

Monthly magazine of the Parliament of the Republic of South Africa

# in session



Vol. 14 ISSUE 9 October 2014



## Children's Parliament

Moving Madiba's legacy forward





**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA



**Mace** of National Assembly

## Vision Statement

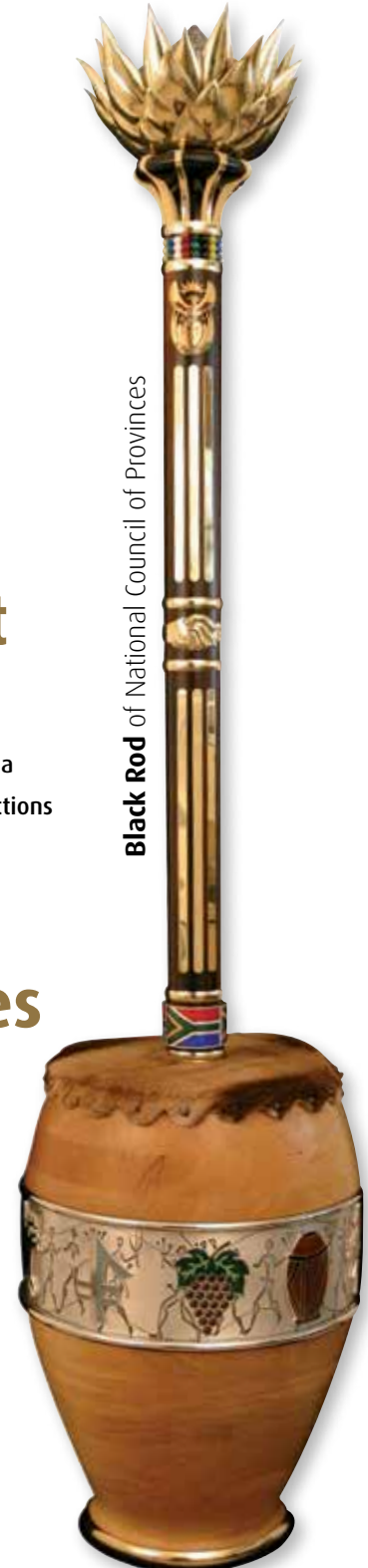
To build an effective people's Parliament that is responsive to the needs of the people and that is driven by the ideal of realising a better quality of life for all the people of South Africa.

## Mission Statement

As the freely elected representatives of the people of South Africa, our Mission is to represent, and to act as a voice of the people, in fulfilling our Constitutional functions of passing laws and overseeing executive action.

## Strategic Objectives

1. Strengthen oversight
2. Build a People's Parliament
3. Strengthen co-operative government
4. Improve international participation
5. Build an effective and efficient institution



**Black Rod** of National Council of Provinces

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**COVER:** Children from all nine provinces participated in the Children's Parliament, which was held in the parliamentary precinct for the first time in October.

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# editor's note



**In** keeping with this pillar of the constitutional mandate of South Africa's Parliament – its engagement in international affairs – *InSession* is proud to report on the swearing in of the new Members from South Africa's fifth Parliament at the Pan African Parliament held in Midrand, Gauteng. See the story on page 10 and 11.

As passing legislation and ensuring oversight of the executive are also parts of the mandate of Parliament, *InSession*, as Parliament's flagship magazine, extensively covers the parliamentary Committees, where much of the work of preparing legislation and conducting oversight is done.

For example, the Portfolio Committee on Labour held hearings on the question of a national minimum wage, where submissions from organisations representing business warned of the consequences of job losses, especially in small businesses. This is a complex debate and one that is crucial to South African democracy. Read the report of the input from stakeholders on page 12.

The challenge of unemployment was also the focus of hearings that were held by a Select Committee from the National Council of Provinces, which focused on women and youth unemployment in particular. The full story is on page 14. *InSession* also reports on deliberations by the Portfolio Committee on Mineral Resources about illegal mining, which poses a safety and security threat. In the story, on page 22, we report on a visit by the Committee to derelict and abandoned mines where illegal miners face great risks underground.

Education is always a matter of great importance to Parliament, as it is to most South Africans, and we look at the work of both the Committees on Basic Education and on Higher Education and Training. The former held hearings on the four months of disturbances in the Northern Cape where community protests over a demand for a tarred road resulted in a protracted school boycott. Read about the Committee's visit on page 24.

On page 26, we learn about a visit by the Higher Education and Training Committee's efforts to assess the pace of transformation at North West University. While in the area, the Committee also visited the Vuselela Technical and Vocational Education and Training College in Klerksdorp. Committee Chairperson Ms Yvonne Phosa spelled out the need to live up to President Zuma's promise that education must be a top priority.

Finally, Parliament was proud to host the Children's Parliament, held jointly with the Nelson Mandela Children's Fund and the Department of Social Development. Emulating the procedures of a normal parliamentary sitting, the children used the platform to make their voices heard, demonstrating that the younger generation will be quite capable of taking over when the time comes. 🌍

Enjoy the read.

Moira Levy  
**Editor**



## MESSAGE FROM THE national council of provinces

The Chairperson of the National Council of Provinces, Ms Thandi Modise

**We** are in the process of crafting the strategic plan for the fifth Parliament. The Financial Management of Parliament Act obliges the Executive Authority (i.e. the Speaker of the National Assembly and the Chairperson of the National Council of Provinces) to oversee the preparation of Parliament's strategic plan, annual performance plan, budget and adjustments budgets and to table the strategic plan and annual performance plan in Parliament.

Towards this, the National Council of Provinces (NCOP) held its strategic planning session which involved all the Permanent Delegates and representatives of the leadership of the Provincial Legislatures and the South African Local Government Association. The input from this exercise will form part of the NCOP's contribution to the strategic goals and plan for the fifth Parliament.

In preparing for this session, which was followed later by planning for the interim period by the committees of the NCOP, we broached certain questions on the occasion of the presentation of the budget of Parliament in July this year as follows:

- If we are to strengthen oversight and accountability, building on the work of the previous parliaments, how can we ensure that the quality of our work leads to the enhancement of the pace and quality of service delivery as well as a positive impact on the lives of our people?
- If we are to enhance public involvement and participation, how do we ensure that the interest and expectations of the people drive the work of Parliament, with parliamentarians serving as critical agents in deepening democracy with increased effectiveness and efficiency in the conduct of constituency work?
- If we are to continue to improve and champion co-operative government, how can we ensure that our collective efforts result in increased levels of co-operation among the spheres of government and state organs, thus leading to more effective and efficient delivery of services?
- If we are to play a meaningful role in international affairs as a sovereign state among the family of nations, what can we do to influence geo-political discourse in order to fight poverty and inequality?
- Lastly, if we are to build national unity and social cohesion, what role can Members of Parliament play in connecting with the general populace of our country to build a sense of social and economic solidarity and forge a common future for all?

Some of the outcomes of the strategic engagement exercise that was intended to crystallise the work of the NCOP in the fifth

Parliament were the following:

- There was greater examination of what could be done to make the NCOP much more relevant. In the main, we looked at what it entails to represent provinces. We said that it entails also representing the people in the provinces, and that we must keep that in our minds all the time.
- In terms of the law-making function, as the institution we agreed that we require the capability to assess the impact of laws and to strengthen our capacity to develop legislative interventions where necessary.
- In respect of oversight, we need to build expertise to enhance our capacity to interrogate the work of government to see whether, at all times, it is geared towards ensuring the implementation of the National Development Plan, which captures our vision for 2030.
- That at all times we must monitor how the implementation of government programmes impact on the different provinces given their varying contexts and needs.
- That we must be bold enough to make any changes or enhancements that are required, as long as these will further advance the mandate of the NCOP.
- We committed ourselves to working for an improvement in the way we respond to issues affecting the people.
- That the principles of intergovernmental relations and co-operative government must permeate all our work and thus serve as an overarching theme that drives our general contribution as this House of Parliament.

In regard to intergovernmental relations and co-operative government, we are aware that many of our municipalities are still grappling with many challenges, such as addressing significant problems of service delivery and attending to the infrastructure backlogs, including the maintenance of the ageing infrastructure. Much progress has been made though to address these challenges since 1994. But we must still do more and with increased speed.

Section 154 (1) of the Constitution is clear in that it obliges the national and provincial governments to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions. We will therefore give more meaning to this constitutional injunction as a basis for ensuring the existence of good governance.

However, in order to do all this we need to ensure that Permanent Delegates are capacitated and that they are fully supported to do their work. We are therefore looking forward to the finalisation of this process of strategising so that we can discharge our responsibilities with much clarity and the necessary resources. 🌟

# i put the question

Questions asked in Parliament recently covered many topics, from challenges facing the local government sector to the plight of shack dwellers living in the Western Cape.



Mr Pieter Groenewald

**Dr Pieter Groenewald (FF Plus) asked the Minister of Defence and Military Veterans, Ms Nosiviwe Mapisa-Nqakula,** whether any steps had been taken to prevent soldiers from contracting the Ebola virus in countries in West Africa and the Democratic Republic of the Congo.

**The Minister replied:** Contingencies have been developed for the management of Ebola for soldiers who are deployed in external missions. The Chief of Joint Operations Division issued a directive to the South African National Defence Force in this regard where guidelines were given on the prevention and management of Ebola, which are in accordance with the National Department of Health Plan.

Apart from the United Nations campaign on Ebola, the South African Military Health Service (SAMHS) has subsequently implemented comprehensive measures to try and prevent the transmission of the Ebola virus to deployed South African soldiers. A doctrine has been developed and promulgated with the measures for the identification and management of viral haemorrhagic fevers (including Ebola) in military environments both within South

Africa and in external missions.

The SAMHS has been presenting a training course for health-care personnel in the isolation of viral haemorrhagic fevers for the past five years. All members returning to the RSA from deployed areas are scanned at the airports.

**Dr Malcolm Figg (DA) asked the Minister of Finance, Mr Nhlanhla Nene,** how much the Public Investment Corporation (PIC) will pay to recapitalise African Bank Investments Limited (Abil) and if he will initiate any punitive action against its current or former directors.

**The Minister responded:** PIC has committed to provide up to 50% of the total amount required to recapitalise the "Good Bank", which cannot exceed R5bn. The PIC will await the results of the current South African Reserve Bank investigation into the activities of the bank leading up to the events of 8 August before any decision is taken on whether to act against Abil management and/or board.

**Dr Younus Vawda (EFF) asked the Minister of Water and Sanitation, Ms Nomvula Mokonyane,** why there

has been a delay in the eradication of the bucket system, as the deadline was set for 2009, and how the matter will be addressed as a matter of urgency.

**The Minister answered:** In February 2005, it was estimated that there were 252 254 buckets in use in formal or established areas in South Africa. These buckets existed before the democratic government took over administration of the country in 1994. An earmarked budget of R1.8bn was made available by the National Treasury to eradicate buckets in formal areas between 2005 and 2008. About 98% of these buckets were replaced under that programme.

However, some buckets in the Eastern Cape, Free State and Northern Cape could not be removed due to difficult ground conditions, lack of bulk services and/or inadequate financial resources. Buckets that existed after 1994 in both formal and informal areas were not included in this programme hence the existence of bucket sanitation.

In October 2013, the government made a commitment to eradicate all existing buckets in all types of settlements, both formal and

informal, in a period of three years, that is, from 2013/14 to 2015/16. An earmarked budget of R2.5bn has been allocated to the programme as follows: 2013/14 R650m, for 2014/15 R899m and for 2015/16 R975m. The Departments of Water and Sanitation, Human Settlements and Cooperative Governance and Traditional Affairs are working together to ensure that the bucket system of sanitation is eradicated.

**Dr Hunadi Mateme (ANC) asked the Minister of Higher Education and Training, Dr Blade Nzimande,**

if his department has held discussions with higher education institutions regarding appropriate incentives to attract and retain talent and address challenges that have arisen regarding the loss of academics to other professions, and the decline in interest among young students to pursue academia as a profession, especially among black students.

**The Minister replied:** The Department of Higher Education and Training has held discussions with higher education institutions regarding the development of the academic profession, recruitment, retention and development of academics in higher education. Specifically, in conjunction with Higher Education South Africa, the department held a workshop with relevant deputy vice-chancellors and deans from all universities to discuss a draft framework for staffing South African universities.

The department recognises the challenges that currently exist in the higher education sector in relation to the size, capacity and composition of its academic staff. The challenge is multifaceted, having to do with an ageing workforce, developments

in higher education worldwide that demand for ever greater levels of expertise from staff, the relatively under-qualified academic staff workforce at our universities, the low numbers of postgraduate students representing an inadequate pipeline, and the slow pace of regeneration and transformation of higher education academic staff.

The department has therefore developed a response that builds on previous investigations and international experience in the form of a draft Staffing South Africa's Universities Framework, which involves a comprehensive approach

Mr Mntomuhle Khawula (IFP)



to building capacity and developing future generations of academics. I envisage that the final framework will be ready for the first phase of implementation in the 2015/16 financial year.

**Mr Mntomuhle Khawula (IFP) asked the Minister of Human Settlements, Ms Lindiwe Sisulu,**

about the working plans for the Housing Development Agency regarding the building of houses and land acquisition and if there is a budget allocated specifically for the building of these houses.

**The Minister replied:** The Housing Development Agency currently only manages the construction of houses at two national priority projects, namely, N2 Gateway in the Western Cape and Zanemvula in the Eastern Cape Province, and has finalised the Cornubia project in KwaZulu-Natal.

The Agency works directly with provinces and municipalities on land acquisition and continuously receives requests from municipalities to facilitate release of identified publicly owned land required for human settlements. The Agency also assists provinces and municipalities in private land acquisitions required for human settlements. It is also the work of the Agency to proactively identify strategically located land for human settlements.

No budget is allocated to the Housing Development Agency for the building of houses. The financing of house construction in terms of the government's Housing Programme is done through the Human Settlement Development Grant, which is being administered by the provincial departments of Human Settlements. 🌐



# highlights from the committee rooms



**Every** month Parliament's committees diligently exercise their law-making and oversight functions. **Cedric Mboyisa** compiled this summary of some committee deliberations.

**The Ad Hoc Committee** to consider the report by President Jacob Zuma regarding security upgrades to his private residence at Nkandla has asked for more time to finalise its work before submitting the report to the National Assembly (NA). This is because the Committee has to consider the reports of the President, Public Protector, the Special Investigating Unit and the Inter-Ministerial Task Team. Committee Chairperson Mr Cedric Frolick said the Committee had the necessary quorum of six members and would continue with its work as recommended by the NA. MPs from opposition parties walked out of the Committee's proceedings following disagreements over whether witnesses could be called and whether the Public Protector's recommendations should be enforced.

**The Powers and Privileges Committee** has met a number of times to deal with the disciplinary hearing against 20 Economic Freedom Fighters (EFF) MPs. The Committee had resolved to suspend disciplinary hearings that started on Tuesday, 7 October 2014 against the 20 EFF members. This decision was to enable Ms Magdalene Moonsamy to provide the Committee with a medical certificate for her absence on Tuesday.

"On Tuesday, the first day of the hearing, Mr Julius Malema informed the Committee that Ms Moonsamy was unwell and promised that a medical certificate will be provided to the Committee. The Committee has not received the said certificate and has decided to afford Ms Moonsamy more time to furnish the Committee with

the letter, hence the suspension of proceedings," said Mr Lemias Mashile, the Chairperson of the Committee.

**The Portfolio Committee on Communications** expressed unhappiness at a request by the South African Broadcasting Corporation Chairperson, Ms Zandile Tshabalala, to postpone the inquiry into allegations that she misrepresented her qualifications to Parliament. Speaking through her legal representative, Adv Norman Arendse (SC), Ms Tshabalala told the Committee that she was not ready to proceed with the inquiry and that she needed another two weeks to prepare a response to the two charges put to her.

However, the Committee has resolved to postpone the inquiry to a date that will first be discussed and confirmed by its members. "Although we have a tight programme with other Committee activities, it is in the interests of natural justice that we postpone this inquiry to a date that will be confirmed by the Committee," said Ms Joyce Moloi-Moropa, the Committee Chairperson.

**The Portfolio Committee on Basic Education** has condemned the "sex for marks" scandal at some South African schools. The Committee is calling for the harshest punishment for those found guilty of this practice.

"This attitude stands against every value as South Africans we want to instil in our society's fibre. It is the worst form of abuse and ought to be dealt with expeditiously. There has to be consequences for sexually exploiting under-age pupils," said Ms Nomalungelo

Gina, Chairperson of the Committee. She added: "The sinister behaviour where educators view learners – as young as they are – as sex objects should be condemned and frowned upon. Educators should exercise the parental role for more than eight hours on our children, and not subject them to this kind of emotional torture." This comes after media reports that teachers at Brakpan High School, Gauteng, sought sexual favours from learners in return for pass marks on assignments and exams.

**The Portfolio Committee on Environmental Affairs** appreciates the measures put in place by South African National Parks (SANParks) to stop the poaching of the rhino species at the Kruger National Park. Mr Jackson Mthembu, Chairperson of the Portfolio Committee on Environmental Affairs, said: "We have every confidence in our government and our law enforcement authorities that in the long term, they will be able to stop this scourge."

On 25 and 26 September 2014 the Committee went on an oversight visit to the Kruger National Park in Mpumalanga to inspect on the work that is being done by the park to stop the scourge of rhino poaching.

During the two-day visit, the Committee was flown over the park and conducted a field trip to the Intensive Protection Zone of the Kruger National Park, an area that accommodates 60% of the park's rhinos. The Committee met with SANParks rangers, and members of the South African Police Service and South African National Defence Force based in the park, and congratulated them for the work that they are doing to protect the country's heritage. 🇿🇦

# ‘Business unusual’ for Pan African Parliament

South African representatives are sworn in

**Members** *of the fifth Parliament representing South Africa in the Pan African Parliament (PAP) wasted no time in getting involved in its activities after being sworn in, writes Elijah Moholola.*

After being sworn in at the start of the Fifth Ordinary Session of the Third Parliament of the PAP in Midrand in October, all four South African Members of Parliament (MPs) forming part of the PAP were designated to serve in various committees during a meeting of the Southern Africa Regional Caucus.

Parliament’s delegation comprised National Council of Provinces (NCOP) Chief Whip Dr Hunadi Mateme, Ms Thandi Memela, Ms Santosh Kalyan and Mr Floyd Shivambu, while the fifth member is yet to be confirmed, following the resignation of Dr Pallo Jordan.

Dr Mateme will serve in the Health, Labour and Social Affairs Committee; Ms Memela in the Cooperation, International Relations and Conflict Resolution Committee; Ms Kalyan in the Rules, Privileges and Discipline Committee; and Mr Shivambu in the Rural Economy, Agriculture, Natural Resources and Environment Committee.

Leader of the delegation Dr Mateme explained why it was important for South Africa’s Parliament to participate fully in the PAP. “We have a responsibility to contribute

to development on the African continent. Most of our manifestos since 1994 have articulated our aspirations towards creating a prosperous country, a prosperous continent and a prosperous world. We have been advocating for peace and stability in our country, our continent and the world. We cannot sit back as Parliament and be spectators when we are actually living in a global village,” she said.

During the morning session on the opening day of the two-week conference, the four South African MPs were among 17 new members who were sworn in. The first Member of the South African Parliament to be sworn in was Ms Memela, who is a former NCOP Deputy Chairperson in the fourth Parliament and who currently serves as the Chairperson of the Portfolio Committee on Women in the Presidency in the National Assembly.

The MPs will serve on the PAP for a five-year term until 2019. Other new members who were sworn in hailed from Guinea, Kenya, Malawi, Mauritania, Sudan and Swaziland. The President of the PAP, Mr Bethel Amadi, welcomed all new and returning members of the PAP, which

is a continental legislative body comprising 47 member states with its headquarters in Midrand, South Africa. Among the objectives of the PAP is to promote the principles of human rights and democracy in Africa; to encourage good governance, transparency and accountability in member states; and to promote peace, security and stability on the continent.

In his opening address, Mr Amadi announced that the revised PAP Protocol had been adopted by the African Union (AU), which gave the PAP legislative powers. PAP was previously a consultative organ. “We are pleased to formally announce that the AU Summit held in Equatorial Guinea in June 2014 adopted the revised Protocol of the PAP. Accordingly, our Parliament has now been designated as a legislative organ of the AU,” Mr Amadi said. However, he said that the revised protocol required ratification from at least 28 member states to come into effect.





**NEW TERM:** Ms Thandi Memela is sworn in as one of the South African representatives in the Pan African Parliament.

Dr Mateme spoke to *InSession* about the importance of PAP's new legislative function. "We cannot just meet and resolve nothing without recommending and holding anybody accountable. The fact that PAP is going to have some legislative activities is refreshing. As the fifth Parliament we have said we are going to have 'business unusual' (do things differently) during our term. We are hoping that our participation in the PAP will also infuse that spirit of 'business unusual' into the PAP for the benefit of the people of the continent," she said.

Giving a message of solidarity on behalf of the South African government, Minister of State Security Mr David Mahlobo said the Fifth Ordinary Session of the PAP was being held at a crucial time for the continent as the AU had adopted Agenda 2016 during its 50<sup>th</sup> anniversary "that sought to define the trajectory of our continent for the next 50 years. This gives us an opportunity to prepare for

the next 50 years. We should not be found wanting. The Africa of the year 2063 must be a united Africa and a better place to live in for our children – a continent that is fully developed, democratic and without wars and conflict," Mr Mahlobo said.

The keynote address was delivered by the President of Mali, Mr Ibrahim Boubacar Keita. "Our continent is faced with many challenges, including many threats to peace and security. We can face up to such challenges only by joining hands," Mr Keita said.

In the afternoon session, the South African delegation attended the regional meeting of the Southern Africa Caucus, where interim committee leaders were elected and other members were designated to committees. Mr Patrick Mucheleka from Zambia and Mr Thabang Kholumo of Lesotho were elected chairperson and vice-chairperson respectively, while South Africa's Ms Kalyan was elected as Rapporteur. The interim leadership

will be in place until elections are held next May.

Reflecting on the first day of proceedings, Dr Mateme said being part of the PAP would give South African MPs a platform to effect change on the continent. "I wish to see Africa feeding its own people. I would like to see good land use for the benefit of Africans. I also wish to see healthy people on the continent. Diseases such as Ebola must be a thing of the past. But the realisation of these wishes will not drop from the sky – we have to work towards them."

She urged people on the African continent to play their part in improving their own lives. "People must do their bit and contribute. As we have stated in our motto, it is through working together that we can do more. The people of Africa must stand up, do the bit that they can do and when the government comes in, the first step would already have been taken by the people themselves." 🌍



# A national minimum wage

Committee calls all stakeholders to share their views

**Discussions** *in Parliament about the introduction of a national minimum wage centred on how much it should be and whether it will negatively affect the employment of those who have few skills, writes Sibongile Maputi.*

Those in favour of a minimum wage say it should be set at around R4 500 across all sectors, but opponents refuse to commit to any figure. Representatives of organised labour argued for a minimum wage, but businesses are already calculating how much it will cost them.

Members of the Portfolio Committee on Labour have been meeting with various stakeholders in September on the introduction of a national minimum wage. The exercise follows President Jacob Zuma's call for an investigation into the introduction of a national minimum wage and how it can be achieved. The Committee received input from,

among others, the University of Cape Town's Development Research and Policy Unit, the Black Management Forum (BMF), Business Unity South Africa (Busa), the South African National Tax Council, the Free Market Foundation (FMF), AgriSA and the Chamber of Mines.

The Chairperson of the Committee, Ms Lumka Yengeni, said stakeholders should speak freely in presenting their views, as the Committee would not contest their input. "The Committee wants to make this process as consultative as possible, so that when the decision on the national minimum wage is made the largest number of people possible is consulted," Ms Yengeni said.

She urged members to be considerate, as that would put them in a better position to take decisions with such a profound effect on so many people. "The positions taken on this issue cannot please everyone. We are from different political orientations and economic backgrounds. Everybody should be listened to and members should criticise constructively," Ms Yengeni said.

Most employer organisations and businesses were opposed to the national minimum wage, except for Busa, which had not formulated a position on the matter. Those opposed to a national minimum wage said that it would result in job losses, especially if it was set too high.

The FMF submitted that although economic freedom remained out of reach for many in South Africa, the possible unintended consequences of



**A LIVING WAGE:** Moves to legislate for a national minimum wage will mostly affect the poorest of South Africa's workers.

Committee member Mr Ian Ollis said South Africa had a big problem with poverty. "South Africa has a large number of unemployed people who have no income and are dependent on others or on government grants. A national minimum wage may not fix this or could make it worse," Mr Ollis said. He mentioned the agricultural sector in which a number of workers lost jobs when a minimum wage was introduced.

The South African Transport and Allied Workers Union (Satawu) representative said business did not return profits to communities. Profit should be regulated and this needed government intervention so that employers used their profits responsibly, the Union said. The Satawu representative said the cost of public transport and food prices were factors that necessitated a national minimum wage.

Committee member Mr George Moteka said transformation would never be "volunteered" by employers. He said anyone earning less than R4 500 was getting a stipend, not a salary.

The BMF supported the national minimum wage and said it was long overdue. Committee member Ms Thozama Mantashe agreed and said the status quo of sectoral minimum wages was unsustainable. "The difference between household incomes is scary. South Africa needs to look into radical transformation of the economy. A national minimum wage is seriously required," Ms Mantashe said.

She said South Africa was a signatory to all the conventions of the International Labour Organisation, which made it mandatory for South Africa to introduce a national minimum wage. She said stakeholders should instead assist the Committee to provide a figure, rather than arguing that it would not work.

Committee member Mr Molapi Tlouamma concurred and said the compromise made since 1994 did not benefit the larger community. "Laws are not being implemented and those who benefited prior to democracy are still benefiting. The country should look beyond the national minimum wage and into the issue of a living wage. The country should take a stand against inequality," Mr Tlouamma said.

Committee member Mr Derick America said he foresaw a challenge in imposing a national minimum wage on industries, given that the unemployed were generally low-skilled individuals. He cautioned the Committee and stakeholders not to be emotional when discussing a national minimum wage.

The Chamber of Mines submitted that the national minimum wage was one of the vehicles that could be used to address wage inequality. "But the one-size-fits-all approach is not the way to go, as it will not take into account realities in different industries," Chamber of Mines' Dr Elize Strydom said. She said the Chamber of Mines had not formulated a position on the issue, but she cautioned that the Committee needed to be wary of enforcing something that could not be monitored, as that would make a mockery of the law.

Ms Yengeni said the national minimum wage was a serious and sensitive matter that concerned livelihoods. "Sadly, the history of workers is written in blood. The Committee will work hard and do justice (to the hearings) to ensure that the majority of our people benefit," she said. 🇿🇦

***Do you think a national minimum wage is a good idea? Share your views with us by emailing [insession@parliament.gov.za](mailto:insession@parliament.gov.za)***

a national minimum wage must be considered. "The minimum wage affects the most vulnerable in society, because employers will be unable to afford to hire people and will lay off workers," an FMF representative said.

The FMF further pointed out that in cases where a national minimum wage had been introduced, employment levels dropped, but remained steady in sectors where it had not been introduced. Experience and skills are the way to address the wage gap, not a minimum wage, the FMF said. The FMF believes a national minimum wage can be appropriate, but does not think it can bring about equality in society.

The FMF said research had shown that organised labour and established businesses benefited from a national minimum wage, while small businesses and new entrants or low-skilled workers were driven out of the market. The FMF urged the Committee to ask for a regulatory impact assessment from the National Economic Development and Labour Council.

# Finding creative ways to assist small businesses



**SUCCESS:** The new department hopes to assist businessmen, such as this one, who sells fish from the back of his bakkie.

**The** *Department of Small Business Development is still in its infancy, the Select Committee on Economic and Business Development heard during a briefing from the Department of Small Business Development on policy perspectives for small, medium and micro-enterprises (SMMEs), writes Yoliswa Landu.*

The department's Deputy Minister, Ms Elizabeth Thabethe, said the work of the department is currently done within the Department of Trade and Industry (DTI) – hence the two departments had one budget vote in this financial year. Ms Thabethe said: "The objective of starting this new department was giving small business a new and improved attention, as small business was not given adequate supervision under the DTI. By establishing the department, we will have better focus on small business. The DTI is a huge government department dealing with a lot of issues, some of which are local, regional and international."

The Committee Chairperson, Mr Litho Suka, reminded Ms Thabethe about the importance of briefing the Committee as it was knowledgeable about policy directives and funding mechanisms. "Your department is relatively new and I am waiting for the time when you have your own budget. I will treat you very nicely until you have your own budget. We

are asking questions that must be answered by another department," Mr Suka told Ms Thabethe.

Mr Suka emphasised the importance of finding creative ways to assist SMMEs. "It should not only be about injecting money. Skills development is important for the sustainability of SMMEs," Mr Suka said.

The Department's Acting Director-General, Ms Pumla Ncapayi, presented the mandate of the department and the various programmes in place to support small businesses. The programmes include the Small Enterprise Development Agency (SEDA) and the Small Enterprise Finance Agency (SEFA). She said SEFA's role is to offer financial support to foster the establishment and growth of SMMEs and contribute towards poverty alleviation and job creation.

Ms Ncapayi also said about 46 400 SMMEs have been funded by the department and R822m has been

disbursed since its inception.

The Committee recommended that a way of monitoring the activities of SEDA and SEFA be established to check on their investments and the success rates. Members of the Committee also told the department that it cannot be in an incubation phase for too long.

The Committee also said that it was concerned about the limited reach of the department's offices in the provinces and that offices were mostly in urban centres. The Committee wanted to hear the department's strategy on ensuring accessibility for rural communities. Furthermore, members of the Committee warned the department about inadvertently excluding rural communities from assistance from the new department, given the lack of information about its existence and services.

One Committee member, Mr Eddie Makue, expressed his concern about under-expenditure, considering the importance of small businesses and their role in economic development. "We would not want to see a huge amount of under-expenditure when there is need out there in the communities for business funding," he said. 🇿🇦

# Taking service delivery seriously

**Residents** *of municipalities placed under administration in September are hopeful that the state of service delivery in their areas will improve, writes Elijah Moholola.*

The Select Committee on Co-operative Governance and Traditional Affairs in the National Council of Provinces (NCOP) approved the Notices of Intervention in dissolving both the Inkwanca Local Municipality in Molteno, Eastern Cape and the Ngaka Modiri Molema District Municipality in Mafikeng, North West.

During a briefing to the Committee, Eastern Cape MEC for Local Government and Traditional Affairs, Mr Fikile Zaxa, said that on 29 July 2013, the Molteno Branch of the South African National Civic Organisation (Sanco) petitioned him, complaining about service delivery and maladministration in the Inkwanca Local Municipality. In particular, they complained about inadequate electricity and water supply; delays with a housing development project; sewerage spillages; and inadequate road construction.

The delay in the housing project has meant that one resident, Ms Nontobeko Nonyusa, has postponed her plans to move in to her new home. She told *InSession*: "I am waiting for electricity to be installed because it would be inconvenient to move in when there is no electricity. We were told the electricity would be installed in October and we don't know if this will happen as planned."

In the meantime, Ms Nonyusa is living in Harare township, just a few streets away from the new development, but as another

resident, Mr Siviwe Ntengo, pointed out, conditions there are far from ideal.

"All street lights are dead and have been for over a year. This means that people are attacked while walking at night. The electricity comes and goes every day. It is not Eskom, but the municipality that is responsible for electricity. The water is dirty and this is obviously a danger to our health," Mr Ntengo said.

In its recommendation to the NCOP, the Committee approved the appointment of an administrator to fulfil the Council's obligations

In the North West, the Department of Local Government and Human Settlements MEC, Mr Collen Maine, tabled before the NCOP a notice of intervention in the Ngaka Modiri Molema District Municipality and briefed the Committee on the matter. The district municipality has had governance and administrative challenges since the beginning of the current term of local government.

The district municipality is one of the two water-stressed districts in the North West and there have been numerous protests about water supply. One resident, Ms Anna Nakanyane, who lives in Smarties Extension 38 in Mafikeng, said there are problems with the billing system. "Today I got a call from the municipality saying we are not paying our water bill, but since I moved here

two years ago, I haven't received a water bill from the municipality. We have meter boxes, but the municipality has never come to take a reading.

"I was told that I am part of an agreement reached in August that I'd pay R800 per month as part of the debt, but I didn't enter into an agreement of such a nature. They told me I owe more than R2 000 for water," she said.

Ms Nakanyane added that they have been waiting since the beginning of the year for the busy road outside her house to be paved as promised. She added that the huge pile of waste on the side of the road was a constant problem, as there were no refuse removal services.

Mahlonyana resident Mr Tebogo Podile had a different story to tell. He said: "The water in our area is not much of a problem and the tarring of the road is ongoing." However, he was not entirely content. "Our problem is a lack of jobs and this was among the causes of the recent strike. Another problem is that the municipality only hires people for a year. After the one year, people are jobless."

In its recommendation to the NCOP on Ngaka Modiri Molema District Municipality, the Committee took all relevant factors into account, including challenges that were prevalent during the first intervention in 2009, and decided that the extent of the municipality's failure to fulfil its obligation constituted exceptional circumstances warranting dissolution of the Municipal Council and the appointment of an administrator. 🗳️



**NO JOBS:** People around the country, such as this young man in the Northern Cape, have been protesting about the lack of job opportunities.

## Make employment for women and youth a priority

*It cannot be that the majority of South Africans are still on the sidelines of the economy, and the youth and women must be equally represented in all sectors. These are the views of Mr Setlamorago Thobejane, the Acting Chairperson of the Select Committee on Cooperative Governance and Traditional Affairs, writes Temba Gubula.*

Mr Thobejane shared these views when the departments of Women in the Presidency and Labour appeared before the Committee to brief it about the unemployment rate of women and young people, which is still unacceptably high.

The Department of Labour's Acting Director-General, Mr Sam Morotoba, told the Committee that the second quarter Labour Force Survey revealed that there are 4.4 million unemployed young people between the ages of 15 and 34, from a total unemployment figure of 8.3 million.

Mr Morotoba said his department, which is tasked with – among other things – ensuring decent employment through inclusive economic growth, has programmes to reduce unemployment. One such programme is the Public Employment Services, which is responsible for registering workers, providing vocational and career counselling, assessing the skills of work seekers and providing advice on education and training opportunities.

The 2014/15 first quarter report of the

Department of Labour shows that the department registered 101 851 youth, 42 380 received counselling and 15 925 were referred to employment opportunities. However, the Committee was concerned to hear that only 2 336 registered work seekers were placed in jobs.

The Department of Labour's entities, such as the Compensation Fund, also have initiatives to employ graduates as part of an internship programme to provide young people with work experience to ensure their marketability. "In this regard, the Compensation Fund will employ 500 graduates for the next five years as part of government's Medium Term Strategic Framework from 2014 to 2019," Mr Morotoba said.

On the state of women unemployment, the Director-General of the Department of Women in the Presidency, Ms Veliswa Baduza, said the rate for women unemployment remained higher than that of men and was increasing at a higher rate than the national average. She said it was concerning that out of an unemployment rate increase of 87 000, women accounted for 56 000, compared

to a 31 000 increase in the rate of unemployed men.

The Department of Women in the Presidency told the Committee that it has programmes called Techno Girl and Techno-Girl Alumni, which seek to ensure that girls have equal opportunities to excel in the fields of science, technology, engineering and maths (STEM). The programmes expose girls to opportunities by supporting them to continue their higher education studies in STEM fields and by facilitating learnerships and job placements.

Ms Baduza added that her department has a Gender Responsive Budgeting initiative, a tool through which the department will require government departments and the private sector to ensure that they budget for the empowerment of women. Government departments will be required to indicate how much of their budget is used to empower women.

Mr Thobejane said government departments tasked with ensuring the impact of such legislation ought to fast-track whatever mechanisms they have at their disposal to see more women and youth employed or becoming employers themselves. The Committee further requested these departments to provide quarterly targets to assist women and youth to become economically active. The Committee believes such targets will help them monitor initiatives and will enable the Committee to lend support where necessary. 🌟



# 'Nothing about us without us'

**Children** *learnt that Parliament is a place for considering important matters, like electing the President, passing laws and approving the Budget. Mava Lukani reports on the Children's Parliament, which was held in the parliamentary precinct.*

The Deputy Speaker of the National Assembly, Mr Lechesa Tsenoli, welcomed Members of the National Children's Parliament in October. Parliament, in partnership with the national Department of Social Development and the Nelson Mandela Children's Fund, hosted the Children's Parliament on the theme "20 years of democracy: Moving Madiba's legacy forward".

Mr Tsenoli told children about the mandate of Parliament and its independence in the South African system of government. He said Parliament exists to, among other things, pass legislation and approve the allocation of all resources before they are used by the government.

He said he was delighted to address children in their Parliament at a time when South Africa is celebrating 20 years of democracy. "Parliament of the Republic of South Africa is for all, including children. The fact that you are here as delegates representing others is concrete evidence confirming that," Mr Tsenoli said. He said the presence of children at Parliament was not a mere symbolic gesture, but a very important achievement. "Your participation in Parliament and your messages will go into the history of South Africa. Please take part in taking Madiba's legacy forward. Madiba sacrificed his childhood and adult life struggling for a better life for all, including children."

The Nelson Mandela Children's Fund's Chief Executive Officer, Ms Sibongile Mkhabela, said the National Children's

Parliament creates an opportunity for children to share their vision for South Africa. She said members are selected by their peers to represent the views of all the children from the communities they came from. She appealed to children MPs to stand up for their rights and use the platform created for them. Ms Mkhabela told children that they must take their education seriously, as it is a powerful tool for a better future and the only tool to change the world.

The hosting of the Children's Parliament creates a platform for children's participation in democracy and provides them an opportunity to influence policies as well as programmes and strategies intended to realise their rights. The organisers of the National Children's Parliament said the 120 members

were drawn from all nine provinces and each province was represented by 12 members through the Office of the Premier in each province. The Order Paper (parliamentary agenda) included education, health, security and transport.

Like the South African Parliament, the National Children's Parliament also had two Houses, the National Assembly (NA) and the National Council of Provinces (NCOP). As soon as members were sworn in, they elected parliamentary Presiding Officers. Ms Sisipho Bokwe of the Eastern Cape was elected as the Speaker of the NA and Ms Ompilelo Rathogwa of Limpopo was elected as the Chairperson of the NCOP.

One member after another complained about the lack of commitment of civil servants in public schools, clinics and hospitals. They said teachers should take the education of children seriously, and they demanded that history at schools should concentrate on South Africa and the struggle for democracy. They complained about the lack of public transport for children with disabilities, especially in the bus and taxi sectors. Their slogan for the day was "Nothing about us without us." 🇿🇦

**TOMORROW'S LEADERS:** Mr Lechesa Tsenoli with Nelson Mandela Children's Fund's Ms Sibongile Mkhabela (left) and the Minister of Social Development, Ms Bathabile Dlamini, with some of the children who attended the Children's Parliament.



# Through the lens

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**THE CHILDREN'S PARLIAMENT:** Delegates to the Children's Parliament release balloons on the steps of the National Assembly as the Deputy Speaker of the National Assembly, Mr Lechesa Tsenoli, the CEO of the Nelson Mandela Children's Fund's Ms Sibongile Mkhabela (left) and the Minister of Social Development, Ms Bathabile Dlamini (right), look on.



# Land reform has little impact on poverty alleviation

**The** *Land Reform, Agriculture and Rural Development Workshop, which was held in Johannesburg recently, was aimed at empowering Members of Parliament about the policy trajectories governing the Land Reform Act, writes Abel Mputing.*

Addressing MPs during the workshop, Prof Ben Cousins, National Research Fund Chair in Land and Agrarian Studies at the University of the Western Cape, talked about the research findings of his paper “Through a glass, darkly: towards agrarian reform in South Africa” on the outcomes of post-apartheid land reform and rural development policies. His paper is of the view that land reform has had minimal impact on poverty alleviation.

“A major development that has had a major impact on land reform is the deregulation and liberalisation of the agricultural sector. This has since modernised agriculture and as a result our agricultural sector has been

integrated into the global markets. This process includes the integration of the South African agricultural sector into the global markets, increased competition and growth of successful enterprises that supply lucrative niche markets. Success in the face of stiff competition has been secured through the management of farms as businesses and technological innovation,” he said.

But the deregulation and liberalisation has, according to him, led to a skewed class and racially biased agrarian terrain that has had a negative impact on emerging black farmers who were meant to be the primary beneficiaries of the new land reform. “The core of agrarian reform

in South Africa should be the large-scale redistribution of both land and water to a nascent class of small- to medium-scale farmers. This would be the minority of the rural population, but a sizeable one, comprising about 200 000 households, or a million people. Overall, the majority of beneficiaries of agrarian change have been the owners of large-scale commercial farming and agri-business enterprises,” he said.

Dr Stephen Greenberg, of the Institute for Poverty, Land and Agrarian Studies at the University of the Western Cape, said that although the deregulation and liberalisation of the agricultural sector was meant to enhance its competitiveness, they have created their own set of challenges that has led to a skewed structure of the agro-food system. “Since deregulation and liberalisation of agro-processing, our country’s food security has been handed over to multinational



**LAND TENURE:** Research has shown that land reform policies have not had the desired positive impact on small-scale farmers.

distinction must be drawn between restitution and redistribution. In his opinion, the willing-buyer, willing-seller principle has created a situation in which farm owners hold the government to ransom by inflating prices.

He is of the view that the land meant for restitution must be treated exceptionally and there must be expropriation where necessary because such land is meant to address historical injustices. "There is a big distinction between restitution and redistribution. In restitution, the usual scenario is that claimants are seeking the return of a particular piece of land of which they were dispossessed. In such situations, nothing like a normal, voluntary transaction is possible. The conclusion is simply that the willing buyer, willing seller principle is the wrong approach for restitution. This is not to say that expropriation should be used in all cases, but there should be far greater preparedness to use expropriation where restitution is concerned," he said.

A member of the Portfolio Committee on Agriculture, Mr Wellington Filtane, said restitution is non-negotiable and cannot be settled solely through a free-market ethos such as the willing-buyer, willing-seller principle.

Prof Ruth Hall of the Institute for Poverty, Land and Agrarian Studies at the University of the Western Cape highlighted the fact that the state approach to land redistribution has changed over the years and one of the major changes has been the introduction of state leasing policy in July 2013. One of the key milestones of the new land reform approach is that the tenants are required to either have a long-term lease, rent, conditional tenure or optional purchase and that

makes the right to land conditional and gives the state a much more powerful role in land redistribution.

"This policy introduces profound changes in tenure rights in the land redistribution programme. Now, beneficiaries of land redistribution are not to acquire ownership of land, but are instead to lease land from the state. The state is the willing buyer, purchasing farms from willing sellers. This policy has created a conditional system of tenure in which a right to land is allocated or removed by state officials. It has also created a condition in which state officials' assessment of beneficiaries' land use and production is a basis for their continued access to land. That has created inequalities in tenure rights between the poor and the well-off, with only the well-off having the opportunity to get land ownership."

The Chairperson of the Portfolio Committee on Water and Sanitation, Mr Mlungisi Johnson, said: "As Members of Parliament we value the input we got from the experts. These presentations have shown that there is a network of critical skills we can draw from to help to advance our work. These interactions should happen on a regular basis to help us in the work we do as parliamentarians."

The Chairperson of the Portfolio Committee on Rural Development and Land Reform, Ms Phumzile Ngwenya-Mabila, said the workshop had empowered MPs with various insights and perspectives on various policy positions. "We have now gained an informed insight on the effectiveness of various policy positions. After this workshop we will be in a position to consider gaps in the current agricultural policies and whether there is a need to review them to ensure that they are effective," she said. 🌱

companies such as Pioneer Foods, Mokhteshim Agan and Monsanto. This move has resulted in the buying up of local food corporations and resulted in the undermining of rural economies. Due to that, money goes to private rather than public pockets that do not have the food security agenda at heart," he said.

He believes that one of the alternatives is to come up with democratic structures to leverage the power dynamics in agri-food systems. "There is also a need to establish agri-black economic empowerment to ensure that agri-processing and its value chain is both decentralised and democratised so that our agrarian sector does not rely solely on multinational companies, as is the case now," he said.

Prof Michael Aliber of the Department of Agricultural Economics at the University of Fort Hare said a

# Committee vows to eradicate illegal mining

**The** *illegal mining activity taking place in derelict and ownerless mines in Gauteng shocked members of the Portfolio Committee on Mineral Resources, writes Justice Molafo.*

As part of its oversight work, the Committee visited the Department of Mineral Resources (DMR), the Council for Geoscience (CGS), the National House of Traditional Leaders (NHTL), the Council for Mineral Technology (Mintek) and various places where illegal mining is taking place on the West Rand and Ekurhuleni. Accompanied by officials from these organisations and from disaster management services and the South African Police Service, Committee members were shocked to see the conditions under which illegal mining occurs.

The first stop for the group was Matholaville informal settlement in Krugersdorp, where Committee members were shown how the miners search for gold. Although tedious, time-consuming and dangerous, the illegal miners are meticulous in their tasks.

They travel underground to excavate the gold-bearing rocks using hammers, chisels and torches. The rocks are then brought to the surface and crushed on concrete slabs to produce sand, which is mixed with water and discharged through a makeshift filter made from a towel to trap the gold. The towel is then removed and rinsed out in a bucket of water. After a few minutes the gold particles sink and the small particles

are then carefully separated from the sludge and harvested.

The Committee heard that the people involved in this activity are foreign nationals, mostly from Zimbabwe, Lesotho and Zambia. At one of the holes, 25-year-old Siphon Bhandu from Zimbabwe and his four colleagues got a big shock when they emerged from underground to find Committee members, DMR and CGS officials, and police waiting for them. When asked why they break the law and put their lives in danger, Mr Bhandu replied that they are unable to get formal jobs or they are paid very little for them. He also said that they spend three days at a stretch underground.

Based on observations from the walkabout, the Committee undertook to work closely with the DMR, law enforcement agencies, and other relevant departments and entities to root out the illegal mining in the country, especially in Gauteng. "We will work closely with all the stakeholders to make sure we are part of the solution and also provide advice where it is needed. However, we foresee a potential lack of resources because a force of change is often met with a force of resistance," said Mr Sahlulele Luzipo, Chairperson of the Committee.

Illegal mining leads to a number of related problems, including the

smuggling of women for sex work, selling illegal goods, and the growth of informal banking and an illegal economy. Robberies also occur when people who go underground are robbed of their collected rocks at gun point when they come out of the mine.

The Committee also visited the site where 25 illegal miners died earlier this year when a makeshift shaft collapsed. Mr Luzipo said the Committee would investigate the social impact illegal mining has on surrounding communities in order to find a lasting solution.

The Committee visited the CGS, which is suffering from budget constraints that are having an impact on research. The Committee agreed to investigate the funding issue as it is important to have reliable data analysis of soil, rock and mineral formations, and the impact of acid mine drainage.

The Committee also met with the NHTL, during which the NHTL Chairperson, Kgosi Phopolo Pontsho Maubane, appealed to the Committee to draft legislation to ensure mining companies give shares to communities in which they operate, instead of only providing jobs. The NHTL also raised the issue of housing, local beneficiation, bursaries and office space as they are sharing offices with the Department of Cooperative Governance and Traditional Affairs. Mr Luzipo said the Committee will work closely with the NHTL sub-committee responsible for the mining sector. 🌍



## Tighter legislation needed for boxing and soccer

**The** Portfolio Committee on Sport and Recreation met with stakeholders representing soccer and boxing to find out more about the state of both sporting codes, writes **Elijah Moholola**.

The need for the Committee to review the legislation arose out of two separate briefing meetings the Committee had with the Department of Sport and Recreation recently. In the first meeting, during which the Minister of Sport and Recreation, Mr Fikile Mbalula, provided the Committee with an update on the ongoing Federation of International Football Associations (Fifa) investigation into match-fixing, it became clear that there is a need for legislation to be strengthened in order for the Committee to deal adequately with matters relating to international sporting federations.

In the second meeting, Boxing South Africa (BSA) told the Committee that the Boxing Act was a stumbling block in its efforts to be financially self-sustaining.

Following a briefing by Mr Mbalula on the match-fixing investigation into Bafana Bafana matches before the 2010 Soccer World Cup, the Committee considered the idea of legislation that would give Parliament "teeth" so that its interventions are not regarded as interference. The Committee Chairperson, Ms Beauty Dlulane, expressed concern that since Fifa announced its investigation, South Africa could not implement its own plan for an inquiry and there had been no update on the investigation nor an indication of when it would be completed.

Ms Dlulane said: "In some countries they are changing their match-fixing

legislation. Can't we come up with legislation in order to have teeth? We must not allow people to say government is interfering when we are dealing with matters affecting our own country."

Mr Mbalula said any efforts to deal with match-fixing were restricted by the fact that should government take any steps, it might be regarded by Fifa as interference. He told the Committee that Fifa is strongly opposed to government interference and that the South African Football Association risked suspension if Fifa thought the South African government was interfering in its affairs.

As the matter has dragged on for almost two years, the Committee requested Mr Mbalula to approach Fifa to find out more about when the investigation would be concluded. Mr Mbalula assured the Committee that he was committed to dealing with the problem, adding that the government's next step would be determined by the outcome of the Fifa investigation once it had been concluded.

In the meeting with BSA, the Committee heard that the Boxing Act had been a stumbling block in the advancement of the sport and that BSA has been in an unstable financial situation since the Boxing Act was passed in 2001. BSA has also said that the regulations must distinguish between a boxing regulatory body and an implementation

wing, which can focus on running the organisation.

BSA Chairperson Ms Ntambi Ravele said: "The way the Act is formulated affects how we develop strategies to increase our revenue. We are trying to come up with new ways of ensuring that we don't rely on government funding, but we are limited by the Act."

Ms Ravele told the Committee that the Department of Sport and Recreation was reviewing BSA's budget. "The money we receive from National Treasury is not even half of what we require," she explained. She said that BSA needed about R42m to run effectively. She asked for the Committee's support on this matter but Ms Dlulane told BSA it must manage its finances properly before it can expect the Committee's support.

The Committee heard that the department has seconded members of staff to BSA as it has a problem with a lack of staff capacity. Ms Dlulane responded: "How can you employ people without capacity? It is an embarrassment that we can have people seconded because those who must look after our finances are not capacitated," she said.

Ms Ravele explained that the new board had conducted a performance analysis of all employees and would follow that up with a skills audit. She also asked the Committee to assist BSA with the South African Broadcasting Corporation (SABC) TV blackout, which has resulted in boxing not being broadcast on TV by the SABC for almost four years. 🌐

# ‘Education is the key to success’

Protests in Kuruman region put children’s future at risk

Following *four months of disturbances at schools in the Joe Morolong District in the Northern Cape, the Portfolio Committee on Basic Education visited the area on a fact-finding visit, writes Sibongile Maputi.*

The Committee heard that nothing could be salvaged from what is left of the 2014 educational year, and angry community members painted a gloomy picture of a wasted year and “the root cause” of the four-month-long disruption to schooling – a tarred road.

The Portfolio Committee on Basic Education was told that for a number of years, the people of Kuruman in the Joe Morolong District had been promised a tarred road, but this had never materialised, which was the reason for their protest.

The Chairperson of the Committee, Ms Nomalungelo Gina, said much had been said about the road and the Committee wanted to see and engage with the people on the challenges they face and the sort of assistance that could be given.

The Road Forum – an organisation at the centre of the school disruptions – traced the issue back to the time when Kuruman straddled two provinces. It was never clear which province’s officials should provide services to the area. This led to many projects, including the road, that were promised during the time when Mr Popo Molefe was North West premier, never being completed.

A representative of the Road Forum, Mr Lebogang Batshabane, told the Committee that the challenge was

no longer the road, but the delivery challenges the absence of the road posed to the community. “Teachers are resigning *en masse* from this area. Ambulances cannot access the area. Those who can afford it take their children out of schools in Kuruman and then schools struggle with low student numbers,” he said.

Mr Batshabane also spoke about the tensions around the shortage of water. “The villages in Henningsvlei have been ignored for too long. No one provides services. The place is like a no-man’s land. Leaders make promises without fulfilling them. If they are not going to keep promises, they should not make them. It is only when people vandalise that government listens,” he said.

“A year wasted is a lot of time. Officials and communities should take this into consideration and put the interests of the learners first,” Ms Gina said. “Education is the key to success. In no way should South Africa compromise the education and the future of our children. This has got to be the goal of everyone and we should work together,” she said. She told parents to put their children’s education before anything else.

The Northern Cape Head of Department, Mr Tshepo Pharasi, said communities around Kuruman should



“just accept” that they have wasted a year of their children’s education. He said nothing could be done in the fourth term, which is not spent on teaching but on the consolidation of marks and the completion of tasks that had accumulated in previous terms. He said there had been no contact between learners and educators for three months.

“The Grade 12 learners [412 in total] will not be allowed to write the December exams, but will do supplementary exams in March. The Minister, Ms Angie Motshekga, has allowed a concession that learners will be allowed to write supplementary exams in March without the year marks,” Mr Pharasi said.

Committee member Ms Nthibane Mokoto asked if this supplementary examination arrangement had been communicated to the examination board, uMalusi, and also if the paid overtime for teachers preparing the students for the March exams had been budgeted for. “This arrangement has got to be comprehensive. We





**VANDALISM:** Basic Education Committee member Ms Mgmanamakwette Mashabela inspects a burnt classroom at Ditshibeng Primary School in Kuruman, which was among those vandalised during a four-month-long protest.

must also ensure that it will not affect the children when they apply to universities. Another aspect that has to be looked at is the cost implications that the provincial department will have to incur," she said.

Committee member Ms Annette Lovemore said she did not accept any reason offered by the Road Forum for keeping children out of school. "This is unacceptable," Ms Lovemore said. She asked the representative if he was suggesting that if water was not supplied, children would be out of school again. "The simmering tensions around water sound like more of a threat. School disruptions appear to be a habit in this district and have to be stopped, but this will only happen when the instigators are in jail. Why did the department not take action immediately when this happened in June?" she asked.

Committee member Mr Hlamalani Khosa said this was a difficult situation, as it involved children who did not want to be on the streets, but were rather thrown onto the streets by their

parents. "Our concern should be the children. The teachers say that they are ready with catch-up programmes and they should be given the benefit of the doubt when it comes to finishing off the curriculum," Mr Khosa said.

Mr Pharasi said the department will do its best to support the learners. "Our responsibility is to the learners. Somebody decided that a road was important to the future of these children. Children should go to school every day and parents should take responsibility for ensuring that this happens, so that the department can provide education as per its constitutional mandate," he said.

The traditional authorities in the area said they had met with the Northern Cape Premier, Ms Sylvia Lucas, to discuss the impact the community protests are having on children. They said it was worrying that the community was forced to protest before the government took any notice of their plight.

Organised labour, represented by the

South African Democratic Teachers' Union, the National Professional Teachers' Organisation of South Africa, Suid Afrikanse Onderwysers' Unie and the South African Principals' Association, was unanimous that the best approach would be to allow learners to repeat the year to make up for any gaps in their knowledge. Labour representatives were unhappy that learners had been used as tools of protest, and on matters that lay outside the Department of Education's mandate. They also said that catch-up lessons will mean that few students will pass, given the amount of work that will have to be done.

Ms Gina said the Committee believed that those who had vandalised schools should be prosecuted and she called for the police to arrest those responsible. She welcomed the Road Forum's commitment to assist with recovery programmes, and the fact that it distanced itself from acts of vandalism at schools. "All the input will be included in the Committee's report that will be shared with all stakeholders," she said. 🌍



**FORCE FOR CHANGE:** The Portfolio Committee on Higher Education and Training is investigating transformation at technical training colleges.

# Institution told to prioritise transformation

**The** *Portfolio Committee on Higher Education and Training visited the North West Province to assess the pace of transformation at North West University (NWU) and also discovered security and student financial aid challenges at Vuselela Technical and Vocational Education and Training (TVET) College, writes Elijah Moholola.*

The Committee met with the NWU Council and management in Potchefstroom and with the Vuselela TVET College leadership in Klerksdorp

as part of its oversight work. Following the meeting at NWU, the Committee said the institution must prioritise transformation and also

that it needed to operate under one management. The Committee further stated that the university must protect human rights and tighten measures to curb incidents of racism.

Committee Chairperson Ms Yvonne Phosa said all stakeholders must work together to ensure that education – which is one of President Jacob Zuma’s apex priorities – improves

during the second phase of transition. "We are now in the fifth Parliament. The period between 2009 and 2014 marked the first phase of transition and we, in the fifth Parliament, are in the second phase. At the centre of this phase is the radical transformation of the socio-economic situation of our country and education is at the centre of this transformation," she explained.

The Committee was concerned that the NWU has 74 000 students enrolled at its Potchefstroom, Mafikeng and Vaal campuses, but they are not centrally managed. "We must be honest enough to admit that the federal model of management has not been in the best interests of the country. If we do not support a move from a federal system to one university, it will be a recipe for disaster. We are saying no to the federal model and strongly support a unified university," Ms Phosa said.

The Committee agreed that some progress had been made since the merger of Potchefstroom and North West universities in 2004. "From our point of view, it is clear that the university has come a long way, but I am sure you will agree that there is still a long way to go," Ms Phosa said.

She said the university needed to change its culture and leadership to become an institution that embraces diversity and upholds the human rights of all students, irrespective of their colour or religion. She further made it clear that all initiation practices at the university must end immediately. A student, Thabang Makhoang, died in 2012 as a result of these practices. "It is clear that initiation practices are still happening and the Portfolio Committee cannot accept that even though policies are

in place, incidents still occur. This makes us question the value of the policies," Ms Phosa said.

The Chairperson of the NWU Council, Prof Fika van Rensburg, briefed the Committee about a report to the Minister of Higher Education and Training, Mr Blade Nzimande, following an investigation into alleged Nazism on campus. Prof Van Rensburg said an independent task team investigated the matter, however, he said the report was confidential as the claims made in it had not been cross-examined. He assured the Committee that the university has "resolved that it will not tolerate any infringement of human rights".

During the meeting with Vuselela TVET College in Klerksdorp, the lack of security on campus and the allocation of National Student Financial Aid Scheme (NSFAS) funds to students were the main concerns.

The Committee heard about groups of up to 100 armed robbers raiding the campus up to six times a month and stealing equipment with an estimated value of R500 000 on average. The burglars also helped themselves to students' personal belongings and two female students had been raped.

The Committee considered measures to curb crime, including improving the provision of security by using the police or army and moving the campus to a safer location. Ms Phosa said: "There has to be a plan on security at the campus because government assets have to be protected. If we say the campus has to move, but no building has been identified, it will be like solving a problem with a problem. The college has to come up with the best solution for the institution and the students, and it must ensure the protection of

students, the building, the equipment and security guards."

Ms Phosa added that the Department of Higher Education and Training, which was represented at the meeting, must attend to the problem of crime on campus and then provide the Committee with a report outlining how it had dealt with the matter.

On the issue of the allocation of NSFAS funds, NSFAS officials explained that there is a problem with the claims process at the college. However, college management argued that the challenge lay with the new regulations governing allowances. For example, the regulations stipulate that students residing within a 10km radius of campus are not eligible for transport allowances, but those who live within a 40km radius did not qualify for accommodation funds.

The Committee was unhappy that key senior positions at the institution – the Deputy Principal and Chief Financial Officer – were vacant.

The College's Principal, Ms Ann Naik, said the visit demonstrated the Committee's interest in how TVET colleges are being managed. "It also shows that you are going to assist me in how this college is managed. I have inherited lots of challenges, but I am confident that with the assistance of all stakeholders we can turn this college around," she said.

Vuselela is one of the three TVET colleges in the North West Province and has 8 151 students enrolled at five campuses in Jouberton, Klerksdorp, Matlosana, Potchefstroom and Taung. It was established in 2002 as a result of a merger of four technical colleges. 🌍

# Stricter gun controls to reduce violent crimes

**The** *manner in which gun licensing is managed and controlled in South Africa has a direct impact on the number of violent crimes committed, the Portfolio Committee on Police has said, Temba Gubula reports.*

“Most of the violent crimes and deaths in our country are gun-related. We often hear of people, including the police, being shot dead by culprits who are not licensed to own firearms,” the Committee Chairperson, Mr Francois Beukman, said.

There are 1.7 million firearm owners in South Africa and it is the responsibility of the Central Firearm Registry (CFR) to manage them. However, the Portfolio Committee is concerned that of the 49 046 licences due for renewal in the 2012/13 financial year, only 28 975 renewal applications were received. Committee researcher Mr Thembani Mbadlanyana said gun owners in South Africa were given five years, from January 2005 to the end of 2009, in order to relicence or surrender their guns, but only 180 000 had been surrendered by the end of 2009 whereas the South African Police Service (SAPS) reported to have processed 1 048 341 firearm applications between November 2010 and August 2011.

Part of the problem is the lack of leadership and poor control mechanisms at the CFR section of the SAPS. The CFR was established to, among other things, ensure that potential gun licence holders are subjected to background checks to confirm that an individual is a “fit and proper person” to possess a gun.

The Firearms Control Act is intended

to regulate the ownership of firearms by civilians and to provide a record of who owns what weapon and for which purpose. However, the SAPS could not tell the Committee how many people own illegal firearms or how it plans to manage the problem. Furthermore, the Committee was dissatisfied with the SAPS’ plan to trace firearms used in criminal activities and concerned about inefficiencies at the CFR and the allegations of corruption against three senior members of staff, who have been arrested on gun-related corruption charges.

Mr Beukman said the Committee has a duty to ensure South Africa has a stringent firearms control management. “Here I am talking about a need for a reliable database and effective IT management systems, but systems alone will not do the job. It is important to exclude senior management members whose integrity is questionable and replace them with officers who have integrity that is beyond reproach,” Mr Beukman said.

The Committee has also called on the SAPS as a matter of urgency to integrate its systems to ensure that information from different divisions within the SAPS is linked to the CFR so that people are not given a gun licence in error. “It is worrying that SAPS has not yet fused the databases as per the 1969 legislation with the current one. We are also concerned that the issue of gun licence holders in the then TBVC

states (Transkei, Bophuthatswana, Venda and Ciskei) has not been sorted out. The SAPS needs to tell us when this will be done, because people abuse these fragmented systems and the lack of an integrated database management to apply for firearms in different provinces,” he added.

According to SAPS’ Deputy National Commissioner, General Khehla Sithole, the challenges facing the CFR date to 2012. He told the Committee that SAPS has a turnaround strategy in place to deal with the challenges. “We started to implement our turnaround strategy in June 2013 and we are beginning to see results. We also believe this strategy will improve how the CFR office is run.” General Sithole said they are now able to process licence applications within the 90 days allocated by law. He also said the SAPS has taken steps to address corrupt elements at the CFR.

The SAPS has yet to show the Committee its turnaround strategy, so the Committee gave it three weeks to do so and also said the strategy must have clear time frames and budgetary commitments. “We will support any measure geared towards an effective firearms control mechanism, as we strongly believe it will cut down the number of violent crimes in our communities. But such measures must be timed and clear in terms of how much money it will cost to implement them,” Mr Beukman said.





DFO is promoted or leaves the service.

Another concern the Committee wanted addressed was the legislative gaps hindering SAPS from ensuring proper control of firearms. To this end, the Committee gave the Secretariat for Police three weeks to table before it a list of all legislative gaps hindering the effective management of gun control in South Africa.

The Committee was also concerned about the functioning of the Firearms Appeals Board, which is responsible for considering appeals against decisions to grant a firearm licence. The Chairperson of the Firearms Appeals Board, Mr Patrick Mongwe, said the Act requires the board to have five members, but this had not been the case since 2010. "To form a quorum, we have to be three members, but sometimes when one of us is unavailable we are unable to make decisions. Had we had five members, we would make a quorum even if one or two of us could not attend," Mr Mongwe explained.

Turning to the issue of vetting of SAPS senior members, the Committee found it unacceptable that some regional commanders had not yet been vetted. The Committee resolved to call the Head of Crime Intelligence to appear before it to explain the delay. Mr Beukman said security clearances should be prioritised to dispel allegations of corruption and also, more importantly, because this was the only way members of the public could have confidence in the SAPS and its leadership. 🇿🇦

The Committee also visited the CFR offices and the Sunnyside and Mamelodi police stations in Pretoria. During the visit to the CFR offices, Section Commanders representing provinces told the Committee that gun control and licensing at the CFR were hampered by poor IT systems, a lack of equipment, inadequate office space, and a shortage of manpower.

The Committee called for the position of head of the CFR and all other vacant posts to be filled as soon as possible to address leadership challenges at the CFR. Currently, it has an acting head. "The position of the head, in any institution, plays a key role in bringing stability and ensuring that all operations flow in the right manner," Mr Beukman said.

The Committee was also appalled at the condition of the CFR building and said it would raise the issue with the National Police Commissioner. "The current CFR building has files stacked along corridors and this makes the building a fire hazard. Something needs to be done with this building. Its condition is not ideal for such a critical function," Mr Beukman said.

Committee members also wanted the SAPS to prioritise the training of designated firearms officers (DFOs), who would be able to capture firearm applications and related matters in an accurate and reliable manner. The Committee said the SAPS should also have a contingency plan to ensure that the process of controlling firearms at a station level is not hindered when a

## MAHATMA GANDHI MEMOIR



## A community in Inanda lives in fear of rats and snakes

**Members** of Parliament used the recent constituency period to talk to people living in struggling, rat-infested communities in KwaZulu-Natal to hear about their challenges and successes. Cedric Mboya and Sakhile Mokoena travelled with them.

Seventy seven-year-old Ms Thoko Mavundla's toe is scarred and disfigured, thanks to a rat bite. Ms Mavundla is from Inanda near Durban

in KwaZulu-Natal. She lives in a section of Inanda where residents claim they are being terrorised by rats and snakes due to the alleged inability

or reluctance on the part of the eThekweni Metropolitan Municipality to clean up the place. "We are sick and tired of huge rats. Even cats are afraid of these rats," Ms Mavundla said. The rat attack came a few years ago when she was asleep – the rat sneaked into her blankets and started chewing on her toe.

Other residents in Ms Mavundla's



**PATIENTS FIRST:** ANC MP Mr Omie Singh (centre left) has promised to help the overburdened Mahatma Gandhi Memorial Hospital in Durban with its staffing shortages.

in the bush near the canal. Some residents claim the animal is preying on their chickens.

Miss Zinhle Nzama (14) told *InSession* that living near the dirty canal is a health hazard. "It is stinking here. We see and run away from snakes almost every day. Children are not safe at all," Miss Nzama said.

Some of the houses in the area have large cracks in the walls, due to the damp nature of the area and residents fear that one day their houses will simply collapse.

Section C in Inanda has similar issues, although here it is the sewerage system that is problematic. One house has waste water collecting on the premises and the family said that this is threatening the life of their three-year-old child, who had to seek urgent medical attention after catching an infection from the waste water. The child developed sores on his head, which went septic. "He almost died," said the child's father, Mr S'phamandla Sokhabaze.

neighbourhood corroborate her claims of a rat infestation. *InSession* also saw a big rat when it accompanied Economic Freedom Fighters' MP Ms Sibongile Khawula as she conducted her constituency work in the Inanda area. The source of the snakes, rats and mosquitoes is a smelly, dirty canal that runs near the houses.

"We have a big problem with snakes getting into our houses. Just recently we killed a black snake in our house and we have seen other snakes as well. Just the other day a dog was bitten by a snake. It fortunately survived," said a young mother, Ms Thembekile Hamode, who lives

in the house with her children aged 13, six and a two-month-old baby. Mosquitoes are also a problem.

Other residents complained about the lack of electricity and water and say they have to use pit toilets as they have no proper ablution facilities. One resident, Ms Thandazile Sithole, said she had raised the issue of the dirty canal with her local councillor, but nothing had been done. "That river has all types of animals, and people dump things there illegally. The whole thing endangers the lives of our children," Ms Sithole said. She added that there were rumours that there is a huge snake, possibly a rock python, living

Residents did not mince their words when talking to Ms Khawula. A walk around the section revealed more dirty pathways and an almost unbearable stench hung in the air. "Our children get sick all the time here. Our municipality created some of these little canals, which are now neglected. There is urine, vomit and all sorts of stuff here," said one resident, Mr Elias Gumede.

From Inanda, Ms Khawula visited Waterloo and Frazer informal settlements near Tongaat. The residents of Waterloo are unhappy because the taxi rank has no toilets, water or electricity. Residents of Frazer complain that they are neglected and

also have no water and electricity.

A family of seven lives in a one-room shack: "There is no development here. There are no jobs here. Life is difficult. We are poverty-stricken," said family member Ms Thabiso Ntuli (24).

Ms Khawula said she would continue to champion the rights of these communities and seek solutions to their challenges and problems in Parliament.

In another development, the intervention of an MP has given hope to the residents of Phoenix and surrounding areas in Durban. African National Congress MP Mr Omie Singh pledged to assist the overburdened Mahatma Gandhi Memorial Hospital to address its problems with staff shortages.

Mr Singh visited the hospital during his constituency work period. The chief executive officer (CEO) of the Port Shepstone Regional Hospital, Mr Bigboy Khawula, is currently the acting CEO of Mahatma Gandhi Memorial Hospital. He has been entrusted with the task of bringing stability to the hospital. According to Mr Khawula, the hospital is battling staff shortages, patient congestion and patients who bypass their clinics or healthcare facilities to come straight to the hospital for treatment. "We have come up with a project to make the hospital less congested. We also have financial constraints," Mr Khawula said.

He said he had asked the provincial Department of Health to give him 23 professional nurses, 14 staff nurses and 12 nursing assistants. He also needs more doctors to help the "overworked ones" he has. The hospital has been without a CEO, nursing manager and human resources

manager since last year. These vacant critical posts have created a serious vacuum in senior management and staff morale is very low.

The challenges facing the hospital notwithstanding, Mr Khawula made it clear that ill-treatment of patients would never be tolerated. "Our patients come first," he told Mr Singh. He pleaded with Mr Singh to encourage the public to use their nearby hospitals or clinics. The hospital, which was initially designed as a district hospital (not a regional one), is also struggling with infrastructure shortages.

Mr Singh, who campaigned for the construction of the hospital in the late '80s, has committed himself to helping the hospital solve its problems. Mr Singh stressed that his visit to the hospital was not a witch-hunt, but aimed at helping the hospital to better serve the people. He said the situation of people acting in senior positions for a long time is undesirable.

Mr Singh then attended a street meeting in Keyford, Phoenix. The Keyford community is up in arms over the sale of a public pathway to a private individual by the eThekweni Metropolitan Municipality. The pathway connects the community to the main road and a bus stop. At the request of Mr Singh, two officials from the eThekweni Metro attended the meeting. The two officials assured the community that the public pathway sale would be reversed through the process of retrospective acquisition. Mr Singh said he was pleased with the outcome.

From Keyford, it was off to another part of Phoenix to inspect council flats, which are being upgraded. According to local (ward) councillor

Ms Mypet Bhengu, the City has set aside R239m for the upgrade of these flats. Residents of the flats told Mr Singh that they were satisfied with the refurbishment process so far.

Meanwhile, the leader of Agang SA, Mr Andries Tlouamma, also visited his constituency to listen to the concerns of the people in his constituency and share with them his response strategy, **Sakhile Mokoena** reported.

Very near the leafy suburbs of Fourways and Sunninghill in the north of Johannesburg, lies the poverty and underdevelopment of Diepsloot. The smell of poverty and suffering fills the air in the densely populated shack community.

As Mr Tlouamma embarked on a walkabout in Diepsloot, he met a group of young men who were gathered for a game of dice in front of an old collapsing shack and further down the street next to one of the few public toilets another group was playing cards and sharing a jug of black tea when Mr Tlouamma stopped to greet them. "There is nothing to do here. We just sit here all day playing cards until the sun sets and we go back to our shacks," one of the men told Mr Tlouamma.

Every street has two sets of toilets with a water tap on the outside for washing hands and drinking water, but there is no electricity and criminals, and rats, rule the streets at night, making people scared to use the street toilets. Because of the lack of electricity, criminals make use of the dark and target people coming home from work or going to the toilets. Women, children and the elderly cannot go to the toilets at night and most use buckets which they empty in the mornings.





**HEALTH HAZARD:** EFF MP Ms Sibongile Khawula inspects one of the dirty canals that the residents of Inanda in KwaZulu-Natal blame for the rats that terrorise the neighbourhood.

“The rats run all over us, eat our food and bite us in our sleep. A child died after she was bitten by rats last year. It is not safe here,” one man said.

Rats are not only a problem in Diepsloot. Most townships have the same problem and the City of Johannesburg has tried many interventions, the latest of which makes use of owls.

Mr Tlouamma, accompanied by a few young men in green Agang SA T-shirts, visited Ms Vina Mali in the small shack she shares with her two daughters and grandchildren. “We have been on the waiting list for a house since 2003 and nothing seems to come up. We are starting to lose hope now,” she said.

Ms Mali said two of her grandchildren, aged two and three, died in 2013

after they were sexually molested and murdered by a member of the community. “Agang SA bought the coffins and assisted us in burying the children because we did not have any means. We are very grateful,” she said.

Mr Tlouamma said one of the main areas of focus of his party during this parliamentary term is to make sure that the government improves the living conditions of shack dwellers and eradicates informal settlements. “This is not how our people are supposed to live. The success of this government must be measured by its ability to eradicate shacks,” Mr Tlouamma said.

In a meeting with the Sikhukhuni Street Community, the Chairperson, Mr Steven Mathebula, told Mr Tlouamma about the worrying trend

of community leaders in the informal settlements who, after they are elected to be councillors by shack dwellers, abandon the community that voted for them to live in the suburbs.

Mr Tlouamma promised to write to the Mayor of Johannesburg, Mr Parks Tau, to ask him to ensure that councillors are held accountable. It is not all gloom and doom though. Mr Mathebula appreciated the fact that the community has enough schools for all grades. “Our children are growing up in poverty with no recreation facilities, but we are happy that they are getting education which is going to rescue them from these living conditions,” he said. The community is appealing to the City of Johannesburg to allocate stands on the open land next to Diepsloot to ease the overcrowding. 🙏

# Imagining a new world for children

**Poverty** *is a naked concept. For the individual it exposes our vulnerabilities; as a collective, it reveals our failure as human beings to care for each other. Poverty among children is an even greater travesty; it is confirmation that a nation has failed in its endeavour to look beyond its present to the future. This is the fifth in an on-going series in InSession on the Chapter Nine Institutions. This one focuses on the South African Human Rights Commission (SAHRC).*

The African-American poet, Alice Walker, in her poem describing her childhood, wrote, "It does not comfort me now to hear the poor we shall have with us always ... just as it failed to comfort me when I was poor."

When the National Development Plan (NDP) was released in August 2012, it told a familiar story about the status and well-being of children. In colours of black, white and grey, the visual that the story conveyed was that of a black African child, barely clothed, emaciated, living without parents and having no dreams of a future. The NDP confirmed that 67% of children compared to 54% of adults are defined as poor. For black children, poverty is at 87% compared to 10% for white children.

The policy imperative that will tell a new story for all children in South Africa is that of a coordinated social welfare system. Similarly, research undertaken for the SAHRC and documented in the report "Poverty Traps and Social Exclusion Among Children in South Africa" 2014, proposes a key recommendation focusing on an improvement in social

delivery system. The report forms the basis of this article.

At national human rights institutions (NHRIs) such as the SAHRC, competencies include, among other things, the preparation of reports on specific national matters. This competency is found in the founding international guidelines for the establishment and functioning of NHRIs which are known as the Paris Principles of 1993.

The SAHRC interpretation of this competency is contained in its founding legislative and constitutional mandate – that the SAHRC must conduct research and report on the observance of human rights. Under the focus area of children and basic education, which is led by the SAHRC Commissioner Ms Lindiwe Mokate, the Poverty Traps Report demonstrates compliance with international standards as well as national standards articulated in constitutional and legislative provisions.

The Poverty Traps Report was launched in June 2014 during the country's celebration and observance



of Youth Month. The report is based on research co-funded by the SAHRC and the United Nations Children's Fund (Unicef) into poverty traps and social exclusion among children. The collaboration between the SAHRC and Unicef is based on the work of Unicef in researching the status of children in South Africa. The Unicef study in 2011 – "South Africa's Children: A Review of Equity and Child Rights" – supports the NDP's finding of poverty levels among children.

The SAHRC and Unicef collaboration also included the development of the SAHRC's Charter of Children's Basic Education Rights, 2012. The charter reiterates that pro-poor funding policies, such as "no-fees schools", contribute towards making education



more accessible. Education for children is one method that reduces poverty levels.

Conceptually, the Poverty Traps Report frames the issue of poverty traps as “any self-reinforcing mechanism which causes poverty to persist” and it is distinctive from chronic poverty. The difference between poverty traps and chronic poverty lies in the mechanism that causes and sustains entrapment. The mechanisms, whether at a macro (for example a country’s economy) or micro (for example an individual, community, etc) level, keep individuals trapped in poverty.

The Poverty Report focuses on the micro level; exploring factors such as health, education, wealth and

assets, social networks and family and geography which, through policy interventions, can free children from poverty traps.

The concept of social exclusion among children is understood, in the Poverty Traps Report, as “feeling disconnected from broader society and manifests as non-participation in various activities which children from wealthier homes are able to partake in”. Social exclusion would explain why individuals who are born into poverty remain trapped in it because they lack the ability to engage in the labour market. Social exclusion as a mechanism violates the principle of equality of opportunity through marginalisation and discrimination.

The context that informed the SAHRC’s research into poverty traps and social exclusion among children, outside of the SAHRC fulfilment of its mandate, and further, in response to the appalling violations of children’s rights, was the need for the SAHRC as an institution supporting constitutional democracy to engage with the NDP. The NDP recognises that “policies that affect the lives of citizens should be planned with a full understanding of the linkages and how they will affect daily lives now and in the future”. The Poverty Traps Report contributes towards a deeper understanding of how poverty traps and social exclusion among children must be addressed through coordinated and more efficient social development services for children. This essentially is the mandated work of the SAHRC. 🌍



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