

REPORT OF THE PORTFOLIO COMMITTEE ON PUBLIC WORKS, ROADS AND TRANSPORT; COMMUNITY SAFETY SECURITY AND LIAISON

TAKING LEGISLATURE TO THE PEOPLE” (TLP) OVERSIGHT VISITS TO SCHOEMANSDAL AND MALELANE POLICE STATIONS (DCSSL) - NKOMAZI LOCAL MUNICIPALITY, 17 AND 18 SEPTEMBER 2019

1. INTRODUCTION

The Mpumalanga Provincial Legislature (the Legislature) has a responsibility in terms of Section 118 of the Constitution of the Republic of South Africa, Act 108 of 1996, (the Constitution) to facilitate public involvement in its legislative and other processes. Section 115 (a) and (b) of the Constitution empowers the Legislature to (a) “*summon any person to appear before it to give evidence on oath or affirmation, or to produce documents*” and sub-section (b) states that “*the Legislature or any of its Committees may require any person or provincial institution to report to it*”.

This is a report on the oversight visits that were conducted by the Portfolio Committee on Public Works Roads and Transport (the Committee) to projects of the Department of Community Safety, Security and Liaison (the department) on 17 – 18 September 2019. The report seeks to inform the House on the activities that were taken during the oversight visits.

2. METHOD OF WORK

The Legislature conducted Taking Legislature to the People (TLP) as from 16 – 20 September 2019 in Nkomazi Local Municipality. The Portfolio Committee on Public Works, Roads and Transport; Community Safety Security and Liaison visited the Schoemansdal Police Station on 17 September 2019 and Malelane Police Station on 18 September 2019. A joint Public Hearing of the Economic and Social Cluster was conducted on Thursday 19 September 2019 at the KaMhlushwa Stadium.

3. OBJECTIVES OF THE VISITS

a) The following objectives informed the oversight visits to the projects of the department:

- To evaluate the progress made on projects reflected in the Annual Performance Plan (APP) implemented by the department.
- To determine the extent to which public funds are efficiently, economically and effectively utilised by the department in the implementation of its projects;
- To interact with project beneficiaries in order to receive their concerns.
- To fast-track service delivery of core services to the communities within the municipality in which the department has funded projects.
- To determine challenges impacting the police stations meeting the national standards.
- To assess the challenges affecting the functionality of the police stations (e.g office space, and operational budget for CPF).
- To assess how the surrounding police stations were providing services to the community of Nkomazi Municipality.

4. OVERSIGHT ON GOVERNMENT FUNDED PROJECTS

Invitations were sent to the MEC and the HOD of the Department of Community Safety, Security and Liaison. The MEC was present on 17 September 2019 and sent an apology for the 18 September 2019 due to a Cabinet meeting. The HOD accompanied the Committee to both Police Stations. Invitations were also sent to the Nkomazi Local Municipality, Provincial Police Commissioner, Police Station Management, POPCRU, SAPU and the Community Policing Forum (CPF).

4.1. SCHOEMANSDAL POLICE STATION

4.1.1. Background

The Police Station is servicing a population of approximately 100 000, which consists of formal residential areas, businesses, and farming communities. Siswati and Xitsonga are the two (2) predominantly used languages used within the jurisdiction of the police station while

other languages are less frequently used and these are the languages that are also well understood by the SAPS personnel.

The station is big and is currently under renovations. It is located at the main road of Schoemansdal and is 10 kilometers from the Jeep's Reef border. There are clear direction markings leading to the station. On the day of the pre-visit the station was clean including the yard. The station is a "non-devolved" station, which means it is not responsible for its own planning, acquiring, managing and maintenance of its own station.

4.1.2. Observations and Comments

- The policing precinct is located between two (2) neighbouring countries namely Mozambique and Swaziland. The policing area is 326 square kilometres under Tonga Cluster.
- Management meetings are held on a monthly basis.
- The Police Station has established three (3) sector policing and all sectors are functional as they hold monthly meetings. There are two (2) Trade Unions that are represented in the police station, namely Police and Prisons Civil Rights Union (POPCRU) and South African Police Union (SAPU).
- The Sector Commanders are allocated state cellphones.
- The police station could not meet the reaction time on Alpha, Bravo and Charlie complaints due to shortages of vehicles and human resources.
- The Police Station has six (6) holding cells and currently they are not being used due to renovation, in the meantime, awaiting prisoners are sent to KaMhlushwa Police Station.
- There were no escapes that occurred in the past twelve (12) months of the visit and no death incidents reported.
- The Police Station's Resource Establishment Plan indicates that there should be 91 personnel in place; however, the police station currently has 83 personnel, consisting of 57 Vispol, 10 Detectives and 16 support staff.
- The station has eighteen 18 vehicles, of which most are in a good condition.
- The Police Station has a SAP 13 store room and has an appointed trained designated officer to manage the storerooms.
- The Police station has a separate exhibit firearm store, which is strong and safe.
- The Police Station has a functional Victim Friendly Facility (VFF) and compliant with all relevant legislations.

- The Police Station has a functional Community Police Forum (CPF) structure with twelve (12) members. The structure conducts both executive and community meetings on a monthly basis.
- The most prevalent types of crimes in the area are as follows:
 - assault with 128 cases.
 - burglary residential with 57 cases.
 - business burglary with 37 cases.
 - general theft with 27 cases.
 - common assault with 22 cases.
 - rape with 19 cases.

4.1.3. Presentation by the Community Policing Forum

The representative from the Community Policing Forum (CPF) made the following presentation:

- a) The Policing Forum is trying to prevent crime by training community members on how to fight crime.
- b) The biggest challenge the forum is facing is that most perpetrators are foreigners from Mozambique and Swaziland.
- c) The scarcity of resources is also a challenge, e.g. the police station is smaller.
- d) There is high rate of assaults and fighting amongst school children. The CPF has visited the problematic schools to try and mitigate the challenge.
- e) The CPF is not adequately resourced with necessary reflector jackets.
- f) Inductions and workshops have been conducted for CPF members.

4.1.4. Presentation by Community Member

The representative from the Community made the following presentation:

- a) The area experiences high accidents rates that lead to death due to drunken driving motorists.
- b) There is lack of police visibility or monitoring during events and as a result people do as they please.
- c) Drinking and driving is very common in the Nkomazi area. There are no roadblocks to enforce rules.

- d) There is lack of alcohol breathalyzers, as a result, people are left to walk free even after being caught drunk.
- e) About 90% of immigrants cross the border illegally to South Africa from Swaziland and Mozambique.

4.1.5. The Committee deliberated with the Schoemansdal Police Station Management

The following issues were noted from the deliberations:

- a) There is a need for strengthening security at the border posts.
- b) The relevant bodies such as Mpumalanga Economic Regulator (MER) should do oversight on liquor outlets in the area to check whether they adhere to regulations.
- c) The Committee enquired on how many convictions does the station have and how it plans to address the public violence challenge.
- d) The Committee sought clarity on the level of skills for preparing cases.
- e) The Committee noted the big population and raised concerns on the lack of statistics for undocumented immigrants.
- f) The Committee enquired whether the dangerous criminal that escaped in Magogeni area was recaptured.

4.1.6. Challenges

The following are the challenges which the Committee noted:

- There is a shortage of operational equipments like torches, pepper sprays and first aid kit for vehicles.
- There is not enough office space due to renovations in the precinct. The renovations started in June 2019 and will be ending around 2020.
- The electricity wiring is old and it provides recurring problems.
- There is no photocopy machine in the police station because the contract expired in May 2019 and the station is still waiting for the new machines.
- There are undocumented immigrants crossing in and out of the Border Post.

4.1.7. Findings

After the deliberations, the Committee made the following findings:

- a) The area has a lot of undocumented immigrants who cross the border posts illegally.
- b) There is a high rate of drunken driving and the lack of breathalyzer kits in the vehicle of the police officers.
- c) There is a shortage of operational equipments.
- d) Police officers are unable to get convictions on cases of illegal dealings in dagga by foreign nationals crossing the border posts from Swaziland and Mozambique.

4.1.8. Recommendations

The Committee therefore recommends that the department must:

- a) The department and the municipality should work together with the Provincial Police and the Department of Home Affairs on more effective better ways to strengthen the security at the border gates.
- b) The department and Mpumalanga SAPS must ensure that the station is properly resourced with breathalizers.
- c) SAPS must ensure that the Police Station is equipped with relevant operational equipments.
- d) SAPS must ensure that systems are put in place to mitigate the illegal transportation of dagga by foreign nationals crossing the border posts from Swaziland and Mozambique.

4.2. MALELANE POLICE STATION

4.2.1. Background

The Malelane Police Station is servicing an estimated population of 40 000, which consists of formal residential areas, informal residential areas, business, industries and farming communities. English, Afrikaans, siSwati, and Xitsonga are the dominant languages which are predominantly used by the population which is serviced by the police station.

The station is in need of renovations. It is located at the residential area of Malelane town and there are clear direction markings leading to the station. The station is a “non-devolved” station, which means it is not responsible for its own planning, acquiring, managing and maintenance.

4.2.2. Observations and Comments

- The policing precinct is located between two (2) neighbouring countries namely Mozambique and Swaziland. The policing area is 444 square kilometres.
- The station has a Community Policing Forum (CPF) which holds monthly meetings.
- The station also has a functional Victim Friendly Facility (VFF) for victims of domestic violence and abuse.
- The Community Service Centre (CSC) has proper signage. The CSC has sufficient waiting area for the public. There were a female members on duty on the day of the visit at the CSC and they were wearing name tags but they were not wearing their bullet proof vest.
- The CSC has holding cells to detain the awaiting prisoners while the police officers are still busy with opening of docket.
- The Police Station has trained SAPS members to deal with domestic violence and abuse.
- The Police Station also has a Periodical Court within its precinct.
- The Police Station has four (4) cells of, which two (2) are not in use because of the damaged geyser.
- The Police Station has a Section 13/SAPS 13 Stores. There were no theft cases reported in the past twelve (12) Months.
- The Police Station has established three (3) sector policing forums and all sectors are functional as they hold monthly meetings. There are two (2) Trade Unions that are represented in the police station namely; Police and Prisons Civil Rights Union (POPCRU) and South African Police Union (SAPU).
- The Police station has twelve (12) vehicles, of which only two (2) are below 20 000 kilometres and the other vehicles are not in a good condition.

4.2.3. 4.2.3. Presentation by the Community Police Forum

The representative from the Community Policing Forum (CPF) made the following presentation:

- a) There is a good working relationship between the CPF and the police.
- b) There is lack of resources and infrastructure in the police station.
- c) The police station does not receive any assistance from the National Department of Public Works in relation to infrastructure challenges.
- d) The toilet facilities in the police station are dilapidated.

- e) There is an active safety forum which has a by-in of the community.
- f) All security companies in the area are on board in terms of working with the police.

4.2.4. The Committee deliberated with the Malelane Police Station Management
The following issues were noted from the deliberations:

- a) The Committee appreciated the good working relationship between the police and the CPF.
- b) The Committee sought clarity on the “Alpha Bravo Charlie” meaning.
- c) The Committee noted that the police station has problems of water and toilet repairs taking long; no proper infrastructure and resources.
- d) The Committee noted that the telephone system has been down for three (3) years.
- e) The Police stations should be resourced and equipped to cater for car smuggling and human trafficking.
- f) The Committee enquired on how the department assists the Police Station with maintenance.

4.2.5. Challenges

- The borderlines of the Republic of South Africa, Mozambique and Swaziland are not properly controlled, since people come and go to and from Swaziland and Mozambique without proper monitoring , which makes it difficult to trace suspects.
- There is a Baobab tree that is affecting the flow of sewage system outside the police station.
- The structure has roofs leaks during rainy seasons.
- There are two (2) cells that are not working, forcing the management to combine awaiting prisoners.
- There is lack of security at business premises, resulting in more cases of burglaries.
- Stolen/hi-jacked vehicles cross through the borderline to Mozambique and Swaziland.
- The other village is scattered from the station area and the station precinct is expanding.
- There is a shortage of police vehicles to implement sector policing fully with at least two (2) vehicles per sector.
- The police station is in an abdicated space and detectives are occupying a separate building, which makes it difficult to monitor them.
- There is a shortage of both human and physical resources in the police station.

4.2.6. Findings

After the deliberations, the Committee made the following findings:

- a) SAPS Mpumalanga must engage with the National SAPS and National Department of Public Works to ensure that a fully fledged Police Station is constructed or the current building is renovated.
- b) The building which is housing the station is old and there is no maintainance done in the structure.
- c) The Detectives are occupying a separate building which is far from the police station, making it difficult to monitor them.
- d) The police vehicles are taking long to return from the government garages for repairs, as a result, the Police Station fails to fully implement sector policing.
- e) The Malelane Police station does not have high crime rate; however, priority crimes such as theft, shoplifting, fraud; theft out of motor vehicle are rife and police rely mostly on private security camera surveillance.

4.2.7. Recommendations

The Committee therefore recommends that the department must:

- a) Liaise with relevant stakeholders to ensure that the Police Station has proper infrastructure that is fully resourced.
- b) Ensure that a clear maintainance plan with timeframes for the police station is compiled and submitted to the relevant implementing agent for processing and take disciplinary actions against those who fail to discharge their maintainance duties.
- c) The department must submit a written report on the new Police Stations that have been identified for refurbishments and ensure plans are put in place to house the detectives within the precinct of the police station.
- d) The department must come up with solutions that will ensure that the Police Station always has vehicles to serve the community whilst it liaises with the government garage on speedy repairs of vehicles.
- e) The department together with the municipality must do a joint venture with the business sector to put surveillance cameras in town in an effort to curb the priority crimes.

5. PUBLIC HEARINGS

The public hearing was jointly conducted by the Economic and Social Transformation Clusters at Kamhlushwa Stadium.

5.1 Issues raised by the Public

1. Members of the public raised a number of concerns about drugs are alledging that law enforcements agencies know the distrubutions centres but no actions taken.
2. In Ward 22 community members indicated that there are street lights and it is dark at night.
3. The need for police visibility as liquor outlets are not complying with licence conditions and that perpetrators are robbing people.
4. In Ward 15 the community is requesting for a satellite police station at Mgobodzi.
5. Members are complaining about lack of services from Kamhlushwa Police Station alledging that police do not take cases from other areas.
6. In Ward 12, Mbuzini Police station there is shortage of staff and vehicles. Vehicles taken for service take long to be returned.
7. In Ward 9 Mangweni the community is requesting for a police station as the area is big and rate of crime is high.
8. There was a case of assult in 2017 at Phosaville, the case number as follows:10/02/2017; arrest was made but the case never made it to court.

5.2 Recommendation emanating from the Public hearing

The department together with the Nkomazi Local Municipality must attend to all the concerns raised by members of the public.

6. CONCLUSION

The Chairperson of the Portfolio Committee, Hon SK Mashilo, extends his appreciation to Members of the Committee, Executive Mayor, Speaker and all Councillors of the Nkomazi Local Municipality, departmental officials, all stakeholders and the support staff of the Legislature for their participation during the oversight visits to the communities of the Nkomazi Local Municipality, in enhancing the oversight role of the Legislature. The Portfolio Committee tables this report to the House for adoption with its recommendations.

Unless otherwise stated, the department should provide progress reports on all issues raised to the Portfolio Committee by **29 November 2019** and thereafter on a quarterly basis.



HON. SK MASHILO (MPL)

**CHAIRPERSON: PORTFOLIO COMMITTEE ON
COMMUNITY SAFETY, SECURITY AND LIAISON**



DATE