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PUBLIC HEARINGS ON THE DRAFT WHITE PAPER FOR SAFETY AND SECURITY HELD IN KWAZULU-NATAL PROVINCE ON 21 AND 22 JULY, 1998

DETAILS OF THE HEARINGS

To allow for maximum participation, it was decided that two hearings should be held in the province. The first hearing happened on Tuesday 21 July at the Legislature building in Ulundi and the second hearing happened on Wednesday 22 July at the Legislature building in Pietermaritzburg. The report will deal with the two hearings separately.

The hearings were organised by Nico Bezuidenhout of Idasa, with assistance from the Portfolio Committee for Safety and Security and the Provincial Secretariat for Safety and Security.

PROGRAMME AT THE HEARINGS

At both hearings, Mr Bheki Cele, the Chairperson of the Portfolio Committee for Safety and Security chaired the proceedings. Mduduzi Mashiyane of Idasa facilitated the delivery of submissions at both hearings. It was emphasised that after the presentation of the Draft White Paper by the National Secretariat for Safety and Security and after the delivery of submissions, only questions of clarity would be allowed and debate would be discouraged.

THE PUBLIC HEARING AT ULUNDI – 21 JULY 1998

ATTENDANCE AT THE HEARING

The following 39 people, representing organisations, attended the hearing. Please note that names and organisations are captured as they were written in the attendance register:

NAME	ORGANISATION
Inkosi MR Msibi	House of Traditional Leaders / IFP
Inkosi MB Mzimela	House of Traditional Leaders
Amos H Nkosi	Department of Traditional and Environmental Affairs
WA van der Merwe	Secretary for Safety and Security
MH Shongwe	Zululand Regional Council
ML Sibiya	Zululand Regional Council
Inkosi TK Sibiya	Zululand Regional Council
RM Mdlulu	Zululand Regional Council
BP Nyandu	Department of Traditional Affairs
SBH Mvubu	Inyangas National Association
Mbonambi Khuzwayo	Diakonia Council of Churches
M Xulu	MPL
HG Rohrs	Zululand Regional Council
KW Mathaza	MPL IFP
BN Mdletshe	MPL IFP
Roy Ainslie	MPL ANC
Samuel Bekizizwe Jamile	Inyangas National Association
KA Mbatha	
Thandiwe Zungu	KZN Legislature
Philip Powell	MPL: Safety and Security Committee
HL Combrinck	MPL: Safety and Security Committee
CS Odendaal	Danhauser Local Council
MD de Lange	KWANALU (Agricultural Union)
Happy Blose	MPL ANC
WA Zuma	MPL IFP
PF Holloway	SAPS
John Jeffrey	MPL ANC
Peter Dlamini	Holiday Inn (Ulundi)
A Chetty	Umzinyathi Regional Council
EM Khoza	MPL – Safety and Security
MF Rehman	MPL – Safety and Security
Rex Duke	CPF Area Board – Ulundi
Sipho Zondi	MPL - Safety and Security
VR Njoko	Mahlabathini Ulundi Chamber of Business
James Waugh	MPL

Gordon Haygarth	MPL
MR Sithole	KWANALU
G McIntosh	KWANALU
Bheki Cele	Chair: Portfolio Committee: Safety and Security

PRESENTATION ON THE DRAFT WHITE PAPER

The following questions were raised in response to the presentation by Mr Eric Pelser of the National Secretariat for Safety and Security:

Area Chair of Ullundi Regional Council asked for clarification of the term "local

WRITTEN SUBMISSIONS RECEIVED AT THE HEARING

copies of all written submissions are also attached to this report.

Name of Organisation, Department, Institution, Body, Individual	Written or Oral	DWP #	Comment
KwaZulu Natal Agricultural Union	W	<p>Crim e Prevn P17</p> <p>Visibl e polic ing.</p> <p>Visibl e Polic ing P13</p>	<p>Document is designed for countries with social contracts. We do not have level of wealth to deal with this paper therefore should aim for South African best practices.</p> <p>DWP does not reflect the urgency of the safety and security situation in this country. Law abiding citizens live in fear. The Criminal Justice system must ensure that criminals are brought to book effectively. Syndicates play a large role in crime. No intellectual framework is offered.</p> <p>Emphasis of social crime prevention dates back to old regime too. Smacks of social engineering. Rural areas suffer under the list system.</p> <p>Privatised security industry would be a natural partner with the SAPS. POPCRU has negative effect on delivery and trust creation</p> <p>Role of SAPS in emergency circumstances should be included in the DWP.</p> <p>The police should be sensitive toward victims crime. Institutional reform is sensible. Demilitarisation of police is good but the implementation plan is idealistic.</p>

Ulundi CPF Area Board	W	P 28 & 29 CPF's	<p>Local government is not defined.</p> <p>Local government Crime Prevention Forums are a duplication of the existing Community Policing Forums and the GOCOC.</p> <p>Monitoring and activities: not acceptable. Local government is involved at acceptable levels without this.</p> <p>Resolving disputes is the function of the Executives at Station, Area and provincial level and should remain at this level.</p> <p>CPF section of the DWP needs to be revised.</p>
Protective Security Interest Group	W		<p>DWP does not refer to cooperation with the security industry in crime prevention.</p> <p>Section 334 of the Criminal Procedures Act has never been utilised to reinforce the Police in their work.</p> <p>The private security companies could play a larger role in combatting crime.</p>
Inyangas National Association	W	P 32 Mission and Glossary	<p>Naming of Diviners as wrongdoers has resulted in killing of many people eg witchcraft killings.</p>

<p>Diakonia Council of Churches</p>	<p>W</p>	<p>P 8 Inves tigati ons</p> <p>P 12</p> <p>P13</p> <p>Local govn ment and CPF's</p>	<p>Informers play an important role in crime prevention.</p> <p>DWP should deal with philosophy of communi policing. Sufficient resources for training should be allocated to SAPS to improve criminal investigations.</p> <p>Training takes police off the streets into office:</p> <p>DWP definition of a serious crime attempts to meet with community expectations. Police should not be left to make an assessment of t seriousness of crime on their own. Visible policing is welcomed. Law enforcemen should be directed to all areas in South Africa. Visible policing in urban areas must be prioritised. DWP uses reactive language.</p> <p>Victims in rural and urban areas should receiv reports on the status of their cases.</p> <p>Local government is not skilled to deal with conflict management. No funding available for CPFs from Local government</p> <p>DWP doesn't speak directly to needs of rural people.</p>
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Mahlabatini Ulundi Chamber of Business	W	Effective policing CPFs ICD	Policing is still centralised in South Africa. Community policing is a good concept. Independent Complaints Directorate
Provincial House of Traditional Leaders	W	Institutional reform P29	Policing functions should be decentralised to the lowest level. Community policing is included for this reason. SAPS could meet diverse needs by including traditional structures into DWP. At a Provincial level traditional authorities could play a role in social crime programmes. Traditional authorities could play a bigger role at the local level.

Zululand Regional Council	O	Criminal investigation P12 crime and intelligence Visible policing CPFs	Detective component supported. Regional councils are local authorities and municipalities.
AD Eddie Chetty Mzinyathi Regional Council	O	Visible Policing	Local authorities should be empowered to carry out visible policing functions. Victim protection is an important issue in communities and crime prevention strategies.
Member of Portfolio Committee of S&S	O	Effective Policing	Amakhosi play a role in rural areas therefore are important in any crime prevention strategies for those areas. Community constables exist within the rural areas.
Holiday Inn Ulundi	O		Appreciate strategies in White Paper. Have reservations re approach. WP very reactive. Criminals have more rights than the victims of crime.
Ulundi Resident's Forum Against Crime	O		Concerned about country becoming background for criminals. Policing is most effectively controlled at provincial and local government level.

**THE PUBLIC HEARING AT PIETERMARITZBURG –
22 JULY 1998**

ATTENDANCE AT THE HEARING

The following 63 people, representing organisations, attended the hearing. Please note that names and organisations are noted as they were written down on the attendance register.

NAME	ORGANISATION
MF Rehman	MPL Safety and Security
PA Cebekhulu	TLC
Cynthia Mqwebu	Umzimkulu CPF Area Board
Keith Nurcombe	Umzimkulu Community Police Board
T Khanyile	MPL CPF
BE Buthelezi	MPL CPF
Yakoob Motala	Umzimkulu Area Board
AJ van Wyk	Dundee TLC
Johannes Mile	MPL IFP
WA Zuma	MPL IFP
Thandiwe Zungu	MPL
F Nahara	MPL
BN Mdleshe	MPL
Erica Henderson-Wille	Centre for Criminal Justice
Sudeshan Reddy	Democracy Development Programme
Nico Maree	Borough of Dolphin Coast
Llewellyn Jones	Department of Health
P Shaw	Pennington TLC
Andrew Ferguson	KWANALOGA
Shelley Steijl	Hilton TLC
James King	Winterton TLC
Alderman Moodley	Midlands Hindu Society
SK Fagan	Umkomaas TLC
Nishi Pillay	NICRO
Harold Galtrey	Camperdown TLC
Nhlanhla Radebe	Pacsa
Vusi Khuzwayo	Department of Health
J Greyvenstein	Hilton TLC
Claire Crawley	KZN Provincial Community Police Board
Alf Taylor	Durban City Police
Vedhna Lalla	NICRO
Garth Gibbon	Dolphin Coast Protection Services
Venessa Padayachee	NICRO
E Gcabashe	Ilembe IFP
G Rassandi	MPL
BJ Sekete	UDM

SSB Nkehli	Uthukela Regional Council
R Kallideen	SA Hindu Maha Sabha
Jo-Ann Downs	ACDP
Cherylyn Dudley	ACDP
RM Burrows	DP
PJ Nel	NCPS – National Secretariat
M Xulu	MPL
Stephen Simpson	Hilton TLC
C Marais	Department of Health
Dumisani Vilakazi	Hilton TLC
Wayne McCullough	SAPS
Tim Simpson	Pennington TLC
MN Vilakazi	Ilembe IFP
Jenni Irish	NIM
Busi Ntshingila	NIM
Terry Lang	South Local Council
Sipho Zondi	MPL Safety and Security
Thulisile Maureen Madlala	Hilton TLC
Annie Padayachee	SAPS
Lizwi Sibiya	North and South Central Local Council – Durban
Irene Cowley	NICRO
Janine Hicks	Public Participation Department (Legislature)
D Lemmer	Dundee TLC
Happy Blose	ANC
CM Cronje	
Harry Mchunu	Natal Witness
Emil Bergh	Natal Witness

PRESENTATION ON THE DRAFT WHITE PAPER

The following questions were raised in response to the presentation by Mr Eric Pelsler of the National Secretariat for Safety and Security:

Ferguson Kwanaloga:

Will the local government peace officers be fully powered peace officers as under the Criminal Procedures Act?

Pennington: Councillor:

Is zero tolerance going to be a national policy?

Pennington: Councillor :

Has the Dept of Justice been involved in discussions on the DWP?

Sup Zondi: Provincial S&S:

Does the DWP give the station commissioner more powers than the area commissioner does?

Sibiya Durban Central Local Council:

Have CPFs on grassroot level been invited to participate in the discussions on the DWP or are they represented by CP Boards?

UDM Beauty Sekete:

Is there a budget for the implementation of the WP?

WRITTEN SUBMISSIONS RECEIVED AT THE HEARING

The following written and oral submissions were received at the hearing. In addition to the summaries of written submissions and the oral submissions in attached table, copies of all written submissions are also attached to this report.

Name of Organisation, institution, Body, Individual	W or O	DWP page #	Comments	Recom
Kalladeen. SA Hindu Society	O	Investigations	There are too few trained detectives in SAPS to deal with an increase in cases and crime rates.	An increase should be investigated
African Christian Democratic Party	W	Local Govt. Municipal police Institution reform Effective policing	Local government policing is going to be the most important factor in crime prevention and community policing Community Policing Bill does not go far enough Needs to be institutional reform within the police service. Too centralised service. Devolution of powers to provincial level and local levels required for more effective police service. Lower ranking officers have no voice in SAPS.	Need more Policing SAPS services Needs to be SAPS. Lower ranking officers have no voice in SAPS.

<p>IFP Local Government Caucus</p>	<p>W</p>	<p>Effective policing</p> <p>CPFs</p> <p>Provincia l govern Municipal police</p>	<p>Biased towards urban communities and too centralised. Ignores traditional structures</p> <p>Tribal police exist in KZN</p> <p>DWP depicts CPFs as a concept of the past.</p> <p>Provinces require all levels of government to combat crime. Municipal Police forces could be valuable partners in crime prevention as well as the well resources security industry.</p>	<p>Should security The trib resourc Police / CPFs sl the dive</p> <p>DWP ne cooperat governr Policy s municip</p>
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Department of Health	W	Effective policing Private security firms	Health security force is toothless. Can utilise access control but no power to search on exit. Departmental security staff perform functions similar to that of SAPS. Private security firms assist health department.	Health c powers Govern trained Private powers
Illembe Regional Council	W	Effective policing Local govt. Municipal Police Local govt.	Funding has played a major role in lack of delivery DWP does not state who will choose areas' priorities for funding. Accountability of SAPS not clear. Local government has key role to play in crime prevention initiatives. DWP has failed to identify one of the critical failures of rural and semi-rural policing. SAPS in these areas remain completely unaccountable to local authorities. Municipal police Local government: low key policing of issues eg municipal by law enforcement. Does not indicate clear understanding of expectations of rural people.	Local go stations Money by the s The buc availabl contribu Clarity r account and stru Critical in admin agencie Local ai matters Extent c be set c Municip areas to permitted manner provisio Local ai structur requirer
urrows: Portfolio committee	O	Effective	There is a necessity for the	

<p>Network for Independent Monitors DP.</p>	<p>O</p>	<p>Effective policing</p>	<p>There is a necessity for the DWP to address safety and security of state institutions as a whole.</p>	
<p>Durban City Police</p>	<p>W</p>	<p>Local government Visible policing Local govt. Instit reform Municipal police Investigations</p>	<p>No practical local government Communities need to see police at work. Zero tolerance policing may cause the gulf between community and police. Local authorities involvement varies. Essential to any crime prevention strategy Crime rate will not decrease by increasing personnel. Municipal policing legislature unnecessarily restrictive. DWP does not see municipal policing as priority Concern re narrow approach to policing. Need to emphasise cooperative policing within CJS and with the community being a partner in the whole process. Concerned that not enough emphasis placed on detection of crime. Magistrates Court has own prosecutors.</p>	<p>Needs to be confirmed more for community Cooperative structure Need to police for that assist Municipal development Department prosecution in detection Proposed matters</p>
<p>Network for Independent Monitors</p>	<p>O</p>	<p>ICD</p>	<p>Will forward submission. Not enough emphasis placed on coordination between different security agencies. Current DWP not responsive to crisis in policing at local levels.</p>	<p>Need to look at local level Needs to be private People's terms of</p>

			ICD could play a more crucial role than depicted in DWP. Private security Should not develop role around cooperation.
Pennington TLC	O		Only received document late. Will make submissions to department
Umzimkulu CPF Area Board	O		Will make submission. Documents received late.

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EVALUATION OF THE HEARINGS AT ULUNDI AND PIETERMARITZBURG

The evaluation was done by members of the National Secretariat for Safety and Security, the Portfolio Committee for Safety and Security, the Provincial Secretariat for Safety and Security and Idasa. Comments follow:

Attendance

The attendance was good at both hearings

Questions were raised around the low attendance of CPF's and local councillors. It was said that these groups should have been here because they deal directly with the issues. The Portfolio Committee chair mentioned that in both cases it was agreed that only the umbrella bodies be invited.

Questions were raised about organisations who indicated that they would attend, and did not. The Portfolio Committee should follow up some of these cases.

Attendance would have been better if there were more hearings to accommodate outlying areas.

People may have had too little time to prepare submissions, particularly because of the violence which broke out in the weeks prior to the hearing.

Some organisations may not have attended the provincial hearings because they are going to make submissions at national level.

The Public Participation Programme should establish a good database for future hearings.

Quality and content of submissions

More was expected of the submissions in Pietermartizburg.

The submissions were immensely valuable, detailed and informative.

Special interest groups did not abuse the hearings for their own purposes.

It was obvious that many people had actually read the Draft White Paper.

Agenda design and facilitation

The process was well handled.
Some key issues could have been highlighted more.