

Civil Society Public Participation Dialogue

Shaping the Parliament, we want



Date: Mon, 25 Nov 2024

Time: 08h30 - 14h00

Venue: S12A, NCOP Building, Parliament

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1. Introduction

The vision of the Parliament of the Republic of South Africa is to establish an activist and responsive "People's Parliament," one that works to improve the quality of life and ensure equality in our society. Guided by Sections 59(1)(a) and 72(1)(a) of the Constitution, Parliament bears the responsibility of fostering public participation and engagement in legislative processes. Despite progress, persistent disparities in access to these processes persist, highlighting the need to bridge the gap between those with influence and marginalised communities.

Parliament's effectiveness in fulfilling its mandate is increasingly under scrutiny. Key questions include whether laws reflect citizens' interests, how well public resources are overseen, and how effectively service delivery challenges are addressed. The imperative to listen to and act on the public's concerns is clear. Achieving the vision of an activist, inclusive Parliament requires transparency, active listening, and sincere engagement with and feedback provided to marginalised communities.

The COVID-19 pandemic forced Parliament to reassess its engagement strategies, driving innovative approaches to maintain public involvement. Addressing ineffective or burdensome processes in a democratic landscape requires active collaboration between Civil Society Organizations (CSOs), Parliament, the provincial legislatures, and public involvement structures of the state district and local level. Amid these challenges, productive dialogues with civil society emerged leading to the creation of a Public Participation Working Group (PPWG). Through these collaborative efforts, trust was nurtured, and meaningful steps were taken to enhance public

participation. This underscores the importance of working together, despite varying approaches, systems, or ideological positions.

The PPWG convened its inaugural dialogue of the 7th Parliament to promote mutual support, resource sharing, and strengthen public trust at a time when public confidence is in decline.

The benefits of collaboration extend beyond individual organizations, contributing to improved governance and more effective policy implementation.

A key question arises: how do we consistently bring diverse perspectives together to address common challenges? The answer lies in fostering collaboration, which enables the resolution of differences and the leveraging of shared ideas, reciprocity and constructive engagement. A total of 162 participants of whom 86 were present physically and 76 on the virtual platform.



2. Objectives of the Dialogue

The objectives of the 7th Parliament's inaugural Public Participation Civil Society Dialogue were summarised as follows:

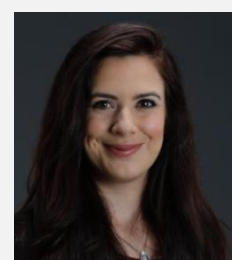
- *Identify Challenges and Opportunities:* Reflect how far we have come as the 6th Parliament and assess the current landscape of public participation, including strengths, gaps, and challenges.
- *Share Knowledge, Resources and Best Practices:* Facilitate the exchange of experiences, tools, and best practices to improve public participation efforts.
- *Develop Strategic Action Plans:* Formulate actionable strategies to enhance public participation networks at local, district, provincial, and national levels.
- *Enhance Inclusivity:* Ensure that the PPWG represents diverse voices, including marginalised and underrepresented communities.


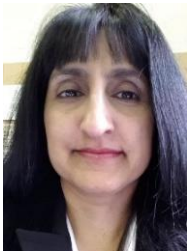


- *Strengthen Collaboration:* Promote cooperation and partnerships among various stakeholders to create a more cohesive and effective network.



3. Programme Overview

TIME	PROGRAMME OVERVIEW
8H30 TO 9H30	Registration: Visitors Centre
8H30 – 9H30	Virtual Tour of Parliament Public Education Office
9H30 – 10H00	Setting the Scene Facilitator: Mr Lawson Naidoo – CASAC
10H00 – 10H20	Opening and Welcome Ms Ressida Begg Division Manager: Core Business Support Division
10H25 – 10H40	Keynote Address: “Where Are We Now? Assessing Public Participation in the 6th Parliament” Member Cameron Dugmore: Programming Whip: National Assembly
10H40 – 10H50	"Building Partnerships to strengthen Public Participation"
	Presentation: Dr Rachel Fischer Parliamentary Engagement & Research Manager at The Organisation Undoing Tax Abuse (OUTA)



10H50 – 11H00	<p>Presentation: Mr Rashaad Alli Executive Director, Parliamentary Monitoring Group</p>	
11H00 - 11H30	TEA	
11H30 – 11H50	<p>Has Parliament “Risen to the Challenge”? Ms Ressida Begg: Division Manager: Core Business Support Division</p> <p>Dr Leon Gabriel: Knowledge and Information Services Division</p>	
11H50 – 13H50	<p>Facilitated Discussion Mr Lawson Naidoo – CASAC</p>	
13H50 – 14H00	<p>Developing Strategic Action Plans for the 7th Parliament" Ms Ressida Begg: Division Manager: Core Business Support Division</p>	
14H00 – 15H30	LUNCH	

4. Summary of Civil Society Dialogue: Monday, 25 November 2024

SETTING THE SCENE

MR LAWSON NAIDOO
EXECUTIVE SECRETARY
COUNCIL FOR THE ADVANCEMENT OF THE SOUTH AFRICAN
CONSTITUTION (CASAC)



The introductory session provided an overview of the role of Parliament in fostering meaningful public participation and examined the progress made in transforming Parliament into a true representation of the people. It also highlighted the challenges and opportunities in this regard.

The Council for the Advancement of the South African Constitution (CASAC) has a longstanding engagement with Parliament, making submissions and contributing to legislative processes. The Executive Secretary of CASAC has a historical association with the institution, having served as a Special Assistant to Ms. Frene Ginwala, the first Speaker of the National Assembly in the democratic era. Mr Naidoo's experiences provided valuable insights into the evolution of Parliament from an institution that once served the apartheid system to a democratic entity.

The idea of a people's Parliament was fundamental to democratic governance. The initiative of Taking Parliament to the People (TPTTP) emerged in the 1990s as part of efforts to make legislative processes more inclusive. However, it was crucial to assess whether Parliament had truly become a people's institution or if its democratic aspirations remained symbolic. Key considerations included:

- Ensuring that Parliament was not merely a constitutional concept but an actively engaging entity.
- Facilitating direct public interaction beyond the right to vote, fostering engagement in parliamentary proceedings.
- Strengthening the role of parliamentary committees in legislative reforms by promoting open engagement with the public.

Challenges and Opportunities

While significant progress had been made in ensuring public participation, several challenges persist:

- The COVID-19 pandemic and subsequent fire disrupted parliamentary operations, affecting accessibility and engagement.
- Physical constraints in venues limited public attendance, emphasising the need for improved digital platforms to facilitate participation.

Despite these challenges, the return to a physical parliamentary setting presented an opportunity to enhance accessibility and engagement. The integration of online platforms could further democratize participation and ensure inclusivity.

Reflection on the 6th Parliament and lessons learnt

The session provided an opportunity to reflect on the progress made in fostering meaningful public participation. Lessons from past experiences could shape future engagements to enhance democratic interaction.

The ruling in the *Doctors for Life* case underscored Parliament's obligation to facilitate meaningful public participation. Public engagement needed to go beyond procedural formalities, such as newspaper advertisements, and had to ensure active involvement from citizens. The challenge remained in deepening engagement to uphold the vision of a true people's Parliament.

The transformation of Parliament into a people's institution requires continuous reflection and proactive measures. Public participation has to be substantive, ensuring that legislative processes genuinely reflect the will and interests of the people. Ongoing efforts should focus on strengthening mechanisms that promoted meaningful engagement, both physically and virtually, to uphold democratic principles effectively.

OPENING AND WELCOME

MS RESSIDA BEGG

DIVISION MANAGER: CORE BUSINESS SUPPORT



On behalf of Parliament, delegates were welcomed in three dominant languages, with an acknowledgment of sign language as the 12th official language. The session emphasised the importance of inclusive communication and accessibility in parliamentary engagements.

The Division Manager for Core Business Support (DM: CBS), responsible for public participation, provided insights into the Division's role. The Division manages Committees, the Public Participation Section, and the Leader of Government and Business (LOGB) office, which serves as a link between the Executive and Parliament. While the LOGB office is small, it plays a critical role in legislative coordination. Previously, the Division also encompassed Legal Services,

demonstrating the breadth of its responsibilities. However, public participation remained at the core of its mandate.

The speaker reflected on constitutional provisions that have guided public participation since 1996, particularly Parliament's duty to involve citizens in its work. Key questions raised included:

- Have citizens and stakeholders been fully integrated into parliamentary processes?
- Beyond public hearings and oversight, has Parliament effectively fulfilled its mandate?

These questions would frame the discussion on strengthening public engagement and ensuring Parliament serves as a true representative of all citizens.

During the pandemic, Parliament faced unprecedented challenges. Despite disruptions, it quickly adapted by utilizing technology to ensure legislative continuity. Within two weeks, staff and members were trained on Zoom, allowing committees to operate virtually. This rapid response underscored the importance of innovation in engaging the public.

The Public Participation Working Group (PPWG) emerged from experiences during this difficult period to address engagement constraints and forge partnerships with civil society organizations. One key initiative included the development of a Memorandum of Understanding (MOU) to formalise collaboration between Parliament and civil society, recognizing the latter's role in amplifying citizens' voices.

The speaker emphasized the need for public participation to extend beyond traditional hearings and lawmaking. It should encompass oversight of service delivery, international engagements (such as the Sustainable Development Goals, Agenda 2063, and BRICS), and policy discussions impacting citizens. A critical question raised was how global agreements affect local communities, such as farmers and small businesses, and how Parliament can ensure policy decisions reflect public input.

The role of PCOs in facilitating public engagement was also examined, with key questions including:

- How can PCOs align more effectively with Parliament's broader agenda?
- How can they serve as vehicles for meaningful public interaction?

It was acknowledged that strengthening PCOs could enhance grassroots participation and legislative responsiveness.

A comparative analysis of public participation highlighted unique aspects of South Africa's legislative engagement. While submissions to the Australian Parliament rarely exceeded 2,000, South Africa received 10,000 submissions for the National Health Insurance (NHI) Bill and

200,000 for Section 25 of the Constitution. The challenge lies in ensuring these voices are not only heard but meaningfully addressed in decision-making.

The Speaker emphasized that the 7th Parliament presents an opportunity to address existing gaps, particularly concerning marginalized groups such as women, youth, and rural communities. These concerns were first documented in the 2017 High-Level Panel Report, yet many remain unresolved. The conference served as a call to action to reform public participation and introduce transformative practices.

To enhance public engagement, key recommendations included:

1. Strengthening partnerships with civil society organizations as catalysts for change.
2. Expanding outreach to deep rural areas and underrepresented demographics.
3. Promoting a culture of shared democratic responsibility, recognizing that learning from past shortcomings is essential for progress.

The Speaker concluded with an acknowledgment of the contributions of parliamentary leaders, Members of Parliament, civil society organisations, and development partners. Despite venue constraints, the commitment of all stakeholders was deeply appreciated.

Delegates were urged to use the platform to listen, learn, and take actionable steps toward strengthening democracy. Public participation must evolve from mere formalities to meaningful engagement, ensuring that every voice is acknowledged in shaping legislative decisions. The discussions underscored the importance of reflection, accountability, and collective action in advancing a truly representative Parliament.

KEYNOTE - "WHERE ARE WE NOW?

ASSESSING PUBLIC PARTICIPATION IN THE 6TH PARLIAMENT"

MEMBER CAMERON DUGMORE

PROGRAMMING WHIP NATIONAL ASSEMBLY



I want to start by making a disclaimer by providing context. Lawson mentioned the PCOs, and as some of you may know it is constituency week, and I am in George where my PCO is located.

I serve as the Programme Whip for Parliament, which includes responsibilities for the Chief Whips' Forum, determining committee weeks, and overall scheduling. Going forward, I strongly believe that public participation must become an integral component of Parliamentary programming. It will play a vital role as we strive to build a robust and inclusive 7th Parliament.

In addition to my role as Programme Whip, I am also an alternate member of the Public Accounts Committee, which oversees a range of matters across political parties. Public participation and the dissemination of information are integral to this committee's work, particularly in areas related to finance. I am also a full member of the Joint Standing Committee on Parliament's Finances, which deals with issues such as budgets. Given the importance of public participation, this committee's work must be closely aligned with today's discussions and the objectives of the PPWG initiative.

As a Member of Parliament representing the constituency of George, I echo Lawson's remarks about the role of PCOs in fostering and facilitating public participation. This requires thorough discussion and strategic planning. It is also worth noting that the Speaker of the National Assembly is the official custodian of public participation, a function she has delegated to the House Chairperson, Member Cedric Frolick.

For younger members or those unfamiliar, I would like to highlight the historical significance of Parliamentary committees. Even during the apartheid era, committees were a critical mechanism for engagement, but this did not involve all South Africans. We have a rich tradition of building a Parliament of the people. Today, we build on this tradition to strengthen our vision of a Parliament of the people. Drawing on good practices and lessons learned from the 6th Parliament Legacy Report, we can better prepare for the journey ahead with the 7th Parliament.

Two key documents should inform our approach:

1. The High-Level Panel (HLP) Report.
2. The investigation into Chapter 9 institutions led by Kader Asmal.

These reports emphasize the need for Chapter 9 institutions to engage directly with the public and provide valuable insights into areas we should focus on as we advance public participation initiatives. These reports guide us on what we need to focus on.

This discussion offers an opportunity to reflect on our traditions, leverage past lessons, and set a clear path forward for an inclusive and participatory Parliamentary process.

We have a rich tradition of building a Parliament of the people and good practices we can look at as we navigate this journey of the 7th Parliament, as well as 30 years of lessons learnt from our democracy. The 6th Parliament Legacy Report also provides us with certain lessons.

The Constitutional Court judgement in the Traditional and Khoisan Leadership Bill findings that the legislation did not stand the test of meaningful public participation. We need to look carefully at the lessons. I would argue that we need to seek to build a true people's Parliament and build on activism and participation. I was fortunate to work with Trevor Manuel on the National

Development Plan (NDP), and there is an approach to change that talks about three critical ingredients:

- active citizens,
- leadership – building at all levels, in communities, trade unions, etc.
- capabilities.

If we look at the lobby groups in the USA, there are powerful lobby groups leading to what people argue is influenced and controlled by one lobby group, Israel, and their interests. For example, the pharmaceutical industry: we must draw a distinction between the dangers of simply talking about well-resourced lobbied groups. In looking at this because we have 30 years of democracy and a new situation, a Government of National Unity (GNU), that focus on key priorities – 3 apex priorities economy, unemployment, capable government, this means public participation processes but also the legislatures and municipalities into ward committees. We need to build a national culture across the national sphere and all three spheres of government and the arms of the state.

- There is a formal Public Participation Model (PPM) that was adopted by the Rules Committee of Parliament, are we happy with that?
- PCOs are there for members of Parliament, so the challenge is that the parties, being open to what we need to do there as Parliament must issue a list of every PCO, whether I vote for the DA or ANC I must have this.
- Now turning to Public Education, we are more than fortunate to have a constitution, but we cannot assume that every generation understands the power of the constitution. Parliament and others must go back to basics and deepen public education. There are platforms like the SABC public broadcaster, where in one week, as an example, we can deal with the Bill of Rights and other important topics. Basic public education is critical.

What is important in the 7th administration is that whatever comes out of this meeting is shared with the Speaker, Committees,

The budget is one of the most important laws, but there historically the Budget has never been amended. in Public input and the budget of the country, there are always trade-offs, how would that deal with other pressing priorities linked to Parliament itself is in a position to amend bills

I may be the only member present today;

- clearly in any public participation process, all the political parties have to be involved, not just in their constituencies.

- Partnerships with schools are critical, SRCs, young leaders, how do we work with RCLs – how have they been involved in the Basic Education Law Amendment (BELA) Bill? Was public participation conducted at the level of high schools?
- How have universities, religious sectors, etc. influenced legislation? Taking Parliament to the people, requires the executive as a resource, where commitments are made.
- Petitions are one of the direct ways for the public to exercise their rights. The Petitions framework must be finalised – people have the right to petition Parliament directly on the land question, etc. Meaningful participation must be deepened in the 7th Parliament and 7th administration – we must be responsive where outcomes and executive are monitored.

I hope that as we go forward, all Members of Parliament should actively participate in these discussions and build a responsive people's Parliament driven by activism, public participation and holding our Executive accountable to achieve a better life for all our people.

Facilitator: There needs to be an engagement with the Chief Whips Forum and other political parties to serve the roles and functions they are designed to serve.

Clarifying Questions

The two reports that Member Dugmore mentioned, we would like copies.

Response: We will provide copies of the reports to all participants, including the HLP (High-Level Panel) and Kader Asmal reports. These reports focus on the functioning of institutions, and we encourage everyone to go through them to understand the lessons we have learned. We will make available the executive summary of the HLP report, along with all other relevant documents referenced by the speakers.

Cameron has not mentioned NEDLAC, the 2017 that Cameron is referring to in 2003 he had a long engagement on the document because the MPs were not interested how do we make a government open, we need to look at openness, transparency and trust. Civil society has lost its trust.

Question: I am queen of the nation. We hand in our submissions to the HLP, and I want to thank the chair for a seat at the table, we are being invited to Parliament, HLP, submit and then at the end of the day there is no implementation. My clarifying question, what about the resolutions and recommendations made? What are we going to do to implement the HLP, its all the government departments, we have been insulted, I am an adult woman, when I step into Parliament as an observer, and what we receive is utter disrespect, we have a Deputy Minister who says do not be adulterized in your community, do not these are the utterances of members of Parliament. Not so long-ago members in Manenberg, on Tik Tok, Minister of Art and Culture that makes Tik Tok,

inviting the First Nation to meetings, what has happened to the principles, morals and scruples? I am so disgusted, I am being kicked down by officials, and TPTTP, I was a PCO, my salary was reduced to bring Parliament to a local level because it was said there is no room for you. If you do not stand with the party

I have heard that each political party has to do due diligence, this government does not allow us to have a voice, we are allowed to have a voice, never mind Jan van Riebeeck, why must a young woman like me be so on top of it, I need to fight against people in high positions, why are Members of Parliament fighting with us, all we want is a seat at the table, now we are organized, how best can government sit at the table and get us to be heard?

Thank you to the chair of this platform, we have been struggling to get here. The legacy I want to leave behind is a legacy for my children and grandchildren, and no one understands how this Parliament works, and we cannot accept this constitution, this is not equality. Our cry is that we are not being heard, National House of Traditional Leaders, COGDA, rural development all of these are pushing us back, we need a voice in this Parliament

Ques:, Mitchells plain: we are not including our children that really need the leadership, that are being thrown away, they are everywhere, we are lacking it to mainstream kids, when I arranged an outing to Parliament -they are in RCLs they did not understand our roles and Parliament's, when an educator was never in Parliament, we are an organization, on the ground I want to bring our kids to our children to give them an opportunity, to talk about 1994 but there is such a big gap, our education is getting worse. Now that I learnt about the differences, I would like to know more, in tourism and say please vote, we fought for this, and to say you do not want to be part of it, this is where the confusion starts. You are here in Parliament, so do not say you do not want to be part of it. Be part of it and be present, that is where it starts.

Ques (Department of Social Development): I came to this session because my work is about advocating for children's rights. Thank you Cameron, my observation is that we are doing things for children without them. We have a discussion celebrating world children's day. We have failed our children. So, we must go to them to find solutions. We have a Children's Parliament. We report to the UN and the African Union. PP is compulsory throughout all levels of state. We have the developmental IDPs. There is not a single municipality that consults children around the country.

Ques: King of the xxx tribe of Krotoa, minister teacher, business man, my children the Khoi and the San, the black children, the white people but this Parliament does not care about my people, I looked after Mr Nelson Mandela when I was a policeman, 18 years old I went to Angola, I have respect for the ANC, because the ANC promised to look after the people. The DA does not care about our people, the ANC allowed this thing to happen. I tell you my brother, I grew up in front of the ANC Ben Turok, I know Walter Jones, Prof van der Linder, he is my mentor, the First Nation is

the Khoi, San and bushman. Why is this government, not looking after the people that voted for them. It is like a circus, the government is a circus, the MPS steal money and they do not get prosecuted. We are here to respect you, I deal with Indian people in Nepal, Malaysia, they are my people, I am saying as a king, recognise the First Nation as people

They do not want to recognise us we are the ones doing the work, if there is a tender, the white person must get the tender, and I must be the slave, my god, Hessequa, my Hebrew name is Johannes, sir John, Johanna, when I walk in the road I do not say I am a Dr, a law specialist, because we are all equal, everyone that is here, has a basic right, to be in South Africa and be treated equal, there is a lot of people in the township, the ANC allow that once our children get kicked out of school for one year. I have no problem if the ANC must look after the people. A member that works in this Parliament, she said check there is so much corruption and racism amongst the leaders, when you go to Switzerland world focus mining group, when it comes to the money story it goes into your pocket

The Khoi people do not say give us South Africa, we want to be part of South Africa, I was born in Constantia, I grew up in a sink pondokkie, I had to study for 20 years, what is say to my people the king will never drive a new car or live in a new car while my people are struggling. They live everywhere in the world, I like a man that stands up for your rights, Mr Dugmore has a chance today to prove to himself to the First Nation: Tell this Parliament the Khoi San and the bushman have arrived. We are here to tell you we do not want to fight; I said to the Premier of the Western Cape, I do not want to go to Constantia, those people have a bond today, I cannot hate a white person because of their forefathers. What I hate is that my government does not recognise me in my own land of my forefathers.

Responses by Member Dugmore

I am here in the capacity as a Member of Parliament (MP), and as the Programme Whip for Parliament. It does not appear that there are any members of other political parties present.

Firstly, regarding NEDLAC, questions have been asked which underlines the importance of NEDLAC – it is a structure run by the Executive. Parliament passed a law, so one can deal with the issue around participation in NEDLAC in terms of existing legislation and oversight over NEDLAC which is an issue that can be discussed by the relevant Portfolio Committee.

The Traditional and Khoi-San Leadership Act was passed by the 6th Parliament and the Constitutional Court made it clear that public participation was not sufficient. Where the person spoke on behalf of the First Nation of ensuring participation of the First Nation people, I'm not sure how this meeting can address that. There is the Executive who has raised the issue of a national dialogue where pressing issues, such as children, First Nation, identity, citizenship, all these issues feed into. I believe a national dialogue on how we are going to position ourselves as Parliament is

critical. Institutions supporting Democracy or Chapter nine institutions are another clear avenue for First Nations to approach. Let us focus on getting the Traditional and Khoi-San Leadership law passed, recognising the Khoi and San leaders.

Access to Parliament: we continue to have our sessions in the marquee, it will take 2 years, for physical access, the point of listening to the voice of children has been made, including high school learners - how do we ensure a real meaningful programme? A Children's Parliament as one of the Sectoral Parliaments has been called for.

The last speaker spoke about the organization I belong to. What concerns me is that you must seek truth through facts, and when the speaker states that Members of Parliament steal, it is important not to generalize. We had the Zondo Commission and Parliament has followed the recommendations. I sit on SCOPA, we had the Hawks, etc, and it is not true to say that there have been no prosecutions.

Government is trying to extradite the Guptas so the point is that where we have evidence of corruption and wrongdoing, we must report it through police stations, the Public Accounts Committee, the Public Protector, etc, so that we are held to account, where we can lodge complaints about our Ministers or Members of Parliament, accompanied by evidence.

Corruption is a disease. It exists across government and business and all sectors of our society. We must declare war on this. Let us use the correct processes to ensure that our voices are heard. How do the public raise issues – through our councils, through access to Parliament, through our Provincial Legislatures. Parliament is under reconstruction. However, Parliament can remain accessible – we can invite MPs to visit our schools, to visit communities, to look at the problems and galvanise collective solutions. Portfolio Committees conduct oversight visits, which needs to be linked to issues and concerns arising directly from engagement with communities and in our constituencies. Our oversight programme must be relevant to the needs of communities and the service delivery they require.

As organisations and individuals who have access, that relationship can be enhanced and improved, but we also need to think about how do we reach those who are not privileged to engage with Parliament in the way we are?

The PCOs should be the conduit for Parliament to reach every corner of the country and should be seen as an integral part of public participation.

In the 1990s, we encouraged schools to receive a South African flag that has been flown over Parliament, motivate to the speaker why the school should be chosen as the beneficiary of the flag. It created a link with young people and schools. The discussion is around the mechanisms of Parliament. We must try to focus on the mechanisms that can deal with the issues that are being raised.

PRESENTATION

DR RACHEL FISCHER

PARLIAMENTARY ENGAGEMENT & RESEARCH MANAGER AT THE
ORGANISATION UNDOING TAX ABUSE (OUTA)

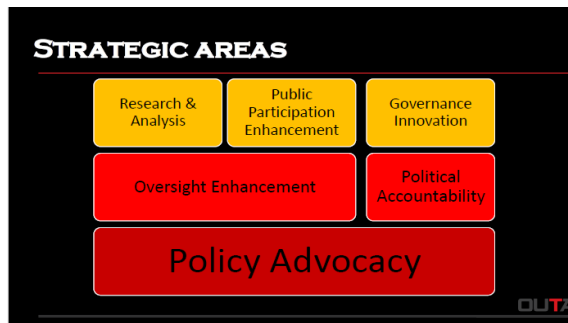


PART 1: CONTEXT FOR OUTA'S PARLIAMENTARY OVERSIGHT WORK

PARLIAMENTARY OVERSIGHT CONTEXT

- Monitors BRRRs, financial statements, performance plans, and strategies submitted to PCs by National Departments and SOEs.
- Strengthens oversight by monitoring, exposing issues, participating in processes, and advocating for reform.
- Submits and presents to PCs in both the NA and NCOP.
- Builds relationships with Parliamentary staff and representatives across political parties.
- Collaborates with external partners to make joint submissions and mobilise public support for key causes.

OUTA



PARLIAMENTARY OVERSIGHT REPORTS

Parliamentary oversight reports (PORs) are developed to hold government accountable, monitor implementation, identify issues and gaps, find ways to improve service delivery, support legislative functions and safeguard public funds.



POR 2024: LAUDABLE OR LAMENTABLE? THE SIXTH PARLIAMENT'S LEGACY:

The OUTA's 6th annual POR provides an analysis of the 6th Parliament's performance, covering its handling of major challenges such as the Covid-19 pandemic, state capture, rising organised crime, service delivery collapse, and financial crises in state-owned enterprises. The report evaluates the oversight work of the 11 selected Portfolio Committees (PCs) based on their legacy reports, BRRRs, and OUTA's assessment of their effectiveness. The period analysed is from 1 July 2023 to 30 June 2024, with a focus on the last year of the 6th Parliament.

Questions guiding the report:

1. What challenges and opportunities did the selected PCs deal with?
2. How did they deal with these challenges and were their efforts laudable or lamentable?
3. What recommendations can be made for the 7th Parliament?



KEY RECOMMENDATIONS

- Civil Society Collaboration
- Joint Tagging Mechanism
- Parliament's Budget Cycle
- Public Participation
- Oversight of the Presidency
- Prioritising Reforms
- State Capture Recommendations
- Tracking and Monitoring

OUTA

BENCHMARKING OVERSIGHT AGAINST SGD, NDP, OTHER REPORTS AND ORGANISATIONS

Measure government performance against policies & promises

South Africa

- New Growth Path Framework (2016)
- National Development Plan 2030 (2012)
- Industrial Policy Action Plan (2018)
- Framework on Gender Responsive Planning (2016)
- Economic Reconstruction & Recovery Plan (2020)
- Operation Vulindlela (2020)
- Minister's performance agreements (2023)
- Revised Medium-Term Strategic Framework (2021)
- President's Energy Plan (2022)
- State of the Nation Address (annual)

International

- UN Sustainable Development Goals
- Paris Agreement on Climate Change
- United Nations Convention Against Corruption
- African Union Agenda 2063

OUTA

ISSUES, IMPROVEMENTS & OBSERVATIONS

Shared Issues:

Coordination and Collaboration Challenges:

Most PCs reported difficulties in coordination between different levels of government or state entities.

Funding and Financial Stability:

PCs repeatedly highlighted the need for additional funding and sustainable financial models to ensure effective service delivery.

Issues related to funding gaps were particularly prevalent in infrastructure projects.

Infrastructure and Service Delivery Deficiencies:

Challenges related to infrastructure maintenance and the performance of contractors were a common theme across different sectors.

Lack of Oversight by Some PCs:

PCs on Forestry, Fisheries, and the Environment, Public Enterprises, and Transport did not conduct any oversight visits during the 2023/24 period, raising questions about their engagement with critical issues under their mandates.

Ideas for Improvements:

Enhanced Collaboration and Communication:

PCs recommended fostering sustainable collaborations among state entities and improving communication between different government levels.

Review of Funding Models:

Recommendations included reviewing the funding models for key state agencies and increasing funding for higher education institutions to address systemic challenges.

Accountability and Consequence Management:

Enforcing consequences for non-compliance was suggested by the PCs on Water and Sanitation to address contractor inefficiencies and challenges related to infrastructure projects.

Addressing Human Resource Deficits:

PCs recommended filling critical and non-critical vacancies and increasing personnel to improve service delivery in critical sectors.

Observations:

Political Will and Implementation Gaps:

There is a recurring gap between policy recommendations and implementation.

Focus on Vulnerable Populations:

The PCs on Women, Youth, and Persons with Disabilities focused on critical social issues, such as gender-based violence, youth unemployment, and the conditions of forced victims, highlighting the urgency of interventions in these areas.

Calls for Modern Technological Solutions:

The PCs on Water and Sanitation stressed the use of modern technologies to improve service delivery and tackle infrastructure challenges, reflecting an increasing recognition of the need for technological solutions in governance.



PART 2:

PARLIMETER & RELATED ACTIVITIES



WHAT IS THE PARLIMETER ABOUT?

BACKGROUND

The project aims to improve transparency and accountability in the national legislature.

It includes an innovative digital tool – the Parliamentary Oversight Dashboard – accessible to the public and collaborates with various stakeholders to combat corruption.

By using data and technology, complemented by in-depth research, it seeks to enhance public access to parliamentary proceedings.

OUTCOMES

1. Enhanced Transparency and Informed Decision-Making
2. Strengthened Committee Systems and Inclusive Governance
3. Enhanced Evidence-Based Policy-Making and Parliamentary Reform
4. Empowered Civil Society Engagement and Inclusive Democracy

This project is co-funded by the EU enhancing accountability and transparency programme.

OUTA

WHAT IS THIS PROJECT ABOUT?

RELEVANCE

This project seeks to revitalise Parliament as a hub for accountability and emphasises the importance of transparency to promote public engagement and confidence in the national legislature.

Parliaments worldwide play a vital role in democracy, serving as checks and balances to executive power and addressing corruption, particularly in new or developing democracies.

CONSTRAINTS

1. Rampant corruption and poor service delivery erode trust in public institutions.
2. This hinders efforts to reduce poverty and inequality in South Africa.
3. The Constitution designates Parliament as a crucial institution for oversight, checks and balances, addressing corruption, and ensuring accountability.
4. The State Capture Commission has highlighted the inadequate oversight in Parliament during the Zuma years.



THE TEAM'S RESPONSIBILITIES



- Manages the project, activity plan, & financial reporting.
- Conducts research & makes formal submissions
- Regularly submits to Parliamentary Committees, assess Parliament's performance & monitor Portfolio Committee meetings.
- Coordinates civil society engagement with Parliament
- Promotes civic education & public participation



- Leads the technological development & innovation design during the project.
- Helps coordinate the technical components of the project, development strategy, & communication between partners & user communities.



- Plays a crucial role in monitoring & reporting on parliamentary activities, particularly portfolio committees.
- Provides research & data that will support evidence-based recommendations for strengthening Parliament.
- Co-leads the effort to gather, curate & disseminate information from the national legislature.
- Promotes civic education & public participation

HOW WILL WE DO IT?

METHODOLOGY

- Civil society organisations working within the Parliamentary monitoring space
- Researchers & policy-makers monitoring Parliamentary proceedings
- MPs & other Parliamentary Officials
- Media
- Marginalised groups such as Women, LGBTQI+ community, youth, the elderly, persons with disabilities, illiterate citizens and the broader public



OUTCOME ONE: ENHANCED TRANSPARENCY AND INFORMED DECISION-MAKING



Develop an open-source Parliament Oversight Dashboard.



Source data from various APIs and create user-friendly digital tools.



Actively track user engagement and feedback for improvements.



Monitor officials' use of the platform for decision-making.



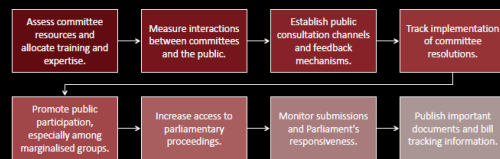
Use surveys and data access logs to understand user demand.



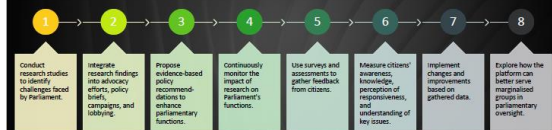
Implement changes and improvements based on feedback.



OUTCOME TWO: STRENGTHENED COMMITTEE SYSTEMS AND INCLUSIVE GOVERNANCE



OUTCOME THREE: ENHANCED EVIDENCE-BASED POLICY-MAKING & PARLIAMENTARY REFORM



OUTCOME FOUR: EMPOWERED CIVIL SOCIETY ENGAGEMENT AND INCLUSIVE DEMOCRACY

Foster	Foster partnerships with civil society, academia, and think tanks.
Engage	Engage with experts and conduct workshops.
Collaborate	Collaborate with the media for accurate information dissemination.
Develop	Develop mechanisms for public consultations and track citizen activism.
Implement	Implement targeted programs for citizen education.
Monitor	Monitor the production and distribution of education materials.
Collect	Collect user feedback to enhance accessibility and user experience.

QUESTIONS
&
THANK YOU



SHARING REFLECTIONS ON PP

MR RASHAAD ALI

EXECUTIVE DIRECTOR

PARLIAMENTARY MONITORING GROUP



As an organisation we try to be constructive, and our participation here today is an illustration of this. This subject matter is fundamental as public participation in decision-making is democracy itself.

Let me start by highlighting how civil society organisations (CSOs) can make Parliaments better by:

- Holding them accountable: Monitoring and scrutinising Parliamentary actions.
- Providing expertise and research: Offering knowledge and analysis to inform policy decisions.
- Amplifying citizen voices: Representing marginalised communities and promoting their interests.
- Promoting transparency and openness: Advocating for access to information and Parliamentary processes.
- Supporting Parliamentary capacity building: Offering training and resources to enhance Parliamentary effectiveness.
- Fostering collaboration and engagement: Encouraging dialogue and cooperation between Parliamentarians and CSOs.
- Encouraging citizen participation: Educating and mobilising citizens to engage with Parliamentary processes.
- Providing independent oversight: Conducting independent investigations and audits.
- Supporting Parliamentary integrity and ethics: Promoting ethical standards and conduct among Parliamentarians.
- Conducting public opinion research: Providing insights into citizen concerns and priorities.

To some extent, my input and those from other speakers will not necessarily be new as this is an issue that much has been written about and even discussed over the years.

In January this year, the South African Legislative Sector (SALS) Oversight Summit adopted important resolutions. Key resolutions pertaining to public participation include a commitment to:

- Systematically evaluate and review the Public Participation Framework and public participation processes for effectiveness oversight in Legislatures.
- Utilising data produced by academia and Chapter 9 institutions more effectively. Data on performance, outcomes of government programmes, and citizens' satisfaction necessary to perform oversight is available but is poorly utilised.
- Using legislative processes, rules, and tools such as petitions and public hearings more effectively to exercise oversight in a timely and effective manner. This will necessitate capacity building within the Legislative Sector.
- Systematically monitor the expenditure of Parliamentary Constituency Offices and evaluate their effectiveness and whether they are delivering value for money to the public.
- Collaborate with strategic partners to share resources such as community radio stations and digital media, keeping the public informed and avoiding reliance on legacy media, which may have limited reach.
- Public perception about public participation in legislatures is complex and varied. Common themes include:
 - Skepticism about effectiveness: Many citizens question whether their participation will lead to tangible changes.
 - Lack of awareness: Limited knowledge about opportunities for participation and legislative processes.
 - Mistrust in government: Distrust in government institutions and motives can hinder willingness to participate.
 - Feeling disconnected: Citizens may feel their voices will not be heard or represented.
 - Time constraints and accessibility: Busy schedules and lack of access to information or venues can limit participation.
 - Perceived elitism: Feeling that participation is dominated by special interest groups or elites.
 - Desire for more direct participation: Citizens may prefer more direct engagement, such as town hall meetings or online forums & other non-traditional means
 - Thinking participation is limited to voting: Overlooking other forms of engagement, like committee hearings or town halls.
 - Need for education and empowerment: Citizens want to be informed and equipped to participate effectively.

- Believing participation is a one-time event: Viewing engagement as a single occurrence, rather than an ongoing process.
- Legislatures can address these perceptions by improving transparency, accessibility, and responsiveness, promoting participation opportunities, and educating citizens about the process. There are practical and immediate steps that can be taken
- Parliament has also implemented or will implement a number of specific interventions to address this.

To assess if public participation is working and reaching the right audience, Parliament should consider the following indicators:

- Diverse representation: Evaluate if participants reflect the broader population, including marginalised groups.
- Increased engagement over time: Monitor if participation levels grow or remain consistent.
- Quality of input: Assess the relevance, constructiveness, and thoughtfulness of citizen contributions.
- Influence on decision-making: Determine if citizen input shapes policy or legislative outcomes.
- Satisfaction and feedback: Collect participant feedback to improve processes and gauge satisfaction.
- Demographic analysis: Track participant demographics to ensure representative engagement.
- Geographic representation: Ensure participation from diverse geographic areas.
- Accessibility and accommodations: Evaluate the provision of accommodations, like language support or accessibility measures.
- Outreach and promotion efforts: Assess effectiveness of promotional strategies.
- Participation metrics: Track numbers, frequency, and types of engagement.
- Surveys and evaluations: Conduct regular surveys to gauge participant experiences and suggestions.
- Comparison to benchmarks: Compare participation rates to similar initiatives or benchmarks.
- Inclusivity and equity: Assess if processes address systemic barriers and promote equitable engagement.
- Transparency and accountability: Ensure clear communication about participation processes and outcomes.

- Continuous improvement: Continually refine and adapt participation strategies based on assessments and feedback.

In summary, the following conditions are important for good public engagement practice:

- Public engagement must be an institutionalised practice
- Parliament has a constitutional mandate to engage the public in its activities and processes. But that is not all there is to it: political will, structures, and human and financial resources are also vitally important
- A vibrant civil society sector is essential
- A vibrant civil society sector helps to hold Parliament accountable and ensure that the constitutional mandate of public engagement is strictly adhered to. South African CSOs play a key role in the process by bringing expertise, additional resources and community mobilization capacity to Parliament's public engagement efforts, while also making sure that Parliamentary engagement initiatives are inclusive.
- The public must be interested and willing to engage
- Public interest varies depending on the issue.
- The efforts and resources deployed by both Parliament and CSOs will be in vain if the public is not willing to engage. More can be done to make the public aware of the importance and impact of specific legislation on their lives. There is limited engagement from the broader public when it comes to the budget
- Clarity on how much weight will be given to public participation: Mixed Message. Is it about the quality of the submission? Is it a referendum?
- Access to Information and Transparency: Clear and accessible information should be provided to the public throughout the public participation process.
- The sector has identified the challenges and today's engagement is about deepening and make progress

<p>Lawson Naidoo: the work that PMG does is invaluable, it is a rich resource and an invaluable contribution to our democracy.</p>
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Current Practice & Challenges

Positive	Negative
Parliamentary officials communicate regularly with the public via WhatsApp groups set up in conjunction with community actors to inform them about field hearings and to invite written and oral submissions, and Parliament shares video recordings of Parliamentary activities relating to the bill on its Facebook and YouTube pages.	Public participation is limited to legislation
Parliament also uses local radio programmes to reach remote rural communities.	Constituency Engagement
Public Participation Reports	Technology, time, etc...
Providing Data to Participants	We must acknowledge that public participation is burdensome, and the bar is set high to demonstrate meaningful participation.
	Public participation is a process, not a single event. It consists of a series of activities and actions during different stages of the legislative process.
	A comprehensive public engagement system is time-consuming and resource-demanding; it is something that can only be built up over a long time, with sustained and consistent efforts.
	Reflections on the role civil society could play, holding accountable, offering knowledge and analysis, amplifying citizens voices. Transparency and PP – timely is fundamental and the heart of our democratic processes, earlier this year LSS various commitments were made – review the framework and oversight, utilize data used more effectively,

	Petitions and public hearings to be used more effectively,
	Expenditure of PCOs and delivering value for money
	Share resources – digital and media
	Keeping public informed



Court Pronouncements

- Land Access Movement of South Africa and others (LAMOSA) v Chairperson of the National Council of Provinces and Others CCT – public should be afforded a “meaningful” chance of participating in the legislative processes (reasonableness test)

- What would be reasonable and/or sufficient public participation process to be followed by the committee?

“The forms of facilitating an appropriate degree of participation in the law-making process are indeed capable of infinite variation. What matters is that at the end of the day a reasonable opportunity is offered to members of the public and all interested parties to know about the issues and to have adequate say.”

- Reasonableness test

- Criteria:
 - What did Parliamentary committee consider appropriate in the context?
 - Time constraints – pre-education information session before a hearing
 - Potential expense
 - Nature and importance of legislation
 - Impact of legislation on public – post communications/information/education
 - Meaningful chance of participating in legislative process



Court Pronouncements

- Mogale and Others v the Speaker of the National Assembly and Others (CCT 73/22) [2023] ZACC 14.

- At the heart of this case was the question: whether the National Assembly and the National Council of Provinces, together with the provincial legislatures, failed to fulfil their constitutional mandate to reasonably facilitate public participation in the passing of the Traditional Khoi-San Leadership Act 3 of 2019 (TKLA).

- TKLA should accordingly be declared unconstitutional and invalid.

- The CC held that there are three factors that should be considered in determining whether the process adopted by Parliament in relation to public participation was reasonable, namely,
 - what Parliament has itself determined is reasonable;
 - the importance of the legislation and its impact on the public; and
 - time constraints in relation to the passing of the particular legislation and the potential expense.



Court Pronouncements

- LAMOSA Practice note developed to address concerns raised by the Courts

- The courts have made it clear that—

One House cannot rely on what the other did;

- The NCOP cannot rely on public participation facilitated by the provincial legislatures without ensuring that there were in fact sufficient processes facilitated by the provincial legislatures.

- Land Access Movement of South Africa and Others v Chairperson of the National Council of Provinces and Others [2016] ZACC 22 paragraph 81:
 - “Where the NCOP has decided that public hearings should take place at the Provincial Legislatures, in truth these hearings are part of the NCOP process. This is so notwithstanding the fact that Provincial Legislatures have their own distinct obligation to facilitate public participation and are separate from and not mere appendages of the NCOP. Thus in this context any shortcomings in the processes of the Provincial Legislatures fail to be imputed to the NCOP” (Our emphasis)



Court Pronouncements

- The level of engagement with the public (e.g. whether to hold public hearings) depends on various factors e.g.

- Parliament's rules;

- Joint Rule 12: “(2) Public participation in terms of subrule (1) is subject to and must be exercised in accordance with the applicable provisions of the Constitution, these Joint Rules, the **Public Participation Model** and Practice Note.” (Own emphasis)

- the nature & importance of the legislation;

- the impact of the legislation on the public;

- any time constraints; and

- May be considered but “saving of money and time in itself does not justify inadequate opportunities for public involvement.”

- efficiency in the law-making process.

- In this regard legislatures have “a significant measure of discretion in determining how best to fulfil their duty to facilitate public involvement” in its processes, provided they act reasonably.

- Doctors for Life International v The Speaker of the National Assembly [2006] CCT12/05, Par 128, 146;

- Land Access Movement of South Africa v Chairperson of the NCOP [2016] ZACC 22 Par 60-61



Court Pronouncements

Public involvement after amendments were made: Where amendments are material, deal with new issues that the public may not have been aware of (e.g. extending the scope), calling for further comment is advisable

Truworths v Minister of Trade and Industry [2018] JOL 39718 (WCC) (dealt with regulations, but the same principle applies to primary legislation): “[43] It was submitted, correctly, on behalf of the respondents, that the Minister is not obliged to re-advertise for comment. However, where the Minister changes the draft regulations in a material respect, calling for further comment might under certain circumstances be advisable.”

South African Veterinary Association v Speaker of the National Assembly and Others

The alteration to the Section 16 of the Amendment Bill which added the requirement that veterinarians be licensed to compound and dispense medicines was an extension of the subject of the Bill for which the Committee ought to have sought the NA's permission.



Public Participation is an Institution-Wide Constitutional mandate

Integrated ways of working into:

- Informing, involving and Consulting with Stakeholders (internally and externally) at planning stage
- Stakeholder Analysis (Research on Public Involvement Structures governed by legislation & civil society)
- Accessible Responsive Public Service: Sharing Public Officials' Contact Details on the website
- 'Mixed' Methods
- Documentation and Evaluation Protocols
- Integrated Participation Strategy
- Ongoing Review, Monitoring and Evaluation of Public Participation Activities



Public Participation Section

PEO (Public Education Office)

PDO (Parliamentary Democracy Offices)



Roles and Functions

Our approach to public education involves implementing Parliament's Public Participation Model (PPM) that embraces four inter-connected pillars of public engagement: inform, consult, involve and feedback. The Model is an enabling tool to strengthen the work of Members of Parliament (MPs) in the House, Committees and Constituencies and to improve public access to Parliament and its Members to fully represent the people of South Africa.

PEOs

PDOs

- To educate the public on and promote public participation in the processes and activities of Parliament
- Provide regular and relevant information to citizens on what is happening in Parliament and how to get involved
- Educate citizens about Parliament and how to actively and meaningfully participate in relevant parliamentary processes
- Provide public education and information aimed at creating an informed citizenry, who can actively and meaningfully participate in decision-making that affects their lives.
- Increase public access and participation in parliamentary processes to strengthen participatory democracy
- Ensure a greater level of efficiency in accessing communities and providing ground support for parliamentary programmes
- Develop education material and content for parliamentary programmes
- Increase Parliament's outreach and create an immediate awareness of a parliamentary presence in the provinces
- Provide feedback to citizens and communities on matters before Parliament which impact their lives.

Products and Services

To fulfil these objectives, PEO and PDO render a package of integrated services



Rationale: Key Considerations for Strengthening PCOs

“a better understanding of Parliament's role in society, and the role of society in Parliament is needed

The key objective is to educate the public on the role of Parliament and promote public participation in the processes and activities of Parliament then **Parliamentary Constituency Offices (PCOs)** are fundamental to this approach

This understanding remains key to ensuring that all South African citizens can actively exercise their right to meaningfully participate in Parliament and directly influence the law-making and oversight functions of the institution.

This transfer of knowledge and understanding remains key to ensuring that Parliament evolves into a truly representative people's Parliament. Specifically, where all South African citizens can actively exercise their right to meaningfully participate in Parliament and influence the direction of the institution from an informed perspective.

Planning across the institution should provide for public education prior to public participation in all the activities and programmes of Parliament



Rationale: Key HLP Recommendation.....

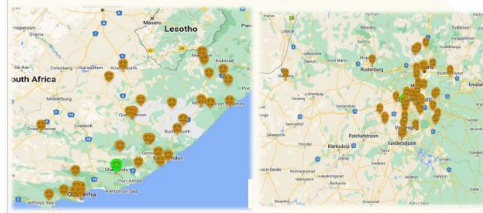
Parliament should provide the public with information regarding constituency offices, such as:

- the address and contact details of constituency offices,
- the names and contact details of Members of Parliament assigned to specific constituency offices, and
- the boundaries of constituency areas.

Step 1: Map the PCO locations

<https://www.google.com/maps/@33.966475,31.747049,KC18,188044115330068z?hl=ZiA67m7cPIA65N9708E:>

PCOs: Eastern Cape & Gauteng



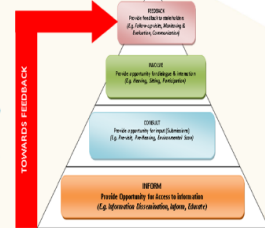
Free State Pilot: Botshabelo PCO



<https://www.youtube.com/live/0o29MaqD8SA?si=OH2upAa4mVnG1C0D>

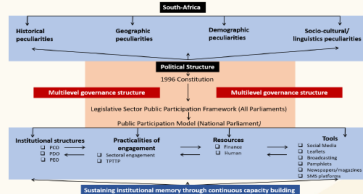
Leveraging PCOs

- Information centres
- Parliamentary corner
- Public Education material, Bills before Committees, etc.
- Education programme for all PCO staff
- Assist with Petitions, submissions and representations
- Serve as feedback mechanism to constituents



Monitoring and Evaluation (IPU PP Research Study 2023)

"The Public Education Office (PEO), the Parliamentary Democracy Office (PDO) and Parliamentary Constituency Offices (PCOs) enhance diverse engagement efforts, including national debates and pilot programmes in specific provinces. These initiatives collectively aim to strengthen public engagement with the legislative process in South Africa"



Monitoring and Evaluation (IPU PP Research Study 2023)

"In summary, the South African example suggests that the following conditions are important for good public engagement practice:

1. Public engagement must be an institutionalized practice.
2. A vibrant civil society sector is essential:
3. The public must be interested and willing to engage:
4. An effective feedback loop helps to translate public engagement into public trust in parliament

Ultimately, effective public engagement has two outputs. This first is legislation that represents the public's will. The second is increased public trust. While this change may not be immediately obvious, continued and consistent implementation of effective public engagement practice – including more genuine opportunities for dialogue between elected representatives and the people on issues of general interest – **will, over time, produce a more trusting public.**"

The role of Civil Society Organisations in Public Involvement

Collaborating with CSO to reach key stakeholders, particularly in the law-making process

Draft MOU with CSO working group to cement collaboration – key focus is to create greater access to key stakeholders represented by CSO such as disabled, vulnerable, youth and women.

Blind SA translates all public education pamphlets into Braille and make it available to their members

SAWLA – Access to Justice Programme with PCOs

C. Interventions to increase public participation

4IR– Innovations since Covid-19



PPM – Innovations since Covid-19

Public participation tool	Details
• Advertise for written submissions	Traditional approach to source public inputs by advertising in mainstream media
• E-mail submissions	Written submissions e-mail to e-mail address of Committee Secretary/ Bill
• SMS	SMS to a cell phone allocated to a Committee staff member. The sms's are transferred to an e-mail account linked to the Bill
• WhatsApp	Similar to SMS process
• Video recording of input	In the same way SMS and WhatsApp is used, video clips can be considered as an alternative submission mode.
• Oral submissions via community radio stations	PCS books a slot with Community Radio station. Chairperson of the Committee or committee member encourage citizens to phone in and submit their inputs.
• Use of virtual platforms to host public hearings	Participants who indicate that they want to make an oral submission are invited to the virtual platform to make these inputs.
• Virtual "mini-public" public hearings	Virtual engagement in which participants can engage through community radio stations, TV channels and social media
• Social media: Facebook, Twitter	Inputs can be submitted via these social media

Public Participation Model and 4IR - Innovations

Parliament is currently implementing and continuing to explore innovation, digital tools and measures to enhance oversight and accountability and to enhance public access, involvement and participation and feedback. These include amongst others:

- Virtual Committee meetings/ sittings/ oversight visits, drone visits/ oversight through holograms;
- PCS - Parliament Interface Nerve Centre (Cai Centre, Central Electronic data management system, capturing, analysis, reporting, feedback);
- Electronic channeling of submissions and petition analysis;
- Live data dashboard of sectors, wards, constituencies;
- Interactive website. (Websites can include text and multimedia or interactive content, they are incredibly versatile and can be developed in a variety of ways. Websites bring together a number of different features depending upon their purpose, enabling people to find information, to communicate, or to contribute content)
- Electronic and Social media – On demand media (Facebook, Instagram, Twitter, YouTube, WhatsApp, Radio, TV, etc.)

*Legislation and oversight combined are powerful tools/mechanisms with which to ensure that the Executive accounts on legislation passed by Parliament and commitments made by South Africa to international bodies. Public participation and involvement in legislation and oversight would thus allow for deepened scrutiny and oversight and accountability between the three spheres of Government. – PP Model



Increased Access via Virtual Platforms & Social Media:

• The work of Parliament is currently promoted on social media platforms as well as the marketing of Parliament platforms so that the public is aware in terms of where to find information

• We will soon launch a social media account – to enhance existing SM platforms – but solely dedicated to educating citizens and to facilitate public participation in the proceedings of Parliament for meaningful participation.

PLATFORMS	2020/2021	2021/22
Twitter followers	747,419	857,332
Facebook followers	75,697	91,452
Instagram follows	22,864	32,526
YouTube views	862,705	961,158
Unique Website Visitors	795,634	1,094,571

Parliament recently reached 1 million followers on X/twitter. Collectively all parliament's X accounts reach several million citizens per month



35 million SAns active across the various SM platforms

INTERNET USAGE

Number of households with internet access
14.7m

Most used device to surf the internet

Mobile phone

Mobile internet penetration

63%

(Statista 2023)

SOCIAL MEDIA USERS

Share of women on social media

51.1%

Share of women on Facebook

51.4%

Share of women on Instagram

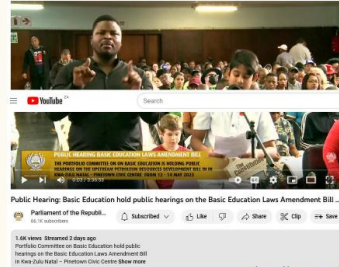
55.7%

Share of women on Facebook Messenger

51.1%



Increased Broadcasting and live streaming of Public Hearings & Committee Meetings

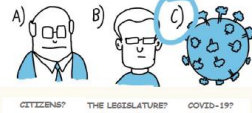


<https://www.youtube.com/ParliamentRSA>



Interactive website. (Websites can include text and multimedia or interactive content and Chatbots, they are incredibly versatile and can be developed in a variety of ways. Websites bring together a number of different features depending upon their purpose, enabling people to find information, to communicate, or to contribute content)

IN 2021 WHO LED THE DIGITAL TRANSFORMATION?



Monthly Community Radio Programmes

To strategically partner with and use GCIS's radio programmes to enable citizens to **Know My Parliament, Know My Member and Know where my PCO is located** as well as providing educational programmes through proactively interacting with and involving citizens in the affairs of Parliament.

Community Radio will increasingly be used to prepare citizens for public hearings and to educate and inform them about scheduled oversight tours by committees.

In addition it can also be used to Ensure more speedy feedback after public hearings or oversight tours



Upstream Petroleum Bill



Increased use of social media platforms: Petitions

To introduce more petitions via social media platforms. "Petitions are the most widespread tool for public participation, with 79 % of Global Parliamentary Report survey respondents stating that they have a submission process."

We should be launching an e-petition webpage linked to Parliament's webpage. "The National Assembly of South Korea launched an e-petitions website, Sinmungo, in early 2020. Petitions that reach over 100,000 signatures within 30 days are referred by the National Assembly to a Committee. As of January 2021, 18 such petitions submitted via the e-petitions platform had been referred to relevant committees."

ICT currently engaging on an e-petitions and e-submissions solution for Parliament



A Comprehensive Public Education programme

- Understand the Separation of Powers
- Be able to distinguish between the three arms of the state
- Understand the role of Parliament
- How to participate in Parliament



EXAMPLES of COMMITTEE PUBLIC PARTICIPATION PROCESSES

- Older Persons Amendment Bill [B11 – 2022]
- Ad hoc committee on floods
- Children's Amendment Bill [B18 of 2020]
 - Article 12 of the Convention on the Rights of the Child – children have the right to participate in the decision-making processes that may be relevant to their lives and to influence decisions taken in their regard
- Climate Change Bill [B9 – 2022]
 - [https://www.ipu.org/event/public-engagement-in-parliamentary-work-climate-change#event-sub-page-31810/](https://www.ipu.org/event/public-engagement-in-parliamentary-work-climate-change#event-sub-page-31810)



E. QUO VADIS – WHERE TO FROM HERE?

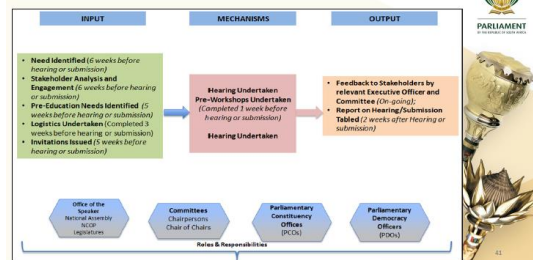


Improved SUPPORT FOR COMMITTEE PUBLIC HEARINGS

- Ownership of process ?
- Planning for public hearings: NA, NCOP, Provincial Legislatures and Local Government
- Preliminary report from core team supporting the committee i.e. legal, content and research, public participation
- Sufficient time for education before committee embarks on hearings
- Use different methodologies and media to engage with stakeholders
- Committee responsibility to provide feedback
- Parliament's responsibility to provide feedback



Public Participation Process Flow



Joint Rules – time limits to process Bills

The Joint Rules have now also introduced time limits for the processing of Bills. Should the time limit not be possible, an application for extension must be made as this could affect the validity of the legislative process and result in the Bill being declared invalid.

*245. Adherence to time limits

(1) Subject to joint rule 246, a time limit set for the completion of any step in the legislative process is compulsory and must be complied with by the person, structure, committee, forum or House to which it applies.

(2) The following time limits are set for the completion of Bills by both Houses:

- (a) A constitutional amendment Bill that may be passed by the Assembly alone and a section 75 Bill, must be processed by both Houses within 24 months of its date of introduction; and
- (b) A constitutional amendment that is required to be passed by the Council as well, and a section 76 Bill, must be processed by both Houses within 30 months of its date of introduction.*



Our approach informed by

- Constitution of South Africa, 1996
- Rules of the NA, NCOP and the Joint Rules
- Relevant Court pronouncements and guidance
- Public Participation Model
- Lamosa Practice Note
- Process Exemplar
- Transformative agenda and pillars of 7th Parliament
- Committee quarterly programmes across levels of government
- Public Participation program planning, execution and reporting across levels of government
- Constituencies, wards



Our Approach

- Ensuring a **transformative Parliament** to drive the attainment of national development outcomes, as reflected in the NDP;
- Being a **responsive Parliament** that addresses the shortcomings of Parliament, as pointed out by civil society and the Commission on State Capture;
- **Collaborative engagement** to build on and develop new partnerships in order to harness the communications impact of a combined stakeholder effort;
- **Engagement** with internal & external stakeholders so as to meet the expectations and needs of South Africans; and
- **Operational excellence** ensuring a more effective and efficient institution with well capacitated human and financial resources to ensure effective and efficient communication with citizens.



More Meaningful PP can help to rebuild trust in Parliament!

- our focus remains to educate and provide information which citizens can use to influence how laws are developed and implementation aimed at providing all SAs with a better quality of life.
- To this end, PP works towards ensuring all citizens, with a specific focus on woman, children, youth and the unemployed, have a voice in how they are governed.
- PP will invest in innovative communications technology platforms to maximise the reach of its reach and interaction with citizens.
- Effective public participation will contribute towards rebuilding confidence and trust in Parliament



DISCUSSION

MR LAWSON NAIDOO

EXECUTIVE SECRETARY: COUNCIL FOR THE ADVANCEMENT OF THE SOUTH AFRICAN CONSTITUTION (CASAC)



We will now have an opportunity to engage and dialogue, but before we proceed, let us settle on a framework to guide this critical part of our conversation. This is the most important aspect of our engagement – hearing your inputs and ideas.

To summarize the process: we have explored how Parliament has enabled access to its institution, data, and information, whether through physical visits, outreach programmes, or the dissemination of updates on Parliamentary work. But access alone is not enough. Engagement and empowerment are equally important, as they facilitate meaningful public participation.

Public participation must be accompanied by feedback mechanisms to show that the voices of the people are taken seriously. It is vital that citizens do not feel this is a mere tick-box exercise. Committees must demonstrate that they have considered public input, even when disagreements arise, by providing clear reasoning for their decisions. This is an area that requires significant improvement, and your perspectives will help guide this effort.

We must also commend Parliament for bringing us together in this space. This session is not an endpoint but the beginning of a process—a collaborative effort with the 7th Parliament to make a meaningful difference. As Member Dugmore emphasized, we aim to create a *people's Parliament*. This is our institution, and we must collectively shape it to serve all citizens.

Points for Consideration

1. *Steps Toward Realizing a People's Parliament:* What are the actionable steps we can take to make this vision a reality?
2. *Amplifying Marginalised Voices:* How do we ensure that the voices of women, children, and other marginalised groups are heard? Holding this dialogue on the eve of the 16 Days of Activism is no coincidence. Our intent as the Public Participation team is to establish mechanisms that make it easier for marginalised voices to contribute meaningfully, rather than relying on the "usual suspects" to make submissions.
3. *Creating an Enabling Environment:* What recommendations can you propose to create a supportive and inclusive environment for citizens to engage with Parliament?

In the 6th Parliament, we achieved a milestone when children participated in discussions on the Children's Amendment Bill for the first time. Access to data was pivotal in enabling their participation. How can we build on this success to ensure that diverse groups have the tools and opportunities to engage with Parliamentary processes effectively?

Let us use this session to provide actionable recommendations that will drive change and strengthen public participation. I look forward to your insights and contributions as we work together to shape a Parliament that truly reflects the will of its people.

5. Summary of Stakeholder Engagement

Steps Toward Realizing a People's Parliament	
1. Key Actions for Inclusivity and Accessibility:	
Strengthen Grassroots Engagement	<ul style="list-style-type: none"> • Ensure public participation reaches municipal and community levels. • Collaborate with provincial and national governments to enhance grassroots involvement. • Develop workshops and training programmes for communities to understand and engage with policies effectively.
Extend Submission Periods and Public Access	<ul style="list-style-type: none"> • Allow longer submission periods for community input. • Publish a transparent Parliamentary programme to enable proactive preparation by communities.
Enhance Feedback Mechanisms	<ul style="list-style-type: none"> • Provide detailed responses to public submissions. • Use feedback loops to inform communities about the impact of their contributions.
Leverage Data and Monitoring Tools	<ul style="list-style-type: none"> • Create databases at district and provincial levels for oversight and monitoring inclusivity.
2. Amplifying Marginalised Voices	
Specific Target Groups and Initiatives	<ul style="list-style-type: none"> • Women, Children, and Elderly Participation: <ul style="list-style-type: none"> ◦ Build on the success of the 6th Parliament's inclusion of children in the Children's Amendment Bill discussions. ◦ Create platforms for older persons to engage meaningfully in Parliamentary dialogues.
	<ul style="list-style-type: none"> • Indigenous Communities: <ul style="list-style-type: none"> ◦ Address historical injustices and ensure meaningful consultation with Khoisan and First Nations groups. ◦ Support initiatives to safeguard ancestral lands and provide equitable economic opportunities.
Breaking Systemic Barriers	<ul style="list-style-type: none"> • Address systemic exclusions in participation processes, particularly for rural, coloured, and First Nations communities. • Create accessible platforms for marginalised groups, such as mobile public participation offices or outreach programs in remote areas.
3. Creating an Enabling Environment	

Policy and Institutional Recommendations	<ul style="list-style-type: none"> • NGO Code of Conduct: <ul style="list-style-type: none"> ◦ Develop guidelines to ensure NGOs prioritize community interests over organizational agendas in public platforms.
	<ul style="list-style-type: none"> • Revitalize Civil Society: <ul style="list-style-type: none"> ◦ Provide funding and resources for underrepresented NPOs. ◦ Foster youth inclusion through leadership and empowerment programs.
	<ul style="list-style-type: none"> • Parliamentary Democracy Offices (PDOs): Increase visibility and accessibility of PDOs and evaluate their impact with community involvement.
Improved Logistical Support	<ul style="list-style-type: none"> • Ensure adequate transportation, communication, and infrastructure for marginalised groups to participate. • Allocate more time for public hearings and consultations to ensure meaningful input.
4. Addressing Socioeconomic Concerns	
Economic Inclusion	<ul style="list-style-type: none"> • Facilitate equitable distribution of economic benefits from legislation and initiatives, especially for indigenous communities.
Infrastructure and Living Conditions	<ul style="list-style-type: none"> • Conduct feasibility studies to address water, sanitation, electricity, and waste removal issues in underdeveloped areas. • Prioritize resource allocation to restore dignity and improve quality of life.
5. Social Cohesion and Representation	
Building Inclusive Platforms	<ul style="list-style-type: none"> • Foster partnerships between government, civil society, and communities to create a unified approach to public participation. • Reframe narratives to move beyond divisions and focus on collective national challenges.
Community Empowerment:	<ul style="list-style-type: none"> • Develop mechanisms that empower communities to take ownership of solutions, ensuring respect for elders and historically marginalised voices

6. Actionable Recommendations

1. Institutional Reforms:	<ul style="list-style-type: none">• Develop public participation guidelines and a code of conduct for stakeholders.• Streamline public hearing and feedback processes.
2. Resource Accessibility	3. Provide data, tools, and training for marginalised groups to engage effectively.
4. Enhanced Communication:	<ul style="list-style-type: none">• Increase transparency in Parliamentary planning and decisions.• Improve communication channels with rural and remote communities.
5. Collaborative Engagement:	<ul style="list-style-type: none">• Strengthen partnerships between government, civil society, and marginalised groups.• Establish platforms for continuous dialogue and collaboration.

This dialogue underscores the urgent need for systemic changes to make public participation inclusive and impactful. Participants have shared actionable insights to address historical and structural inequities, urging government and civil society to commit to tangible solutions that restore dignity and foster unity across South Africa. Let us take these recommendations forward to build a democracy that truly serves all its people.

CLOSING

MS SAFIA ISAACS

PUBLIC EDUCATION OFFICE, PUBLIC PARTICIPATION
SECTION



In conclusion, Ms Isaacs expressed deep appreciation and encouragement for the work done today. It is heartening to witness that we are not merely a Parliament for popular voices but a platform for all voices. While it is essential that we critique and hold one another accountable, it is equally vital that we do so with respect and civility. Your voices are steering this Parliament, and we remain open to your insights and feedback.

She commended Member Dugmore for his discipline and dedication, both as a Parliamentarian and a representative of his party. I am confident that he will report back to Parliament's Presiding

Officers, and to House Chairperson, Mr Cedric Frolick in the National Assembly (NA) who is responsible for the portfolios of Public Participation, Oversight and Sectoral Parliaments, amongst others and that he will so with integrity and with the utmost respect for the concerns raised through the dialogue today.

This inaugural dialogue of the 7th Parliament has set the tone for our collective efforts and working together with civil society. It is a reminder of our responsibility to ensure that all organs of state work seamlessly together in the spirit of Co-operative Government contained in Chapter 3 of the Constitution . I firmly believe that we have sufficient civil servants to meet the needs of our people in consultation with our people. Our task is to pool our resources and collaborate effectively to achieve this goal.

There is a recurring call to make Members of Parliament more accessible through Parliamentary Constituency Offices (PCOs). Citizens want direct engagement with elected office bearers, and we must honour this call. This session, and the participation of engaged members and active citizens, gives us hope that we can shape public participation and return to the foundational principles of the 1990s when Parliament actively listened to and responded to the voices of the people.

Going forward, we must ensure that dialogues like this are not mere talk shops. Each session must result in actionable outcomes, with follow-up reports, feedback on issues raised, and tangible progress towards implementation. Accountability is non-negotiable. Parliamentary officials and Members alike must be held responsible and accountable for our duties. We welcome the opportunity for constructive criticism, as it is through such accountability that we can build a stronger institution, strengthen and defend our democracy.

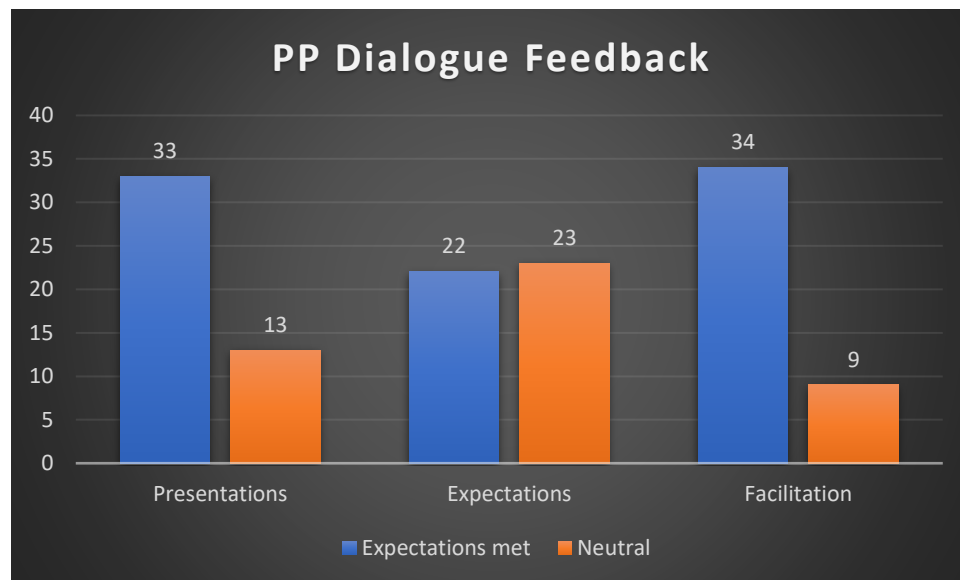
Our goal is a Parliament that not only hears but also acts to protect and realize the rights of our people. The rights enshrined in the Constitution must become living rights, not just rights that exist in print form. When our citizens see their dignity upheld through the work of our Parliament, they will take ownership of this institution that belongs to all of us. While we may address challenging topics, they are necessary for progress.

I want to extend my gratitude to all participants, including those who joined via the online platform. With a five-year term ahead of us, we have the time to get things right. If we work together and remain committed, I am confident we can succeed. Thank you all for your participation and dedication. Let us move forward with unity and purpose.

7. Review and Evaluation

Although participants were satisfied with the presentations most felt that their expectation to find an agreed way forward was not met. To resolve this, several participants proposed that their contact information be recorded on a data-base and that more regular dialogues be introduced to

ensure they are kept abreast of new theoretical and technological advances aimed at improving public participation. They also proposed that dialogues become more focussed example a children's dialogue or Parliament meeting the elderly etc. Several participants also proposed that the public participation section introduced annual workshops targeting grade 11 pupils to prepare them to participate in our democracy.



8. Requests

1. Black Lawyers association wants a similar dialogue with committees on land
2. Dialogue with ex staff of Parliament around what contributions can be made to enable us to go back to basics
3. Forward participants the key reports mentioned by Speakers which include the following:
 - HLP Report
 - Kader Asmal Review
 - Parliament Legacy reports
4. Invite people to collaborate with Parliament around the hosting of the PP Summit 2025

9. Participants' List

First Name	Surname	Sector	Virtual or Physical
Advocate		NBCSA KZN	Virtual
Amalia	Mfiki	HIV Research Centre	virtual
Andries	Paries	Black Lawyers Association	Physical
Anza	Matzansana	Africa Empowering Possibilities & Unmuted Civil Society	Physical
Audrey	Kobe		virtual
Bandisiwe	Cabangana	Parliament	Physical
Bev	Thaver	University of the Western Cape	Virtual
Beverley Deven	Fouana		
Bongani	Masina	PCO: Kempton Park	Virtual
Bongi	Mhlahlo	Ndoxy Group	Physical
Brent	Simons	Parliament of RSA	Physical
Chantal	Cupido	X5 NGO Members	Physical
Charlene	Williams	NBCSA	Virtual
Charne	Lottering	Overberg District Municipality	Virtual
Chiara	Jeptha	Hope Cape Tonm	Physical
Christopher	Scholtz	Green Connection	virtual
Councilor Weldon	Wells	Overberg District Municipality	Virtual
Damarius	Kiewiets	UWC -Community Engagement Unit	Physical
David	Chabalala	Department of Social Development	Physical
Debra	Hena	South African Womens Lawyers Association	Physical
Dr Latasha	Storm	Help To Care	Physical
Dr Rachel	Fischer	OUTA	Physical
Emmanuel	Masha	Parliamentary LO	Virtual
Fredalene	Booyesen	Sonke Gender Justice	Virtual
Gadija	Kallies		Virtual
Hiportia	Hlantana - Gazi	Parliament of RSA	Physical
Jacky	Thomas	Parliament of RSA	Physical
Jacques	Van Wyk	Legal Aid od SA	Physical
Jessica	Booyesen	Sonke Gender Justice	Virtual
Kara	Makay	Women on Farms	Physical
Kealebogo	Ramaru	Heinrick Boelle	Virtual
Khanyo	Ndolo	UCT – Public Participation	Virtual
Lawson	Naidoo	CASAC	Physical
Leon	Gabriel	KISD	Physical
Lindiwe	Khoza	IJR Group	Physical
Lizell	Kilowan	Overberg District Municipality	Virtual
Louise	Flanagan	OUTA	Physical
Loyiso	Mana	NEHAW Provincial Chairperson	Physical

First Name	Surname	Sector	Virtual or Physical
Luci-Lynne x2	Fondling	L&C Community Outreach Programme	Physical
Lydia	Mpofu	Kwacaleni Soup Kitchen	Physical
M	Ndibongo	Khayelitsha Health Form	
M	Sayo	Wallicedene Primary School	Virtual
Marjorie	Jobson	Khulumani Support Group	Virtual
Matshego	Mfulo	ANC Caucus	Virtual
Monica	Kumkani	ANC Caucus	Physical
Morgan	Pillay	PEO	Physical
Morrice	Kock	@forgood.org.za	Physical
Mr	Chidi	Black Lawyers Association	virtual
Mr	Makwanazi	Black Lawyers Association	virtual
Mr G W	Hermanus	Overberg District Municipality	Virtual
Mr R	Jiyana	Black Lawyers Association	Physical
Naailah	Parbhoo	OUTA	Virtual
Namuma	Mulundi	Sonke Gender Justice	virtual
Natalie	Mc Askill	Project 90 by 2030	Physical
Ndodana	Hadebe	Ndoxy Group	Physical
Nokuzola	Bikwana	Cape Holocaust	Virtual
Nomachlubi	Manqina	Kwacaleni Soup Kitchen	Physical
Nomalady		Unmuted Civil Society	Physical
Nomvula	Masilela	Parliament of RSA	Physical
Ntswaki	Mapela	Parliament of RSA	Physical
Ogone	Motlogeba	OUTA	Virtual
Pamela	Fuzile	Desmond Tutu Health Foundation	Virtual
Pamela	Silwana	Organising for Work	Virtual
Patsy	Daniels	South African Women in Dialogue	Virtual
Portia	Mbude - Mutshekwane	Parliament of RSA	Physical x2
Pricilla	Chuloi	Gender Justice	Physical
Pulane	Mahlasela	Parliament of RSA	Virtual
Rashaad	Alli	PMG	Physical x2
Ressida	Begg	CBS Parliament	Physical
Rob	Hutchinson	Dear South Africa	Physical
Robyn	Pasensie	OUTA	Physical
Rudi	Johnson	Parliament of RSA	Physical
Safia	Isaacs	Parliament of RSA	Physical
Samukelisiwe	Mnguni	Nelson Mandela Foundation	virtual
Sinah	Moruane	UNICEF	Virtual
Siya		Committees/NEHAWU	Physical
Sthembiso	Tembe	NEHAWU	Physical
Suraya Bibi	Kahn	South African Women in Dialogue	Virtual

First Name	Surname	Sector	Virtual or Physical
Sylvana	Lefleur	South African Womens Lawyers Association	Physical
Themba	Gubula	NEHAWU - Parliament	Physical
Thembaletu	Keswa	Western Cape Legislature PP	Virtual
Thenjiswa	Kwoha		Virtual
Thozeka	Tshangela	Nelson Mandela Foundation	virtual
Tina	Mohau		Virtual
Uyanda		SOS Coalition	virtual
Vanessa	Adriaanse		Virtual
Vicky	Sampson	South African Womens Lawyers Association	Physical
Wendy	Nefdt	Epilepsy South Africa	Virtual
Xolani	Ndlovu	Commissioner for Children	Physical
Vuyokazi	Hlawatika	Development Action Group (DAG)	Physical
Zelda	Williams	Parliament of RSA	Physical
Zinhle	Geluk		Virtual