to improve crime intelligence Crime intelligence	DWP fails to recognise that the collection and use of crime intelligence is much wider than information provided or gathered by informers and intelligence agencies	DW inf cor a s an:
		P13: Visible policing	DWP omits mention of training of members performing visible policing functions	Re DW adr sta
			Context in which visible policing is presently framed is unclear – mentioned in the same paragraph as “assertively perform their policing functions” and “vigorous law enforcement”	Pul tall exp Em for to :
		P14: Good practice for serving and protecting victims	DWP statement that immediacy of response will be determined by the seriousness of the incident is dangerous as it creates the impression that the SAPS will have the discretion to act or not	Re cle ser cor res cor
				Dir des int
				Inc

	<p>P17: Community crime prevention</p>		<p>tha ser vic Inc the pra pec the cor the</p>
	<p>P17: Crime prevention unit</p>	<p>The emphasis here should be on social crime prevention</p>	<p>Or imp pla rol pre anc</p>
	<p>P21: Secretary of Safety and Security</p>	<p>The present formulation of the role of the Secretary fails to recognise the monitoring of the implementation of the strategic plan of the police</p>	<p>DW est in I clo wit</p>
	<p>P25: Provincial government</p>	<p>Present DWP wording creates the impression that it is a deliberate attempt to play down the role of provinces</p>	<p>DW abc Nat</p>
	<p>P26: Provincial crime prevention</p>		<p>Use Col ins effe</p>
	<p>P28: Role of CPF's</p>	<p>The real role and functions of CPF's are disregarded in this section</p> <p>Provincial government is accountable to communities in the province for crime prevention</p>	<p>use ove effi</p> <p>Inc fun pre</p> <p>DW ref fun des</p>
	<p>P40:</p>		<p>des re</p>

		<p>Diagram 4</p> <p>Political accountability</p>	<p>There is no need for a local crime prevention forum – the function of a CPF in relation to local crime prevention and the processes associated therewith has been elevated to the creation of a structure</p> <p>In terms of Section 219 of the interim Constitution Provincial Commissioners have no accountability IRO their functions. Given the fact that they are tasked to the real cutting edge of policing it is an unbearable situation that they have no accountability to government – the constitution only provides for annual reporting to the legislature</p>	<p>ren</p> <p>If k dir the sh pr cri the</p> <p>The CP thi The pol ex</p> <p>DW siti Co acc pr tho pr res pr</p>
City of Bloemfontein	W	<p>P6: Section 1</p> <p>P11: Improving criminal investigations</p> <p>P13: Visible policing</p> <p>P16: Ensuring</p>	<p>The importance of addressing socio-economic circumstances as an integral part of crime prevention cannot be overemphasised</p> <p>Agree with the suggestion that where capacity exists, investigations of traffic accidents and related offences should be shifted to local government, but concerned about the burden it will place on existing staff establishments of local authorities</p> <p>Support idea of conducting visible policing in collaboration with municipal police forces</p>	<p>A h enf as org foll</p> <p>The ser</p> <p>Loc ulti est</p> <p>The effe</p>

		<p>effective crime prevention</p> <p>P17: Crime prevention unit</p> <p>P26: Local government</p> <p>P28: CPF's</p> <p>P29: Diagram 4</p>	<p>Support listing of community crime prevention</p> <p>Welcomed and supported</p> <p>Local authorities not yet in a position to make an informed decision as to the advisability and affordability of establishing municipal police forces</p> <p>The current standing committees as established by the TLC's can fulfil a valuable role IRO social crime prevention programmes</p> <p>The valuable role played by CPF's forms a foundation on which future partnerships between organisations of civil society and the SAPS can be based</p> <p>The establishment of municipal police services should not result in the withdrawal or redeployment of SAPS staff from areas where municipal police services are established, to areas where no such services exist</p>	<p>Useful role</p>
Free State Youth Development Association	W		<p>Youth offenders and victims play a passive role in the criminal justice system</p> <p>Youth needs are educational and disciplinary</p> <p>Youth Association is committed to fight crime and violence and to render services and programmes that will prepare youth for life</p>	<p>Youth preparatory</p> <p>GE</p> <p>Go to sec put bu</p>

			<p>challenges</p> <p>Unemployment is everyone's problem</p>	sec
Speaker's Office	W	<p>P28: CPF's</p> <p>Socio-economic factors</p> <p>Police</p> <p>Farm killings</p>	<p>Crucial that crime prevention should be rooted in communities CPF's are community based structures which are well-informed about problems in their areas CPF's can assist in crime intelligence</p> <p>Policies on crime should not be contradicted or hampered by other government policies</p> <p>Police need to be rehabilitated to ensure they become protectors of communities and meet the needs of victims</p> <p>Purging the force of criminal elements is crucial to enhance trust in the police by communities</p> <p>Farm protection units are necessary</p>	<p>CP po</p> <p>Co be inv exp</p> <p>An use kill app fari</p>

<p>Free State Agricultural Union</p>	<p>W</p>	<p>P29: Diagram 4</p>	<p>Concerned about allocation of funds to put DWP proposals into practice</p> <p>Farm patrols and other bodies supporting safety play an important role in implementing the Joint Safety Plan for the Free State</p>	<p>Inc Op Co it is are</p>
<p>Local Taxi Council</p>	<p>W</p>		<p>Law enforcement at taxi ranks is insufficient SAPS resources are inadequate</p>	<p>Cre the har (lik hos</p>

Democratic Party	O	Victims	<p>Refer to the DP's policy documents already submitted to government</p> <p>Need to take a moral look at the whole situation.</p> <p>There is a perception that the government is soft on crime</p> <p>Victims get worse treatment than perpetrators</p> <p>DWP looks like a plan for a first world situation, when we have a third world problem</p> <p>The police organisation is a shambles</p> <p>The government does not act against public servants and politicians involved in corruption</p> <p>Bank heists are a major cause for concern</p>	<p>Pol</p> <p>eve</p> <p>bui</p> <p>obl</p> <p>Put</p> <p>me</p> <p>par</p>
Attorney-General's Office	O	CJS	<p>The court process should require police to be involved in the court process from beginning to end</p>	<p>A n</p> <p>thr</p> <p>dev</p> <p>WF</p> <p>Pol</p> <p>cot</p> <p>Pol</p> <p>shc</p> <p>to g</p>

Heidedal CPF	O	P29		Rei req Lo Rei res car wit Prc AB Kit:
Edenburg CPF	O		Policies since 1994 have not worked – crime has increased The one factor which leads to crime is unemployment – not addressed in DWP Police manpower is being reduced The absence of real punishment is one of the main contributing factors to crime	WP ad Pei
Smithfield CPF	O	Social crime prev & vis pol	The police force is undisciplined and cannot engender the respect of the community because of the way they behave – drunkenness on duty, dagga smoking, urinating in public	Sta per



8) CLOSURE

Closure was done by Neo Masithela, chairperson of the Standing Committee who thanked the people who made submissions.

He thanked all present for the way in which the hearing was conducted and gave the meeting the assurance that all submissions would be carefully considered.

9) EVALUATION OF THE HEARING

The evaluation team consisted of representatives from the National Secretariat, the Provincial Secretariat, the Provincial Standing Committee, and Idasa. Presented below are the issues raised during the evaluation

Concerning attendance:

General satisfaction with the turnout as 102 persons representing 94 various organisations including churches, business, NGO's, and government departments.

Disappointment that only two political parties made submissions.
There was not enough time for the CPF Boards to consult all CPF's and workshop the DWP thoroughly
More CPF's would have attended if assisted them with travel
The norm in the province is to conduct hearings in the four regions, culminating in a provincial hearing. In response the issue of funding was raised as a constraint.
Most of the critical stakeholders in the Free State were represented, even though they did not all make presentations.

Concerning submissions:

The evaluation team felt that there were no criteria by which to judge the quality of submissions but there was an indication that people who made submissions had done to a great deal of effort.
Some submissions may have been irrelevant to the Draft White Paper but a vast majority of the submissions were focused. The meeting was happy with the quality of submissions.
Preparatory workshops on the DWP would have helped to improve the quality of the submissions.

Concerning the invitation list:

The evaluation team felt this was compiled properly and they were happy that they were consulted about it. It reflected all the relevant structures and organisations in the Free State.

Concerning the agenda and facilitation for the day:

The chairperson as well as the Secretariat commented that the agenda worked well and the facilitation was well done.
The overall process was well managed and properly consulted with the partners.
The content of the Draft White Paper was well presented.

Concerning logistics:

All parties were satisfied that the hearing was planned professionally.
The catering was good.
Interpretation facilities should have been organised prior to the hearing (see attached letter to the Standing Committee).
The Secretariat requested copies of submissions for the Standing Committee and the Secretariat.