

Perspectives

on KwaZulu-Natal

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KwaZulu-Natal's peace committee to be shut down by the end of the year

After numerous complaints, allegations and scandals KwaZulu-Natal's peace committee structures are likely to be closed down during this financial year. The structures cost the province R3.315 million annually and this expenditure has come under question for several years during the budget hearings of KwaZulu-Natal's Safety and Security Department.

Members of the legislature have said that the work of the Peace Committee is duplicated by the flash-points sub-committee of the parliamentary Safety and Security Portfolio Committee as well as by community policing forums. There may also be repetition in the work of the grossly understaffed Safety and Security Secretariat, which receives R2.830 million after paying a R3.315 million grant-in-aid to the peace committee structures.

The annual allocation has been paid since the KwaZulu-Natal Peace Committee was established in terms of a provincial Peace Act and started work in June 1996. The structures were formed in an effort to fill the gaps that were left by the national government's decision to close down the National Peace Accord structures.

According to the acting head of KwaZulu-Natal's Safety and Security Secretariat, Advocate Robin Raubenheimer, the structures are now likely to be shut down in the last quarter of this financial year. Raubenheimer is to submit a report to Cabinet this month and expects a decision to be taken fairly soon. This will set the way forward in terms of how to deal with the staff employed by the peace structures and may result in the repeal of the KwaZulu-Natal Peace Act of 1995 and the relevant amendment of 1997.

Raubenheimer says that the budget of the peace structures will not be exceeded during the year, even when one calculates the cost of packages for employees. He says that the remainder could be added to the budget of the grossly understaffed Safety and Security Secretariat.

A primary reason for the struggle by the peace structures to function successfully can be attributed to the lack of management. The structures have been without an executive director since Dennis Nkosi was suspended in January 1997 for stealing money from the organisation. He was subsequently found guilty and sentenced in August last year to

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four years in jail for fraud and theft. He was also ordered to repay almost R47 000.

The executive director's role was to exercise control over the staff, while the management of the executive director lay in the hands of a committee consisting of a range of representatives from political parties, business, labour, civic and religious organisations and traditional leaders. This committee was dissolved in October last year, following a decision by the KwaZulu-Natal Cabinet on September 13 last year to repeal the Act or to institute proceedings to amend the Act in order to abolish the committee management structure. While neither of the above processes have taken place, even the head of the Safety and Security Secretariat has minimal control over staff because the Act provides for the staff to be accountable to the executive director, who is accountable to the committee.

Even when the most recent committee was in place there were criticisms about management. These related particularly to expenditure. The criticisms were somewhat confirmed in a special report on the financial statements of the committee for the financial years ending in 1998, 1999 and 2000 by KwaZulu-Natal's auditor-general Barry Wheeler. He reported that further investigation and quantification "with a view to recovery" was required into expenses incurred by two members of the provincial legislature while co-chairpersons of the Peace Committee.

The report states: "The co-chairpersons of the Peace Committee continued to use hired vehicles long after the period of their intended use. The co-chairpersons leased the two vehicles, in question, for the periods 14 December 1998 to 14 January 1999 and 31 May 1999 to 4 June 1999 and (they) were only returned to the Peace Committee on the 9 and 30 of September 1999." Wheeler stated that the co-chairperson's also received a car allowance in their capacity as members of the provincial legislature.

According to reports at the time that the scandal broke, co-chairperson Meshack Radebe of the ANC made petrol and maintenance claims for R14 479.82 with other claims still outstanding, while the cost of hiring his vehicle was R145 709.19. The hire cost for the vehicle used by Blessed Gwala of the IFP was R152 036.06 and he submitted maintenance and fuel claims for R18 849.79.

Wheeler's other criticisms included:

- The failure of management to approve salary scales for various job descriptions within the Peace Committee, which meant that the auditors were unable to determine whether employees were being paid at the correct rates.
- Procedures had not been implemented to ensure that only bona fide monitors were paid and no procedures were in place to monitor the work being performed by the monitors.
- The Peace Committee met infrequently during the periods audited resulting in the supervisory function not being adequately performed. There was seldom a quorum at the infrequent meetings and no one was dismissed from the committee as a result of non-attendance, which is in contravention of the Act.
- Numerous deficiencies concerning internal control which continued to exist throughout each of the financial years under review "notwithstanding

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losses incurred as a result of misappropriation of funds during the 1996-1997 financial year".

- There was no evidence of review and approval of the financial statements by management.
- No controls were in place to ensure that fleet vehicles were used only for official purposes.

The auditor-general also queried a payment of R19 000 made to Reverend Daniel Ngubane, the first chairperson of the committee. According to Wheeler's report, the money was paid at the instruction of the Premier's office in March 1997, but was not authorised by the Peace Committee. He said that no further payments had been made although there was a claim from Ngubane for about R180 000. Wheeler's report states: "I was unable to satisfy myself that this payment represented a valid expense of the Peace Committee. Should the expenditure not be a valid expense of the Peace Committee, the first payment of R19 000 should be recovered from Ngubane."

In response to the report, Ngubane said that he has a letter written by then Premier Frank Mdlalose which states that he would be paid for expenses incurred doing any Peace Committee work other than attending the usual committee meetings. He said that he claimed a number of times, but was only paid once. He claims to have continued his efforts to claim about R190 000 that is still owing to him.

Sources have suggested that should it be necessary to recover money from Radebe and Gwala, an order could be made for the money to be deducted from their salaries. This would have to be initiated by the Public Accounts Standing Committee of the legislature. The government would have to take legal action to recover money from Reverend Ngubane.