



2016/17

ANNUAL REPORT



COMMISSION FOR THE PROMOTION AND
PROTECTION OF THE RIGHTS OF CULTURAL
RELIGIOUS AND LINGUISTIC COMMUNITIES

2016/17 Annual Report RP 187/2017



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PART A: GENERAL INFORMATION

1. Commission's General Information



Full name of the Commission

Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities

Physical Address of Head Office

33 Hoofd Street Forum IV Ground Floor
Braampark Office Park Braamfontein
Johannesburg

Postal Address

Private Bag X90 000 Houghton 2041

Contact Telephone numbers

011 358 9100

E-mail Address

info@crlcommission.org.za

Website address

www.crlcommission.org.za

Facebook Address

Like us: CRL Rights Commission

Twitter Handle

Follow us @Crl_Commission

PART A: GENERAL INFORMATION

2. List of Abbreviations/Acronyms

AC	: Audit Committee
ACDP	: African Christian Democratic Party
AGSA	: Auditor-General South Africa
CGE	: Commission for Gender Equality
CIPC	: Companies and Intellectual Property Commission
CLEFA	: Church Leaders Empowerment Foundation Africa
CoGTA	: Department of Cooperative Governance and Traditional Affairs
CRL	: Cultural, Religious and Linguistic (Rights Commission)
HoD	: Head of the Department
HR	: Human Resource
IFCC	: Island Family Christian Church
IT	: Information Technology
KZN	: KwaZulu-Natal
LSCR	: Legal Services and Conflict Resolution
LASA	: Legal Aid South Africa
NRC	: Network of Religious Communities
PEE	: Public Engagement and Education
PFMA	: Public Finance Management Act
RPD	: Research and Policy Development
SACC	: South African Council of Churches
SETA	: Sector Education and Training Authority
ZCC	: Zion Christian Church



PART A: GENERAL INFORMATION

3. Foreword By The Chairperson



Ms Thoko Mkhwanazi-Xaluva

In South Africa, a widespread awareness among leadership in all sectors exists for the need to achieve an inclusive and cohesive society which is an intrinsic ingredient of a suitable democracy. The cohesion of society will ultimately be the determinant factor and a game-changer for the failure or success of all the gains we have made since our democracy in 1994. Various efforts and initiatives were taken and continue to preoccupy many in this country to solve the problem of racism, xenophobia, Afro-phobia, neglect and marginalisation of cultures, religions, and languages in South Africa.

Consequently, the Constitution of the Republic of South Africa established a delivery vehicle in the form of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic (CRL Rights Commission) communities. As a critical integrative thrust, this Commission is an institutional mechanism that must set the pace and lead a national movement for social cohesion and nation-building, which occur through recovering the diminishing and diminished heritage of the previously marginalised. The CRL Rights Commission is mandated by the Constitution and the CRL Act (19 of 2002), to cultivate and restore peace, create friendship, build humanity, foster and promote tolerance, build unity, and nurture social agreement.

The CRL Rights Commission is an Organ of State performing constitutional obligations. the Constitution requires that the performance of constitutional obligations must be done "diligently and without delay."

Section 185 of the Constitution explicitly provides for the Commission's mandate, which states "to promote respect for the rights of ... religious ... communities" and "the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning ... religious communities." The investigation powers of the CRL Rights Commission also affirmed in Section 7 of the CRL Act number 19 of 2002 by providing legal powers to summon persons to testify and produce documents in its investigative processes.

In Section 185 of the Constitution, the primary objectives of the Commission are three-fold. First, "to promote respect for and further the protection of the rights of cultural, religious and linguistic communities." Second, "promote and develop peace, friendship, humanity, tolerance, national unity among and within cultural, religious and linguistic communities on the basis of equality, non-discrimination and free association." The third objective is, "to promote the right of communities to develop their historically diminished heritage and to recognise community councils." The Commission under the legislation of this Section is provided with the necessary power to achieve these objectives.

A handwritten signature in blue ink that reads "Mkhwanazi-Xaluva". The signature is written in a cursive style.

Ms Thoko Mkhwanazi-Xaluva
Chairperson
CRL Rights Commission

PART A: GENERAL INFORMATION

4. Deputy Chairperson's Statement



Prof Luka David Mosoma

The colonial and apartheid systems ensured that South Africa was divided regarding racial, ethnic, cultural, religious, and linguistic lines and elevated ethnicity and race as instruments of division rather than diversity as an artistic tapestry of our common humanity. Consequently, colonialist intention, the diverse religious, linguistic, cultural customs, experiences, and expressions of African people were not freely expressed.

Practices such as Ukuthwala, Ukuhlolwa, Ulwaluko/koma, and the ritual slaughtering of animals are still perceived as outdated and unacceptable. The task for our new society is to first and foremost redress and recover the diminished and diminishing heritage of the Indigenous African majority to achieve social cohesion, reconciliation, and inclusive society. Thus, to ensure equal recognition within South Africa overall in developing and restoring the diminished heritage of diverse communities, is central to the mandate of the Commission.

In any country, especially South Africa, diversity is considered a national strength if a suitable atmosphere is provided to cultivate religious, cultural, linguistic, and racial co-existence based on the values of peace, harmony, friendship and tolerance. Diversity flourishes when the government creates an enabling and supporting environment. Correspondingly, diversity may constitute a threat by being a source of conflict, violence, and social instability. In the words of the National Development Plan, diversity is a threat when racism and inequality reign supreme and "opportunities are defined by race, gender, class or religion."

The process of social cohesion and nation building is necessary to harness South Africa's strength, which lies in its diversity, and therefore critically important to achieving a unified nation. Logically, it may be deduced that social cohesion plus nation building equals nationhood. These two concepts are processes of the social contract which leads to unity (imagined Community). In other words, the ultimate goal is a unified South African nationhood.

The challenge we face in South Africa is that we do not have a national tradition, symbols or shared historical memories and cultural points of reference. We have been shaped by two histories of conquest, Apartheid and Colonialism on the one hand, and on the other hand that of the struggle against oppression, indignity and injustice. Therefore, the question remains on how to construct a new nation from the ashes of a truncated history that was characterised by cultural, religious, linguistic, and economic domination.

The role of culture, religion, language and economy are inextricably bound as they have the potential if properly mediated to contribute significantly the birth of new nation on the foundation of its unity in diversity. Now, people should remain faithful to the social construction of our country by freely participating in their collective historical self-construction.

A handwritten signature in black ink, appearing to read 'Luka David Mosoma', written in a cursive style.

Prof Luka David Mosoma
Deputy Chairperson
CRL Rights Commission

PART A: GENERAL INFORMATION

5. Overview of the Accounting Officer



Mr TE Mafadza

Since its inception in 2004, the CRL Rights Commission has been committed to strengthening South Africa's constitutional democracy by ensuring that it actively protects the cultural, religious and linguistic rights of all communities.

In a country emerging from a dark past, in which the rights of the majority were alternately denied and suppressed, the commission, a Chapter 9 institution, knew from the outset that it faced a momentous task.

Today it does not help that there is a pervasive feeling that the fabric of the Rainbow Nation is seemingly fraying at the edges, given some discouraging and divisive incidents. Rather than being discouraged, the Commission is rolling up sleeves to work even harder ensuring that South Africa remains united in diversity. The CRL Rights Commission sees that the beliefs, culture, and linguistic rights of all communities are protected and respected. They need to see that they matter and that they are very much an essential pattern in the nation's rainbow quilt. Although a tough balancing act, the Commission is very much up to the task.

The constitutional mandate of the CRL Rights Commission is to strengthen democracy. The policy mandate is divided into three components informed by the Constitution of the Republic of South Africa, 1996, Sections (30 & 31). Critical to this is the promotion and protection of the rights of cultural, religious and linguistic communities, which contribute to unity, social cohesion and nation building preexcellence by emphasising that;

- > Everyone has the right to use the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.
- > Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community-
- > to enjoy their culture, practise their religion and use their language; and
- > to form, join and maintain cultural, religious and linguistic associations and other organs of civil society.

Highlights of Performance information- 2016/17 financial year.

We have great pleasure announcing that the Commission attained its first clean audit in the year under review. This is a landmark regarding the Commission's operation since its establishment. The support and good leadership from the Executive Office, Commissioners, management and the efforts of the staff members towards the strategic objectives of the organisation, have contributed immensely to this great achievement.

The CRL Rights Commission continued to position itself as a port of entry on cultural, religious and linguistic rights of communities in the year under review.

The CRL Rights Commission picked up projects that sought to redress the past imbalances regarding cultural, religious and linguistic matters in the country. Further to this, the CRL Rights Commission strived to intervene on cases that were either reported directly by communities or by the media. The intention was to resolve conflict arising from different religious, cultural and language communities because of one wanting to marginalise the other. As per the dictates of the Constitution which require that the performance of constitutional obligations must be done "diligently and without delay," the CRL Rights Commission responded to complaints in the same manner, although in some instances the

PART A: GENERAL INFORMATION

pressure was overwhelming owing to the limited financial and human resources appropriated to the organisation pressure was overwhelming owing to the limited financial and human resources appropriated to the organisation.

Commercialisation of religion and abuse of people's belief system

This project started in 2015/16 financial year and because of its intensity, was carried over to the year under review. This investigative study on the commercialisation of religion and abuse of people's belief system follows a series of headlines on television, radio, and newspapers. Among other things investigated in this project are indicating the controversy in leadership practices, funding, expenditure and financial management, registration, monitoring and regulation of religious and traditional healing activities in the country. We will utilise the outcome of the study to brief the Parliamentary Portfolio Committee on the protection of community rights of the attendees of religious and traditional healing ceremonies as well as affected community members. This information will ensure that issues of culture, religion, and linguistics are at the centre of institutional learning and government legislation.

Against this background, the CRL Rights Commission conducted a study aiming to:

- > Investigate and understand further issues surrounding the commercialisation of religion and traditional healing;
- > Identify the causes underlying the commercialisation of religion and traditional healing;
- > Assess the extent of commercialisation of religion and traditional healing practices and how satisfied respondents are with government regulation and oversight;

- > Assess the extent of commercialisation of religion and traditional healing practices and how satisfied respondents are with government regulation and oversight;
- > Understand the deep societal thinking that makes some members of our society vulnerable and gullible with respect to views expressed and actions during religious ceremonies;
- > Assess the religious framework and its relevance to deal with the prevailing religious challenges; and
- > Formulate recommendations that address the status quo with respect to commercialised religion and traditional healing.

We conducted this project concurrently with the dialogue which sought to understand the "state of the nation psyche" with the aim to explore the causes of people's gullibility when it comes to religion.

The increase of received cases

As reported in the previous financial year, the CRL Rights Commission continued to experience a noticeable increase in complaints in the year under review. Violation of rights of learners at schools and abuse of religious beliefs and systems emerged as the dominating cases received by the CRL Rights Commission in the 2016/17 financial year. Religious intolerance continued to pose a challenge at schools with learners who come from diverse religious backgrounds. The inconsistency of some schools' religious policies to the religious rights, as enshrined in the Constitution of South Africa with specific reference to Chapter two, was a challenge that the CRL Rights Commission had to raise awareness and engage the relevant stakeholders to continuously conscientise the affected communities on religious rights of learners.

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Through these experiences, the CRL Rights Commission has learnt that there is a need to engage the Department of Basic Education to assist schools' governing bodies to craft policies which are religious-, cultural- and linguistic-sensitive to the communities they serve. On the other hand, challenges facing the religious sector regarding abuse of people's belief systems are the Commission's continuous engagement with the sector to promote and protect the religious rights of these communities at all times.

Campaigns against the killing of people living with Albinism

In the 2016/17 financial year, the Commission continued with campaigns throughout the whole country on "the challenges faced by people living with Albinism." According to the United Nation's data, 80 people in Tanzania have been killed since 2000 and several other cases in Malawi. Although we have sporadic incidences in South Africa, the Commission had to be proactive regarding sensitising our communities around this issue. The rationale behind these killings was said to be related to *muti* purposes. Thus, the Commission engaged traditional health practitioners to pronounce their position on these matters for the Commission to know what to protect and that which we should not protect within the religious sector. People living with albinism are part of our communities, and therefore, we should protect their right to exist. The Commission's campaigns were more into calling the courts to enforce the law and detain people who are found guilty.

Communication and Marketing

The CRL Rights Commission issued several media statements to support the promotion and protection of cultural, religious linguistic rights as these happen in the public discourse media statements were also used to clarify the Commission's position on matters relating to culture, religion and language.

The CRL Rights Commission's participation at the Rand Easter Show again provided the institution with the opportunity to engage with cultural, religious and linguistic communities. This also contributed to the increased number of complaints received in the year under

After our participation the Rand Easter Show, our social media platforms received more followers and people were engaging on matters relating to the Commission's work.

Cultivating organisational efficiency

The CRL Rights Commission was determined to improve its internal controls, hence the achievement of a clean audit report in the year under review. The CRL Rights Commission managed to install an accounting system in its endeavours to improve the quality of financial statements and other related accounting matters. Although there was an overall improvement in the performance of the organisation, Management is still committed to improving the standard of our internal controls to maintain clean audit beyond the year under review.

As reflected in the security report done by the State Security Agency for our organisation to avert security risks in the institution in the year under review, we managed to implement some recommendations.

In conclusion, I would like to thank all employees and Commissioners for their tireless efforts to ensure that the Commission achieved its targets in 2016/17 financial year. As reflected in this narration, these efforts have led the Commission in attaining its first clean audit. Although the CRL Rights Commission did not have the luxury of human and financial resources, this team managed to keep focussed and hold the Commission's name high. Our ultimate appreciation is to the cultural, religious, and linguistic communities that were always available to assist the Commission in doing its work. Therefore, we have all achieved our goals and should be proud of our contributions in assisting the Commission in attaining its mandate. Our efforts in relation to the Commission's mandate, have made a difference in the lives of our community members, whom we proceed to serve at all times.



Mr TE Mafadza
Chief Executive Officer
CRL Rights Commission



PART A: GENERAL INFORMATION

6. Strategic Overview

6.1 Vision

A South Africa that respects diverse cultural, religious, and linguistic rights of all communities.

6.2 Mission

To foster principles of respect, equality, non-discrimination and free association among and within cultural, religious and linguistic communities.

6.3 Values

The CRL Rights Commission subscribes to the following organisational values in the execution of its mandate:

- > Integrity
- > Transparency
- > Accountability
- > Professionalism
- > Impartiality
- > Responsiveness
- > Respect

- > *Promote and develop peace, friendship, humanity, tolerance and national unity among cultural, religious and linguistic communities, on the basis of equality, non-discrimination and free association;*
- > *Promote respect for and further the protection of the rights of cultural, religious and linguistic communities; and*
- > *Recommend the establishment or recognition of community councils in accordance with national legislation of cultural or other council/councils for community/ Communities in South Africa.*

7.2 Legislative Mandate

The duties and functions of the CRL Rights Commission are defined in Section 5 of the CRL Rights Act.

These include:

- *Conduct information and education programmes to promote public understanding of the objects, role and activities of the Commission;*
- *Conduct programmes to promote respect for and further the protection of the rights of cultural, religious and linguistic communities;*
- *Assist in the development of strategies that facilitate the full and active participation of cultural, religious and linguistic communities in the nation building in South Africa;*

7. Legislative And Other Mandates

7.1 Constitutional Mandate

The CRL Rights Commission is a constitutional institution established in terms of Section 181 (1) (c) of the Constitution of the Republic of South Africa, 1996 to strengthen constitutional democracy. The CRL Rights Commission was established to protect and promote the rights of cultural, religious and linguistic communities, with a mandate that is achievable through a proactive and reactive approach.

In terms of section 185 (1), the CRL Rights Commission must:

PART A: GENERAL INFORMATION

- Promote awareness among the youth of South Africa of the diversity of cultural, religious and linguistic communities and their rights;
- Monitor, investigate and research any issue concerning the rights of cultural, religious and linguistic communities;
- Facilitate the resolution of conflict between and within cultural, religious and linguistic communities or between any such community and an organ of state where the cultural, religious or linguistic rights of a community are affected;
- Make recommendations to the appropriate organs of state regarding legislation that impacts, or may impact, on cultural, religious and linguistic rights of communities.
- Establish and maintain a database of cultural, religious and linguistic community organisations and institutions and experts on these communities;
- Educate, lobby, advise and report any issue concerning the rights of cultural, religious and linguistic communities
- Receive and deal with requests related to the rights of cultural, religious and linguistic communities; and
- Bring any relevant matter to the attention of appropriate authority or organ of state, and, where appropriate, make recommendations to such authority or organ of state in dealing with such a matter.

7.3 Policy Mandate

The CRL Rights Commission aims to pursue its mandate informed by the following policies:

The National Development Plan in Chapter 15 provides that South Africans should:

- Foster a feeling of belonging, with accountability and responsible behaviour.
- Ensure different cultures are respected, and equal citizenship for all is guaranteed, thus reversing the Apartheid legacy of devaluing and erasing the heritage of black South Africans. Build trust, which is associated with stronger economic performance.
- Craft and implement a social compact based on mutual benefit and mutual sacrifice. Societal division impedes forming a consensus to develop, change or even implement policy.
- Create a society with a shared South African identity, without detracting from our multiple diverse identities.

National Heritage & Cultural Tourism Strategy of March 2012:

In Section 1 of this Strategy, “the guiding principles and values of sustainable tourism, sustainable development, social cohesion, public participation, and public private partnership” acknowledge stakeholder mandatory roles and responsibilities. As such the Strategy refers to;

PART A: GENERAL INFORMATION

- Communities' rights to be consulted and to participate in the management of their cultural, religious and language heritage.

Cultural Charter for Africa:

Article 1 of the Cultural Charter For Africa has as its aims and objectives the following:

- *To liberate the African people from socio-cultural conditions which impede their development to recreate and maintain the sense and will for progress, the sense and will for development;*
- *The rehabilitation, restoration, preservation and promotion of the African cultural heritage;*
- *The assertion of the dignity of the African and of the popular foundations of his culture;*
- *The combating and elimination of all forms of alienation and cultural suppression everywhere in Africa, especially in countries still under colonial and racist domination including apartheid;*
- *The encouragement of cultural co-operation among the States with a view to the strengthening of African unity;*
- *The encouragement of international cultural co-operation for a better understanding among peoples within which Africa will make its original and appropriate contribution to human culture;*
- *Promotion in each country of popular knowledge of science and technology; a necessary condition for the control of nature;*
- *Development of all dynamic values in the African cultural heritage and rejection of any element which is an*

The South African Charter of Religious Rights and Freedoms October 2010:

Stipulates the following:

- *Every person has the right to believe according to their own ...convictions and to make choices regarding their convictions and religious affiliation (art 1).*
- *No person may be forced to believe, what to believe or what not to believe, or to act against their convictions (art 2).*
- *Every person has the right to the impartiality and protection of the state in respect of religion (art 3).*
- *Every person has the right to the private or public, and individual or joint, observance or exercise of their convictions (art 4).*
- *Every person has the right to freedom of expression in respect of religion (art 6).*

8. Situation Analysis

8.1 Performance Environment

The CRL Rights Commission has reasonably managed to perform its functions because of the above strengths, which present a framework within which the Commission operates. The existing human capacity has allowed the Commission to perform its functions in a professional manner and with relevant stakeholders.

The CRL Rights Commission has also identified opportunities which justify its continuing existence. Notwithstanding the identified strengths and opportunities, the Commission has also identified various weaknesses and threats which have a potential to impede the achievement of its mandate. Proper controls need to be put in place to mitigate the above weaknesses.

Engagement at leadership level also needs to take place to alleviate the identified threats.

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8.2 Organisational Environment

Management has identified general and specific risks associated with its organisational environment. As in every organisational environment, specific risks relate to the culture of resistance where the introduction of innovative change management becomes difficult because of bureaucratic abuse and reactionary attitudes. On the other hand, general risks associated with the Commission relate to a low desire and ability of staff to move beyond their current mindset and realities.

Management is engaged in trying to introduce change management which is based on performance management principles. On the other hand, the Commission does not have enough resources to discharge its mandate. In some instances, Programmes have funds to spend, while others do not have funds, or the Programmes need to cut down on their expenditure.

Certain key factors that should be present in an organisational environment with respect to meeting objectives include the following:

- Leadership qualities
- Improved productivity
- Transformed workplace
- Employee contribution

Designed and developed organisational environment.

8.3 Description of the Strategic Planning Process

The CRL Rights Commission is able to assess the external environment by identifying and assessing strengths and weaknesses, opportunities and threats in the external environment and the internal component (SWOT). Planning is a critical component of good management and governance, and through the strategic planning effort, the CRL Rights Commission was able to identify questions and issues to be addressed.

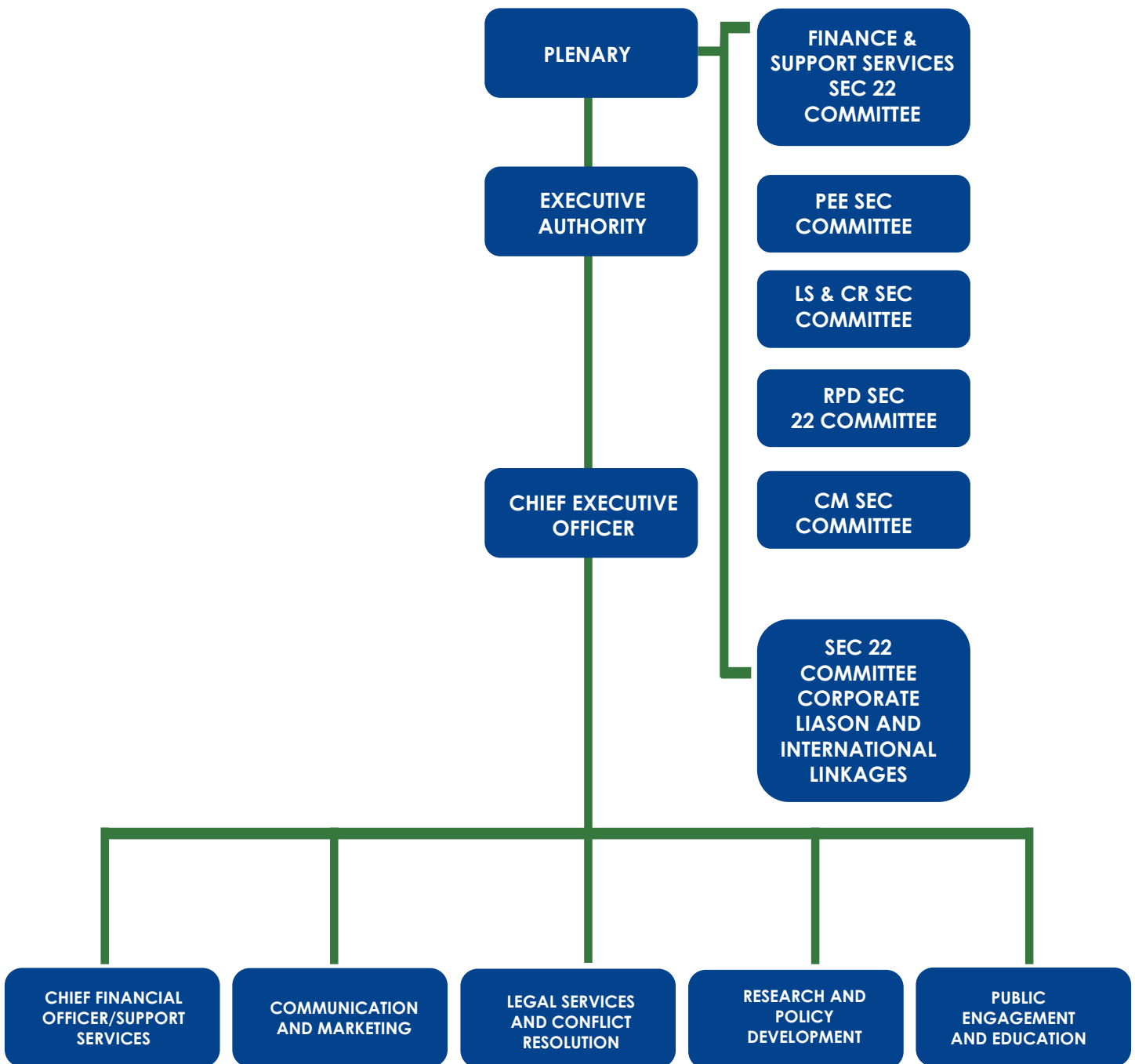
The CRL Rights Commission was able to define or review its organisational values, vision and strategies while including the identification of goals and outcomes. The CRL Rights Commission was further able to develop a series of goals describing the organisation over five (5) years. Strategies have been agreed upon to reach goals, which need to be measured against the environmental factors. This will include the development of a broad strategic direction with respect to current and new programmes, advocacy, collaborations and other approaches.

Goals, specific objectives, and business plans are being developed annually. The development of objectives and annual work plans requires Commissioners and staff input, with staff taking major responsibilities for programme-related goals. A finalised written strategic plan with outputs of each major action was formalised.

The last two phases of the implementation of an agreed strategic plan that can be measured against the external environment of the Commission are monitoring and evaluation.

PART A: GENERAL INFORMATION

9. Organisational structure



PART A: GENERAL INFORMATION

10. Commissioners



**Chairperson: Thoko
Mkhwanazi- Xaluva**



**Deputy Chairperson
Prof Luka David Mosoma**



**Commissioner
Pumla Primrose
Madiba**



**Commissioner
Dr Anton Knoetze**



**Commissioner
Nomalanga
Tyamazshe**



**Commissioner
Siculo Dlamini**



**Commissioner
Richard Botha**



**Commissioner
Bernadette Muthien**



**Commissioner
Raymond Trollip**



**Commissioner
Sheila Khama - Mbele**



**Commissioner
Renier Schoeman**



**Commissioner
Julia Helen Mabale**

PART A: GENERAL INFORMATION

11. Section 22 Committee



**Chairperson: Thoko
Mkhwanazi- Xaluva**
Finance and Corporate
Services



**Commissioner
Sheila Khama - Mbele**
Legal Services and
Conflict Resolution



**Commissioner
Renier Schoeman**
Corporate Liason and
International Linkages



**Commissioner
Julia Helen Mabale**
Communication and
Marketing



**Commissioner
Pumla Primrose Madiba**
Research, Policy and
Public Education

PART A: GENERAL INFORMATION

12. Section 7 Committee



**Chairperson: Thoko
Mkhwanazi- Xaluva**



**Commissioner
Richard Botha**



**Commissioner
Siculo Dlamini**



**Deputy Chairperson
Prof Luka David Mosoma**



**Commissioner
Dr Anton Knoetze**



**Commissioner
Sheila Khama - Mbele**



**Commissioner
Pumla Primrose
Madiba**

PART A: GENERAL INFORMATION

13. Secretariat



**Chief Executive
Officer:
Edward Mafadza**



**Chief Financial Officer
Cornelius Smuts**



**Research and Policy
Development: Senior
Manager
Brian Makeketa**



**Legal Service and
Conflict Resolution:
Senior Manager
Kgositsoi Sedupane**



**Public Engagement
and Education: Acting
Senior Manager
Obed Semono**



**Communication and
Marketing: Senior
Manager
Mpiyakhe Mkholo**



PART B: PERFORMANCE INFORMATION

1. Strategic Outcome-Oriented Goals

Table 1: The Commission's strategic outcome-oriented goals

Strategic Outcome 1:	Effective communication and marketing
Strategic Outcome 2:	Strengthened and empowered communities
Strategic Outcome 3:	Appropriation of C-R-L into law
Strategic Outcome 4:	Financial management systems and mobilisation of resources
Strategic Outcome 5:	Cultivate organisational efficiency
Strategic Outcome 6:	Social cohesion and nation building

2. 2016/17 Financial Year - Impact Analysis

This report reflects the impact which the CRL Rights Commission has had during the year under review. During this period, the CRL Rights Commission received 2 941 mentions broadcast, online and social media and this has had a cumulative reach value of R1 282 161 857.

PART B: PERFORMANCE INFORMATION

CRL Rights Commission

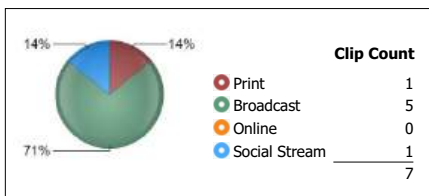
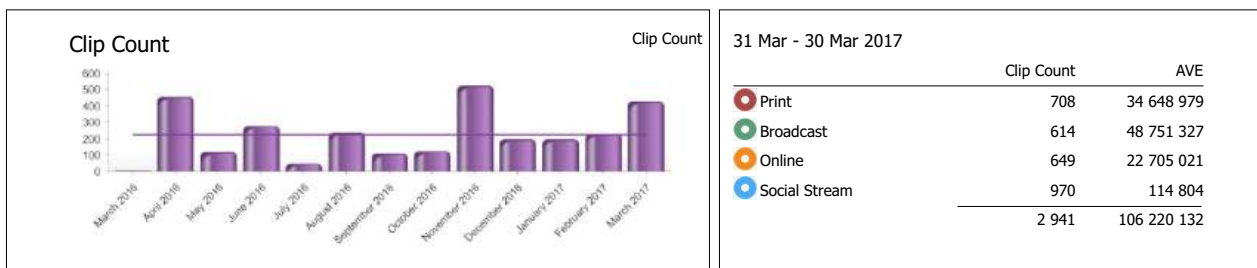
31 Mar - 30 Mar 2017

Monthly period report reflected in a 12 month trend graph from a single source. Each individual month shows the Clip volumes & AVE volumes by service percentage

Monthly Period Statistical Report
31 Mar - 30 Mar 2017

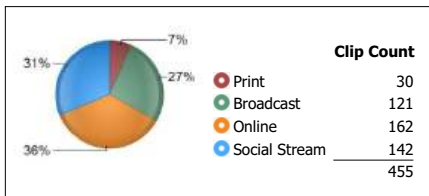
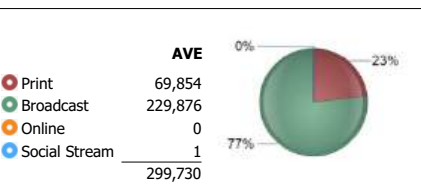
CRL Rights Commission

Period 13 Months	Total Units 2 941	Average / Month 226	Total AVE R 106 220 131.56	Estimated Circulation 1 282 161 857
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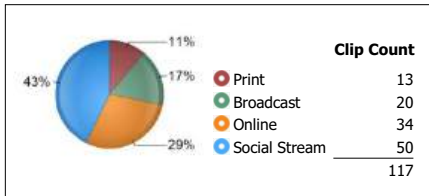
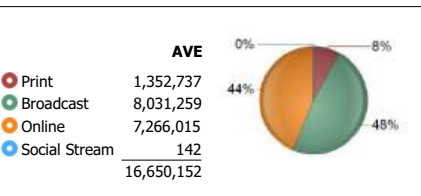
March 2016 (1 Mar - 31 Mar)

Clip Count: 7
 AVE: R 299 730.15
 Circulation: 523 386



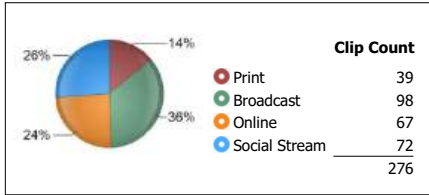
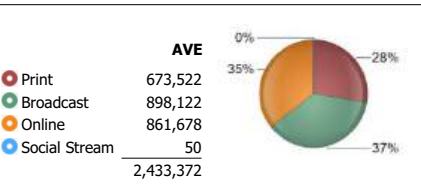
April 2016 (1 Apr - 30 Apr)

Clip Count: 455
 AVE: R 16 650 152.19
 Circulation: 183 628 987



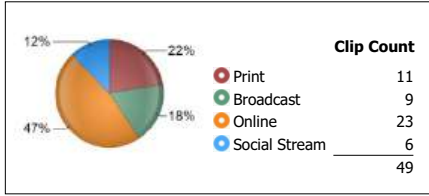
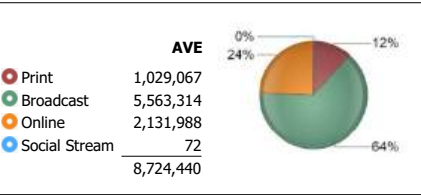
May 2016 (1 May - 31 May)

Clip Count: 117
 AVE: R 2 433 371.84
 Circulation: 50 008 904



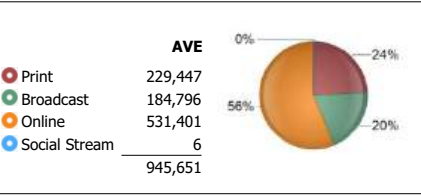
June 2016 (1 Jun - 30 Jun)

Clip Count: 276
 AVE: R 8 724 440.19
 Circulation: 149 153 969



July 2016 (1 Jul - 31 Jul)

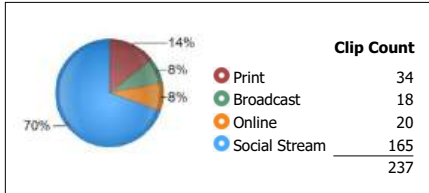
Clip Count: 49
 AVE: R 945 650.85
 Circulation: 49 151 826



PART B: PERFORMANCE INFORMATION

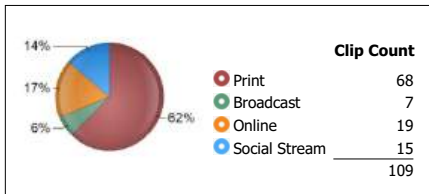
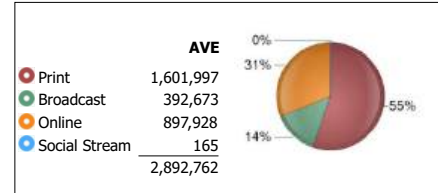
CRL Rights Commission
31 Mar - 30 Mar 2017

Monthly Period Statistical Report
31 Mar - 30 Mar 2017



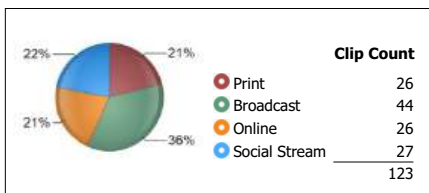
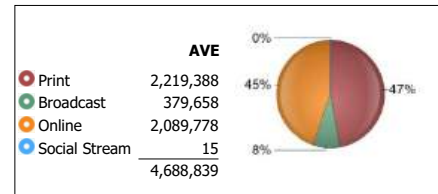
August 2016 (1 Aug - 31 Aug)

Clip Count: 237
AVE: R 2 892 761.68
Circulation: 38 858 065



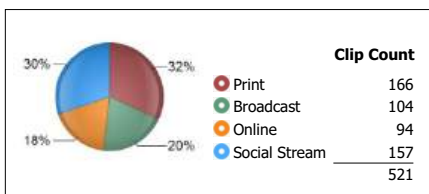
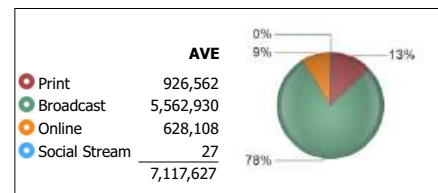
September 2016 (1 Sep - 30 Sep)

Clip Count: 109
AVE: R 4 688 839.23
Circulation: 42 034 439



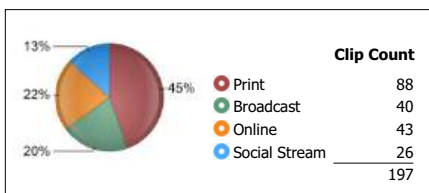
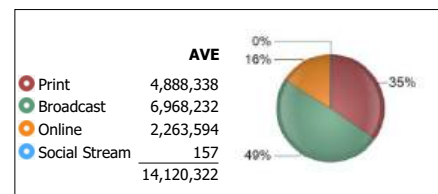
October 2016 (1 Oct - 31 Oct)

Clip Count: 123
AVE: R 7 117 627.13
Circulation: 67 282 337



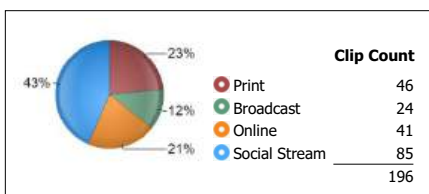
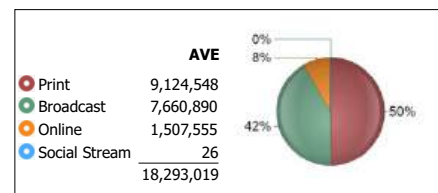
November 2016 (1 Nov - 30 Nov)

Clip Count: 521
AVE: R 14 120 321.50
Circulation: 218 908 087



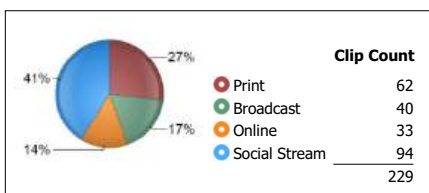
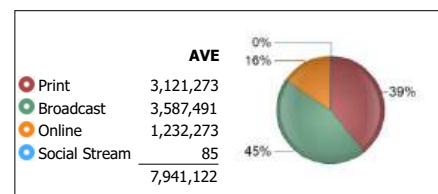
December 2016 (1 Dec - 31 Dec)

Clip Count: 197
AVE: R 18 293 018.72
Circulation: 86 903 593



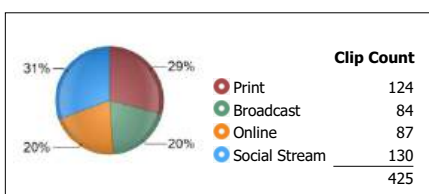
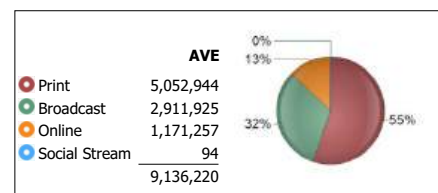
January 2017 (1 Jan - 31 Jan)

Clip Count: 196
AVE: R 7 941 121.65
Circulation: 80 591 078



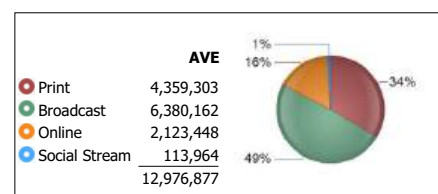
February 2017 (1 Feb - 28 Feb)

Clip Count: 229
AVE: R 9 136 219.71
Circulation: 58 194 266



March 2017 (1 Mar - 31 Mar)

Clip Count: 425
AVE: R 12 976 876.72
Circulation: 256 922 920



PART B: PERFORMANCE INFORMATION

CRL Rights Commission

1 Apr - 31 Mar 2017

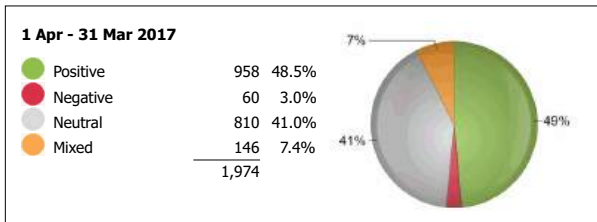
Monthly Favourability interpretation report, separated by interpretation, also showing three months favourability movement by individual service

Yearly Statistical Report
1 Apr 2016 - 31 Mar 2017 (365 days)



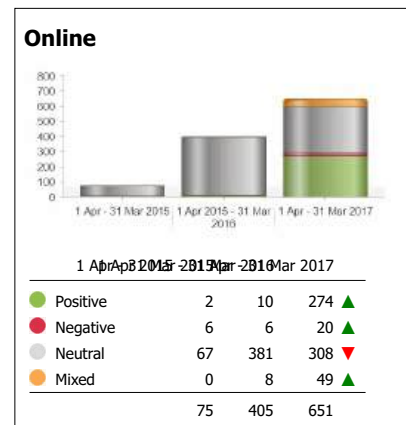
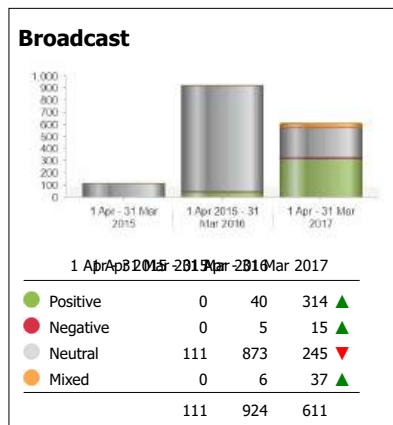
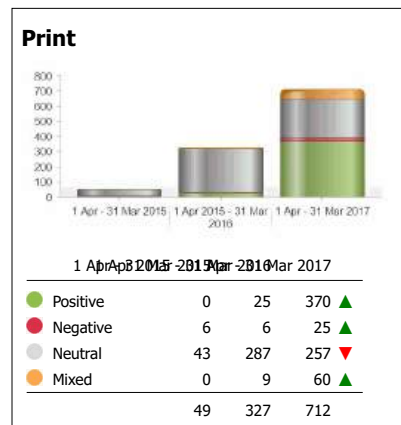
Overview:

Overall, clip count for CRL Rights Commission went up in 1 Apr - 31 Mar 2017 compared to 1 Apr 2015 - 31 Mar 2016 by 318 monitoring units, or as a 19% difference



Favourability Movement

1 Apr - 31 Mar 2017's results shows that positive has increased by 883 (1177%) clippings to 958, negative is up by 43 (253%) to 60, neutral is down by 731 (47%) to 810, and mixed increased by 123 (535%) to 146.



Print by Favourability

This year, positive sentiment increased to 370 clips and negative, with 25 units, increased

Broadcast by Favourability

This year, positive sentiment increased to 314 clips and negative, with 15 units, increased

Online by Favourability

This year, positive sentiment increased to 274 clips and negative, with 20 units, increased

PART B: PERFORMANCE INFORMATION

CRL Rights Commission

1 Apr - 31 Mar 2017

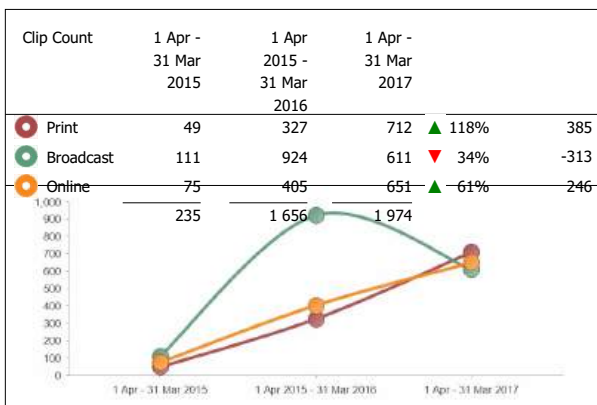
Monthly Favourability interpretation report, by service of processed metadata, showing three months movement and direction

Yearly Statistical Report
1 Apr 2016 - 31 Mar 2017 (365 days)



Overview:

Overall, clip count for CRL Rights Commission went up in 1 Apr - 31 Mar 2017 compared to 1 Apr 2015 - 31 Mar 2016 by 318 monitoring units, or as a 19% difference



Clip Count

1 Apr - 31 Mar 2017's individual service result shows that print has increased by 385 (118%) clippings to 712, broadcast is down by 313 (34%) to 611, and online increased by 246 (61%) to 651 - The total combined clip count for 1 Apr - 31 Mar 2017 was 1,974, up on the previous month of 1,656.

Favourability	1 Apr - 31 Mar 2015	1 Apr 2015 - 31 Mar 2016	1 Apr - 31 Mar 2017		
Positive	2	75	958	▲ 1,177%	883
Negative	12	17	60	▲ 253%	43
Neutral	221	1 541	810	▼ 47%	-731
Mixed	0	23	146	▲ 535%	123
	235	1 656	1 974		

Favourability Movement

1 Apr - 31 Mar 2017's results shows that positive has increased by 883 (1177%) clippings to 958, negative is up by 43 (253%) to 60, neutral is down by 731 (47%) to 810, and mixed increased by 123 (535%) to 146.

Print

1 Apr - 31 Mar 2017
 Clip Count 712
 AVE R 35 065 869.49
 Publication The New Age (40)
 Media Type Daily Newspaper (560)
 Media Group Daily (657)
 Region South Africa (224)
 Byline Sibongile Mashaba (47)

Broadcast

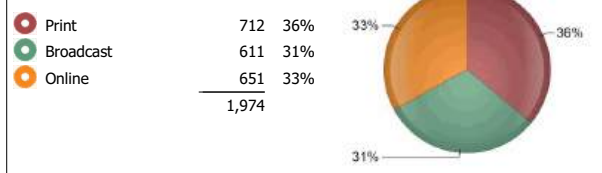
Clip Count 611
 AVE R 48 672 156.76
 Media Type PBS (202)
 TV Station ENCA (68)
 Radio Station SAFM (43)
 Region South Africa (318)

Online

Clip Count 651
 AVE R 22 746 164.15
 Website TimesLIVE (45)
 Byline Nomahlubi Jordaan (14)

Total combined monitoring units for CRL Rights Commission

1 Apr - 31 Mar 2017



PART B: PERFORMANCE INFORMATION

CRL Rights Commission

31 Mar - 30 Mar 2017

13 Monthly Statistical Reports, by Service +plus Favourability

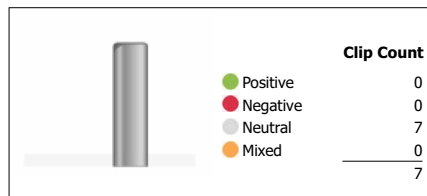
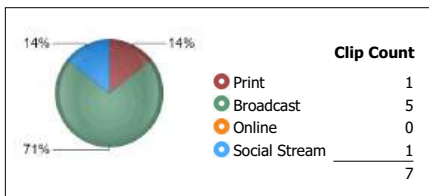
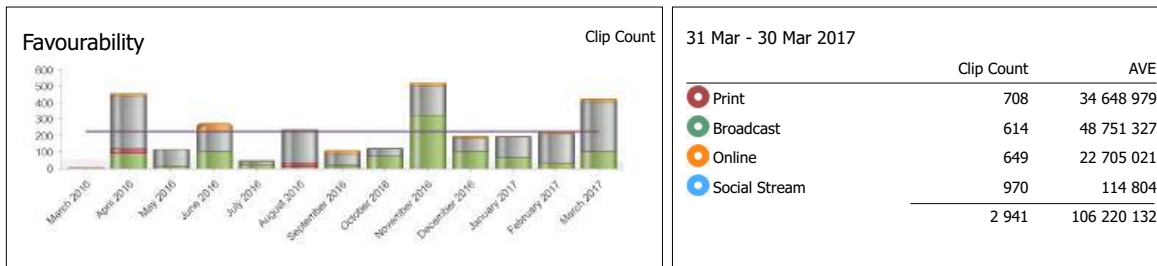
Monthly Period Statistical

Report

31 Mar - 30 Mar 2017

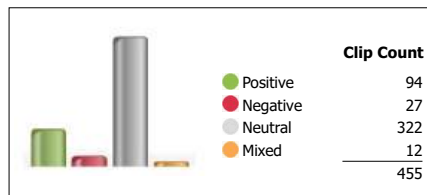
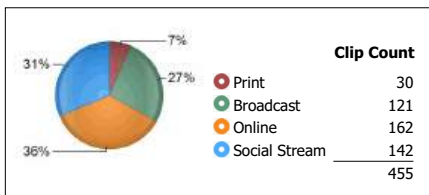
CRL Rights Commission

Period 13 Months	Total Units 2 941	Average / Month 226	Total AVE R 106 220 131.56	Estimated Circulation 1 282 161 857
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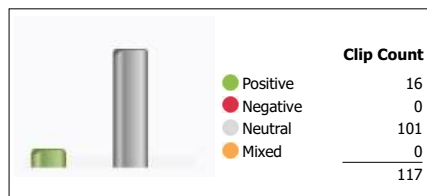
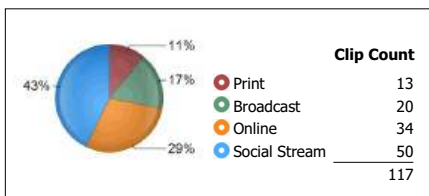
March 2016 (1 Mar - 31 Mar)

Clip Count:	7
AVE:	R 299 730.15
Circulation:	523 386



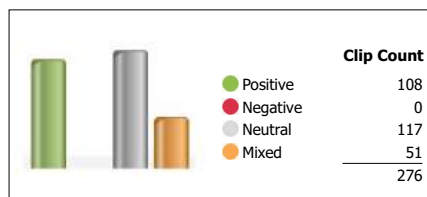
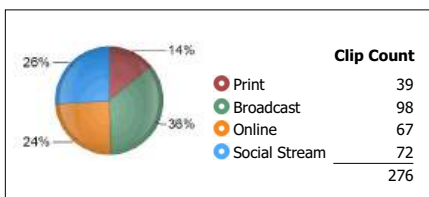
April 2016 (1 Apr - 30 Apr)

Clip Count:	455
AVE:	R 16 650 152.19
Circulation:	183 628 987



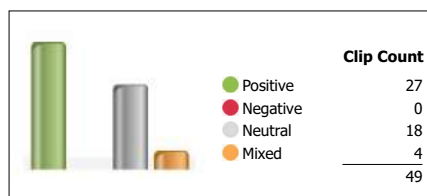
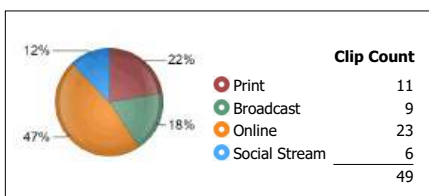
May 2016 (1 May - 31 May)

Clip Count:	117
AVE:	R 2 433 371.84
Circulation:	50 008 904



June 2016 (1 Jun - 30 Jun)

Clip Count:	276
AVE:	R 8 724 440.19
Circulation:	149 153 969



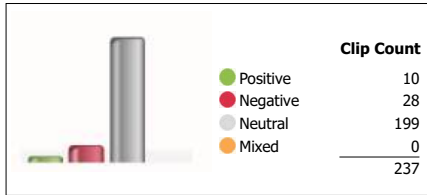
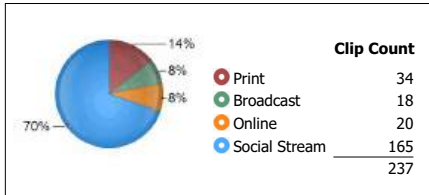
July 2016 (1 Jul - 31 Jul)

Clip Count:	49
AVE:	R 945 650.85
Circulation:	49 151 826

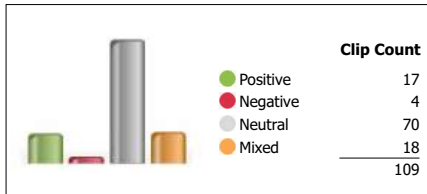
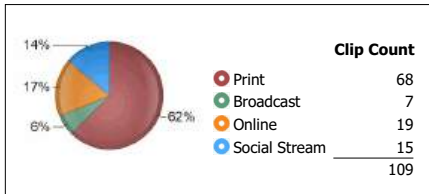
PART B: PERFORMANCE INFORMATION

CRL Rights Commission

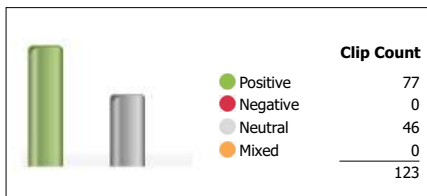
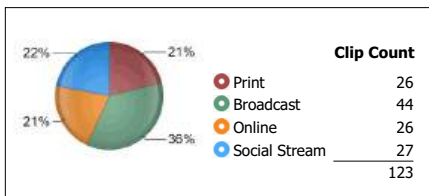
Monthly Period Statistical Report 31 Mar - 30 Mar 2017



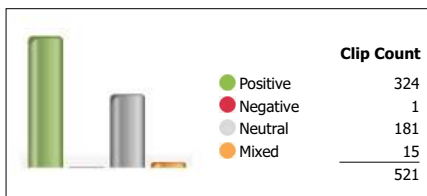
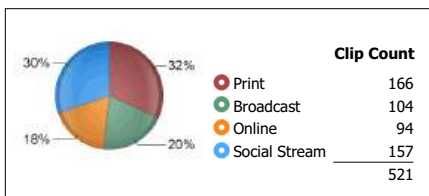
August 2016 (1 Aug - 31 Aug)	
Clip Count:	237
AVE:	R 2 892 761.68
Circulation:	38 858 065



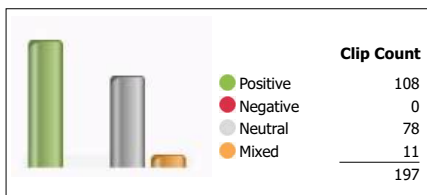
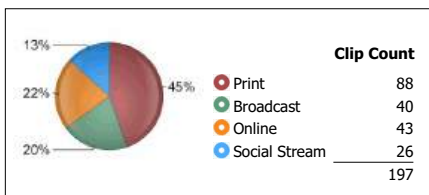
September 2016 (1 Sep - 30 Sep)	
Clip Count:	109
AVE:	R 4 688 839.23
Circulation:	42 034 439



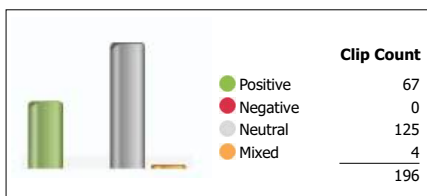
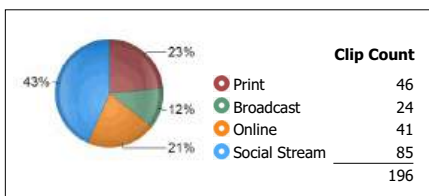
October 2016 (1 Oct - 31 Oct)	
Clip Count:	123
AVE:	R 7 117 627.13
Circulation:	67 282 337



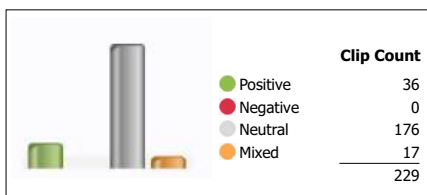
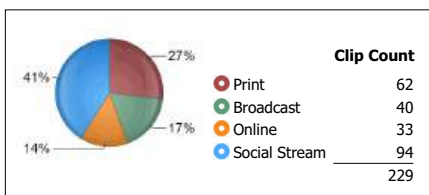
November 2016 (1 Nov - 30 Nov)	
Clip Count:	521
AVE:	R 14 120 321.50
Circulation:	218 908 087



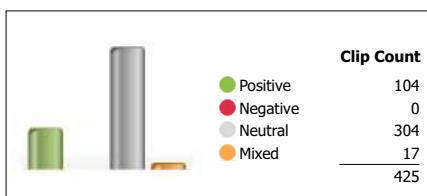
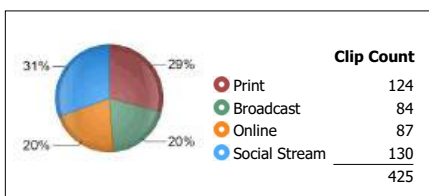
December 2016 (1 Dec - 31 Dec)	
Clip Count:	197
AVE:	R 18 293 018.72
Circulation:	86 903 593



January 2017 (1 Jan - 31 Jan)	
Clip Count:	196
AVE:	R 7 941 121.65
Circulation:	80 591 078



February 2017 (1 Feb - 28 Feb)	
Clip Count:	229
AVE:	R 9 136 219.71
Circulation:	58 194 266



March 2017 (1 Mar - 31 Mar)	
Clip Count:	425
AVE:	R 12 976 876.72
Circulation:	256 922 920

3. Performance Information By Programme

3.1 Communication and Marketing

This Programme has been responsible for ensuring effective communication and marketing function. During the year under review, we managed to keep the internal and external stakeholders informed about the work of the Commission via this Programme. We significantly managed to set the national agenda through broadcast, print and social media platforms with respect to cultural, religious, and linguistic matter.

The success of this enhanced stakeholder communication programme was confirmed through the media monitoring services which the Commission has put in place to monitor what the print, broadcast and social media is saying in relation to the Commission's mandate and activities.

These media monitoring and analysis services continue to help the Commission to follow up on various issues that impact or relate to its mandate.

Notably, the Commission has established a good working relationship with various media houses and platforms. They continue to critique the CRL Rights Commission's work in relationship to executing its mandate as well as to report the stories of culture, religion, and languages.

In the year under review, the Communication and Marketing Programme took part in the Rand Easter Show at Nasrec, Johannesburg. The Programme managed to register 559 individual visitors and other large groups who visited the stall during the two-week period. Information cards and pamphlets and other promotional materials were distributed during this time. As a Commission, we are very confident that the message and information about our mandate is spreading far and near, seeing visitors come from all corners of the country.

One of the Commission's objectives is to resolve the conflict among and within cultural, religious, and linguistic communities. A few cases were brought to the attention of the Commission, and these were registered through the interaction with staff on the grounds at the Show. The Programme will invest extra in ensuring more rigorous participation at the Show whereby more people can be reached, especially those who do not know about the existence of the Commission and its mandate.

This Programme aims to develop programme for secondary schools and tertiary institutions that will appeal to young people in future and to encourage them to participate in cultural, religious, and language issues more often.

PART B: PERFORMANCE INFORMATION

Table2:Communication and Marketing: Strategic objectives,

performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline Target 15/16	Target	Actual Performance		Reason for Variance
				Activity	Annual Achieved 2016/17		
1 Implementation of approved integrated communication and marketing strategy and approved information technology (IT)framework and strategy	Implemented integrated communications and marketing strategy	4 Checklist of approved and implemented integrated communication and marketing strategy per annum	4 Quarterly checklist of implemented communication and marketing strategy	4 Checklist on reviewed and implemented communication and marketing strategy	Review and implementation of integrated communications and marketing strategy	100% implemented communication and marketing strategy	Target met
	Reviewed and implemented IT framework and IT strategy	4 checklist of approved and implemented IT framework and 1 IT strategy	Quarterly checklist of implemented IT framework and strategy	Checklist on reviewed and implemented IT framework and strategy per annum	Reviewed and implemented IT framework and strategy	100% implemented IT framework and strategy	Target met

3.2 LEGAL SERVICES AND CONFLICT RESOLUTIONS

During the 2016/17 financial year, the Legal Services and Conflict Resolution Unit (hereinafter referred to as the “LSCR Unit”) focused on the following objectives.

1. *LEGISLATIVE DRAFTING: BILLS*

The LSCR Unit produced 5 amendment Bills and proposed an amendment to the Extension of Security of Tenure Act, 1997. These amendments are:

- i) to address the question of the sale of private or public land on which graves are located;
- ii) to regulate the registration of religious organisations, including churches, and ministers of religion in the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act, 2002;
- iii) alternatively amend the Non-Profit Organisations Act, 1997 to further regulate the registration of religious organisations, including churches and ministers of religion;
- iv) alternatively amend the Marriage Act to regulate the registration of ministers of religion who may additionally apply to be accredited as marriage officers.

2. *GUIDELINES ON INDIGENISATION OF THE LAW-MAKING PROCESS*

The Unit developed a guideline on indigenisation of the law-making process to ensure that the law responds to the indigenous practices of people within the framework of the Constitution of the Republic of South Africa. The Guideline stands to be reviewed in the 2017/18 financial year for enhancement and further engagement with other stakeholders.

3. *REVIEW OF BY-LAWS*

The Unit reviewed By-Laws on fireworks, initiation for cultural purposes, cemeteries and crematoria in relation to cultural and religious rights.

4. *CONFLICT MANAGEMENT*

4.1 *Religion*

The LSCR Unit handled 107 cases on religion. Eighty of these cases were received during the 2016/17 financial year, while 27 cases were carried over from the 2015/16 financial year. The following key concerns were observed from these cases.

4.1.1 *Abuse of belief system by religious leaders*

A copious number of complaints were about ministers of religion or religious leaders abusing congregants and using resources of religious organisations for personal gain.

4.1.2 *Religious intolerance*

These cases involved allegations of violation of rights of learners at various schools in KwaZulu-Natal (KZN). The matter is about discrimination meted out at Shembe subscribing

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learners by teachers. Teachers forced learners to cut their hair before they go to school. The corollary of the discrimination led to learners fearing being failed deliberately by the teachers. The Unit prepared recommendations that were sent to the Member of the Executive Council of the Department of Education in KZN and the Head of the Department (HoD). They were to issue notices against the abuses and remark the examination papers of one learner who suspected being failed on purpose. The HoD instructed the remarking of the examination papers and reported back to the Commission.

The other case was that of an employer accusing an employee of practising witchcraft after having found religious symbols on the employee's desk. The Commission mediated on this matter and secured an apology from the employer.

4.1.3 Religious freedom

The matter goes to the heart of the scripture where a minister of religion preached in church about the fact that the Bible does not condone homosexuality. The Unit issued a solid legal opinion protecting the religious right of the concerned church considering the freedom of association of the belief system of the church.

4.1.4 Residential area and religious right

The issue here was about the use of fireworks not being allowed at an estate where some Muslims stay and who wished to use these during the observance of their religion. The Unit analysed By-Laws of Metropolitan Municipalities and is of the view that Fireworks By-Laws of the Metropolitan Municipalities need to be harmonised.

4.1.5 Prophecy by ministers of religion

Another matter concerned a pastor who made a prophecy to one of the congregants. The pastor accused the congregant's mother-in-law to have cast a spell on the concerned congregant. The CRL Rights Commission engaged the accused and recommended she open a criminal case against the pastor using the Witchcraft Suppression Act.

4.2 Language

The LSCR Unit handled 13 cases on language. Five of these cases were carried over from the 2015/16 financial year. The following key concerns were observed from the cases.

4.2.1 Language in higher education

The concern on higher education was specific to the use of Afrikaans. The complainant is anxious about the discontinuation of Afrikaans as a medium of instruction at universities. The other case was about the establishment of private universities to promote and use Afrikaans as a medium of instruction.

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4.2.2 Language in basic education

The basic education matters were about the discontinuation of Sepedi as a subject at a school in Mpumalanga. Another case was about learners not allowed to speak their indigenous languages on the premises at a school in Pretoria.

4.2.3 Accreditation of language material by Sector Education and Training Authority

A complaint was raised against the Sector Education and Training Authority (SETA) refusing to accredit training material written in Afrikaans. The SETA only accredits material in English to the detriment of other languages.

4.2.4 Access to services in a preferred language

Another complaint that the public services are not accessible in languages preferred by communities was mentioned posing a challenge of understanding the services and programmes of government. Therefore, affected communities find it difficult to participate in those programmes.

The above matters show that the challenges about the use of the language of choice afflict to various sectors of the state. In the previous years, the LSCR Unit had also received complaints that afflict to the judiciary and affiliation with professional bodies. The issue of language in the judiciary was about Court proceedings where one party could address the presiding officer in his mother-tongue but the other not, given the fact that he speaks a different language from that of the presiding officer.

The matter of registration or affiliation with a professional body was because the board examination for attorneys is only in English and Afrikaans, with the exclusion of other indigenous official languages. Similarly, the Unit had received a complaint from a police officer who had wished to use his language and record information in his language (Afrikaans) in an area in the Western Cape Province.

4.3 Culture

The LSCR Unit handled 105 cases on culture, of which 87 were received during the 2016/17 financial year, and 18 cases were carried over from the 2015/16 financial year. The following are key concerns that were observed from the cases.

4.3.1 Access to graves for maintenance and cultural observance

The issues hereunder are about the destruction of graves for development purposes by the private and public sector. For example, the destruction of graves by building a memorial site on top of graves of community members in Aliwal North in the Eastern Cape Province. The Unit employed the services of ground-penetrating radar used by the University of Pretoria.

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The Unit, among other things, summoned the Ventersdorp Municipality in the North West Province and drafted recommendations to correct the wrong that was experienced by the affected community families. These recommendations outlined how the Municipality should remedy the damage caused to the affected families whose deceased family members' graves had been submerged in water which was said to have come from a burst pipe. The Municipality heeded the recommendations of the CRL Rights Commission and was very cooperative on how to remedy the situation. The CRL Rights Commission summoned the Municipality using Section 7 of list of its Act 19 of 2002 and issued the recommendations in terms of Section 5(1)(k) the Act.

7. LITIGATION

The LSCR engaged the Legal Aid South Africa LASA to litigate cases of unfair discrimination on the ground of treatment meted out at Shembe subscribing learners.

The Unit also engaged LASA to consider litigating against the eThekweni Municipality for leasing graves to families for ten years, amenable to renewal, but in the process, affect the cultural, religious rights of the family members of the deceased. If a family does not renew, the Municipality allocates the same grave to another family. This means that the recently deceased person of family A will be buried on top of the already buried person from family B.

The LSCR Unit further managed litigation of a case about the regulation of Muslim marriages in South Africa. In this matter, the CRL Rights Commission joined as an *amicus curiae*.

The Unit gave its opinions on the question of regulation and single marriage statute.

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Table3: Legal Services and Conflict Resolution: Strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outcomes	Performance Indicators	Baseline Target 15/16	Actual Performance		Reason for Variance		
				Target	Activity			
1	Indigenisation of law making process	Revised draft guidelines	1 preliminary draft guideline on indigenisation of law-making process	Draft Guideline	Approved Guidelines	Review and monitor guideline	Guidelines were revised and approved	Target met
2	Propose legislation, policies in line with CRL Rights	3 proposed draft Bills/annum	3 draft Bills/annum	New target	3 Proposed Draft Bill/annum	Draft the Bills, conduct consultation on the draft Bills	5 proposed draft Bills produced	Target exceeded
3	Review By-laws to be in line with CRL Rights	1 Report on reviewed By-laws per annum	Draft report on reviewed By-laws	New target	1 Report on reviewed By-laws	Draft report on reviewed By-laws	1 Report on reviewed By-laws	Target met
4	Review bills tabled in Parliament	1 Report on reviewed Bills proposed in Parliament	Draft report on review of Bills tabled in Parliament	1 proposed draft Bill	100% review of bills tabled in Parliament /annum	Draft report on review of Bills tabled in Parliament	1 Report on review of Bills proposed in Parliament	Target met
5	Conflict resolution management/Case management report	Cases handled in line with the Complaints Procedure Manual/annum	100% of cases received - investigated in line with the Complaints Procedure Manual/annum	100% of cases handled in line with Complaints Handling Manual	100% of cases handled in line with the Complaints Procedure Manual annually	Investigate cases (where relevant or necessary: mediate, subpoena and refer matters to equality court)	100% of identified, prioritised, urgent cases registered acknowledged in line with Complaints Procedure Manual	Target met
6	Provide legal advice	Register and file of legal opinion	100% response to all requests annually	14 legal opinions	100% response to all requests	Draft response per request	100% of registered legal opinions finalised within 15 days of receipt of the request	Target met

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3.3 Research and Policy Development

The Research and Policy Development (RDP) Unit, in line with the CRL Rights Commission strategic plan and business plan, developed four reports during the financial year, April 2016 to March 2017. These reports touched on the commercialisation of religion and the abuse of the peoples' belief systems, the phenomena of the state of trance, the police cases of deaths at initiation schools, and the traditional meaning of *Ukuhlolwa*.

1. COMMERCIALISATION OF RELIGION AND ABUSE OF THE PEOPLE'S BELIEF SYSTEMS

Once the draft report became available, the CRL Rights Commission decided to invite all the religious leaders, who were summoned to appear before the Section 7 Committee, during the investigative hearings to share the findings with them. At the meeting religious leaders showed interest in the draft report and requested more time to study and return comments. The deadline date that was agreed upon was 18 November 2016. Later, a further request was made to extend the deadline to a new date which was set for 28 February 2017. Many religious organisations and individuals sent in their comments, issues of concern, and further suggestions which the CRL Rights Commission reviewed. They accepted some and made some changes to the draft report.

Given the great interest in the report, some religious organisations, which were not summoned by the Section 7 Committee during the investigative hearings, came forward enquiring about the report. Instead of dealing with the queries one by one, the CRL Rights Commission decided to go on a national consultative meeting with religious organisations throughout the provinces explaining the findings and recommendations of the report. In Gauteng, the CRL Rights Commission met with different religious organisations like CLEFA (Church Leaders Empowerment Foundation Africa), IFCC (Island Family Christian Church), NRC (Network of Religious Communities), SACC (South African Council of Churches), ACDP (African Christian Democratic Party), Zion Apostolic Churches, Charismatic Religious Organisations from Tshwane, Ekurhuleni, and Germiston. In Durban, meetings were held with various religious affiliations like the Gospel Power House and the Religious Leaders' Organisation in KZN, while in Cape Town the Commission met an affiliation, the Great Commission. The Commission went to Limpopo to meet with the ZCC (Zion Christian Church) and other religious affiliations.

After considering the submissions made by the different religious affiliations and organisations, the CRL Rights Commission submitted its report to the office of the Speaker of Parliament. Then on June 2017, a workshop on the report was organised with the portfolio committee members of the Department of Cooperative-Governance and Traditional Affairs (Cogta)

2. THE PHENOMENA OF THE STATE OF TRANCE

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During the commercialisation of religion and the abuse of the people's belief systems hearings, throughout the country, it became very clear that something was happening to the congregants who partook in some questionable actions during their religious ceremonies. Questions were raised as to what makes members of our society so vulnerable. Further questions were asked whether the phenomena the country is experiencing is true faith, or simply magic, or cult-like behaviour, or simply a state of hypnotism in which people find themselves.

The CRL Rights Commission decided to hold a round table discussion on 15 March 2017 at Braamfontein Offices and invited sociology, psychiatry, hypnotism, and psychology experts to unravel this mystery on its behalf. These experts were Dr Alex Asakitikpi from the Department of Sociology at Monash University, Dr Lennart Eriksson, a psychiatrist at the School of Medicine, University of Natal, Mr Thomas Budge, a practising and leading hypnotist in South Africa, and Professor Kobus Maree, a psychologist at the University of Pretoria. Experts in other fields, although not officially requested to prepare a presentation, were also invited to this discussion.

The purpose of this dialogue was to understand:

- a. The phenomena of prophecy, healing, miracles, magic and deliverance;
- b. How these phenomena affect the religious sector especially religion;
- c. How these phenomena are used as a means of capturing people;
- d. What we see or hear reported about churches is the Holy Spirit at work or just a state of trance;
- e. How this state of trance manifests itself or unfolds;
- f. Why people are more likely to subject themselves to these incidents;
- g. Whether what we see or hear is about religion or cult; and
- h. The extent to which these phenomena are so prevalent.

A. Dr Alex Asakitikpi from the Department of Sociology at Monash University

He defined religion as an organised system of beliefs and practices oriented towards the sacred or supernatural, through which life experiences of a group of people are given meaning and direction. He went on to say that religion is rooted in realities that are believed to exist above and beyond the temporal mandate.

He said that he thinks people take up religion for various reasons like:

- ▶ Divine connection with the supernatural;
- ▶ Divine healing (physical, emotional, and spiritual);
- ▶ To conquer fear of the unknown;

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- ▶ Divine protection; and
- ▶ Social and economic net-working

He said that this is because the contemporary (modern) society is under the hypnotic grip of postmodernism that is, the idea that histories and progress no longer govern societies, but are characterised by a polyvocality that is expressed in pluralistic and diverse ways. Again, he thinks that the phenomenon may also be analysed from a poststructural perspective that rejects absolute truth and absolute reality in favour of plural interpretations of reality.

While speaking about the phenomena, he outlined the following issues as possible causes of the phenomena:

- ▶ Poverty – the welfare scheme is not to eliminate poverty or inequality, but to maintain stability or loyalty to the state. As inflation goes up, it also erodes the value of the welfare and causes agitation among beneficiaries.
- ▶ Social exclusion, caused by several factors, forces people to fill the void in their lives.
- ▶ Anomie – a state of normlessness, a state of disconnect with the society.
- ▶ Social disability.
- ▶ Rapid social change after Apartheid and the anticipated hope for a better standard of living.

He thought that some pastors also perform acts because of:

- ▶ the demonstration of power over congregants that keeps them glued to the church;
- ▶ controversies which are a cheap source of advertisement today - the bad news is good news syndrome is positively exploited; or
- ▶ mass hypnotism

He concluded his presentation by suggesting that the country will continue to battle with these phenomena unless the following issues are addressed and dealt with:

- ▶ Create social cohesive communities.
- ▶ Provide jobs for people to become positively and productively engaged.
- ▶ Promote social and cultural values.
- ▶ Strengthen institutional structures to support citizens.
- ▶ Resolve structural contradictions.

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B. Dr Lennart Eriksson, a psychiatrist at the School of Medicine, University of Natal

Dr Eriksson started his talk by distinguishing between religion and spirituality.

He defined religion as:

Social expression

- ✓ Dogma
- ✓ Institutionalised structures
- ✓ Collective community of like-minded believers
- ✓ Political and financial power in the system

He defined spirituality as:

- Individual
- Beliefs
- Values
- Process
- Goal: consciousness and connectedness
- Drive created for living
- Meaning and purpose

As a scientist, he confined himself to talking about a religious experience rather than about religion. He said that a religious experience touches everyone, that is, any follower of any organised religion, or any person of any particular spirituality, or any person of any behaviour or way or life. He said that this is because a religious experience all starts in the brain.

He said that he believes that “the evolution of religion is linked to an expansion of dopaminergic systems in humans, brought about by changes in diet and other physiological influences” like:

- ❖ Drug-induced spiritual experiences, e.g. psilocybin
- ❖ Epileptic phenomena
- ❖ Induction of the spiritual experience: electromagnetic waves
- ❖ Fasting
- ❖ Experiential events:
 - ❖ trance-induced, e.g. drama, music, lights, etc.
 - ❖ revelation, e.g. words with affect and persuasion
 - ❖ near death experience.

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When talking about the human behaviour, he said that it is influenced by bio, psycho and social factors and in the middle of all this he attributes spirituality, that is religion and other factors.

When defining the state of trance, he said that it is an altered state of consciousness (ASC), also called altered state of mind that is any condition which is significantly different from a normal waking.

Various forms of the trance state

- 1) Hypnotic state: a hypnotic or cataleptic state;
- 2) Dazed state: a state in which somebody stunned or in some other way unaware of the environment, e.g. psychedelic drugs;
- 3) Rapturous state: a state of rapture or exaltation in which somebody loses consciousness;
- 4) Spiritual mediums state: the state of apparent semi unconsciousness that a spiritual medium enters into in an attempt to communicate with the dead.

Thus, he said, it is during the state of trance that persons are very vulnerable to any suggestion. He concluded by repeating what he said earlier that spirituality is not in the mind but begins in the brain and is then experienced by the mind!

C. Mr Thomas Budge: a practising and leading hypnotist in South Africa

He defined hypnosis as an altered state of mind where conscious criticism is bypassed, leaving the subject more susceptible to suggestion. He said that this one-sentence definition embraces the notions of fragile consciousness, poor voluntary action, sleep-like states, catalepsy, heightened suggestibility, detachment from surroundings and extreme dissociation. Hypnosis can be induced by oneself (called autosuggestion) or by a hypnotist (another person who has the skill to hypnotise). He said that the South African Health Professions Act, act 56 of 1974, s. 2(g) mentions “hypnosis” and “hypnotherapy,” but the act does not provide any legal definition of these terms.

When talking about the differences between Trance and Hypnosis, he said that there is a subtle difference between being “under Hypnosis” and being in a “trance”. He agreed that the state of Trance exists and this fact can be proven as far back in history. He said that this state has always been a part of the human psychological experience. He went on by saying that hypnotic trance and its induction are nothing more than a tested technique in the skilled hands of a hypnotist.

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On Faith versus Fact, he said that we cannot prove or disprove the channelling of the Holy Spirit, so there is still a possibility that what the audience experiences are the true workings of the Holy Spirit. If you challenge the preachers about these matters, you'll probably be told that God has His plan – which means, they do not have any clue about the details of what's happening – yet their followers are urged to trust God and simply accept that it happens the way He says it does.

He said that inducing hypnotic trance is reproducible and understood. Most of the miracle subjects go back home, and we will never know whether their healing has longevity or not. A survey of such subjects would be important in answering this question, but he simply does not have those facts at hand.

He ended his presentation by making the remarks that to draw inferences between religious phenomena and hypnosis, one must be *au fait* with hypnotic techniques and then look for parallels in the religious context.

D. Professor Kobus Maree, a psychologist at University of Pretoria

He started his talk by stating that one's perceptions are shaped/framed by your idiosyncratic background. Thus, it is essential to check if person's view of reality is consistent with [generally held views of] reality and secondly it is important to understand a person's views/acts/stance from her or his perspective.

When speaking about the state of trance, he said that a rapport has to be established. This is necessary as a bond of trust and faith is created, which facilitates trance. He inferred this is what establishes a possibility of exploiting and manipulating people. He said that often, people enter a hypnotic trance-like state, one which is most definitely not therapeutic! In this state, they are extremely susceptible to suggestion.

He said that a person who enters trance becomes highly susceptible to and easily „swayed“ by suggestions ...more so because of the esteem in which pastors are held. He says that vulnerable people, desperate for help, feel that they are granted opportunity to connect, to be seen, to be heard, and to become “stars” of show.

His view is that people are responding to what is happening in society and we need to try to understand their response before considering how to address their response.

As to why so many people are highly susceptible today, Dr Maree said that one plausible explanation, not the entire solution but one that helps us to explain what is happening, is that pre-1994 common enemy was Apartheid. Effects of Apartheid were highly visible. Our common goal was, therefore, clear and achievable, to defeat that evil system. Today, he says, the enemy is much less well defined. Poverty is on the rise, unemployment, feelings of hopelessness, and free-flowing anxiety is rife and on the increase.

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3. POLICE CASES OF DEATHS AT INITIATION SCHOOL

In lieu of many reported cases of deaths at initiation schools during the initiation season, the CRL Rights Commission strongly felt that it was about time that something is done. The CRL Rights Commission felt it was imperative to check the number of deaths, amputations, hospital admissions and arrest cases by the police. To better understand the situation, it was deemed appropriate first to invite the provincial police officials from Limpopo, Eastern Cape, Gauteng and Mpumalanga dealing with initiation deaths cases.

These police officials, who deal with matters about Initiation in the mentioned provinces, were invited to share with the Section 7 Committee the statistics of death-related cases. Statistics shared with the Committee were from 2010 until 2016.

Table 4: Police report statistics in the four provinces from 2010 -2016

PROVINCE	DEATHS	AMPUTATIONS	HOSPITAL ADMISSIONS	ARRESTS
Eastern Cape (Pondoland area)	443	141	3741	238
Gauteng (Sedibeng cluster)	6	0	6	12
Limpopo	7	0	2	2
Mpumalanga	30	0	0	3 (15 ongoing)

4. UKUHLOLWA

Ukuhlolwa kwezintombi (virginity testing) became a talking point after Councillor Mazibuko, Mayor of Uthukela District Municipality, announced the council had passed a resolution to award tertiary education scholarships to 16 young girls/women who had to be virgins. After this announcement, the Commission for Gender Equality published a report indicating that while it respected the cultural practices of people, *Ukuhlolwa* is one of the harmful practices as defined by the United Nations International instruments. The Gender Commission went on to say that it deems it unfair that state institutions would use public money to fund practices such as *Ukuhlolwa*.

The report of the Gender Commission opened floods of comments from different people and organisations within the country, with some calling for the ritual's eradication and others defending it. A formal complaint against those who called for the eradication of the *Ukuhlolwa* ritual was laid with the CRL Rights Commission. To be able to promote and protect the cultural ritual, *Ukuhlolwa*, and the community's right to continue its practice, the CRL Rights

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Commission decided to understand its original meaning by conducting hearings about *Ukuhlolwa*.

KwaZulu-Natal is inhabited by people of diverse cultural beliefs, practices, and rituals. These characteristics distinguish one community from the other, respecting its traditions that are based on an identity of interest that bonds its inhabitants together. Some of the rituals and practices have already vanished, if not they have acquired some elements of modification. These cultural deaths and modifications are caused by acculturation, education level, religious beliefs, westernisation, urbanisation and industrialisation.

Ukuhlolwa kwezintombi among the Zulu in KZN is one of the traditional rituals that are practised. This practice is centuries old, but its history is one of considerable flux. While the impact of multicultural contact in the early twentieth century led to its near demise, in recent years, we have seen its revival in some parts of KZN including Uthukela District Municipality. Despite this revival, in some cases, *Ukuhlolwa kwezintombi* has been met with some opposition, with people referring to it as a harmful practice.

The report recommends that:

1. *Ukuhlolwa* as a cultural ritual has more values to teach our modern society, and it should be protected and promoted to continue to exist.
2. More modern, innovative ways, like the giving out of bursaries to virgins, should be encouraged to continue as this helps to challenge the virgins to keep the cultural ritual of *Ukuhlolwa* going.
3. The Department of Health should conduct more basic health training workshops and budget more for the gloves so that the *Ukuhlolwa* schools do not run short.
4. The Department of Social Development should work hand in hand with owners and testers of the *Ukuhlolwa* schools to help with counselling, especially to girls who are found to have been raped, without stigmatising them.
5. Police should establish *Ukuhlolwa* response units that can tackle the issue of safety of virgins, especially when they are attending the ritual.
6. Parents, virgins, and males, in general, should be encouraged to help promote the value of importance of abstinence before marriage, not as punishment but as a choice.

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Table5: Research and Policy Development: Linked strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outcomes	Performance Indicators	Baseline Target 15/16	Actual Performance		Reason for Variance	
				Target	Actual Target 16/17		
1 Documented and published diminished and diminishing heritage	4 Research Reports	4 Research Reports per annum	2 Research reports	4 Research reports per annum	Data gathering, analysis and report writing	4 Research reports were produced	Targets met

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3.4 Public Engagement and Education

1. INTRODUCTION

Public Engagement and Education (PEE) is one of the units in the CRL Rights Commission with its core function being to execute public engagement and educate the public about its work. The programmes engage with communities to inform them about their cultural, religious and linguistic rights as enshrined in the Constitution of the Republic of South Africa. This includes the diverse cultures and religious beliefs that make up the South African society.

The Unit further ensures to address those communities that have not received and enjoyed equal space, have been discriminated against or been part of the country's diminished heritage. Additionally, these communities are reassured that they too form part of the Rainbow Nation which is united in diversity. This is done through awareness campaigns and other means such as conducting capacity building workshops for community councils.

The Unit worked closely with community councils to reach out to as many communities as possible. The community councils are established in terms of CRL Act 19 of 2002 Sections 36 and 37. These community councils are established with the aim to promote, preserve and develop the culture, religion and or language for communities for which it is recognised and to advise the commission and assist the commission in matters concerning the achievements of the objects of the CRL Rights Commission.

2. CAPACITY BUILDING WORKSHOPS

During the year under review, the Unit conducted 18 capacity building workshops mainly with religious community councils with the aim of ensuring that community councils as the entry point of the Commission in the provinces are professionally run and administratively effective and efficient.

This strategic objective was informed by a research project on commercialisation of religion wherein during public hearings, a lot of religious leaders confessed that they did not know that they had to keep records of all their institutional activities. They also did not know that they had to have their audited financial statements so that they can present them to the members of the congregations of which they lead. The public hearings also uncovered that most religious organisations were not compliant with other governance prescripts that govern the running of organisations.

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These workshops touched on issues such as:

- The CRL Rights Commission community council's registration process and the functions and roles of a community council.
- The non-profit organisation (NPO) registration process and the importance and benefits for community councils to register.
- To workshop communities on basic financial and project management principles.
- Donor funding and partnerships.
- Capacitate community councils on obstacles which hinder the execution of their developmental goals.

The Unit conducted workshops in Mpumalanga Province in the areas of Bushbuckridge and Mbombela, engaging communities such as Mapulaneng Heritage Council, Bakone Royal Council in Bushbuckridge and Rastafarian Communities in Mbombela. Although the engagements were about capacitating them to run their organisations effectively and efficiently, they were given an opportunity to air their frustrations and challenges which they experienced daily. Some of the challenges include the following:

- They indicated that initiation as a cultural practice is commercialised as those who are responsible for initiating the young boys are more into money than actually doing it for cultural practices or teaching these boys the ways of life.
- Initiation schools in Mpumalanga should be closely monitored.
- The Sepedi-speaking communities in Mpumalanga are marginalised as every government communication is done either in Xitsonga or IsiSwati, while often Sepedi is not accommodated. Allegedly some schools that were built by Bapedi community leaders are now being renamed into Tsonga.
- Communities indicated that what is going on in Mpumalanga between Bapedi-, VaTsonga- and the Swati-speaking people is a disaster waiting to happen.
- The Rastafarian community voiced their concerns about the hostility that they had to face because of their use of the holy herb. They are sometimes harassed by members of the South African Police Service. The same hostility and exclusion take place in workplaces or when going for interviews.
- When they approach municipalities, they are not taken for serious when applying for land to erect worship centres or for planting this holy herb. They use the herb in their temples as incenses, and also for medicinal and cultural purposes.

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- Christian groups in the Sabie area of Mbombela complained about the lack of land to erect worship centres. When eventually they get the land the local chiefs in the areas charge an exorbitant amount of money making it difficult for this group to access land.

Complaint forms were issued filled and were submitted to Legal Services for further processing and investigation.

Other capacity building workshops were conducted in Mangaung in Free State, and the following were the issues that were registered;

- There are churches erected in the middle of residential areas, which create a lot of noise. Members of the community who are not members of such churches complain that Sundays are their rest days and the noise levels make it very difficult to get their quiet moments before they go to work the next day.
- During this time a complaint was registered from a lady whose child's surname on the birth certificate was incorrect. This made it difficult for them to travel with the child beyond South African borders to visit their family in Lesotho. They would want to conduct rituals in Lesotho, and the child cannot visit there, and even if they could, they cannot bring the child before ancestors as the different surname is unknown to them. However the CRL Rights commission is continuing handling the case.

In KZN, the CRL Rights Commission met with youth movements and the Hindi Sabha who are recognised as Community Councils. They were encouraged to deal with administrative challenges with which organisations are faced. The areas visited included Pinetown, Phoenix, Margate and Port Shepstone. The youth movements were encouraged to form associations that will seek to protect and promote culture, religion, heritage, languages and beliefs.

Other issues raised during the KZN tour and engagements with communities were registered as follows:

- In communities, such as Chesterville, women and young girls are forced to ensure the safety of the elderly in the community. Many of these women and young girls are part of the programmes that take care of the elderly, child-headed families as well as orphans in collaboration with Department of Social Development.
- Communities in this area complained about the lack of employment opportunities and this caused young people to resort to drugs and other unbecoming things.

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The Youth were encouraged to form cultural associations wherein the CRL Rights Commission will support them by way of developing strategies and programmes that will focus them towards promoting CRL rights of communities.

- The issue of the use of mother-tongue language was raised and communities needed to know how they can be assisted in ensuring that indigenous languages are not lost. To this end, communities were encouraged to teach the younger generation of their culture and this has to be done through their mother tongue as languages are vehicles through which cultural aspects of life can be transmitted from generation to generation. The communities were made aware that knowing English is not a sign of intelligence and therefore encouraged to elevate their local languages above English. Parents were also encouraged to become members of School Governing Bodies wherein they will be able to influence language policies and the languages they would want to see taught to their children.

In the Northern Cape Province during capacity building workshops that were conducted in Kimberly townships of Galeshewe and Vergenoeg. Communities were excited to have the CRL Rights Commission visiting them. The newly elected Councillors in both places welcomed the CRL Rights Commission indicated that it is important for their people to know about their cultural, religious and language Rights as enshrined in the Constitution.

3. CONFLICT RESOLUTION CLINICS

The Unit conducted nine conflict resolution clinics with communities in the North West province in the areas of Rustenburg and Lethabong, in Gauteng with Traditional Healer's organisations in the areas of Hammanskraal, Soshanguve, Nellmapius, Mamelodi, and in the Eastern Cape in Motherwell and Port Elizabeth. In the Eastern Cape, communities' complaint was about RDP houses that had been erected on top of graves after the communities in Motherwell and Uitenhage were forcefully removed in a Farm called Veeplaats. The community involved engaged with the municipality on the matter on some occasions. However, it dragged for a very long time, and they could not get any help from the municipality. The commission is still handling this case. Furthermore, clinics were conducted with Traditional Healers' organisations are recognised which community councils of the Commission. The complaint received was about the treatment they get from Department of Health.

They complained about the Traditional Health Practitioner's Act which states that they should have the minimum qualification to be registered on the database of the Department of Health as health practitioners. They also contest to the fact that the Act is in English, the language which many of their members do not understand making it difficult for Healers to comply with what is required from them. The other complaint is the fact that non-traditional health practitioners

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administer the formation of Traditional Health Practitioners Council. Traditional healers were taken through the conflict resolution workshop so that they can deal with challenges they face daily and to know proper communications channels in dealing with conflict. They were also reassured that the Commission is engaging with the health department on the matter and feedback will be provided as soon as it is finalized.

4. AWARENESS CAMPAIGNS

Ten awareness campaigns were conducted. Campaigns centred on three issues, viz. public hearings on commercialisation of religion, and the campaign against killing of people with albinism. In addition, the Unit engaged with the Traditional Royal Council, a recognised community Council in Ebenezer, in the Western Cape. This community believes that part of their diminished heritage is their Kingship which they want to see restored. If their Kingdom is restored, other things such as cultural, religious and language issues will automatically fall into place.

The Commission launched a campaign against the killing of people living with albinism in Ulundi in the KZN Province on 31 March 2016, because of a series of media stories concerning the cruel killing of these people. Thus, several campaigns were conducted in the year under review. The target audience were religious leaders and traditional healers because in almost all murder cases one of these persons were implicated and they are envisaged part of the Commission's stakeholders.

Campaigns were conducted in Moletji with traditional council and headsmen under the leadership of Kgoshi Kgabo Moloto III. In some places where the campaigns were conducted people were shocked as they had never heard of such things except through media reports. They wondered why the campaigns were being conducted since such incidents were unheard of. They argued that we were teaching people new things and they might be tempted to practise these once they realise that others make money from selling body parts of people living with albinism.

After engagements, people realised that there had been unfounded stories about people living with albinism.

The recommendations to were very clear. They should denounce the killing and condemn those who murder people living with albinism.

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In Rustenburg in the North West Province, an awareness campaign was conducted in collaboration with the South African Human Rights Commission. The provincial coordinator of this Commission, in her address to the audience, indicated that she has a family member living with albinism. When she saw invitations indicating the awareness campaign was of people living with albinism, she felt obliged to attend and participate in the event to learn more about them and to share her own experiences. She also indicated that they had a case at the office where a person living with albinism was refused an opportunity to get a piece of land to build a house for his family. When approaching the local Chief, he was teased and told that there is no point in him getting the stand. He would need to provide him with a hat because he would complain about the sun and therefore not be able to work on the piece of land.

What should be noted is that they too are people and have the same needs as others. Therefore they should be provided with all necessary tools for them to thrive; if they must get the hats, then relevant government departments should be approached to assist and provide. Further education is necessary to educate people about their plight and their right to live as guaranteed as guaranteed by the Bill of Rights in the Constitution.

In another awareness campaign conducted in Mamelodi with a group of traditional healers the following points emerged:

- A proposal was made to the Department of Education to consider creating space for traditional and cultural experts to provide cultural education at schools. Thereby culture could be valued and have its rightful place in the society.
- There are still reports of people being accused of practising witchcraft simply because they are traditional healers. Society needs to be educated on the Bill of Rights which states that everyone has the right to life.
- The Commission must consider engaging the Airport Company of South Africa with the aim of ensuring that there are prayer rooms to accommodate African Traditional Religion. They also need space to contact their ancestors before flying to their various destinations similar to the Christians and the Muslims.

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Table 6: Public Engagement and Education: Strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outcomes	Performance Indicators	Baseline Target 15/16	Actual Performance		Reason for Variance
				Target	Performance Results 16/17	
1 Capacity Building of Community Councils	Reports on capacity building workshops conducted	18 Capacity building workshops: establishment of constitution, NPO registration process, Financial and Project Management workshops for community councils conducted annually	New target	18 Capacity building workshops: establishment of constitution, NPO registration process, Financial and Project Management workshops for community councils conducted annually	Workshops on registration, development of constitutions for CCs and NPOs and workshops on financial and project management	Target met
	Reports on conflict resolution clinics conducted	9 Conflict resolution clinics on cultural, religious and linguistic rights conducted annually	7 conflict resolution clinics	9 Conflict Resolution clinics conducted per annum	Conduct conflict resolution clinics	Target met
	Reports on awareness campaigns organised and conducted	10 CRL educational awareness campaigns per annum	11 CRL educational awareness campaigns organised and conducted per annum	10 CRL educational awareness campaigns organised and conducted per annum	Organise and conduct educational awareness campaigns on CRL rights	10 educational awareness campaigns were conducted.

3.5 Finance and Corporate Services

The Programme is responsible for human resources management, staff development and training needs of the Commission. Furthermore, it is responsible for facilities management as well as the development of new policies and performance management to effectively and efficiently support the functioning of the Commission by:

- a) identifying critical financial processes to deliver the value proposition to stakeholders;
- b) mobilising of resources in cash and kind;
- c) developing of resource allocation plan;
- d) developing aligned and focused structure and increased capacity;
- e) developing incentive policies;
- f) developing plans forevaluation of departments, positions and workload capacity; and
- g) developing skill competencies and motivation to enhance performances.

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Table 7: Finance and Corporate Services: Linked strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline Target 15/16	Actual Performance		Reason for Variance	
				Target	Performance Results 16/17		
1	Annual, Quarterly and monthly financial reports	Timely, Reliable and Accurate Reports to Management, Plenary and external Stakeholders which comply to all regulatory frameworks viz. Treasury regulations and Guidelines, GRAP standards, ISA, etc.	Annual financial statements	1 set of annual, quarterly, and monthly financial statements by 31 March 2017 and the 7 th of each month respectively	Prepare and Compile Annual, quarterly and monthly Financial Statements	1 set of annual financial statement per annum	Target met
2	Financial records	Accurate financial records compliant with GRAAP standards	Updated financial records	12 creditors' age analysis performed end of each month	Update creditors age analysis by the end of each month	12 creditor's age analysis performed by the end of each month	Target met
3	Risk management in compliance with standards set for risk management	Risk management report	1 risk workshop 1 risk register 1 risk management policy	12 Creditors' reconciliation performed on each month 1 risk workshop per annum 1 updated risk register per annum 1 reviewed and approved risk management	Update creditors reconciliation records by the end of each month Conduct risk workshops Provide updated risk register	12 creditor's reconciliation performed by the end of each month 1 risk workshop conducted Risk register is updated	Target met Target met Target met

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4	Identify critical financial processes to deliver value added proposition to the stakeholders	Expenditure reports produced	Monitor spending in accordance with the allocation and strategic plans, as revised from time to time – expenditure reports	12 expenditure reports	12-monthly expenditure reports compiled by the 11 th of the next month	Compile expenditure reports	12 expenditure reports compiled	Target met
5	Identify critical financial processes to deliver value added proposition to the stakeholders	Development of policies	Departmental Accounting policies, procedures and processes that are continuously streamlined to improve procedures	Accounting policies	Reviewed and approved accounting policies and procedures per annum	Draft new policies on demand and revise policies by 31 March 2016	Accounting policies approved	Target met
6	Development of resource allocation	Approved budget	Approved annual budget in accordance with strategic priorities	Approved budget for 2016/17.	Approved budget for 2017/18 by 31 March 2017.	Draft budget and submit for approval After receipt of final allocation letter	Budget approved by the set date	Target met
7	Identify critical financial processes to deliver value added proposition to the stakeholders	Reports on UIFWE to National Treasury	Reports on unauthorised, irregular, fruitless and wasteful expenditure or losses resulting from criminal activity	Submission of budget proposal to National Treasury at the setdates by National Treasury	1 budget proposal to National Treasury by the set dates	Prepare budget proposal to the National Treasury	Budget proposal was submitted to National Treasury	Target met
				12 Reports to National Treasury on unauthorised, irregular, fruitless and	Monthly reports to National Treasury on unauthorised, irregular, fruitless and	Draft reports on unauthorised, irregular, fruitless and wasteful expenditure or	No unauthorised, irregular, fruitless and wasteful expenditure was incurred for the	Target met

PART B: PERFORMANCE INFORMATION

				wasteful expenditure per annum	wasteful expenditure per annum	wasteful expenditure per annum	losses resulting from criminal activity	period under review and therefore no report compiled	
8	Identify critical financial processes to deliver value added proposition to the stakeholders	Report on internal procurement processes	Provide advice on request and process submissions within 48 hours from the time of the request	100% of requests and submissions processed within 48 hours from receipt	100% of requests and submissions processed within 48 hours from receipt	100% of all requests and submissions were processed	Provide advice on request and process submissions within 48 hours from the time of the request	100% of all requests and submissions were processed	Target met
9	Identify critical financial processes to deliver value added proposition to the stakeholders	Updated contract register	Maintain contract register in compliance with procurement standards	Register contracts in the contract register by the end of each month	1 maintained contract register in compliance with procurement standards per annum	1 contract register was maintained and updated	Maintain contract register in compliance with procurement standards	1 contract register was maintained and updated	Target met
10	Identify critical financial processes to deliver value added proposition to the stakeholders	Maintained supplier database	Maintenance of supplier database	Register new suppliers within 5 days from receipt of registration documents	1 supplier database maintained per annum	1 supplier database was maintained	Register new suppliers within 5 days from receipt of registration documents	1 supplier database was maintained	Target met
11	Identify critical financial processes to deliver value added proposition to the stakeholders	Report on internal procurement processes	Issue purchase orders in compliance with procurement legislation and policies	Issue 100% of purchase orders in compliance with procurement legislation and policies	100% of purchase orders issued in compliance with procurement legislation and policies	100% of all purchase orders were issued	Issue purchase orders in compliance with procurement legislation and policies	100% of all purchase orders were issued	Target met
12	Identify critical financial processes	Updated audit findings register	Resolve audit queries raised by external and	All audit queries	100% of all audit queries resolved	100% of audit findings resolved	Update audit findings register	100% of audit findings resolved	Target met

PART B: PERFORMANCE INFORMATION

	to deliver value added proposition to the stakeholders	and resolved queries	internal auditors	resolved	per annum		Target met	
13	Identify critical financial processes to deliver value added proposition to the stakeholders	Asset reconciliation and verification report	Sound asset management function in compliance with legislation	Monthly asset reconciliations by the 5 th of every month Perform asset verification procedure quarterly by the end of each quarter Perform assessment of useful lives of assets by 31 March 2017	Compile 12 monthly asset reconciliations by the 5 th of the next month Conduct 1 asset verification procedure quarterly	Compile 12 monthly asset reconciliations by the 5 th of the next month 1 asset verification procedure quarterly	12 asset reconciliations were done 1 asset verification procedure done 1 asset useful live procedure was done	Target met Target met Target met
14	Develop aligned and focused structure and increased capacity	Approved organisational structure	Approved organisational structure	Approved structure in accordance with revised strategic plan by 31 March 2017	1 approved organisational structure per annum	Revise structure in accordance with revised strategic plan and submit for approval	1 approved organisational structure	Target met
15	Develop incentive policies	Implementation of the performance management policy	Administration of performance management in accordance with policy	Performance evaluations conducted and rewards facilitated	Conduct performance evaluations and moderation and rewards facilitated by 31 May 2017	Conduct performance evaluations and moderation and rewards facilitated	Performance evaluations were conducted	Target met

PART B: PERFORMANCE INFORMATION

16	Develop plan and evaluate departments, positions and workload capacity	Develop human resource (HR) policies	Departmental HR policies, procedures and processes that are continuously streamlined and improvements in the systems and procedures	Approved HR policies	Drafted and approved revised HR policies per annum	Draft new policies on demand and revise policies by 31 March 2016	New policies were tabled and approved	Target met
17	Develop skills competencies and motivation to enhance performance	Report on leave reconciliations	Management of leave in accordance with policy	Monthly leave reconciliations	Monthly leave reconciliation compiled per annum	Compile monthly leave reconciliations by the 5 th of every month	Monthly leave reconciliation was compiled	Target met

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3.6 Programme: Office of the Chairperson

This Unit is responsible for the Commissioners Programmes by providing strategic direction for and oversight in terms of Section 22 of the CRL Rights Act, 19 of 2002. The Office of the Chairperson creates a platform for the fulfilment of the mandate of the Commission, which is to promote and protect the rights of cultural, religious and linguistic communities. The Programme positions the CRL Rights Commission as an entry point for cultural, religious and linguistic debates and discourse

The Unit ensures organisational efficiency and stable governance within the CRL Rights Commission by implementing performance, monitoring and evaluations systems and by calling quarterly governance and policy discussion meetings.

PART B: PERFORMANCE INFORMATION

Table 8: Office of the Chairperson: Linked strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline Target 15/16	Actual Performance		Reason for Variance	
				Target	Activity		
1 Implementation of performance, monitoring and evaluation systems	Enhanced and stable governance systems	Good governance through effective internal governance	4 Plenary and 4 Sec 22 Committee meeting minutes	4 Plenary meetings	Conduct Plenary meetings	4 Plenary meetings conducted	Target met
				4 Section 22 committee meetings	Conduct Sec 22 Committee meetings and compile reports	4 Sec 22 committee meetings conducted	Target met

3.7 Programme: Office of the Chief Executive Officer

This Unit includes providing operational support for all other Programmes and is responsible for the general management and internal audit by:

- Implementing performance, monitoring and evaluation systems;
- Developing planning processes to ensure integrated organisational operation; and
- Developing a plan to assess competitive environment and impact of the Programmes.

PART B: PERFORMANCE INFORMATION

Table 9: Office of the Chief Executive Officer: Linked strategic objectives, performance indicators, planned targets and actual achievements

Measurable Objectives	Outputs	Performance Indicators	Baseline Target 2015/16	Actual Performance		Reason for Variance	
				Target	Activity Actual Target 16/17		
1 Implementation of performance, monitoring and evaluation systems	Business evaluation report	Approved quarterly reports submitted to Cogta and National Treasury	4 Business report per annum	Approved quarterly reports submitted to Cogta and National Treasury	Consolidate quarterly performance report	4 approved business reports consolidated and compiled	Target met
				1 Annual Report consolidated and submitted to Parliament and other legislative stakeholders	Prepare and consolidate annual report	1 Annual report consolidated and submitted to Parliament	Target met
				1 Annual Performance Information Report	Prepare and consolidate Annual Performance Information (API)	Annual performance information compiled and submitted	Target met
		Annual Performance Information Report to Auditor-General	Annual Performance Information Report	Annual Performance Information report signed off by Accounting Officer and Submitted to Auditor-General and for inclusion in the Annual Report by the end of August			

PART B: PERFORMANCE INFORMATION

To develop planning processes to ensure integrated organisational operation	Approved strategic plan	Approved strategic plan submitted to Parliament and National Treasury per annum	1 Strategic Plan per annum	Strategic plan submitted to Parliament by the end of March 2016	Prepare strategic plan for the Commission	1 strategic planning document approved	Target met
	Approved Annual Performance Plan	Approved Annual Performance Plan	1 Annual Performance Plan	Annual Performance Plan submitted to Parliament and National Treasury by the end of March 2016	Prepare Annual Performance Plan for the Commission	1 Annual performance plan approved	Target met
Develop a plan to assess competitive environment and impact of the Programmes	Approved three-year rolling plan and internal audit plan	Approved three-year rolling plan and internal audit plan	1 Three-year rolling plan	Audit rolling plan reviewed and audit plan of action implemented	Draft a three-year rolling plan and internal audit plan	Three-year rolling plan and internal audit plan approved	Target met
	Operational strategy.	1 Approved operational strategy	1 Operational Strategy	Approved operational strategy by 30 September 2016	Develop operational strategy.	1 operational strategy approved	Target met
	Approved monitoring and evaluation tool	Evaluations report of CRL events	New target	Monitoring and evaluation tool developed and implemented annually	Draft a monitoring and evaluation tool	Monitoring and evaluation tool approved and implemented	Target met



PART C: GOVERNANCE

Introduction

Executive Authority

The CRL Rights Commission

The CRL Rights Commission is established in terms of CRL Act, Act 19 of 2002. Members of the Commission are appointed for a term of five years. The present members of the Commission are shown in Table 10

Table 10: Members of the Commission

Name	Date of Appointment
Ms TN Mkhwanazi-Xaluva	01 March 2014
Prof LD Mosoma	01 March 2014
Ms HL Mabale	01 March 2014
Mr S Dlamini	01 March 2014
Ms N Tyamzashe	01 March 2014
Ms B Muthien	01 March 2014
Mr R Schoeman	01 March 2014
Dr A Knoetze	01 March 2014
Ms PP Madiba	01 March 2014
Ms S Khama Mbele	01 March 2014
Mr R Botha	01 March 2014
Mr R Trollip	01 March 2014

Risk Management

The CRL Rights Commission is committed to maintaining an effective, efficient and transparent system of risk management as enshrined in its Risk Management Plan and Policy. The plan is guided by a strategy that ensures the risk register is updated and monitored by all risk owners. The owners are encouraged to monitor risks and assess its impact on the efficient functioning of the CRL Rights Commission. The Risk Management Committee has been appointed and is headed by an external person who reports directly to the Audit Committee.

Fraud and Corruption

The CRL Rights Commission remains committed to fighting fraud and corruption to deliver quality service at all times and all costs. Efforts are intensified to combat fraud and corruption in its operations and to ensure that perpetrators of such deeds are brought to book. The Commission has embarked on making staff aware of the Corruption Hotline, which is placed on notice boards at its office and the Intranet website.

Minimising Conflict of Interest

The CRL Rights Commission ensures that all employees declare their business interests to safeguard that employees do not do business with the state.

PART C: GOVERNANCE

Code of Conduct

The Commission subscribes to the good Code of Conduct, and all employees are work-shopped on new policies to familiarise them with the content.

Internal Audit and Audit Committees

The Audit Committee, which is made up of external members and one member of the Commission, operates with an approved Audit Committee Charter in line with prescripts of the Public Finance Management Act (PFMA) and Treasury Regulations. The function of the Committee is to monitor the Commission's compliance with relevant legislation and other governance processes and continuously assess the performance and finances of the organisation. The Audit Committee reviews and considers reports from internal audit and external auditors. The Audit Committee further ensures that management takes remedial action in respect of audit findings.

The Auditor General South Africa (AGSA) does an external audit. AGSA appoints an external service provider without input from the CRL Rights Commission. The external service provider operates under the guidance and control of the AGSA. The AGSA maintains a high standard of quality control.

Internal Audit functions within an approved Internal Audit Charter in line with prescripts of the PFMA, Treasury Regulations and the Standards for the Professional Practice of Internal Auditors issued by the Institute of Internal Auditors. Internal Audit provides objective assurance to the Commission regarding effective management, control and governance processes to assist the organisation in achieving its objectives. The Internal Audit function reports directly to the Audit Committee.

Table 11: Section 22 Committee: Oversight Committee

Communication and Marketing Committee	Helen Mabale - Chairperson Sicelo Dlamini Nomalanga Tyamzashe Senior Manager
Public Engagement and Education Committee	Pumla Madiba - Chairperson Raymond Trollip Senior Manager
Legal Services and Conflict Resolution Committee	Sheila KhamaMbele - Chairperson Richard Botha Senior Manager
Finance and Corporate Services Committee	Thoko Mkhwanazi-Xaluva Luka Mosoma CFO CEO
Community Liaison and International Linkages	Renier Schoeman Anton Knoetze
Research and Policy Development Committee	Benedette Muthien Luka David Mosoma

PART C: GOVERNANCE

Table 12: Audit Committee

MM Madliwa	Chairperson
HG Hlomane	Member
NTBaloyi	Member
LD Mosoma	Representative of the Executive Office
TE Mafadza	CEO
CM Smuts	CFO

Table 13: Risk Committee

Moshabi Potu	Independent Chairperson
Kgositsoi Sedupane	Senior Manager – LSCR
Brian Makeketa	Senior Manager – RPD
Cornelius Smuts	CFO
Obed Semono	Acting Senior Manager: PEE & Secretary of Committee

Table 14: Senior Management Committee

TE Mafadza	CEO (Chairperson)
Cornelius Smuts	CFO
Brian Makeketa	Senior Manager: RPD
Kgositsoi Sedupane	Senior Manager: LSCR
Mpiyakhe Mkholo	Acting Senior Manager: C&M
Obed Semono	Acting Senior Manager: PEE & Secretary of the Committee

Audit Committee Report

We are pleased to present our report for the financial year that ended on 31 March 2017.

Audit Committee Members and Attendance:

The members of the Audit Committee are listed below and should meet at least four times per annum as per the approved terms of reference. During the 2016/2017 financial year, four (4) meetings were held.

Audit Committee Member	Number of Meetings Attended
Mr B.Madliwa (Chairperson, appointed 1 January 2014)	4 of 4
Mr T. Baloyi (Appointed 1 January 2014)	4 of 4
Mr H.Hlomane (Appointed 1 January 2014)	4 of 4
Prof. L.D. Mosoma (Appointed 1 March 2014)	4 of 4

Audit Committee Responsibility:

We report that we have operated and performed our oversight responsibilities independently and objectively and adopted appropriate formal terms of reference in our charter in line with the requirements of Section 38(1) (a) of the PFMA, No. 1 of 1999 and Treasury regulation 3.1. We further report that we conducted our affairs in compliance with the charter. The External Auditor

PART C: GOVERNANCE

has brought our attention to the fact that members should sign declaration forms for every meeting the Audit Committee attended in line with best practice.

The Effectiveness of Internal Controls:

In line with the PFMA and the King III Report on Corporate Governance requirements, Internal Audit provides the Audit Committee and management with assurance that the internal controls are appropriate and effective. This is achieved using the risk management process as well as the identification of corrective actions and suggested enhancements to the controls and processes.

The Audit Committee would like to report that the systems of internal controls implemented by management were assessed to be adequate to mitigate the risks identified. However, in some reviews conducted, the controls were found to be ineffective in mitigating the risks identified by management because of a lack of commitment to implementing those controls and ensuring that these were working as intended.

Despite some of these controls being ineffective, the Audit Committee is of the view that the system of internal controls will be effectively addressed by concerted effort and hard work from management and officials.

Internal Audit:

The internal audit activity is outsourced. This is helpful because the service provider provides all skills needed to conduct an internal audit function. Based on the reports presented by the internal auditor, we believe the internal audit function is satisfactory.

Risk Management:

The CRL's risk management committee has been appointed and has conducted meetings to look at the factors that might pose a risk to the operations of the Commission. The Audit Committee believes that management is committed to ensuring that the process is adequate and that it is prioritised in management meetings and Plenary Meetings of the Commission. An external and independent person who reports directly to the Audit Committee chairs the Risk Management Committee.

The quality of in-year management quarterly reports submitted in terms of the PFMA:

The Audit Committee is satisfied with the content and quality of the quarterly reports prepared and issued by the Accounting Officer of the Commission during the year under review. The content and quality of performance information matters and financial disclosures require further attention, as certain discrepancies were noted and corrected by management.

Evaluation of Financial Statements:

The Audit Committee has reviewed:

- the audited annual financial statements to be included in the annual report;
- the AGSA's management letter and its responses;
- and discussed with management the performance information of the entity;

- the Commission's compliance with legal and regulatory provisions;
- changes in accounting policies and practices; and
- significant adjustments resulting from the audit.

The Audit Committee concurs and accepts the AGSA's conclusions on the annual financial statements, and is of the opinion that the audited annual financial statements be accepted and read together with the report of the AGSA.

Meeting with Auditor-General South Africa:

The Audit Committee has met with the AGSA to ensure that there are no unresolved issues.



BMM Madliwa
Chairperson of the Audit Committee



PART D: HUMAN RESOURCES MANAGEMENT

1. Human Resources Oversight Statistics

Staff Complement

The Commission has a low vacancy rate. The CRL Rights Commission reduced its staff component from 43 to 33 posts because of monetary challenges. Positions that had become vacant could not be filled. Savings generated from vacancies are utilised to accelerate service delivery. This trend impacts negatively on the performance of the Commission, as there is no capacity to deal with backlogs or to reach all communities.

Table 15: Employment and vacancies

2015/2016 Approved posts	2015/2016 Vacancies	Percentage of vacancies
31	3	10%

Table 16: Reasons for staff leaving

Reason	Number
Death	-
Resignation	1
Dismissal	-
Retirement	-
Ill health	-
Expiry of contract	-
Other	-

Table 17: Equity target and employment equity status

Level	African		Coloured		Indian		White		Total
	F	M	F	M	F	M	F	M	
Top Management	-	3	-	-	-	-	-	1	5
Middle Management	-	2	-	-	-	-	-	-	2
Skilled	9	2	-	-	1	-	1	-	18
Semi-skilled	2	1	-	-	-	-	-	-	1
Unskilled	3	1	-	-	-	-	-	-	2
Total	14	9	0	0	1	0	1	1	28



2. Report of the Auditor General to Parliament on CRL Rights Commission

Opinion

1. I have audited the financial statements of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Rights Commission) set out on pages 83 to 103 which comprise the statement of financial position as at 31 March 2017, and the statement of financial performance, statement of changes in net assets, cash flow statement and the statement of comparison of budget and actual amounts for the year then ended, as well as the notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, the financial statements present fairly, in all material respects, the financial position of the CRL Rights Commission as at 31 March 2017, and its financial performance and cash flows for the year then ended in accordance with Generally Recognised Accounting Practice (GRAP) and the requirements of the Public Finance Management Act 1999 (Act No. 1 of 1999) (PFMA)

Basis for opinion

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the Auditor-General's responsibilities for the audit of the financial statements section of my report.
4. I am independent of the constitutional institution in accordance with the International Ethics Standards Board for Accountants *Code of ethics for professional accountants* (IESBA code) together with the ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the Accounting Officer for the financial statements

6. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with the Standards of GRAP and the requirements of the PFMA and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.
7. In preparing the financial statements, the accounting officer is responsible for assessing the CRL Rights Commission's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless there is an intention either to liquidate the constitutional institution or to cease operations, or there is no realistic alternative but to do so.

Auditor-general's responsibilities for the audit of the financial statements

8. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of

PART E: FINANCIAL INFORMATION

assurance, but is not a guarantee that an audit conducted in accordance with ISA's will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

9. A further description of my responsibilities for the audit of the financial statements is included in the annexure to the auditor's report.

Report on the audit of the annual performance report

Introduction and scope

10. In accordance with the Public Audit Act of South Africa, 2004 (Act No. 25 of 2004) (PAA) and the general notice issued in terms thereof I have a responsibility to report material findings on the reported performance information against predetermined objectives for selected Programmes presented in the annual performance report. I performed procedures to identify findings but not to gather evidence to express assurance.
11. My procedures address the reported performance information, which must be based on the approved performance planning documents of the constitutional institution. I have not evaluated the completeness and appropriateness of the performance indicators included in the planning documents. My procedures also did not extend to any disclosures or assertions relating to planned performance strategies and information in respect of future periods that may be included as part of the reported performance information. Accordingly, my findings do not extend to these matters.
12. I evaluated the usefulness and reliability of the reported performance information in accordance with the criteria developed from the performance management and reporting framework, as defined in the general notice, for the following selected Programmes presented in the annual performance report of the constitutional institution for the year ended 31 March 2017:

Programmes	Pages in the annual performance report
Programme 2: Legal Services & Conflict Resolution	34 - 38
Programme 3: Research and Policy Development	39 - 47
Programme 4: Public Engagement and Education	48 - 54

13. I performed procedures to determine whether the reported performance information was properly presented and whether performance was consistent with the approved performance planning documents. I performed further procedures to determine whether the indicators and related targets were measurable and relevant, and assessed the reliability of the reported performance information to determine whether it was valid, accurate and complete.
14. I did not identify any material findings on the usefulness and reliability of the reported performance information for the following Programmes:
 - Programme 2: Legal Services & Conflict Resolution
 - Programme 3: Research and Policy Development
 - Programme 4: Public Engagement and Education

Other matter

15. I draw attention to the matter below.

Achievement of planned targets

16. Refer to the annual performance report on pages 32 to 65 for information on the achievement of planned targets for the year.

Report on audit of compliance with legislation

Introduction and scope

17. In accordance with the PAA and the general notice issued in terms thereof I have a responsibility to report material findings on the compliance of the constitutional institution with specific matters in key legislation. I performed procedures to identify findings but not to gather evidence to express assurance.

18. I did not identify any instances of material non-compliance with specific matters in key legislation as set out in the general notice issued in terms of the PAA.

Other information

19. The CRL Rights Commission's accounting officer is responsible for the other information. The other information comprises the information included in the annual report. The other information does not include the financial statements, the auditor's report thereon and those selected Programmes presented in the annual performance report that have been specifically reported on in the auditor's report.

20. My opinion on the financial statements and findings on the reported performance information and compliance with legislation do not cover the other information, and I do not express an audit opinion or any form of assurance conclusion thereon.

21. In connection with my audit, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and the selected Programmes presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated. If based on the work I have performed on the other information obtained prior to the date of this auditor's report, I conclude that there is a material misstatement of this other information, I am required to report that fact.

22. I have not yet received the annual report. When I do receive this information, if I conclude that there is a material misstatement therein, I am required to communicate the matter to those charged with governance and request that the other information be corrected. If the other information is not corrected, I may have to re-issue my auditor's report amended as appropriate.

PART E: FINANCIAL INFORMATION

Internal control deficiencies

23. I considered internal control relevant to my audit of the financial statements, reported performance information and compliance with applicable legislation; however, my objective was not to express any form of assurance thereon. I did not identify any significant deficiencies in internal control.

Other report

24. I draw attention to the following engagements that had, or could have, an impact on the matters reported in the constitutional institution's financial statements, reported performance information, compliance with applicable legislation and other related matters. These reports did not form part of my opinion on the financial statements or my findings on the reported performance information or compliance with legislation.

The Public Protector is presently investigating the following allegations:

- 25.
- Possible irregular procurement of the legal services of an advocate as a Chairperson for disciplinary hearings held.
 - Possible irregular appointment of a consultant and subsequently as the head of a Unit within the CRL Rights Commission.

Auditor-General

Pretoria

18 August 2017



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

2. Auditor-General's responsibility for the audit

1. As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements, and the procedures performed on reported performance information for selected Programmes and on the constitutional institution's compliance with respect to the selected subject matters.

Financial statements

2. In addition to my responsibility for the audit of the financial statements as described in the auditor's report, I also:
 - identify and assess the risks of material misstatement of the financial statements whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
 - obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the constitutional institution's internal control.
 - evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the accounting officer.
 - conclude on the appropriateness of the accounting officer's use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the CRL Rights Commission ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify the opinion on the financial statements. My conclusions are based on the information available to me at the date of the auditor's report. However, future events or conditions may cause a constitutional institution to cease to continue as a going concern.
 - evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves a fair presentation.

PART E: FINANCIAL INFORMATION

Communication with those charged with governance

3. I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

4. I also confirm to the accounting officer that I have complied with relevant ethical requirements regarding independence, and communicate all relationships and other matters that may reasonably be thought to have a bearing on my independence and here applicable, related safeguards.

3. Report Of The Accounting Officer On Financial Statement

Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Financial Statements for the year ended 31 March 2017 Accounting Officer's Responsibilities and Approval.

The accounting officer is required by the Public Finance Management Act (Act 1 of 1999), to maintain adequate accounting records and is responsible for the content and integrity of the financial statements and related financial information included in this report. It is the responsibility of the accounting officer to ensure that the financial statements fairly present the state of affairs of the entity as at the end of the financial year and the results of its operations and cash flows for the period then ended. The external auditors are engaged to express an independent opinion on the financial statements and were given unrestricted access to all financial records and related data.

The financial statements have been prepared in accordance with Standards of GRAP including any interpretations, guidelines and directives issued by the Accounting Standards Board.

The financial statements are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgments and estimates.

The Accounting Officer acknowledges that he is ultimately responsible for the system of internal financial control established by the entity and place considerable importance on maintaining a strong control environment. To enable the accounting officer to meet these responsibilities, the Audit Committee members sets standards for internal control aimed at reducing the risk of error or deficit in a cost-effective manner. The standards include the proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk. These controls are monitored throughout the entity and all employees are required to maintain the highest ethical standards in ensuring the entity's business is conducted in a manner that in all reasonable circumstances is above reproach. The focus of risk management in the entity is on identifying, assessing, managing and monitoring all known forms of risk across the entity. While operating risk cannot be fully eliminated, the entity endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

The accounting officer are of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the financial statements. However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or deficit.

The accounting officer have reviewed the entity's cash flow forecast for the year to 31 March 2017 and, in the light of this review and the current financial position, the Accounting Officer are satisfied that CRL Rights Commission has or has access to adequate resources to continue in operational existence for the foreseeable future.

The CRL Rights Commission is wholly dependent on the National budget allocation for continued funding of operations. The financial statements are prepared on the basis that the entity is a going concern and that the CRL Rights Commission has neither the intention to curtail materially the scale of the entity.

Although the Audit Committee is primarily responsible for the financial affairs of the CRL Rights Commission, they are supported by the CRL Rights Commission's internal auditors and management.

PART E: FINANCIAL INFORMATION

The external auditors are responsible for independently reviewing and reporting on the entity's financial statements. The financial statements and performance information have been examined by the Auditor-General audited financial statements set out on page 83 to 103, and performance information were approved by the Accounting Officer on



Mr TE Mafadza
Chief Executive Officer
31 July 2017

PART E: FINANCIAL INFORMATION

4. Statement of Financial Position as at 31 March 2017

		2017	2016
			Restated*
	Note	R '000	R '000
Assets			
Current Assets			
Trade and other receivables-exchange transactions	3	995	997
Prepayments	3	643	423
Cash and cash equivalents	4	1,458	295
	3	3,096	1,715
Non-Current Assets			
Property, plant and equipment	5	2,108	1,801
Intangible assets	6	393	224
Trade and other receivables-exchange transactions	3	332	802
		2,833	2,827
Total Assets		5,929	4,542
Liabilities			
Current Liabilities			
Operating lease liability	7	608	559
Trade and other payable transactions	8	1,454	1,676
Provisions	9	1,650	886
		3,712	3,121
Total Liabilities		5,929	3,121
Net Assets		2,217	1,421
Accumulated surplus	10		1,421

PART E: FINANCIAL INFORMATION

5. Statement of Financial Performance for the year ended 31 march 2017

		2017	2016
			Restated*
	Note	R '000	R '000
Revenue			
Revenue from exchange transactions			
Finance income	11	276	207
Revenue from non-exchange transactions			
Transfer revenue			
Non-exchange transfers from government entities	12	38,521	36,581
Total revenue		38,797	36,788
Expenses			
Administrative expenditure	13	(6,631)	(6,973)
Audit fees	14	(1,614)	(1,556)
Employee costs	15	(19,276)	(17,912)
Other operating expenditure	16	(9,843)	(11,013)
Depreciation and amortisation	17	(668)	(437)
Total expenses		(38,032)	(37,891)
Surplus/(Deficit) for the period		765	(1,103)

PART E: FINANCIAL INFORMATION

6. Statement of Change in Net Assets for the year ended 31 march 2017

	Accumulated Surplus R '000	Total net assets R '000
Balance at 01 April 2015	2,524	2,524
Changes in net assets		
(Deficit) for the year	(1,103)	(1,103)
Total changes	(1,103)	(1,103)
Opening balance as previously reported	1,419	1,419
Adjustments		
Correction of errors	33	33
Restated Balance as at 1 April 2016	1,452	1,452
Changes in net assets		
Surplus for the year	765	765
Total changes	765	765
Balance as at 31 March 2017	2,217	2,217

PART E: FINANCIAL INFORMATION

7. Cash Flow Statement For the year ended 31 March 2017

	Note(s)	2017 R '000	2016 Restated* R '000
Cash flows from operating activities			
Receipts			
Cash receipts from transfer payments	12	38,521	36,581
Interest received	11	264	207
		<u>38,785</u>	<u>36,788</u>
Payments			
Employee costs		(19,425)	(18,061)
Suppliers		(17,255)	(18,838)
		<u>(36,680)</u>	<u>(36,899)</u>
Net cash flows from operating activities	18	2,105	(111)
Cash flows from investing activities			
Purchase of property, plant and equipment	5	(898)	(272)
Proceeds from sale of property, plant and equipment	5	-	10
Purchase of other intangible assets	6	(44)	(158)
Net cash flows from investing activities		<u>(942)</u>	<u>(420)</u>
Net increase/(decrease) in cash and cash equivalents		1,163	(531)
Cash and cash equivalents at the beginning of the year		295	826
Cash and cash equivalents at the end of the year	4	<u>1,458</u>	<u>295</u>

PART E: FINANCIAL INFORMATION

8. Statement of Comparison of Budget Actual Amounts

Budget on Modified Cash Basis						
	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Difference between final budget and actual	Reference
	R '000	R '000	R '000	R '000	R '000	
Statement of Financial performance						
Revenue						
Revenue from exchange/non-exchange transactions						
Transfer	38 521	-	38 521	38 521	-	
Finance income	170	-	170	276	106	(1)
Total revenue	38 691	-	38 691	38 797	106	
Expenditure						
Staff costs	(23 615)	-	(23 615)	(19 276)	4 339	(2)
Depreciation and amortisation	(341)	-	(341)	(668)	327	(6)
Audit fees	(1 188)	-	(1 188)	(1 614)	426	(3)
Administrative expenditure	(3 365)	-	(3 365)	(6 631)	3 266	(4)
Other operating expenditure	(10 182)	-	(10 182)	(9 843)	339	(7)
Total expenditure	(38 691)	-	(38 691)	(38 032)	659	
Actual Amount on Comparable Basis as Presented in the Budget and Actual Comparative Statement	-	-	-	765	765	(5)

- (1) The CRL Commission earned R 106 000 more interest as a result of increases in interest offered by our bankers, as well as the higher level of capital that was in the bank account.
- (2) The positive variance of R4 339 000 has contributed to the savings due to delays in recruitment.
- (3) The negative variance of R426 000 as reflected in respect of audit fees is due to increases in respect of tariffs.
- (4) The negative variance of R3 266 000 in respect of administrative expenditure relates to escalation in legal expenses incurred in relation to work done on religious practices. Funding was made available from savings to accommodate additional cost where negative variance occurred.
- (5) The limited budget surplus of R765 000 will be requested from National Treasury for retention to fund priority programs during 2017/2018 financial year.
- (6) The amount of R327 000 in respect of depreciation is due to the escalation in depreciation on additional assets. The budget for the new period has been adjusted accordingly. The original budgeted amount was based on historical cost.
- (7) The amount of R339 000 in respect of other operating expenditure is due to savings generated from cost containment measures put in place. The amount will form part of the request for retention of the surplus.

Accounting Policies

1. Presentation of Financial Statements

1.1 Basis of preparation

The annual financial statements have been prepared in accordance with GRAP, issued by the Accounting Standards Board in accordance with Section 89 of the Public Finance Management Act (Act No.1 of 1999).

Accounting policies for material transactions, events or conditions not covered by the GRAP reporting framework have been developed in accordance with paragraphs 8, 10 and 11 of GRAP 3 and the hierarchy approved in Directive 5 issued by the Accounting Standards Board.

The financial statements have been prepared on an accrual basis of accounting and are in accordance with the historical cost convention, except for the cash flow information, which is prepared on a cash basis, unless specifically stated otherwise.

The principal accounting policies adopted in the preparation of these financial statements are set out below.

Assets, liabilities, revenues and expenses have not been offset except where offsetting is required or permitted by a Standard of GRAP.

The accounting policies are applied consistently with those used to present the previous year's financial statements, unless explicitly stated. The details of any changes in accounting policies are explained in the relevant policy.

1.2. Critical Judgements and Key Sources of Estimation Uncertainty

The entity makes estimates and assumptions that affect the reported amounts of assets and liabilities within the current and subsequent financial years. Estimates and judgments are continually evaluated and are based on historical experience and other factors including expectations of future events that are believed to be reasonable under the circumstances. However, there does, not appear to be a significant risk that these assumptions will cause significant adjustments to the carrying amounts of assets and liabilities within the subsequent financial years. Leave provision is determined with reference to the number of days an employee has become unconditionally entitled to as at balance sheet date. Bonus provision is determined with reference to the monthly entitlement per each employee as at balance sheet date

Useful lives and Residual value

The Commission re-assesses the useful lives and residual values of property, plant and equipment on an annual basis. In reassessing the useful lives of property, plant and equipment management considers the expected useful life of the individual assets, to determine the remaining period over which the asset can and will be used. Residual value is determined only in respect of motor vehicles at 20%. Useful lives of assets are re assessed when the asset is approaching the end of its previously expected useful life.

1.3. Presentation currency

These financial statements are presented in South African Rand since it is the currency in which most of the Commission's transactions are denominated. The amounts disclosed in the financial statements had been rounded off to the nearest thousand Rand.

1.4. Revenue

Revenue is the gross inflow of economic benefits or service potential during the reporting period when those inflows result in an increase in net assets, other than increases relating to contributions from the government.

Finance income constitute interest earned on bank accounts as a result of positive bank balances.

Budget Allocation

Revenue comprises of budget allocations for the activities of the Commission budgeted for by the Department for Cooperative Government and Traditional Affairs as transfer payments. Revenue from non-exchange transactions is generally recognised to the extent that the related receipt or receivable qualifies for recognition as an asset and there is no liability to repay the amount.

PART E: FINANCIAL INFORMATION

Accounting Policies

Interest income

Interest income is recognised on an accrual basis, taking into account the principal outstanding using the effective interest rate method.

Interest income is recognised in respect of interest earned on positive bank balances of the Commission.

1.5 Operating leases

Leases of assets where substantially the entire risks and rewards incident to ownership are effectively retained by the lessor are classified as operating leases. Payments made under operating leases are charged to the statement of financial performance on a straight line basis over the period of the lease. Initial measurement and subsequent measurement of operating lease liabilities is based on the conditions of the lease contract

Operating lease liabilities

Operating lease liabilities are initially recognised at using straight-line basis, and subsequent measurement of lease liabilities are recognised at amortised costs

1.6 Property, plant and equipment

Recognition

The cost of an item of property, plant and equipment is recognised as an asset when:

- it is probable that future economic benefits or service potential associated with the item will flow to the entity.
- the cost of the item can be measured reliably and the item is expected to have a useful life of more than 12 months.

The cost of an item of Property, Plant and Equipment is recognised as an expense when the cost of an item cannot be measured reliably.

- The item is expected to have a useful life of less than 12 months.

Initial measurement

Property, plant and equipment is initially measured at cost.

Subsequent measurement

Property, plant and equipment is stated at historical cost less any subsequent accumulated depreciation and adjusted for any impairment.

The useful lives of items of property, plant and equipment have been assessed as follows:

Item	Depreciation method	Average useful life
Office furniture and fittings	Straight line	10 years
Motor vehicles	Straight line	10 years
Office equipment	Straight line	5 - 10 years
Computer equipment	Straight line	3 - 10 years
Leasehold improvements	Straight line	Period of the lease

Derecognition of assets

Asset is withdrawn from service due to impairment or being replaced due to them reaching their useful lives is derecognized.

Accounting Policies

1.7 Impairment of assets

The Commission assesses all its Property, Plant and Equipment on reporting date to determine whether there is any indication that an asset may be impaired. If there is any indication that an asset may be impaired, the recoverable amount is estimated for the individual asset.

If the recoverable amount of an asset is less than its carrying amount, the carrying amount of the asset is reduced to its recoverable amount. That reduction is an impairment loss.

Impairment losses are recognised in the statement of financial performance.

All Property, Plant and Equipment of the Commission is considered as non-cash generating assets, as the Commission does not earn any exchange revenue. The recoverable amount is calculated as a depreciated replacement cost. Due to the nature of Property, Plant and Equipment held by the Commission no subsequent cost will be considered for capitalization. All subsequent cost will be recognised in the statement of financial performance

1.8 Intangible assets

Recognition

An intangible asset is recognised when:

- It is probable that the economic benefit associated with the asset will flow to the Commission.
- The cost of an asset or its value can be measured reliably.

Measurement

Initial measurement - Intangible assets are initially measured at cost.

Subsequent measurement - Due to the nature of intangible assets held by the Commission no subsequent cost will be considered for capitalization. All subsequent cost will be recognised in the statement of financial performance.

Derecognition - Intangible assets are derecognised when the software package is withdrawn from service or replaced.

The estimated useful lives are as follows:

Item	Depreciation method	Average useful life
Computer software	Straight line	3 - 10 years

The useful lives of intangible assets are assessed on an annual basis.

1.9 Financial instruments

Financial instruments carried on the statement of financial position include cash and cash equivalents, trade and other receivables and trade and other payables.

Recognition.

Financial assets and financial liabilities are recognised on the Commission's statement of financial position when the Commission becomes a party to the contractual provisions of the instrument.

Impairment

Impairment losses in respect of financial instruments are recognised in the statement of financial performance.

Derecognition

The entity derecognised a financial instrument (or a part of a financial instrument) from its statement of financial position when the obligation specified in the contract is discharged, cancelled, expires or waived.

Measurement.

Accounting Policies

1.9 Financial instruments (continued)

Financial instruments are initially measured at amortised cost, which includes transaction costs. Subsequent to initial recognition these instruments are measured as set out below:

Financial assets

The Commission's principal financial assets are cash and equivalents and trade and other receivables

Cash on hand and cash equivalents are short term, highly liquid investments that are held with registered banking institutions with maturities of three months or less and are subject to insignificant interest rates risk.

Cash and cash equivalents are measured at amortised cost. Trade and other receivables are measured amortised.

Financial liabilities:

The Commission's principal financial liabilities are trade and other payables. The trade and other payables do not bear interest and are stated at amortised cost.

1.10 Provisions

Recognition

The Commission recognises a provision when a present legal or constructive obligation exists as a result of past events and it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation.

Measurement

The amount recognised is the best estimate at the financial position date of expenditure required to settle the obligation.

Leave provision - Leave provision is calculated on the liability for leave credits as at the reporting date

Bonus provision - Bonus provision is calculated based on the liability to each staff member at reporting date.

Legal cost provision - Legal cost provision is based on Commission legal representative estimate of legal cost that the Commission might be liable for at reporting date.

1.11 Employee benefits

Contributions to the defined contribution pension plan and defined benefit pension plan are charged to the statement of financial performance in the year to which they relate. The Commission has no legal or constructive obligation to pay further contributions once the contributions have been paid because the provident fund is a defined contribution plan. The pension fund is a state plan and is accounted for as a defined benefits plan, additional contribution to the plan is the responsibility of the state and not of the Commission.

The cost of short - term employee benefits, such as vacation leave and sick leave, bonuses and non-monetary benefits are recognised in the period in which the service is rendered.

The expected cost of compensated absences is recognised as an expense in the statement of financial performance as the employees renders services that increase their entitlement.

State plan

The entity classifies the state plan as defined benefit plan under the terms of the plan (including any constructive obligation that goes beyond the formal terms). When sufficient information is not available to use defined benefit accounting for a plan, that is a defined benefit plan, the entity account for the plan as if it was defined contribution a contribution plan.

Accounting Policies

1.12 Going concern

The financial statements of the Commission are prepared on the going concern basis.

1.13 Related parties

Transactions with key management are recognised as related party transactions. Key management is defined as being individuals with the authority and responsibility for planning, directing and controlling the activities of the Commission. All individuals from the level of Senior Managers and Commissioners are regarded as key management in terms of the definition of the financial reporting standard. Senior Managers' and commissioners' remuneration is disclosed in note 25

Close family members of key management are considered to be those family members who may be expected to influence, or to be influenced by key management individuals, in their dealings with the entity.

Cogta through who's budget vote the Commission's funds are channelled is considered a related party. Transfers from Cogta are disclosed in note 12

Auditor-General of South Africa which is mandated to audit all public institutions is considered a related party. Audit fees paid to Auditor-General are disclosed in note 14.

All related party transactions are recognised and accounted for at actual cost. The Commission discloses all related party transactions.

1.14 Fruitless, wasteful and irregular expenditure

Fruitless and wasteful expenditure is expenditure that was made in vain and would have been avoided had reasonable care been exercised. Fruitless and wasteful expenditure is accounted for as expenditure in the Financial Performance and where recovered; it is subsequently accounted for as revenue in the Statement of Financial Performance.

Irregular expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the value of the irregular expenditure incurred, unless it is impractical to determine, in which case reasons therefore must be provided in the notes. Irregular expenditure receivables are measured at the amount that is expected to be recovered and derecognised when settled or written off as irrecoverable.

1.15 Budget information

The approved budget and final budget for the fiscal period from 01/04/2016 to 31/03/2017 is presented in annual financial statements.

Differences (variances) between the actual and budgeted amounts are presented in the notes to the statement of comparison of budget and actual amounts.

The financial statements and budget are not presented on the same basis as the financial statements are prepared on an accrual basis. The budget is prepared on modified cash basis.

A comparison between the surplus/(deficit) for the year as per the statement of financial performance and the budget is included in the Statement of Comparison of Budget and Actual Amounts.

1.16 Contingent liabilities

A contingent liability is a possible obligation that arises from past events and the existence of which will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events that are beyond the control of the CRL Rights Commission; alternatively, a contingent liability is a present obligation that arises from past events but is not recognised because of the following:

- It is not probable that an outflow of resources embodying economic benefits of service potential will be required to settle the obligation; or
- The amount of the obligation cannot be measured with sufficient reliability.

Contingent assets and contingent liabilities are not recognised. Contingencies liabilities and assets are disclosed in note 23.

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

	2017 R '000	2016 R '000
2. New standards and interpretations		
2.1 Standards and interpretations issued, but not yet effective		
The entity has not applied the following standards and interpretations, which have been published and are mandatory for the entity's accounting periods beginning on or after 01 April 2017 or later periods:		
Standard/ Interpretation:	Expected impact:	
•GRAP 34: Separate Financial Statements	Unlikely there will be a material impact	
•GRAP 35: Consolidated Financial Statements	Unlikely there will be a material impact	
•GRAP 36: Investments in Associates and Joint Ventures	Unlikely there will be a material impact	
•GRAP 37: Joint Arrangements	Unlikely there will be a material impact	
•GRAP 38: Disclosure of Interests in Other Entities	Unlikely there will be a material impact	
•GRAP 110 (as amended 2016): Living and Non-living Resources	Unlikely there will be a material impact	
•IGRAP 18: Interpretation of the Standard of GRAP on Recognition and Derecognition of Land	Unlikely there will be a material impact	
•GRAP 20: Related parties	Unlikely there will be a material impact	
•GRAP 109: Accounting by Principals and Agents	Unlikely there will be a material impact	
2.2 Standards and interpretations not yet effective or relevant		
The following standards and interpretations have been published and are mandatory for the entity's accounting periods beginning on or after 01 April 2017 or later periods but are not relevant to its operations:		
Standard/ Interpretation:	Expected impact:	
GRAP 108: Statutory receivables	Unlikely there will be a material impact	
GRAP 32: Service Concession Arrangements: Grantor	Unlikely there will be a material impact	
3. Trade and other receivables - exchange		
Deposits	332	802
Prepayments	643	423
Receivables from suppliers, staff and third parties	995	997
Other receivables consist of overpayments to suppliers, staff and third parties	1 970	2 222
Non-current assets	332	802
Current assets	1 638	1 420
	1 970	2 222
4. Cash and cash equivalents		
Cash on hand	1	1
Cash in call account	1 455	1
Cash in demand deposit account	2	293
Total cash and cash equivalents	1 458	295

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

5. Property, plant and equipment

	2017			2016		
	Cost	Accumulated depreciation	Carrying value	Cost	Accumulated depreciation	Carrying value
Office furniture and fittings	1,678	(943)	735	1,519	(798)	721
Motor vehicles	204	(175)	29	204	(158)	46
Office equipment	1,685	(782)	903	857	(489)	368
Computer equipment	842	(637)	205	882	(490)	392
Leasehold improvements	510	(274)	236	456	(182)	274
Total	4,919	(2,811)	2,108	3,918	(2,117)	1,801

Reconciliation of property, plant and equipment - 2017

	Opening balance	Additions	Disposals	Correction of prior year error	Depreciation	Total
Office furniture and fittings	721	159	-	(24)	(121)	735
Motor vehicles	46	-	-	-	(17)	29
Office equipment	368	683	-	130	(278)	903
Computer equipment	392	3	(43)	-	(147)	205
Leasehold improvements	274	53	-	-	(91)	236
	1,801	898	(43)	106	(654)	2,108

Reconciliation of property, plant and equipment - 2016

	Opening balance	Additions	Disposals	Depreciation	Total
Office furniture and fittings	837	-	(17)	(99)	721
Motor vehicles	62	-	-	(16)	46
Office equipment	429	45	(6)	(100)	368
Computer equipment	285	227	(12)	(108)	392
Leasehold improvements	365	-	-	(91)	274
	1,978	272	(35)	(414)	1,801

The entity owns two motor vehicles which were purchased during 2005/6 financial year which have not been fully utilised resulting in low mileage. Management estimates that the residual value of both vehicles is 20% of its gross carrying value.

Leasehold improvements is recognised in respect of capital expenditure on property held through an operating lease agreement for office building during April 2014.

Repairs and maintenance expenses are disclosed in note 16.

6. Intangible assets

	2017			2016		
	Cost	Accumulated amortisation	Carrying value	Cost	Accumulated amortisation	Carrying value
Computer software (acquired)	466	(73)	393	283	(59)	224

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

	2017 R '000	2016 R '000
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6. Intangible assets (continued)

Reconciliation of intangible assets - 2017

	Opening balance	Additions acquired	Disposals	Correcti on of prior year error	Amortisa tion	Total
Computer software	224	44	(36)	175	(14)	393

The entity re-assesses the useful lives of computer software on an annual basis.

Reconciliation of intangible assets - 2016

	Opening balance	Additions acquired	Amortis ation	Total
Computer software	89	158	(23)	224

The Commission re-assesses the useful lives of computer software on an annual basis. Management considers the condition and use of each asset, to determine the remaining useful life of each asset.

7. Straight-Lining of Operating Lease

Buildings	550	506
Parking	58	53
	608	559

8. Trade and other payables - exchange transactions

Trade creditors	1 483	1 571
Sundry creditors	2	59
Payroll liabilities	(31)	46
	1 454	1 676

9. Provisions

Reconciliation of provisions - 2017

	Opening Balance	Additions	Utilised during the year	Amount paid	Total
Provision for leave pay	519	767	(502)	(17)	767
Provision for service bonus	367	383	(367)	-	383
Provision for legal expenses	-	500	-	-	500
	886	1 650	(869)	17	1 650

Reconciliation of provisions - 2016

	Opening Balance	Additions	Amount Paid Out	Total
Provision for leave pay	571	519	(571)	519
Provision for service bonus	370	367	(370)	367
	941	886	(941)	886

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

	2017 R '000	2016 R '000
10. Accumulated surplus		
Net surplus/(deficit) for the current year	763	(1 103)
Prior year error	-	33
Net accumulated surplus brought forward	1 454	2 524
	2 217	1 454
11. Finance income		
Interest from bank accounts -Cash	264	199
Interest from bank accounts- Accrued	12	8
	276	207
12. Transfers from government		
Transfer payments		
Transfer from the Department of Co-operative Government and Traditional Affairs	38 521	36 581
13. Administrative expenditure		
Advert recruitment	125	-
Internal audit	529	411
Insurance	89	73
Legal expenses	911	9
Catering	709	2 971
Stationery and printing	2 664	2 240
Venues and facilities	326	541
Acquisition of non-capital equipment	328	7
Bank charges	18	17
Water	13	57
Municipal charges	18	10
Common area electricity	770	495
Plants, flowers and decorations	2	-
Rates and taxes	129	142
	6 631	6 973
14. Audit fees		
Consists of:		
Fees paid for an independent audit by the Auditor-General SA	1 614	1 556

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

	2017	2016
	R '000	R '000
15. Employee costs		
Basic	11 197	10 517
Commissioners remuneration	1 870	1 887
Other-non-pensionable allowances	4 813	4 184
	17 880	16 588
Post-retirement benefit plans		
Pension Fund - Defined benefit plan	683	602
Unemployment insurance fund	54	57
Provide Fund - Defined contribution plan	659	665
	1 396	1 324
	19 276	17 912
Staff compliment	33	28

Post-retirement benefit plans

The Commission's staff belonged to a defined benefit plan which is managed by GEPF, sufficient information relating to the Commission's employees is not available as the employees are part of a larger pension fund plan managed by GEPF. Therefore, the defined benefit plan is disclosed a defined contribution plan as sufficient information is not available to use defined benefit accounting.

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

	2017 R '000	2016 R '000
16. Other operating expenditure		
Staff training and development	87	254
Loss on disposal of assets	9	25
Specialised Operating Expenditure		
Pastel system support	268	146
Public address systems	416	634
Other contractors	1 940	1 421
	2 624	2 201
Marketing	595	95
National Skills Development Levy	149	152
Software Licenses	37	29
Photographic Services	16	-
Maintenance, Repairs and Running Cost		
Property and buildings	97	275
Machinery and equipment	-	171
Repairs and running cost vehicles	26	20
	123	466
Travel and subsistence		
Air transport	988	1 482
Accommodation	951	1 265
Car rental	886	1 444
Other	370	468
	3 195	4 660
Telecommunication cost	386	433
Courier and delivery services	107	177
Leases		
Leases office building	2 235	2 258
Leases parking	279	263
	2 514	2 521
Total other operating expenditure	9 842	11 012
17. Depreciation and amortisation		
Depreciation and amortisation	668	437

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

	2017	2016
	R '000	R '000
18. Net cash generated from (utilised in) operating activities		
Surplus (deficit)	765	(1 103)
Adjustments for:		
Depreciation and amortisation	668	437
Movements in operating lease liability and accruals	49	238
Increase/(decrease) in provisions	764	(55)
Disposal of assets	(204)	25
Prior year adjustment	33	-
Changes in working capital:		
(Decrease)/Increase in trade and other receivables	252	(914)
(Decrease)/Increase in trade and other payables	(222)	1 261
	<u>2 105</u>	<u>(111)</u>

19. Prior year error

The prior year error refers to Intangible assets which was expensed in error and is now being capitalised. Intangible assets increased with the amount of R175 000. Expense on purchase of software reduced with (R 175 000). The prior year error also includes a correction of accounting estimate which was inappropriately depreciated in the past periods. Property, plant and equipment increased with the amount of R102 000. Depreciation charged in the income statement were reduced with (R 102 000). Expenses from the previous landlord in Rosebank which was only presented for payment during the current financial year forms part of the prior year adjustment. The accumulated surplus decreased with the amount of (R156 000). Expenditure in respect of water and electricity increased with the amount of R 156 000. The prior year error in respect operating lease straight lining liability amounts to R56 000 was corrected. The accumulated surplus increased by R 56 000. The lease liability is decreased with (R 56 000). Prior year adjustment in respect of payroll liability resulted in a decrease in accumulated surplus of (R144 000). Expenses on the daily rate for commissioners increased with R 144 000.

20. Change in accounting estimate

The change in estimate is as a result of extending the useful lives of Office Equipment to the value of R133 000.

21. Remission and ex gratia payments

No remission and ex gratia payments were made during the year under review.

22. Gifts and donations

No gifts or donations were received or made during the year under review.

23. Contingent liabilities

Management considers the cash surplus as a contingent liability until it is granted by National Treasury to retain surplus funds. Contingent liabilities amount to R4 000. Contingent liabilities are calculated.

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

	2017	2016
	R '000	R' 000

24. Irregular, fruitless and wasteful expenditure

Irregular expenditure

Opening balance	6 870	6 827
Incurred during the year	44	43
Closing balance	6 914	6 870

During the reporting period a supplier whose contract expired in May 2014 was still in use and has not been renewed. Another supplier was awarded a contract while the supplier was not in good standing with SARS.

Fruitless and wasteful expenditure

Opening balance	814	763
Incurred during the year	-	51
Closing balance	814	814

During the reporting period, no fruitless and wasteful expenditure was detected.

25. Commissioners and prescribed officer's emoluments

Audit Committee Members 2017

	Appointment Date	Fees	Other Benefits	Total
MM Madliwa - Chairperson	2014/02/01	35	7	42
TN Baloyi	2014/02/01	25	13	38
MG Hlomane	2014/02/01	18	3	21
		78	23	101

2016

	Appointment Date	Fees	Other Benefits	Total
MM Madliwa - Chairperson	2014/02/01	44	7	51
TN Baloyi	2014/02/01	33	22	55
MG Hlomane	2014/02/01	34	5	39
		111	34	145

Non-Executive Management (Commissioners)

2017

	Appointment Date	Basic Salary	Structured Salary	Pension/Provident Fund	Other Benefits	Fees	Total
TNJ Thoko Mkhwananzi-Xaluva (Chairperson)	2014/03/01	700	456	91	-	-	1 247
DL Mosoma (Deputy Chairperson)	2014/03/01	595	427	-	2	-	1 024
A Knoetze	2014/03/01	-	-	-	34	136	170
NV Tyamzashe	2014/03/01	-	-	-	6	95	101

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

					2017	2016			
					R '000	R '000			
25. Commissioners and prescribed officer's emoluments (continued)									
RS Schoeman	2014/03/01	-	-	-	42	409	451		
J Mabale	2014/03/01	-	-	-	5	164	169		
PP Madiba	2014/03/01	-	-	-	21	128	149		
S Dlamini	2014/03/01	-	-	-	102	140	242		
FS Khama	2014/03/01	-	-	-	-	380	380		
R Trollip	2014/03/01	-	-	-	4	166	170		
B Muthien	2014/03/01	-	-	-	2	151	153		
RD Botha	2014/03/01	-	-	-	18	261	279		
					1 295	883	91	236	2 030
								4 535	

2016

	Appointment Date	Structured Salary	Pension/Provident Fund	Other Benefits	Fees	Total	
TNJ Thoko Mkhwananzi - Xaluva (Chairperson)	2014/03/01	675	457	88	3	-	1 223
DL Mosoma (Deputy Chairperson)	2014/03/01	576	407	-	21	-	1 004
A Knoetze	2014/03/01	-	-	-	56	223	279
NV Tyamzashe	2014/03/01	-	-	-	6	71	77
RS Schoeman	2014/03/01	-	-	-	44	193	237
J Mabale	2014/03/01	-	-	-	7	179	186
PP Madiba	2014/03/01	-	-	-	13	75	88
S Dlamini	2014/03/01	-	-	-	84	150	234
FS Khama	2014/03/01	-	-	-	-	364	364
R Trollip	2014/03/01	-	-	-	2	194	196
B Muthien	2014/03/01	-	-	-	1	87	88
RD Botha	2014/03/01	-	-	-	19	335	354
		1 251	864	88	256	1 871	4 330

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

		2017	2016				
		R '000	R 000				
25. Commissioners and prescribed officer's emoluments (continued)							
Senior Management Emoluments							
2017							
Executive directors	management and	Appointment Date	Basic Salary	Structured Salary	Pension/provident Fund	Other Benefits	Total
Chief Financial Officer - CM Smuts		2006/06/01	595	392	90	-	1 077
Senior Manager - TE Mafadza (CEO)		2008/04/01	604	448	78	23	1 153
Senior Manager - RM Mkholo		2015/10/01	726	83	27	-	836
Senior Manager - KA Sedupane		2012/10/01	552	367	72	31	1 022
Senior Manager - BR Makeketa		2012/12/01	553	310	83	14	960
			3 030	1 600	350	68	5 048
2016							
Executive directors	management and	Appointment Date	Basic Salary	Structured Salary	Pension/provident	Other Benefits	Total
Chief Financial Officer - CM Smuts		2006/06/01	559	347	84	-	990
Senior Manager - TE Mafadza (Acting CEO)		2004/04/01	550	463	65	18	1 096
Senior Manager - RM Mkholo		2015/10/01	546	-	-	-	546
Senior Manager - KA Sedupane		2012/10/01	519	348	67	42	976
Senior Manager - BR Makeketa		2012/12/01	518	282	78	41	919
			2 692	1 440	294	101	4 527

26. Operating lease

The CRL Rights Commission rents premises with lease rentals of R 160 137 per month according to a lease agreement that commenced on 1 June 2014, with a lease term of five years. The escalation of the operational lease is set at 8% per annum.

Minimum lease payments - 2017	Within 1 Year	2-5 Years	Total
Rental	2 393	2 814	5 207
Parking	251	295	546
Total	2 644	3 109	5 753
Minimum lease payments - 2016	Within 1 Year	2-5 Years	Total
Rental	2 390	5 206	7 596
Parking	231	546	777
Total	2 621	5 752	8 373

PART E: FINANCIAL INFORMATION

Notes to the Financial Statements for the Year Ended 31 March 2017

	2017	2016
	R '000	R '000

27. Financial instruments

Financial risk management

Financial instruments consist of cash and cash equivalents, trade and other receivables and trade and other payables. There are no receivables that are past due and not impaired.

Financial assets at amortised cost

Trade and other receivables	1 327	1 799
Cash and cash equivalents	1 458	295

Financial liabilities at amortised cost

Trade and other payables	1 483	1 629
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Liquidity risk

The Commission has no financial liabilities that extend beyond twelve months

Trade and other payables

The CRL Rights Commission is only exposed to liquidity risk management in respect of maintaining sufficient cash.

Credit risk

Credit risk is managed by the use of accredited financial services providers as approved by National Treasury. Credit risk consists mainly of cash deposits and cash equivalents. The entity only deposits cash with major banks with high quality credit standing with a credit rating of Baa3.

Interest rate risk

As the CRL Commission has no significant interest-bearing assets, CRL Commission's income and operating cash flows are substantially independent of the risk of changes in market interest rate.

28. Going concern

During the current financial operating period the CRL Rights Commission received a baseline allocation of R39 m. These financial statements have been prepared on a going concern basis because the existence of the CRL Rights Commission is protected in the Constitution of the Republic of South Africa. The CRL Rights Commission has an accumulated surplus of R 765 k.

29. Events after the reporting date

There are no matters to report subsequent to the period end.

Management of the CRL Rights Commission is not aware of any events or circumstances that occurred since 31 March 2017 that may require any disclosure in the financial statements.

30. Authorization of financial statements

The Accounting Officer of the CRL Rights Commission, Mr TE Mafadza, authorised the financial statements for issue.

COMMISSIONERS



MANAGEMENT



STAFF





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