

**Justice and Constitutional Development : Budget vote**

**UCDP : Hon MN Matladi**

**Tuesday, 7 June 2011**

**Good Hope Centre : 10h00**

I am pleased having read that 15 branch courts have been redesignated and proclaimed as full magisterial courts. This is important and key to poor communities' access to the justice system. I'd like to see more magisterial courts being created in other areas in need of the service that these courts render.

A lasting impression was left by the way the Criminal Justice System operated so swiftly and effectively over the country's hosting of the FIFA World Cup. I believe we would live in a better country and face less demons if such dedication and efficiency were to become a daily occurrence, not just a once off to impress other nations but a dedicated effort to impress our own nation.

It is pleasing that the Guardians Fund remains unqualified in spite of several qualification that the Department has. I need not stress the importance of having adequate financial controls over this fund. On the same note I'd like to acknowledge the efforts concerted towards ensuring that the Children's Act became fully operational in April 2010. As Dr Nelson Mandela once said that the soul of the nation is in the way it treats its children, so shall we be judged by the next generation on how we have treated and protected our children and we cannot dare to let them down. I however would like to highlight that the Human Resources constraints are a real impediment towards this Act being exactly what South African envisaged it to be. Addressing these constraints needs a strong collaboration and cohesion with other Departments and it would

be most pleasing if this Department were to take a lead in such processes.

Surely I am and shall not be a lone voice in suggesting that the TRC process aimed at forging reconciliation ought to be reopened and revisited. The annual report states that more 20 000 victims of apartheid had appeared before the TRC. Surely this number does not account even for a quarter of the people that had suffered under such an oppressive regime. Reconciliation cannot be a once off event as if we aimed at ticking off a page on the list of things to be done. The racial tensions that continue to manifest in various situation show clearly that the envisaged Rainbow nation remains just a dream unless we all dare to open our closets and let the skeletons out, for nation building and nation healing.

Being a member that sits on SCOPA, it is encouraging to note from the annual report efforts of the Department in implementing SCOPA recommendations, and I appreciate the fact that the Accounting officer took the time and effort to narrate each of the recommendations and actions taken towards rectifying. This is an example we hope to see in other Departments as well.

My disappointment however, lies with the fact that even when this Department had performed in a fairly accepted manner, still the Auditor General recorded an irregular expenditure to the amount of R812 million which I view as a gross deviation from the PMFA. Whenever I go through government departments' annual and financial reports, I have now come to expect that there shall be an irregular expense and more often than not it will relate to tender processing. I look forward to a time when this shall not be, for now I support the budget vote.