

980804 gauteng

REPORT ON THE PUBLIC HEARING ON THE DRAFT WHITE PAPER ON SAFETY AND SECURITY HELD IN THE GAUTENG PROVINCE ON 23 JULY 1998

DETAILS OF THE HEARING

The hearing was held at the Gauteng Legislature, first floor Auditorium, on the 23 July 1998. It was coordinated by Joe Mavuso and Lily Moruri of the Institute for Democracy in South Africa (Idasa). The hearing was chaired and facilitated by Joe Mavuso and by Obed Bapela, Chairperson of the Provincial Standing Committee. The hearing was officially opened by the chairperson of the standing committee. The opening was preceded by remarks by the MEC for Safety and Security, Paul Mashatile.

ATTENDANCE AT THE HEARING

The following 31 people representing CPF's, attended the hearing:

REPRESENTATIVE

Neville Simmonds
Sphiwe Mshayisa
Nozuko Mbusi
Mrs K Badal
Don King
Bernard Lapidus
Jo Marais
Johannes Mofokeng
Bruce McGregor
Mr Kinvig
Mr T Mputa
Mr Koos Becker
Mr Chris de Guisti
Johann Nell
Mr Ben Baloyi
Mr John Malulele
Mr Solomon Sieko
Mr G J Steyn
Mr J Maritz
Dr JA Robertson
Elsie Mudziwa
David Mofokeng
Zacharia Motaung
Brutus Manana
Colins Duncan
Thandi Xaba
Dennis Jane
Martin Manzi
Slovo Matlanye
Willy Monyapawu
Capt. Johnson

CPF

Sandton
Orange Farm
Orange Farm
Lenasia South
Parkview
JHB Area Board
JHB. Area Board
Orange Farm
Vaal Triangle
Fairland
Soweto Area Board
Bedfordview
East Rand Area Board
East Rand Area Board
JHB. Central
JHB. Central
Ruth First
Primrose
Primrose
Honeydew
Mamelodi
Sebokeng
Vaal Regional
Pretoria Area Board
Vischkuil Spring
Rockville
Booyens
Alexandra
Alexandra
Alexandra
Alexandra SAPS

The following 67 people, representing different organisations, attended the

hearing**REPRESENTATIVE**

Dominique Nxumalo
Lebo Malepe Tshwaranang Legal Advocacy Centre
Sarah Shabangu Thembisa & Phomolong Small Farmers
Vusi Mavuso Gauteng Provincial Service Commission
Eric Masia
Mr JF Bosman
Margie Leitner
Lentswe Mokgatle
Prof KA Skosana
Carly Ncapayi
JJ Mbokazi
Peter Leon
David Masina
Lorraine Glanz
DL Dube
ST Makwanda
SI Senekal
Anthony Meyers
Jeremiah Mokulubete Thembisa & Phumolong Small Business
Kurtis Coetzee National Secretariat for S&S
Lloyd Masiwe
Bruce Ndala
Manmood Salojee
David Botha
Difference Mainganya
Lionel Keenan
Phillip Mokgosi
Dickson Dalisile
Paulos Manamela
Mmapula Kekana
Heike Spiegelberg
Robert Botha
Barbara Holtmann
Tout Khauoe
Kenny Baloi
Thennis Botha
K Badal
Hope Papo
Peter Ucko
Peter Nkhungulu
Alex Rambuda
A Sekokota
Shori Tshabalala
Catherine Kotsi
Zephania Dube
Mamiki Shai
Dan Mohape
James Makapane

ORGANISATION

Siyalungisa Community Foundation
ANCYL
MPL,NP - Gauteng Legislature
DP - Gauteng Legislature
SRAC
Siyalungisa Community Foundation
Siyalungisa Community Foundation
Siyalungisa Community Foundation
MPL, DP - Gauteng Legislature
Siyalungisa Community Foundation
Justice Department - PTA
ANC
ANC
Klerksdorp TLC
Gauteng Department of Education
National Secretariat for S&S
ANCYL
Church
Provincial Secretariat for S&S
GACCI
Department of Sport and Recreation
KBA
Rural Community Organisation
Lilly Valley Committee
NEWTRA
Provincial Secretariat for S&S
Ceasefire Campaign
Krugersdorp TLC
Business Against Crime
Thembisa West ANC Branch
Gauteng Legislature-Research Unit
MPL Gauteng Legislature
Gauteng Legislature
MPL-Gauteng Legislature
GALA
Lilly Valley Committee
Lilly Valley Committee
NSC- PTA
Department of Welfare
Rural Community Organisation
Lilly Valley Committee
Public Defender
Cosatu
Cosatu

Bruce McGregor
Sheena Duncan
M H Maliza
Sakkie Horn
Joseph Ngakane
Sherwin Mogedi
Robert Hlatshwayo
S D Nkonyane
Khosi Mashiyane
Pule Malefane
Piko Mbambo
S Burger
Bheki Nkosi
Khosi Motaung
Michael Radebe
Jeffrey Lathale
Frans Mabogoane
Thami Nxumalo

Triangle Communities Association
Gunfree SA
Masakhane Recreation Centre
KrugersdorpTLC
Rural Community Organisation
Gauteng Legislature
ANC
ANC
Department of Welfare
MPL Gauteng Legislature
National Secretariat-Safety & Security
MPL-Gauteng Legislature
MPL-Gauteng Legislature
SRAC
SRAC
SRAC
Dept of Correctional Services
Dept of Correctional Services

INDIVIDUAL ATTENDANCE

Simon Kumalo

DELEGATES FROM THE MEDIA

Simphiwe Gumbi
Donald Chauke
Bonile Ngqiyaza
Huno Hagon
Vusi Mthonti
Andries Caruelisse
C Russca

Radio 702
Radio 702
Business Day
The Citizen
SABC
Beeld
The Star

WRITTEN SUBMISSIONS RECEIVED AT THE HEARING

28 written submissions were received:

Community Police Forums:

East Rand Area Board
Alexandra Community Policing Forum
Johannesburg Rand Area Board
Pretoria Rand Area Board
Vaal Rand Area Board
Honey Dew Community Policing Forum
Sebokeng Community Policing Forum
Greater Orlando Community Policing Forum

Non-Governmental Organisations:

Gunfree SA
Business Against Crime
Ceasefire Campaign
Community Agency for Social Enquiry
Keenan Block Watch F.O.B.A.

Gauteng Association of Chamber of Commerce and Industry
Masakhane Recreation Centre
Triangle Communities Association
Siyalungisa Community Foundation
Tshwaranang Legal Advocacy Centre

Political organisations:
Democratic Party
National Party

Government departments:
Gauteng Provincial Service Commission
Department of Welfare and Population Development
Lethabong Metropolitan Local Council

Other organisations:
Popcru
Aqua-Net
Protect-A-Car

Individual written submissions
Mr B Bristow
Mr P Van Heerden
Mr Samson Kumalo

Name of Organisation, Body, Institution or Individual	W or O	DWP Page #	Comment	Rec
East Rand Community Police Board	W	P1 - 25 P26 – 31 Role of local govt & CPFs	<p>Accepts and confirms this section of DWP</p> <p>CPF's are democratically elected and volunteer based and have achieved a high degree of acceptance amongst communities they serve</p> <p>Councillors are democratically elected but there is consensus that they have proved to be disinterested and not useful to CPF's</p> <p>Council members have not played a dynamic role in the CPF's, and CPF's have had little support from councils. CPF's no longer have faith in local government representatives</p> <p>It is doubtful whether councils would be able to sustain CPF's as they are under financial stress</p> <p>The DWP proposal removes local government from grassroots experience and understanding</p> <p>CPF's very emphatic that they do not agree to be monitored or supervised by local government – will lose their political impartiality</p> <p>If forced by law to be subservient to local governments, CPF members will resign and withdraw from CPF activities</p> <p>Provincial MEC's have in past successfully supported and assisted CPF's, Area and Provincial Boards</p>	<p>Loca</p> <p>Loca attai</p> <p>A cc CPF repr govt</p> <p>CPF and</p>

Democratic Party (Gauteng)	W	Section I P8: NCPS	DWP vague in a number of respects; lacking in concrete programmes	Dep sho
		P11: Criminal investigations	DWP gives no indication how the Dept of S&S plans to ensure that the NCPS becomes key strategy in the fight against crime. Coordinating mechanism for the NCPS weak	Crim prior
		P13: Visible policing	Agree that criminal investigation capacity needs to be upgraded Crime intelligence at station level is a problem DWP does not tell public how this will be achieved, what the timeframes are, and what the effect on the police budget will be	DWI polic
		Section III P16: Crime prevention unit	Good proposal, but DWP does not outline how it will enforce visible policing, particularly since the moratorium on police recruitment has not been lifted	Loca New
		Section IV P19: Institutional reform	Agree with establishment of office of crime prevention, but are sceptical whether this will work if located with National Secretariat due to Secretariat resources	Seci Accr Prin SAF betw Estab deliv Also perfi with
		P19: Service delivery	Agree with proposal that Secretary for Safety & Security should be Accounting Officer of Dept of Safety & Security – will promote accountability	
		P21: Departmental structure Section V P25: Provincial government	Support principle of performance agreements between SAPS and Minister	Ame Parl
			Vital that ICD adequately funded	Ensi that prop
		P26: Local Government	Provincial Secretariats lack executive powers and provincial legislatures lack legislation competence in policing Tax payers are not receiving value given the money spent on Provincial Secretariats Moerane Commission report provides strong support for Provincial Secretariats to be closed down and their funds reallocated to ICD with well resourced provincial offices	Nati fund
		P28: CPF's	Strongly support municipal policing but emphasise that it will not be successful unless it is properly funded by national and provincial governments DWP should address how municipal policing can become a reality CPF's cannot be managed by local government	CPF loca

			Local government officials should not serve on CPF's	
Community Agency for Social Enquiry (CASE)	W	<p>General points</p> <p>Section II: Law enforcement</p> <p>P11: Criminal investigations</p> <p>Section IV P19: Institutional reform</p>	<p>The difficulties associated with democratic transition are addressed in the DWP, but it runs the danger of doing so at the expense of addressing issues of incompetence, mismanagement and corruption in the SAPS.</p> <p>Still need a human rights culture to firmly take root in the SAPS</p> <p>DWP fails to recognise issues of criminality, impunity and lack of accountability in SAPS as major impediments to effective service delivery</p> <p>Nothing said in DWP about the current inadequacies of internal investigative mechanisms</p> <p>Effective law enforcement not possible in absence of effective mechanisms and procedures to ensure that the SAPS act in an accountable and responsible manner</p> <p>ICD under-resourced and struggles to cope</p> <p>DWP does not make reference to the failure of the SAPS to respond adequately to allegations of past human rights abuses</p> <p>Welcome emphasis on improvement of criminal investigations, but concerned that nature of problems raised (ie detective-case ratio) dramatically understated</p> <p>Lack of knowledge, coordination and under-utilisation of existing systems renders statistical analysis and coordinated efforts virtually useless</p> <p>Call for greater coordination with other arms of criminal justice system welcomed</p>	<p>Eval hum</p> <p>Set with</p> <p>Set rem-com</p> <p>Eval dete</p> <p>ICD a rol simp</p> <p>Ensi</p> <p>Set the i takir</p> <p>Add Do ε</p>
Pretoria Area Community Police Board	W	<p>Crime prevention</p> <p>P13: Visible policing</p>	<p>Managers and politicians lack the will to act against criminals</p> <p>DWP gives no indication of how the implementation of crime prevention programmes will be monitored</p> <p>Nothing in DWP about preventative patrols, sector policing, block policing</p> <p>No resources available for targeted policing</p>	<p>DWI polic</p> <p>Safe to vi</p> <p>Cha</p>

		<p>P14 Victim empowerment P17: Crime prevention unit P26: Municipal police P28: CPF's</p>	<p>Existing service to victims still poor</p> <p>Functions of CPU as outlined in DWP will cause confusion</p> <p>Envisaged municipal police service is synonymous with existing structures eg traffic department</p> <p>CPF's have united politically divided communities – DWP proposals could politicize and divide again</p> <p>No mention of Area Boards in DWP – concern about where new proposals will accommodate these bodies</p> <p>CPF's will resist reporting to councillors who take no interest</p> <p>CPF's are voluntary – interference by council will be to great detriment of CPF</p>	<p>CPF mor</p>
Mr B Bristow	W	P8 Effective law enforcement	Combat armed crime by placing restrictions on the carrying of firearms	It sh firee enfc indu
Johannesburg Community Policing Forum Area Board	W	P28: CPF's / P25: Local government	<p>CPF members have no confidence in local government</p> <p>Local government does not have the funds nor the resources to take on effective policing</p> <p>Local government is run on political lines and will affect apolitical nature of CPF's</p>	<p>CPF fash</p> <p>Safe resp CPF resp</p>
Ceasefire Campaign	W	P8 effective law enforcement	<p>Commend DWP on determination to demilitarise policing</p> <p>SANDF has to fulfil policing function due to SAPS capacity problem</p> <p>SANDF not the right structure to deal with crime and violence issues as SANDF members are not appropriately trained or equipped – such deployment is counterproductive</p> <p>Support continued community involvement with SAPS</p>	Rea free mult
Gun Free South Africa	W	P 19: Institutional reform	<p>Agree with proposed greater civilian oversight and the reallocation of the position of accounting officer to the Secretary for Safety and Security</p> <p>Anxious about the implementation of the DWP:</p> <p>Difficult to sort out the responsibilities of the SAPS and the Secretariat for Safety</p>	<p>Mak Seci resp Res</p> <p>Res fall t</p>

		P26: Local government / CPF's	<p>and Security – eg the Firearms Unit which falls directly under SAPS structure vs the Central Firearms Registry which should fall under Secretariat</p> <p>Control of firearms a priority for the NCPS and the Secretariat but seemingly not for the SAPS</p> <p>Communication within the Dept of Safety and Security inadequate – it is imperative to address this</p> <p>Parallel units, as well as local, provincial and national levels do not seem to cooperate or communicate effectively</p> <p>Fear that municipal police will bring a return to kitskonstabels and SDU's / SPU's</p> <p>Local government lacks capacity</p> <p>Local government should encourage CPF development but should not use CPF's for party political advantage</p>	<p>Foci</p> <p>Priv: train</p> <p>Any lay c allow as f CPF affai</p>
Triangle Communities Association	W	<p>Section I</p> <p>P9: Social crime prevention</p> <p>P26: Local government</p> <p>P28: CPF's</p> <p>P16: Effective crime prevention</p>	<p>DWP excludes office for legislation</p> <p>Welcome reference to social crime.</p> <p>Local authorities supposed to enforce municipal by-laws but incapable of doing so</p> <p>Currently abuse the powers they have</p> <p>CPF's good if they remain depoliticised</p> <p>Agree with DWP that everyone needs to participate</p> <p>Central government should be more committed to solving safety and security issues</p>	<p>Parl four char need impl inma set t gov anti-Plac tresj</p> <p>Whi</p> <p>Loca</p> <p>Clar</p> <p>Legi com orge</p> <p>Pas: crim in cr</p>
Tshwaranang Legal Advocacy Centre	W	P11: Improving criminal investigations	DWP unnecessarily theoretical and inaccessible to the average person Specifies goals without devising strategies to realise goals	-

		<p>P13: Prioritisation of crimes</p> <p>P14: Providing adequate service to victims</p>	<p>Vagueness could be interpreted as lack of commitment on part of Department of Safety and Security – difficult to measure progress</p> <p>No indication of costs involved in realising goals, raises question whether envisaged programmes are economically feasible</p> <p>DWP does not take into account processes that came out of NCPS Integrated Justice System emphasised without focusing on how SAPS will contribute to its successful implementation</p> <p>Reference to needs of police with regards to management of investigations and information as well as technical support, but specific needs not identified</p> <p>Failure to meet needs of police and to provide them with the necessary support and infrastructure has impact on how they treat survivors of violence</p> <p>Categorisation and prioritisation of cases is vital so that more resources can be allocated to serious crimes</p> <p>DWP does not mention existing victim support services or establishment of new services</p> <p>No mention of NCPS Victim Empowerment Programme</p>
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Sebokeng CPF / Vaal Area Board	W	<p>P25: Provincial government</p> <p>P26: Local government</p> <p>P28: CPF's</p>		Prov Law shot Est com Impl Sup Prov Mon Bes Rev Dep Loc List Prov prev Prio Mon Pub Enc Dea Upg Brin Est stru Mon Visit Tow CPF Edu Acti Forr Day Cell Imp the Carr Con Iden Mnh

				The CPF chair
Siyalungisa Community Organisation	W	<p>P5: Policing in Democratic South Africa</p> <p>P6: Crime and policing in post-apartheid South Africa</p> <p>P9: Social crime prevention</p>		<p>Sen varik conf Polik appl Corr abou a de Corr the i Crim as e</p> <p>SCF addi the ; Res initie stag All s abou prog As a shou prev to pr Mult com the i Sch and this Res train The effe follo Bulk Emp Res the ; of of Sen peop Prov wor</p>
Gauteng Provincial Services Commission	W	Sections II and III	<p>Intentions of DWP very good but need to implement mechanisms to ensure that policy begins to address the concrete need of citizens</p> <p>The interventions proposed by the DWP do not address a number of pertinent</p>	<p>This over of di The whic awa</p>

		<p>P28: CPF's</p> <p>Role of Department of Safety and Security in the Constitutional framework</p>	<p>issues: Criminal activities committed against officials from the safety and security organs of the state The involvement of police and security personnel in criminal activities</p> <p>The need to improve the image of the police service</p> <p>DWP glosses over highly conflictual relationships between CPF's, politicians, and the SAPS</p> <p>The cooperation of citizens is vital to quality and effective policing</p> <p>DWP proposal for a separation of departmental service delivery functions from the determination of strategic policy at a political level is simplistic – it does not acknowledge complex relations and skills required in ensuring an effective team of politicians and managers</p> <p>DWP proposes that the Secretary for Safety and Security (a public servant) assumes functions of policy-making – this is in contradiction with the trend throughout the document Doubts about DWP capacity to ensure the immediate reduction of crime activities and the improvement of the fragile relations between citizens and State safety and security organs</p>	<p>The legit Pub as w in a</p> <p>Mon not i dire The desi are : arra The desi man Impl safe mec of a One stati acc Stro to p The grea colle of d</p> <p>Ackl polit uner</p>
Alexandra Community Policing Forum	W	<p>P6: Section I</p> <p>P6: Crime and</p>		-

policing

P7: The
changing
policy
environment
P8: Towards
effective law
enforcement

P11: Section II

P16: Section
III

P19: Section
IV

P25: Section V

POPCRU/COSATU	W	Transformation Capacity building Labour relations	The DWP assumes that things are normal in SA and policing is the only variable that needs to be improved. The transformation of the SAPS, capacity building and labour relations are not properly covered by the DWP. Political leadership of the Department of Safety and Security reflects a clear vision in terms of policing, but the SAPS still resists change The DWP does not mention how capacity building will be effected to empower the disadvantaged and to optimise service delivery The DWP does not address the importance of sound labour relations as a tool for effective service delivery Labour relations conflicts still exist at all levels and demotivate members	Trar prior Mini All c stak Sug and the. corp Labo deliv
Protect-a-Car	W		Issue: ever-increasing theft of motor vehicles in parking areas	Rec attar
Aqua-Net	W		Issue: Swimming pool safety and preventing drowning	Rec adei
Gauteng Association of Local Authorities (GALA)	O	P8 effective policing	The DWP has not addressed the role of individual. Cooperation and coordination between departments has not been emphasised in the DWP.	Indiv Sou and Indiv Zerc Res devr Gov indiv All g coop
Fairland CPF	O	P3: Introduction	The DWP makes a note of the raining situation in 1994 and what it is at present. The present figures appear to be inflated	The be a
Sandton CPF:	O	P13: Visible policing	The current moratorium on recruitment goes against the need to create of more visible policing	
GACCI	W	Minister's foreword Pvi: Vision and mission statements P4: Objectives	DWP attempts to fragment police force which only recently successfully integrated eleven forces into one – this could lead to problems in effective policing	The accè addi Add lives Ame will l iden as to the c mor part ...

		<p>14. Objectives of WP</p> <p>Section I P6: Policing in a post-apartheid SA</p> <p>Section II</p> <p>Section III</p> <p>Section IV & V</p>	<p>Electoral promises not fulfilled</p> <p>Integrity and autonomy of SAPS must not in any way become politicised and must run independently of government Police chiefs ineffectual.</p> <p>Terminology and language of this section difficult to understand</p> <p>Placing CPF's under local government control would be a disaster</p>	<p>Add</p> <p>Gov peop Gov natic</p> <p>Seri Draw staff Rais com</p> <p>Plar</p> <p>The lang</p>
Business Against Crime	W	<p>Language</p> <p>Communication</p> <p>P28: CPF's</p> <p>P14: Victims</p> <p>P26: Local government</p> <p>P28: CPF's</p>	<p>Language unnecessarily dense, and the subject matter complex, technical and alienating to the majority of victims of crime and poverty in the country</p> <p>Omission of mention of communication capacity, function or responsibility for the DOSS, despite numerous references to the need to improve relationships and work with other agencies</p> <p>CPF's are tasked with "communicating to local government and the SAPS"</p> <p>DWP deals inadequately with victims needs. The majority of victims are women and less than 10% of SAPS members are women – vast chasm between male dominated infrastructure and vulnerable customer base.</p> <p>Local government section is inadequate –inadequate shared vision amongst key role players to facilitate effective management of process at local level.</p>	<p>Siml acce</p> <p>Corr impl "The The A ce Corr A cc An ii An € Ong perc</p> <p>Sug Emp victii Goa victii appi Use serv The Victi enst the l</p> <p>The com sect Loc effe</p>

			<p>CPF's have not had great success in achieving safety and security. There is considerable benefit to be gained from the formal engagement of local government in the fight against crime. Every effort should be made to depoliticise the fight against crime.</p> <p>Main thrust of DWP, dealing with the policy priorities Law Enforcement and Crime Prevention, has support of BAC</p>	<p>Sug Ack Thei app mec Buik achi succ The enh cap</p> <p>The Part dev crim Liais stak Rep com</p>
Keenan Blockwatch	W	Effective policing	Communities have established extremely successful initiatives to address crime problems – thousands of people involved	<p>Corr crim recc</p> <p>The test be s impl</p>
Department of Welfare	W	<p>Section II p14: Providing adequate service to victims</p> <p>P28: CPF's</p>	<p>Potential and actual victims can support the police by joining CPF's</p> <p>If victims have the perception that the system re-victimises them, this leads to vigilante behaviour</p>	-

				tean
				Ne SAF
ANC Tembisa West	W	P8: Effective law enforcement	Transformation of justice system is too slow	Exte and Ne Edu Con be n find ord Loo Est com
			CPF's collapsed in black areas due to the lack of...	
		P13: Visible policing	CPF's are starting to work and to create trust and legitimacy relationships between the police and communities Any change to the CPF framework will	Loc this Frar syst

			discourage and disempower the community Policing must not be politicised CPF's are totally accountable to communities Government is currently not providing the necessary resources for visible policing and therefore have no legitimacy to dictate to the community
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EVALUATION OF THE HEARING

The evaluation team comprised representatives from the National Secretariat, the Provincial Secretariat, and the Standing Committee Chair together with other three members of the Committee and Idasa.

The evaluation was conducted as follows:

Invitation list

The Standing Committee Chair felt that there is a need for a database of all organisations which are stakeholders in Safety and Security issues.

Workshops should be held for disadvantaged communities as part of preparing them for the hearings, as they are not resourced and capacitated.

The invitation list was fair.

Attendance

108 people who attended the hearing, representing the abovementioned structures. A large number of attendants were anticipated by the Standing Committee. Although there was fair representation from CPF's at Area Board level, more individual CPF's were expected. Furthermore, the few individual CPF's that were present were predominantly from white areas.

Most organisations were based in Johannesburg and there was less representation from the organisations based in rural areas and townships.

Most organisations in Gauteng Province are national offices which also may have resulted in less attendance than expected.

Submissions

28 written submissions were received from various organisations.

Some submissions were very valuable and were to the enrichment of the paper, but others did not address the Draft White Paper.

More critical issues were raised around dealing with the police than with the proposed content of the White Paper.

Agenda

The agenda was well managed.

The time allocation of 10 minutes per submission kept the hearing on time.

The questions of clarity asked by the Standing Committee made people feel listened to and that their submissions were valuable.

Due to time allocation, members of Standing Committee could not respond to

political comments raised from the submissions

Logistics

The legislature support staff assisted Idasa with various tasks such as making copies of submissions for members of the Standing Committee, messenger services, and arranging the hearing venue.

Catering was not at all good, both the service and food were not satisfactory.

Independent Complaints Directorate

INDEPENDENT COMPLAINTS DIRECTORATE

31 JULY 1998

SUBMISSION ON WHITE PAPER ON SAFETY AND SECURITY

1. The telephonic conversation yesterday between our Chief Director : Monitoring and Development, Mr Mike Kekana and Mr R S Molekane, Chairperson of Safety and Security Portfolio Committee, during which the ICD was given the green light still to make submissions on the White Paper, refers.

2. The main conclusion which the ICD came to after making a careful study of the White Paper, is that, in so far as it refers to the object (or mandate) and functions of the ICD, it adopts a basically neutral approach. Except for referring "formally" to the ICD on pages 3 and 7, the only "material" reference to the ICD is contained on page 23 where, apart from setting out the ICD's investigative powers and duties, the following is said:

"The ICD functions independently of the Department of Safety and Security and reports directly to the Minister of Safety and Security The Executive Director of the ICD is the accounting officer for the budget of the ICD which is received directly from Parliament."

3. Although the quoted words may be true, particularly so because it duly stresses the independence of the ICD of the Department of Safety and Security, it is nevertheless our submission that it failed to address the vexed question regarding the appropriateness of the existing location of the ICD within the Ministry of Safety and Security at all. Once it is accepted (as appears to be the case) that the ICD functions *independently* of the Department of Safety and Security, it is further submitted that it goes without saying that it is actually a contradiction in terms to position or locate the ICD *within*, and, even further, to require it to report to, the Ministry of Safety and Security - a Ministry of which it is, hypothetically, supposed to be completely independent of. In the same breath it may also be added that to give true effect to the concept of an *independent* ICD would, logically speaking, also entail the drafting, accepting and promulgation of a separate own Act of Parliament for the ICD, setting out its establishment, location in the public sector, structure, functions and powers.