



BUDGET VOTE SPEECH BY

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Cape Town, April 21, 2016

***THEME: BUILDING A UNITED FRONT TO HELP AND PROTECT
COMMUNITIES***

House Chair

Honourable members

MECs from different provinces

The Acting National Commissioner Lt Gen Phahlane and your management team

The Head of DPCI Lt General Ntshemza and your management team

The Acting Executive Director of IPID Mr Kgamanyane

The Acting Secretariat for Police Mr Rapea

The Chairperson of the PSIRA Board Mr Mongwe

The Director and Chairperson of the Firearms Appeal Board

Members of the South African Police Services

Esteemed guests

Fellow South Africans

Somewhere in the beautiful, vast landscape of KwaMhlabuyalingana, stays a granny, a lone defenseless granny whose only hope for protection, as it seems, lies in her God. She lives with the beautiful memories of her little daughter, who like many others, went to seek her fortunes in the cities. Today, her daughter works as a teacher in Durban eThekweni and resides at the very popular township of KwaMashu. UGogo does have beautiful recollections of her grandchildren, one of whom is a graduate of law and is serving articles at a popular law firm in Sandton, closer to her uncle, uMalume, gogo's second born son, who himself runs a small business on the busy streets of the theater of a workman's dreams, Johannesburg.

Although this family is scattered in the country, there are two very important threads that continue to bond them together. Firstly, it is their blood. Secondly, and similarly quite importantly, the fact that they are under the care and protection of a government that cares.

We also tell a story of how Lucinda Evans and her neighbours in Lavender Hills, Cape Flats always dreaded the onset of the festive season. After all, it is at this time that the gang wars are at their worst; when the already compromised quality of life deteriorates even further. The easy access to alcohol and drugs accentuates the social crimes.

December 2015 was no different. Or so they thought. They braced themselves for another un-festive season. But their fears did not materialize. Instead, a different war played out; a war for good.

Police patrols took over the streets making it possible for women and children to walk with less trepidation; children, for a change, took full advantage of the glorious summer and played, as children should; with gay abandon. Gangsters were put on notice. Drug dealers and peddlers lost ground. Other criminal elements that looked forward to taking advantage of the season suddenly found themselves having to deal with the law enforcement officers who were out in full force. A sense of tentative peace engulfed the community.

In response, Lucinda and her friends turned their efforts at making the lives of the officers on duty easier. They opened their hearts and pooled together their resources to serve warm

meals to officers keeping their neighbourhoods safe at night. The community made sure that they gave police all the support they needed for effective policing to happen. This is the story of a community and their police.

This Budget Vote is dedicated to all the Lucindas of the world, the unsung heroes and heroines for playing their part expecting no reward or favour for doing what they believe is right.

We are government that heeds the cries and calls for transformation, for safety, and quite simply, for the creation of a more habitable South Africa. A South Africa envisioned by the pioneers of our constitutional democracy which we so value.

House Chair, it is simple stories such as these that give us the urge and strength to go head on against the triple challenges of inequality, poverty and unemployment. It is success stories and stories of the pursuit of happiness by ordinary South Africans, living simple lives that propel us dedicate our lives, to invest our time and indeed deeply apply our minds, to create policy and legislative solutions, clear and practical strategies that seek to create a better life for all.

In the most recent weeks we have successfully stabilized the Northern Areas of Port Elizabeth, through Operation Lockdown. Communities are beginning to tell us that they are now able to sleep at night without fear.

We arrested, in a matter of hours, the murderers who butchered a whole family in Emabheleni, Port Shepstone. Those killers are behind bars as we speak. So are the drug

dealers and their acolytes. Drug dealers are caught daily in our airports and ports of entries.

These successes are beginning to turn the tide and there is a positive vibe, which is beginning to be felt and affect all our citizens.

It is these stories, that continuously rejuvenate our commitment towards realising the National Development Plan, a plan that today has improved the livelihood of many South Africans and those who peacefully live with us. In fact, I agree with Johan Burger of the Institute for Security Studies when he suggests that “the NDP is potentially the most important government policy directive in recent years which if implemented, could see dramatic improvements not only in policing but throughout government.

We are convinced that the NDP speaks to the very social moral fibre of our society, what we as Africans call *Ubuntu*.

The NDP besides emphatic recommendations that the SAPS be demilitarised as soon as possible, it also suggests that there be a review on the organisational cultural reform of the police, with a thorough assessment of the effects of militarisation, demilitarisation, and remilitarisation. These recommendations are in fact in line with the notion that one of the most important facets of law enforcement is the treatment of citizens with utmost dignity; indeed in agreement with the great theorist and historian, Michel Foucault in his book *Discipline and Punish* when he suggests that: ***“[t]he need for punishment without torture was first formulated as a need to recognize the***

humanity of the criminal. Man became the legal limit of power, beyond which it (power) could not act.” This immediately reminds me of the Constitutional courts findings in the case of *State v Makwanyane*, which abolished the death sentence. Here, the learned judge emphasised the importance of the rights to life and dignity, declaring them as the most important of all the rights in the constitution. Even further, the court emphasised, as was put by Justice Ackermann, that

“We have moved from a past characterised by much which was arbitrary and unequal in the operation of the law to a present and a future in a constitutional state where state action must be such that it is capable of being analysed and justified rationally.”

The learned judge correctly cites the well published Prof. Etienne Mureinik who himself suggests that;

"If the new Constitution is a bridge away from a culture of authority, it is clear what it must be a bridge to. It must lead to a culture of justification—a culture in which every exercise of power is expected to be justified.... If the Constitution is to be a bridge in this direction, it is plain that the Bill of Rights must be its chief strut."

House Chair, the police have a duty to do not only to fully adhere to the Bill of rights but to also formulate policies that are infused with Constitutionalism and to conduct themselves, in their much sacred duties, in the manner that they showcase nothing less than an embodiment of the spirit of *Ubuntu*.

It is from that premise that our police service continues to make gogo feel safer in the deep rural areas of KwaMhlabuyalingana, that we ensure visible policing, establish specialised crime units to fight crime and create a safer township in Northern Areas of Port Elizabeth and in other places. We present this Budget Vote a lot more optimistic that the future we seek for our children and their children is attainable. Whether it is in the Cape Flats in the Western Cape or Matatiele in the Eastern Cape; whether in Lebowakgomo in Limpopo or Itsoseng in North West; whether it is in Koffiefontein in Free State or Carnavon in the Northern Cape; Ndundwini in KZN or Bushbuckridge in Mpumalanga or even in Orange Farm in Gauteng, we dream of a future where all people in South Africa are and feel safe.

House chair, even as we present this Budget Vote, we are emboldened by the positive changes that we are implementing and whose fruits we are seeing in the policing environment. These positive changes include but are not restricted to impressive police work during the past festive season and other significant periods; as well as the turning of the tide for our men and women in blue to a service towards a positive outlook that will in time, infect and affect all our citizens.

We continue to diligently ensure that the fellow inhabitants of South Africa are and feel safe. In the process of ensuring the deliverance of our mandate, the saps will continue to derive lessons through experience. We believe such experiences can only help police services to grow but also improve its level of delivery of service to our people.

Steven Pinker in *Better Angels of Our Future* makes the point when he places the nexus, in regard to the very existence of a public service function like ours in the heart of acceptance by communities. In that regard, he asserts that;

“The source of the state’s pacifying effect isn’t just its brute coercive power but the trust it commands among the populace. After all, no state can post an informant in every pub and farmhouse to monitor breaches of the law, and those that try are totalitarian dictatorships that rule by fear, not civilized societies where people co-exist through self-control and empathy”.

This ANC-led people’s government is not and will not be totalitarian or anything resembling it. For that reason, fellow South Africans, we have begun in all earnest to put the recommendations of the Farlam Commission of Enquiry into action so that our country may begin to heal from one of the darkest periods of our short history. An announcement will be made to the citizenry in due course on the concrete steps and actions towards this work, which will, in the end, result in the meaningful transformation of the police service and its allied institutions.

Cabinet has approved, two critical pieces of policy namely; The White Paper on Safety and Security and the White Paper on Policing.

The white paper on Safety and Security rests on six pillars, namely:

- an effective criminal justice system;
- early intervention to prevent crime and violence and promote safety;
- victim support;
- effective integrated service delivery for safety, security and violence and crime preventions;
- safety through environmental design; and
- active public and community participation.

It focuses on an integrated and developmental approach to safety in view of recognition that safety extends far beyond the purview of just the police. It also seeks to entrench the ideals of the National Development Plan of people living in safe environments with equal access and recourse to high quality of services when affected by crime and violence. More importantly, it talks to preventative action, which will be achieved by the concerted effort of all sectors concerned to address the fundamental causes of crime including roles by departments such as Health, Social Development, Education, the Criminal Justice System and co-operative governance. It is only through cooperation that we can effectively protect our communities.

The White Paper on Policing places an emphasis on the core of policing and, provides a framework that will regularise SAPS as part of the broader public service. In that way, we hope to enhance effective civilian oversight over SAPS.

The white paper calls for a professional, well-resourced and highly skilled police service; a demilitarised police service in

line with the Constitution and ideals of the NDP; Further advocates a community-centred policing with sustained community participation and support; as well as an active eradication of barriers to reporting of sexual abuse and domestic violence.

We continue to receive and incorporate significant inputs from various sectors of society, to enable us to truly reflect the views of ordinary citizens and ensuring that the voice of the electorate is truly represented as this work unfolds.

Cabinet approved the Critical Infrastructure Protection Bill on 13 April 2016 for public comments. The Bill seeks to repeal the National Key Points Act, 102 of 1980.

The Critical Infrastructure Protection Bill (“the Bill”) seeks to bring the legal framework for the protection of critical infrastructure in line with the constitutional imperatives and changing developments within the country. The Bill is aimed at ensuring that South Africa maintains a robust and sustainable approach to the protection of South Africa’s critical infrastructure in the interests of the state and all citizens. We will, in due course, give updates on the progress in this regard.

SAPS has embarked on a Back-to Basic approach, which focuses on every member of SAPS reverting to the established regulatory framework, or simply put, doing the *basics of policing*, properly and consistently.

This approach rests on 3 fundamental pillars:

- Discipline, and the manner in which police officers conduct themselves, as a distinctive characteristic of policing;
- Enhanced police visibility, which implies more police officers in uniform, thereby minimising opportunities to commit crime; and
- The deployment of operational resources to ensure the optimal utilisation of the limited resources that the Police have at their disposal, ensuring that they are applied to maximum effect.

In addition, those areas of chronic under-performance are being corrected through specific recovery plans targeting visible policing and detective service capabilities the SAPS.

A structure that supports the new ethos has been approved and is being implemented in earnest and we will keep the House updated on a regular basis.

The SAPS is allocated a budget of R80.8-billion for the 2016/2017 cycle with spending focus over the medium term on:

- Addressing the current fixed establishments,
- Professionalising the police service through skills development,
- Continued strengthening of the criminal justice system by contributing to the criminal justice sector revamp and modernization programme; and
- Investing in capital assets consisting of machinery and equipment.

- Strengthening the resource capability of Public Order Policing Unit. A total of R1,957 billion has been allocated for this purpose.

These activities support the JCPS Cluster objective of creating safer communities and contribute towards ensuring that people in South Africa are and feel safe (outcome 3).

More specifically it will include:

- Community Outreach Programmes; Imbizo and Community-based recruitment programmes;
- Implementation of an Integrated CJS to ensure a single, coordinated management of criminal justice and performance, focusing on funding for Forensic Services and broader Detective Service in SAPS to enhance crime investigations;
- Provision for equipment and training for detectives to enhance the process of investigation of crime;
- Policing of major events including the upcoming local government Elections 2016; and

There are a number of other emerging priorities that this budget had to take account of including the funding of Transformation and Institutional Reform Initiatives (TIRE), determining the research agenda, sustained visibility and enhancing police safety to mitigate murders and attacks on police.

We want a SAPS that is accessible for all citizens and to this end, we will continue to launch Mobile Community Service

Centres, as well as partnering with traditional authorities and the Post Office to establish service points in areas that have scant policing service points.

We also have to make serious budgetary determination to deal with the ever increasing attacks and murders of police officers which should, in all seriousness, make us hang our heads in shame. It is not just the ever-increasing number of police that are killed that should worry us; but the ever-growing attacks that, were it not for the way our officers have managed to protect themselves, would show a much higher mortality rate of our police.

As we have said before, the attack on police is an attack on the authority of the state. We heed the president's call in his state of the nation address that when attacked, the police should indeed use lawful means to effectively defend themselves and their colleagues.

A transfer of R111-million will be effected for the Civilian Secretariat for the Police as a designated department. The Secretariat drives policy research for the Ministry and performs general support functions for the Ministry of Police.

This financial year, we have increased the resourcing of the Directorate for Priority Crime Investigation (Hawks) with funding of R1, 431 billion which will also cater for the new specialized units. A decision was taken to reestablish the Narcotics Bureau and the Firearm Investigation Combating units because of the need and the outcry of our citizens.

In the outer years of this period, the Hawks will be funded directly from Treasury, and this should satisfy compliance with the ruling of the Constitutional Court in entrenching the independence of the unit.

The Hawks have continued to notch up impressive successes especially in the field of commercial crime and organized crime. Working with sister agencies, the unit has contributed to the freezing and forfeiture orders to the tune of R735-million.

The unit has also been involved in fighting rhino poaching, the illegal trade in precious metals and corruption and fraud in government which has led in 91 officials being convicted.

Our effort in fighting transnational organized crime will continue and the recently held Russia Africa Anti-Drugs Dialogue bares testimony to the reach that we are beginning to show in the focused fight against drugs.

Some successes in this regard include the dismantling of 23 laboratories and seizure of equipment to the value of R42.8 million. Six of these laboratories were in Gauteng. The value of drugs taken out of circulation amounts to R391.4 million resulting in 64 arrests.

Through operation Fiela, over 40 000 arrests were effected on account of vehicles impounded and firearms confiscated. The JCPS cluster continues to plan and execute operations of such magnitude, we will keep the house updated on such developments.

The Independent Police Investigative Directorate (IPID), working with other departments in the justice, crime prevention and security cluster, aims to ensure that all people in South Africa live safely in a corruption free society, with an independent and fair criminal justice system. In line with this mandate, the medium term strategic focus for IPID is to contribute to the professionalisation of the police service by strengthening its investigative capacity to be able to effectively deliver on its investigations mandate.

Over the medium term, IPID will expand its investigative methods and systems to respond to cases of police misconduct and abuse of power. IPID will further strengthen its investigative skills capacity through the newly established national specialised investigations team in order to conduct specialised investigations and facilitate the training of investigators on systemic corruption and other specialised investigations.

It should also be noted that part of professionalising the police service by IPID includes the implementation of the recommendations of the Farlam Commission of Enquiry. This additional mandate has implications on IPID's staffing and financial resource needs.

Since the establishment of the new mandate in 2012, IPID has secured more than 400 disciplinary convictions; ranging from sanction of corrective counselling, dismissal from service, final written warnings, fines, suspension, verbal and written warnings; and more than 300 criminal convictions, ranging from short to long term imprisonment. This is in addition to the

achievement of the Directorate's strategic targets with improvements in the total number of investigations finalised from 48% (5 137 of 10 657) in 2014/15 to 77% (8 593 of 11 103) in 2015/16.

It is through the above planned activities and mechanisms, that we believe the oversight role of the IPID will contribute to the professionalisation of police service in promoting good police conduct. The work by IPID ensures that members of SAPS indeed work for the South African public interests.

The challenges of regulating private security industry, in respect of service delivery, compliance, and revenue generation rest with PSIRA. We have plans for PSIRA to increase its National foot print. In the main, this seeks to ensure that there is adequate compliance to the regulatory framework.

As part of its objectives, PSiRA will establish a guarantee fund to provide limited guarantee to security service provider in the form of public liability and to protect consumers against loss of damage. The interest earned from this investment portfolio of the fund will be used to fund the regulatory operations of the Authority.

House chair and honourable members

It should be noted that the law enforcement agencies are placed under ever increasing pressures, as a result of some shortcomings – perceived or otherwise – of some service delivery imperatives.

I would like to take this opportunity to congratulate and appreciate members of SAPS who under very trying conditions conducted themselves by applying maximum restraint and professionalism in policing public protests. Having said so we recognise and appreciate that our citizens have a right to protest their dissatisfaction however we appeal to the leadership in general to ensure that in the exercise to such a right, the right of others are not infringed upon.

As we are about to celebrate the Freedom Day on the 27th of April, let us ensure that our rights enshrined in the Constitution are enjoyed and carried out with responsibility.

It is only through our collective responsibility as leaders, be it leaders of the ANC or of opposition parties, religious and cultural groups, of NGO's private companies and so on, that we can work together to encourage lawful methods of addressing grievances. For we all belong to humanity as South Africans. In this regard let us build a united front to help build our communities.

I thank you