



**DRAFT MINUTES OF THE VIRTUAL COMMUNITY SAFETY AND LIAISON  
PORTFOLIO COMMITTEE MEETING HELD ON THE 19<sup>th</sup> OF MAY 2020, ON  
MICROSOFT TEAMS AT 10:30**

**ATTENDANCE**

**HON MEMBERS** : Mthethwa, NB - Chairperson  
Sibhidla-Saphetha, N  
Nxumalo, J  
Mshengu, SW  
Cele, Z  
Ntombela, N  
Gwala, MB  
Hoosen, S  
Msimango, P

**DEPARTMENT** : Ntuli, MB (MEC)  
Gumbi, (HOD)  
Simamane, T(CFO)  
Mohlomi, T  
Mageba, S  
Kunene, B  
Van Niekerk, C  
Sisilana, G  
Zikhali, S

Diko, X  
Zondi, S  
Mnqayi, MS  
**SAPS** : Jula, G (PC)  
**DURBAN METRO** : Scott, N, (Deputy Mayor, EThekwini)  
: Middleton, S  
**IPID** : van de Sandt  
**UNIONS** : Molefe, N  
: Thwala, T  
  
**LEGISLATURE STAFF** : Mthembu, V  
: Mbongwa, Z  
: Ninela, X  
: Ntsele, S  
: Gudazi, S  
: Zondi, N  
: Xulu, V

### **1. OPENING AND WELCOME**

The Hon Chairperson welcomed everyone present and declared the meeting open at 08:40am.

### **2. APOLOGIES**

All the formal apologies were noted and recorded.

### **3. CONSTITUTION OF THE MEETING**

The meeting was properly constituted.

#### **4. ADOPTION OF THE AGENDA**

Hon Msimango moved for the adoption of the agenda and was seconded by Hon Sibhidla-Saphetha.

#### **5. REMARKS BY THE MEC**

The Hon MEC B Ntuli started off by confirming the change in the Management position within the department. He mentioned that Mr Mavundla's (previous HOD) contract had come to an end on the 7<sup>th</sup> of May and that Mr Gumbi would be acting in the position until a permanent appointment is made.

It was reported that the arrests were made in relation to the brutal murder of a young man in Tongaat. The MEC, together with the Provincial Commissioner visited the household to pay their respects to the bereaved family.

SAPS were preparing for Lockdown Level 3 as announced by the state President which meant that a lot a lot of movement would be taking place in anticipation of more people going back to work. More arrests were made during the level 4 of lockdown including people who continued to undermine the law by selling tobacco and liquor merchandise illegally.

Reported cases of abuse of authority by SAPS and SANDF members were a note of concern. The cases were being investigated.

Lastly, the MEC said that the department faced further cuts on their budget due to the pandemic at hand.

#### **COMMENTS AND DISCUSSIONS:**

- Members welcomed the remarks made by the MEC and mentioned that the budget cuts concerned the Committee as the department was already underfunded. The Committee would be supporting the Department's requests for increased budget allocation.
- A concern was raised over the handling of Bobos Mbuthu's case by SAPS in Tongaat. The Committee mentioned that the community might have lost trust in functioning of SAPS because of the way the case had been handled.

- Members requested a report on the incident that was on the media with regards to the manhandling of children involving SAPS and KwaDukuza traffic officer.
- The Committee requested the department to commence with the upgrades of police stations in rural areas as many of them were reportedly in bad conditions.

## **6. ADOPTION OF MINUTES OF THE PREVIOUS MEETING: 29 APRIL 2020**

Hon Z Cele moved for the adoption of the Minutes. The adoption was seconded by Hon MB Gwala. Minutes of the previous meeting were adopted with no amendments.

## **7. DEPARTMENTAL REPORTS**

### **7.1 Fourth Quarter Financial Report - 2019/20**

The CFO presented the Department's fourth quarter financial report.

She gave a brief overview of the departments expenditure and indicated that the department had slightly underspent against its Post-Adjustment Budget as at the end of the Financial Year. The Department had an overall spending success rate of 99%. This under-spending was largely due to vacant posts not being filled as anticipated. This was due to a dispute between Labour and the Employer. This dispute was settled towards the last quarter of the financial year. The Department had thereafter proceeded with the recruitment process.

### **7.2 Fourth Quarter Non-Financial Report - 2019/20**

Mr Sbongeleni Zondi presented the departments fourth quarter non-financial report where He reported on the Strategic Objective 1 which is to improve the quality of policing and strategic objective 2 which is to conduct research into safety and security matters. He further reported on the following key performance indicators:

- The number of follow up interventions reports on National Monitoring tool
- Number of reports on follow-up interventions on Domestic Violence Act audit
- Number of reports compiled on implementation of IPD recommendations by SAPS
- Number of reports on police visibility during the major events

### **7.3 Responses to 2019 Women's and Youth Parliament Resolutions**

The responses from the 2019 Women's and Youth Parliament resolutions were presented by the department. The department also mentioned that the Covid-19 pandemic had affected targets.

## **8 SAPS REPORT**

The Provincial Commissioner, Lt General K Jula, presented the SAPS report on the update of Lockdown regulations and procedures. In his presentation, he reported on the following aspects:

- Management of Level 4 Lockdown
- State of policing at Isipingo and Pietermaritzburg CBD
- Communication of lockdown rules and regulations to law enforcers on the ground
- Compliance of holding cells with health and safety protocols
- Report on protection of the vulnerable (GBV Cases)
- Status report of the 'Ncipha Bugebengu' talk show on UKhozi FM

He mentioned that Province is managed through the PROVJOINTS and meetings are held every Monday, Wednesday and Friday and that is where all COVID-19 matters are monitored and binding resolutions taken. In cases where the PROVJOINTS are unable to decide, then the matter gets escalated to the NATJOINTS. A report was shared on the successes during lockdown period where several arrests were made of those that were violating the rules. Numerous recoveries were made from those that were caught selling tobacco, alcohol and drugs.

It was reported that several cases on Gender based violence were opened during lockdown and SAPS had made few arrests.

## **9 IPID REPORT ON COMPALINTS AGAINST THE POLICE**

A report was presented on the investigations of public complaints regarding police misconduct during lockdown period in KZN. The presentation covered the investigation component reports on resources, Covid-19 investigations, death because of Police actions, post mortems, Gender Based Violence and Witnesses.

The report also showed the newsworthy cases that were underway in 3 areas, namely in Isipingo, Folweni and Inanda.

## **10 DURBAN METRO POLICE REPORT**

The report was presented by Commissioner Steve Middleton, Head of eThekweni Metro Police .He reported on the Durban Metro police operations in enforcing lockdown regulations in the metro as well as on the law enforcement at temporary shelters for the homeless.

The interventions during lockdown focused primarily on the following areas:

- The Joint roadblocks for compliance with Permits
- Patrol and visibility in Business and Residential areas
- Enforcement on the Transport industry

EThekweni was responsible for ensuring that suitable temporary shelters that meet the hygiene standards are made available for the homeless. It was reported that a total of 12 shelters were established since the beginning of the lockdown. Different enforcement agencies were brought in to maintain security and order in those shelters as the numbers kept on rising by the day.

The homeless people were screened and determined to be Covid-19 free prior to admission to the shelters. The main challenge in the shelters is that of observing social distancing.

### ***DISCUSSIONS, INPUTS AND COMMENTS MADE BY THE COMMITTEE AND STAKEHOLDERS ON THE REPORTS PRESENTED:***

- Concerns were raised on the responses to the sectoral parliaments resolutions. It was said that some of the responses presented created great expectation however they didn't appear to be realistic and achievable. The resolutions must be forwarded to the relevant stakeholders, including SAPS, if they do not belong specifically to the department of Community Safety and Liaison.
- The lack of police training in police stations was flagged as a concern evident from their handling of Gender Based Violence (GBV) related cases.

- Social workers must be integrated to the system to assist SAPS in GBV related cases.
- The SAPS reports on GBV were not adequate. The reports only spoke to the statistics without giving specific details.
- The reported underfunding by the department raised concerns especially since the department had been requesting for increase in the budget allocation from Treasury. Members requested to know if the savings were from the critical posts which had not been filled.
- The Department was requested to present its proposed virements to the Committee first before implementation.
- Members acknowledged the report made by Durban Metro on the establishment of shelters for the homeless, however the report did not talk about the general safety and availability of resources such as water and food supply for those that are in the shelters.
- The Committee applauded the visibility and the work done by SAPS in most areas during the lockdown period. They commended the effects of SAPS in confiscating liquor and tobacco items and arresting the perpetrators. Members further requested to know what happens to the items that has been confiscated, where it was kept
- Concern was raised with the SAPS report on Gender Based Violence Incomplete The report lacked specific details on the cases opened and the arrests made.
- A further concern related to the location of police stations in rural areas. It was said that police stations in some rural areas do not serve the main objective as they are located too far away from the communities which they serve.
- A request was made for additional SAPS members at police stations to support during lockdown period.
- Members requested to know the current situation and standing of the 'Nciphra bungebengu' educational radio show.

## **RESPONSES**

### **SAPS**

- SAPS will continue to engage with communities and provide progress updates on cases being investigated. The radio slots are there to educate members of the public about the operations and functioning of SAPS.

- It is a standing mandate that all SAPS officials must wear their name badges whilst on duty.
- There are investigations currently being conducted by high level authorities on the corruption of SAPS members.
- Social distancing inside the police cells continues to be a challenge, however there had been no reports of Covid-19 positive cases.
- The police stations that are in remote locations are being monitored and are under discussion.
- There are a few successes in the GBV cases mostly related to women and children abuse.
- The number of liquor and tobacco cases had risen since the first ~~the~~ covid-19 Committee meeting took place. SAPS found that some businesses were still selling alcohol illegally.
- The visibility of SAPS in Pietermaritzburg and Ispingo had been intensified.

#### *DURBAN METRO POLICE:*

- There are dedicated social workers allocated to each homeless shelter. The shelters are in good standing. Families of those in the shelters had been notified.
- The municipality has a post lockdown plan for those accommodated in the shelters.
- The people in the shelters receive 4 meals per day and the shelters have been in operation since the 27<sup>th</sup> of March 2020. They also receive medical care, blankets as there are operational managers on site.
- Men are separated from the women in the shelters. There were some cases of violence taking place, however the cases had been resolved.
- PPEs were made available for those in the shelters as well as proper hygiene material.
- The facilities also offer support to those that are on drugs rehabilitation programme. People get treatment for their various illnesses.
- An investigation was being conducted on an incident which took place on the 19<sup>th</sup> of April 2020. A video circulated on social media showing people at the back of a Metro police van, being dropped off on the road near Nazareth township.



**DEPARTMENT OF COMM SAFETY & LIAISON:**

- It was reported that some of the issues raised during sectoral parliaments do not belong specifically to the department but rather belong to SAPS, hence some of the responses were vague.
- It was said that the department's underspending occurred during the 3<sup>rd</sup> Quarter of the financial year, when they had not filled critical posts. The department had utilized all its allocation by the end of the fourth quarter.

**Resolution 01/05/2020**

Noting that the Sectoral Parliaments Resolutions were incomplete:

*It was resolved that the Department must send sectoral parliament resolutions to the relevant stakeholders so that they can be accurately responded to. The responses must be reviewed and sent back to the Committee before the date of the next meeting.*

**Resolution 02/05/2020**

Having noted that the report presented by SAPS did not cover the full details of the reported cases related to Gender Based Violence;

*It was resolved that SAPS must provide a detailed report on the GBV cases that have been opened since inception of Lockdown including the number of arrests that have been made.*

**6 CLOSURE**

The adoption of the 2020/21 AOP was deferred to the next meeting. There being no further items to discuss on the agenda, the meeting was declared closed at 15:10.

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**HON NB MTHETHWA**

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**DATE**

**COMMUNITY SAFETY AND LIAISON:**

**PORTFOLIO COMMITTEE CHAIRPERSON**