

980804 n province

**REPORT ON THE NORTHERN PROVINCE PUBLIC HEARING ON THE DRAFT  
WHITE PAPER**

*Prepared for SECRETARIAT FOR SAFETY AND SECURITY*

**By IDASA**

**JULY 1998**

**REPORT ON THE PUBLIC HEARING ON THE DRAFT WHITE PAPER ON  
SAFETY AND SECURITY HELD IN THE NORTHERN PROVINCE ON 16 JULY  
1998**

**1. DETAILS OF THE HEARING**

The hearing was held at Mimosa Club, in Pietersburg on 16 July 1998. It was co-ordinated by Benjy Mautjane and facilitated by Ivor Jenkins of the Institute for Democracy in South Africa (Idasa).

**2. ATTENDANCE AT THE HEARING**

The following 46 people, representing organisations, attended the hearing:

| NAME               | ORGANISATION                                |
|--------------------|---|
| Mr M.P. Maserumule | Chair – CPF Provincial Board                |
| L.P. Seleti        | CPF Bushveld Area Board                     |
| M.E. Mashilo       | CPF Bushveld Area Board                     |
| L.J. Makgalatiba   | CPF Provincial Board                        |
| M.P. Somo          | CPF Provincial Board                        |
| K.N. Bopope        | CPF Provincial Board                        |
| M.L. Masia         | CPF Provincial Board                        |
| Tommy Morema       | CPF   |
| Pandelani Ramagoma | Chair – S. Committee on Safety and Security |
| Maite Marutha      | Standing Committee on Safety and Security   |
| M.H. Molepo        | Standing Committee on Safety and Security   |
| B.B. Nool          | Department of Traffic                       |
| E.S. Galane        | AZAPO                                       |
| Don Nkadimeng      | AZAPO                                       |
| Mr Leputu          | AZAPO                                       |
| Joseph Maponya     | AZAPO                                       |
| M. Mmakatwane      | AZAPO                                       |
| Mr W.M. Magadzi    | SACP  |
| M.A. Lekalakala    | SAPS Nebo                                   |
| M.S. Phukubje      | SAPS Mokopane                               |
| Mrs M. Slabbert    | Democratic Party                            |
| M. Mashiapata      | Institute for Multi-Party Democracy         |
| S.A. Ntsoane       | Provincial Legislature                      |
| Fanie Mulder       | Pietersburg Sakekamer                       |
| Saad Cachalia      | Provincial Secretariat                      |
| Serobi Maja        | Provincial Secretariat                      |

|                              |                                     |
|------------------------------|-------------------------------------|
| Hanlie Du Plessis            | Provincial Secretariat              |
| D. Pelsler                   | Provincial Secretariat              |
| Thandi Mdluli                | Office of Status of Women           |
| J.M.J. Visser                | South African Agricultural Union    |
| David Kgosimore              | University of the North             |
| Sam Mamabolo                 | Dept. of Justice – Regional Office  |
| Ria van der Merwe            | N. Tvl Landbou Unie                 |
| Lida van Schalkwyk           | Streekkantoor van Dept van Justisie |
| Mokgadi Motlhapi             | Technikon South Africa              |
| Maris-Stella Sexwale Mabitje | Provincial Legislature              |
| J. Kriek                     | Freedom Front                       |
| Pricilla Mamabolo            | Northern District Council           |
| David Mulaudzi               | Provincial Communications Office    |
| Chev Selepe                  | Provincial Legislature              |
| D. Magadzi                   | Provincial Legislature              |
| R.L. Davhana                 | House of Traditional Leaders        |

Delegates from the media:

|                 |                  |
|-----------------|------------------|
| M.E. Nkanyane   | SABC - TVN       |
| D. Mafokoane    | SABC – TVN       |
| Victor Mukwevho | SABC             |
| Jake Makgolo    | Northern Monitor |
| G. Bester       | Beeld            |

**3. WELCOME AND OPENING ADDRESS:** Pandelani Ramagona (Chair of Standing Committee)

On behalf of the Northern Province Legislature I welcome you. It is a difficult task, more especially if people are coming to discuss issues around violence and the security of our people. We must remember that our country is rising from political violence since 1994. We thought we would build a new South Africa since the elections, but since then crime has become an issue. We must note that crime did not start to rise in 1994. If you look at the statistics in 1985 crime was already on the increase.

We from the legislature welcome you. We pray that your deliberations today will have an impact on the white paper. We know that in our province we have a low level of crime. We have the problem of illegals and see it as a threat to security. They pass with drugs and arms. They're not using them here, but maybe in KwaZulu Natal. We also have witchcraft. If this process manages to strengthen the criminal justice system, we hope that these problems can be solved.

We hope that you will feel free to express yourselves in your language of choice.

**4. ACKNOWLEDGEMENTS**

The facilitator acknowledged the attendance of important guests: national secretariat, provincial secretariat and standing committee members.

**5. CONCERN RAISED:** Mr J. Kriek (Freedom Front)

A concern was raised about the sole use of English for the DWP documentation and hearings. The speaker was of the view that this was unconstitutional and wanted his objection noted.

**6. RESPONSE TO THE CONCERN:** Mr I. Jenkins (Idasa Facilitator)

Idasa will raise this issue with the secretariat. The draft White Paper is printed only in English because of the financial implications of printing in 11 official languages, but there is a commitment to printing the final White Paper in as many official languages as possible later this year.

**7. PRESENTATION OF THE DRAFT WHITE PAPER:** Mr E. Pelser (National Secretariat)

There were no questions of clarification on the presentation.

**8. SUBMISSIONS**

Four written submissions were presented by the following organisations: Democratic Party, CPF Provincial Board, University of the North and Provincial Department of Transport. Azapo and the Department of Justice made oral submissions. The Democratic Party will send their submission after approval by their secretary. The attached table is the summary of all submissions made at the hearing. Hard copies of the available written submissions are attached to this report. The House of Traditional Leaders and Azapo promised to send in their written submissions at a later stage.

**9. SUMMARY OF THE SUBMISSIONS**

| Name of Organisation, Council, Body, Institution or Individual       | Written or Oral | DWP Page #                                 | Comment Made  | Re  |
|--|-----------------|--|---|---|
| Department of Transport Directorate: Traffic and Safety – B.B. Nool  | W               | Improve crime prevention and investigation | Handling and investigating of road traffic matters eg accidents should be taken away from police force. The funds saved can be applied to SAPS primary functions. | Tra<br>ma<br>pro  |
| Department of Criminology: University of the North – David Kgosimore | W               |  | Largely focused on the victims of crime and their rights and how victim empowerment can contribute to crime prevention.   | Cri<br>em<br>the<br>vict<br>Cor<br>Act<br><br>Dei<br>Dei<br>for<br>Po<br><br>Cor<br>incl<br><br>Pol<br>esp<br><br>Equ<br>rec<br><br>The<br>am<br>act<br>sys<br><br>Vic<br>abc<br><br>Rig<br>shc<br><br>The<br>har<br><br>Vic<br>allc<br><br>Vic<br>Par<br><br>Vic<br>sup<br>ser |

|  |   |   |  |  |
|--|---|---|--|--|
| Provincial Board (Patrick Maserumule, Chair) | W | Effective policing<br><br>Investigation<br><br>Police visibility<br><br>Victims of crime<br><br>Enforcing law whilst respecting Bill of Rights<br><br>Police corruption<br><br>Non-essential functions<br><br>P26<br><br>P27-28<br><br>P28-29 | Role of provincial government<br><br>Role of local government<br><br>Local crime prevention forums / CPF's | Pol<br>cor<br><br>Wc<br>imp<br><br>Cor<br>Imp<br>anc<br>Imp<br><br>Re:<br>cor<br>vict<br><br>Imp<br>am<br><br>Cri<br>be<br>sus<br><br>Pol<br><br>Prc<br>res<br>pro<br>lev<br><br>Loc<br>mu<br><br>The<br>CP<br>col<br>pre<br>tog |
|--|---|---|--|--|

|                                   |   |           |  |                          |
|-----------------------------------|---|-----------|--|--------------------------|
| Democratic Party (Magda Slabbert) | W | Section 4 | The DWP provides an excellent vision of how safety and security can be improved  | Ne<br>imp                |
|                                   |   | Section 2 | Agree with emphasis on modern management styles; performance management and human resource development   |                          |
|                                   |   |           | Proposals for improving investigation are excellent.   | Pol<br>Ne                |
|                                   |   | P2 para8  | Government needs to stop blaming old South Africa and take responsibility for crime. Corruption is government's example to society. Soft approach to 'comrades'. Negatively affects community. Justice not done. |                          |
|                                   |   | Section 1 | Agree with ranked structure with necessary discipline because of internal motivation.  | Ne<br>in v               |
|                                   |   | Section 2 | Vision and mission does not deal with implementation issues. Top structures not in touch with grassroots level. No appreciation for work well done. Not skilled for multi-cultural society.                      | Ide<br>for<br>whi        |
|                                   |   | Section 3 | Improvement of criminal investigations   | Inv<br>imp<br>Lac<br>shc |
|                                   |   |           | Visibility without skills or motivation serves no purpose  | Rei                      |
|                                   |   |           | Service to victims very important  | Sta<br>Ma<br>to r        |
|                                   |   |           | Crime prevention: Police only effective if backed by justice department – at present there is a huge gap.  | Per<br>shc<br>in s       |
|                                   |   | Section 4 | Human rights abuses by police not addressed by DWP. Does not suggest solutions. Confidence in police will not increase while human rights still infringed.   | Cre<br>levi              |
|                                   |   | Section 5 | Agree with accountability of force members   | Eitt                     |

|                       |   |  |  |
|-----------------------|---|--|--|
|                       |   | <p>members</p> <p>Provincial government: role not very effective. MECs influence police commissioners. MECs acting outside their authority.</p> <p>Rural local councils do not perform same function as municipalities; municipal policing not possible. Commandos influence rural safety and security.</p> <p>Support CPFs.</p> <p>If police are not efficient, black businessmen and white farmers form vigilante groups. Government should counter vigilante groups with a more effective police service</p>  | <p>kee</p> <p>Ru<br/>woi</p> <p>The<br/>mo<br/>stra</p> <p>Re<br/>Fire<br/>app<br/>Put<br/>Tra<br/>in e<br/>Ere</p>                |
| AZAPO (Don Nkadimeng) | O | <p>Good paper but not designed for South African community. It could function in other established democracies. Failed to take into account a number of features in our society:</p> <p><u>Racism</u>, as manifested in Black Management Forum<br/>Exclusively white CPF's<br/>Old racist police</p> <p>Slow promotions of black police unless in bantustans</p> <p>Spirit of intolerance<br/>SA socially, racially, politically intolerant – intolerance leads to conflict</p> <p>Traditional leaders<br/>Traditional system of justice kept law and order without jails</p> <p>Involvement of civilian component in policing too weak – should be strengthened</p> | <p>Re<br/>mo<br/>offi<br/>ser</p> <p>Sta<br/>sec<br/>the</p> <p>Otr<br/>res</p> <p>DW<br/>tra<br/>law</p> <p>Ne<br/>pov<br/>be</p> |

|  |  |  |                                      |   |
|--|--|--|--------------------------------------|---|
|  |  |  |                                      |   |
| Department of Justice Northern Province (Ms Van Schalkwyk) |  |  | DWP well outlined with clear mission | Loc<br>Dej<br>Prc<br>cor<br>Cri<br>net<br>Vis |

#### 10. EVALUATION OF THE HEARING

The evaluation team comprising of representatives from the National Secretariat, Provincial Secretariat, Idasa, and the Standing Committee Chair, Co-ordinator and other members of the Legislature, felt that the attendance was fair. The evaluation was done as follows:

##### Concerning Attendance

22 organisations responded but only 16 attended;

There is a need to do preparatory work in advance and meet with key organisations;

A number of the organisations who didn't attend are weak in the province;

Time for hearings need to be looked into because week days create problems;

Some organisations which attended the NCPS Summit were not invited or didn't attend;

Greater participation by the Provincial Secretariat was needed in handling the invitations;

The Secretariat managed to conduct workshops for the CPF Board at provincial level, but the local CPFs didn't have time to interact with the white paper;

Transport to Pietersburg may have been a problem.

##### Concerning Submissions

The quality of the written submissions was good;

A number of issues which were predicted to come up were not mentioned;

Few written submissions were received.

##### Format and Agenda of the Hearing

The hearing was well structured;

People struggle to differentiate between the hearing and a workshop because they want to debate issues (there is a need for a brief explanation to participants);

The draft White Paper presentation was useful to participants and this will stimulate other stakeholders to make their submission.

##### Post-Hearing Process

The Standing Committee will continue to inform the public about the White Paper;



Other submissions should be sent back to the Standing Committee for the provincial legislature mandate preparation for the national hearing.

#### Concerning Logistics

Both the Standing Committee Co-ordinator and Policy Director in the Provincial Secretariat were very helpful and cooperated to make the hearing a success. Members of the Secretariat were sometimes not invited to Standing Committee meetings where the hearing preparatory process was discussed, and this forced Idasa to keep them informed and play the role of intermediary.

#### **11. CLOSING REMARKS:** Saad Cachalia (Provincial Secretariat)

He thanked the chairperson of the standing committee, Hon Ramagoma, Idasa, and the National Secretariat, and apologised on behalf of the MEC for Safety and Security who could not be present.