

*Friday, 17 January 2025]*

No 2 - 2025] SECOND SESSION, SEVENTH PARLIAMENT

# PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

## ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

FRIDAY, 17 JANUARY 2025

### COMMITTEE REPORTS

- 1. Report of the Standing Committee on Police Oversight, Community Safety, Cultural Affairs and Sport on the Annual Reports of the Department of Police Oversight and Community Safety, the Western Cape Police Ombudsman, and the Western Cape Liquor Authority for the 2023/24 financial year**

The 2024/25 strategic objectives of the WCPP linked to the Speaker's priorities, which have an impact on committees, are as follows:

Priority 1: Building a credible WCPP; and  
Priority 3: Strengthening the core business.

The Standing Committee on Police Oversight, Community Safety, Cultural Affairs and Sport, conducts oversight over multiple portfolios. The annual cyclical report process affords the Committee the opportunity to engage the respective departments and entities on its annual reports.

The Standing Committee on Police Oversight, Community Safety, Cultural Affairs and Sport deliberated on the Annual Reports of the Department of Police Oversight and Community Safety, the Western Cape Police Ombudsman, and the Western Cape Liquor Authority, for the year ended 31 March 2024, reports as follows:

#### **Introduction**

The Western Cape Provincial Parliament's (WCPP) Annual Report programme for the 2023/24 financial year was advertised in newspapers, as well as the WCPP's social media platforms, inviting stakeholders and members of the public to attend and participate in the discussions. The Committee deliberated on the Annual Reports of the Department of Police Oversight and Community Safety (the Department) and the Western Cape Liquor

Authority (WCLA) on 8 October 2024 as part of its oversight function. The Minister and the Acting Head of Department were given an opportunity to make opening remarks. Likewise, the WCPO and the Chief Executive Officer of the WCLA were afforded the same opportunity.

The Department and its Entities were examined on:

Part A: General Information,

Part B: Departmental Performance Information; and

Part D: Human Resources Management of the Department's Annual Report

Members of the public were also given an opportunity to pose questions and to make input during the discussions. There were no submissions or input from the public.

## **1. Key points from the discussion on the Western Cape Police Ombudsman**

- 1.1. The Western Cape Police Ombudsman, Maj Gen OD Reddy, stated that the WCPO marks its 10th anniversary in 2024.
- 1.2. The WCPO received 423 complaints for investigation for the year under review.
- 1.3. The WCPO does not have coercive and/or post-monitoring powers to follow up on the consideration and implementation of its recommendations, and/or initiate investigations without having to first receive a complaint or a request to investigate from an external source.
- 1.4. The WCPO does not have the mandate to address complaints about municipal policing officials, such as the metro police, traffic coordination officers, law enforcement officers, or the Law Enforcement Advancement Plan (LEAP) officers.
- 1.5. The WCPO stated that submissions to fill the vacancies reported in its annual report were still being processed, and that there are no timelines as to when, or if, these vacancies will be filled.
- 1.6. On average, investigators are allocated 50 investigative cases.

## **2. Key points from the discussion on the Western Cape Liquor Authority**

- 2.1. Mr S George, Chief Executive Officer, reported that one of the most common transgressions by onsite consumption liquor licensed premises is the sale for offsite consumption.
- 2.2. Interviews to fill key vacancies are scheduled for October 2024.
- 2.3. Licenced liquor outlets must be based on premises that qualify for the appropriate zoning, as per the relevant legislation. The WCLA only has leverage over licensed premises.
- 2.4. Illegal outlets therefore need to meet zoning requirements as part of the process to be considered legitimate.

## **3. Key points from the discussion on the Department of Police Oversight and Community Safety**

- 3.1. The Department reported that the employment dispute of Law Enforcement Advancement Plan (LEAP) officers with the City of Cape Town, is based on these officers having failed the firearm competency assessment process. The final report, that also covers other remedial competencies, is pending.
- 3.2. The Department also outlined its plans towards a more integrated safety strategy that includes safety structures across intergovernmental stakeholders. The Department stated its intention to implement its provincial safety plan to enhance

results across the municipal districts, through shared and enabling resources (such as funding K-9 units to strengthen municipal policing structures).

- 3.3. The Department reported 32 applications were submitted to fill vacancies, however, only five were approved.
- 3.4. The Department provided a detailed explanation of the Neighbourhood Watch accreditation process.
- 3.5. The Department reported that ten South African Police Service (SAPS) stations were non-compliant with the requirements of a functional Gender-Based Violence desk at police stations.
- 3.6. The Department stated that it has an Employment Equity plan, that is valid for five years. The Department reports its plan to the Department of Labour on an annual basis.

#### **4. Recommendations**

The Committee recommended that: -

- 4.1. The Western Cape Police Ombudsman increases the number of its stakeholders and outreach engagements, especially in rural areas.
- 4.2. The Department of Police Oversight and Community Safety includes a list of the top 10 murder hotspots for rural areas in all its reports related to crime statistics.

## **2. Report of the Standing Committee on Police Oversight, Community Safety, Cultural Affairs and Sport on the Annual Reports of the Department of Cultural Affairs and Sport, the Western Cape Language Committee, the Western Cape Cultural Commission and Heritage Western Cape, for the 2023/24 financial year.**

The 2024/25 strategic objectives of the WCPP linked to the Speaker's priorities, which have an impact on committees, are as follows:

Priority 1: Building a credible WCPP; and  
Priority 3: Strengthening the core business.

The Standing Committee on Police Oversight, Community Safety, Cultural Affairs and Sport, conducts oversight over multiple portfolios. The annual cyclical report process affords the Committee the opportunity to engage the respective departments and entities in its annual reports.

The Standing Committee on Police Oversight, Community Safety, Cultural Affairs and Sport having deliberated on the Annual Reports of the Department Cultural Affairs and Sport, the Western Cape Language Committee, the Western Cape Cultural Commission and Heritage Western Cape, for the year ended 31 March 2024, reports as follows:

### **Introduction**

The Western Cape Provincial Parliament's (WCPP) Annual Report programme for the 2023/24 financial year was advertised in newspapers, as well as the WCPP's social media platforms, inviting stakeholders and members of the public to attend and participate in the discussions. The Committee deliberated on the Annual Reports of the Department of Cultural Affairs and Sport (the Department), the Western Cape Language Committee (WCLC), the Western Cape Cultural Commission (WCCC) and, Heritage Western Cape (HWC) on 25 October 2024 as part of its oversight function.

The Department and its Entities were examined on:

Part A: General Information,

Part B: Departmental Performance Information; and

Part D: Human Resources Management of the Department's Annual Report

Members of the public were also given an opportunity to pose questions and to make input during the discussions. There were no submissions or input from the public.

## **1. Key points from the discussion on the WCLC, WCCC and HWC**

- 1.1 The Heritage Western Cape reported that the bulk of the applications received were from the Cape Town Metropolitan District. One of the main reasons for this is the high application rate for heritage status of buildings older than 60 years old. The HWC is advocating for local government to absorb delegation powers to address these types of requests specific to aging buildings rather than those of any heritage status.
- 1.2 The WCLC is engaging with the University of Cape Town to continue its course in teaching indigenous languages.

## **2. Key points from the discussion on the Department of Cultural Affairs and Sport**

- 2.1 The Department reported explained the differences between province aided museums, and privatised museums that are not keen to be affiliated with the Department due to various compliance related reasons.
- 2.2 The Department has consolidated the number of MOD Centres. There were 181 MOD Centres at the time of reporting. The Department presented its intention to re-shape the MOD Centres and Neighbouring Schools programme, to better align with each other and, to enhance the use of shared facilities.
- 2.3 The Minister and the Department presented the need for provincial legislation to protect the functionality of public libraries. Currently, the Department enters into agreements with local municipalities for the upkeep and coordination of public libraries.
- 2.4 The Department explained in detail the various reasons for retirees and those who tended resignations, without furnishing reasons for leaving the employ.

## **3. Resolution**

- 3.1 The Committee resolved to urgently engage with the Department of Cultural Affairs and Sport regarding legislation for libraries in the Western Cape.

## **4. Requests for information**

- 4.1 The Committee requests that the Western Cape Cultural Commission submits a list of the recommendations of the feasibility study for the remodelling of the Schoemanspoort and Melkbos Oppieesee facilities.

The Committee requests that the Department of Cultural Affairs and Sport submits: -

- 4.2 A list of registered museums that have recently opted to not be affiliated with the Department of Cultural Affairs and Sport, after showing initial interest.

- 4.3 A list of the 32 affiliated museums and the key themes that they display. Where possible, submit a list of non-affiliated museums where the key themes are also reflected.
- 4.4 A list of the 181 schools where the MOD centres are based.
- 4.5 A breakdown of the employee salary levels and the designations, of the 15 personnel who resigned without stating reasons for the resignations.

**3. 16TH ANNUAL CONFERENCE AND 20TH ANNUAL GENERAL MEETING (AGM) OF THE SOUTHERN AFRICA DEVELOPMENT COMMUNITY ORGANISATION OF PUBLIC ACCOUNTS COMMITTEES (SADCOPAC) 7 TO 13 SEPTEMBER 2024 VICTORIA FALLS, REPUBLIC OF ZIMBABWE**  
**Conference Theme: "Enhancing Regional Prosperity through Parliamentary Oversight, Prudent Financial Management, and Accountability,".**

**DELEGATION:**

Mr Ferlon Christians (Chairperson and Leader of the Delegation);  
 Prof Nomafrench Mbombo (Member);  
 Ms Benedicta Van Vuuren (Member);  
 Mr Peter Johnson (Member); and  
 Mr Dustin Davids (Support Staff).

**1. INTRODUCTION**

The Public Accounts Committee of the Western Cape Provincial Parliament has been invited by the SADCOPAC to attend its annual Conference in Victoria Falls, Zimbabwe.

This report provides a summarised record of the WCPP delegation's attendance at the Conference. The 16<sup>th</sup> Annual Conference of the SADCOPAC combined themes of regional unity, economic development, and parliamentary accountability. The following is a comprehensive list that were the Conference's focal discussion themes:

- 1.1. **Parliamentary Oversight and Accountability:** The Public Accounts Committees (PACs) was highlighted as important in the promotion of financial accountability, transparency, and good governance. The theme, "Enhancing Regional Prosperity through Parliamentary Oversight, Prudent Financial Management, and Accountability," underscores the importance of sound financial supervision in the pursuit of collective prosperity in Southern Africa under the oversight of the PACs.
- 1.2. **Regional Collaboration:** The speaker emphasizes the importance of regional collaboration, commending private firms and adjacent countries for their contributions to the expansion of tourism in Southern Africa. The mutual benefits that result from these partnerships are cited as an illustration of how the nations of the region can collaborate to foster economic development and the welfare of their citizens.

**2. THEMATIC DISCUSSIONS**

The format of the Conference meetings consisted of daily overall general assembly meeting with all member states in the mornings, while the afternoon sessions comprised of plenary groups where specific themes were discussed and engaged on.

The themes that were deliberated on consisted of the following:

- 2.1. Promoting sustainable development through domestic resource mobilisation;

- 2.2. Ensuring accountability through fiscal transparency;
- 2.3. Regulating the adoption and implementation of Artificial Intelligence;
- 2.4. Success of Integrated Financial Management System (IFMIS) implementation within the SADC region;
- 2.5. Roles of Public Auditors and Accountants in ensuring transparency and accountability in the use of public resources; and
- 2.6. Implementing International Public Sector Accounting Standards (IPSAS) in SADC countries.

### **3. CONFERENCE RESOLUTIONS**

The Conference ended with resolutions based on the thematic discussion, which should be included in the Business Plan/Programmed Agenda of each jurisdiction for oversight and report back to SADCOPAC.

#### **3.1. CONFERENCE PREAMBLE**

The following Preamble was adopted by the Conference and was based on the above-mentioned thematic discussions, as follows:

- 3.1.1. Recognizing the critical role of Public Accounts Committees (PACs) in promoting fiscal transparency, accountability, and sustainable development, and acknowledging the importance of modernizing public finance management systems to enhance efficiency, accountability, and compliance;
- 3.1.2. Cognizant of the growing complexity of public financial systems, the increasing importance of digital transformation, and the need for stronger international cooperation, robust oversight, resource mobilization, and integration of innovative practices like Artificial Intelligence (AI) into governance processes;
- 3.1.3. Considering the global shift towards accrual accounting standards, the imperative for strengthening tax administration, the need for comprehensive asset management frameworks, and the essential role of auditors and accountants in ensuring accountability;
- 3.1.4. Reflecting the shared objective of building resilient economies, reducing fiscal leakages, and fostering transparency and accountability in both public and private sectors, thus supporting sustainable economic growth across the SADC region;
- 3.1.5. The 16<sup>th</sup> Annual Conference of the SADCOPAC reaffirms its commitment to good governance and sound economic management by enhancing the oversight and capacity of PACs, integrating international public finance management standards, and fostering collaboration across the region to address emerging challenges and harness new opportunities for development.

#### **3.2. CONFERENCE RESOLUTIONS**

Based on the Conference's Preamble which was adopted by the Conference and was based on the above-mentioned thematic discussions, the following resolutions were adopted for implementation by each jurisdiction:

- 3.2.1. Promoting Sustainable Development through Domestic Resource Mobilization.
  - 3.2.1.1. PACs should influence the enactment of implementable tax laws that would promote tax collection efficiency through taxpayer education, streamlined procedures, modernized technology, and robust enforcement.
- 3.2.2. Ensuring accountability through fiscal transparency
  - 3.2.2.1. PACs should influence the enactment of legislation requiring Public Accounts Committees (PACs) to review Auditor General reports within the fiscal year of the publication the said reports.
  - 3.2.2.2. PACs should enhance enforcement mechanisms to ensure compliance with fiscal laws and regulations, comprehensive asset management frameworks including clear consequences for non-compliance.
- 3.2.3. Artificial Intelligence
  - 3.2.3.1. All SADC Member States shall develop the framework of regulating adoption and implementation of Artificial Intelligence within 1 year from the adoption of the resolution.
  - 3.2.3.2. SADCOPAC should collaborate with SADC to institute a Council in the region that will regulate the implementation of Artificial Intelligence in SADC region in line with the SADC Framework on AI within 1 year from the adoption of the resolution.
- 3.2.4. Success of Integrated Financial Management System (IFMIS) Implementation in the Region.
  - 3.2.4.1. PACs should strengthen oversight and accountability through IFMIS by ensuring that it is fully integrated to cover all public finance management processes, aligning the IFMIS implementation to IPSAS Accrual Accounting System.
  - 3.2.4.2. On Advocating for Adequate Resources for IFMIS Sustainability, PACs should advocate for sufficient financial, technical, and legislative support for the sustainability of IFMIS.
- 3.2.5. Roles of Public Auditors and Accountants in ensuring transparency and accountability in the use of public resources.
  - 3.2.5.1. PACs should advocate for sufficient funding and independence of the SAIs through enactment of legal statutes which guarantee that both the public auditors and accountants are equipped with the necessary tools and are competitively remunerated, while implementing continuous capacity-building programs to enhance their skills.
- 3.2.6. Implementing International Public Sector Accounting Standards (IPSAS) in SADC Countries.
  - 3.2.6.1. PACs should ensure that their respective states develop and submit a formal plan for adopting the IPSAS Accrual Accounting system within one year of adopting this resolution.
  - 3.2.6.2. PACs should champion the implementation of the IPSAS Accrual Accounting System by 2030 and thus should provide annual progress reports during the SADCOPAC yearly conference to track implementation milestones.

**4. RESOLUTIONS/RECOMMENDATIONS TO CONSIDER FOR THE WCPP PAC.**

- 4.1. The Committee will operationalise those resolutions, where applicable, after consultation with and direction from the South African Association of Public Accounts Committees.