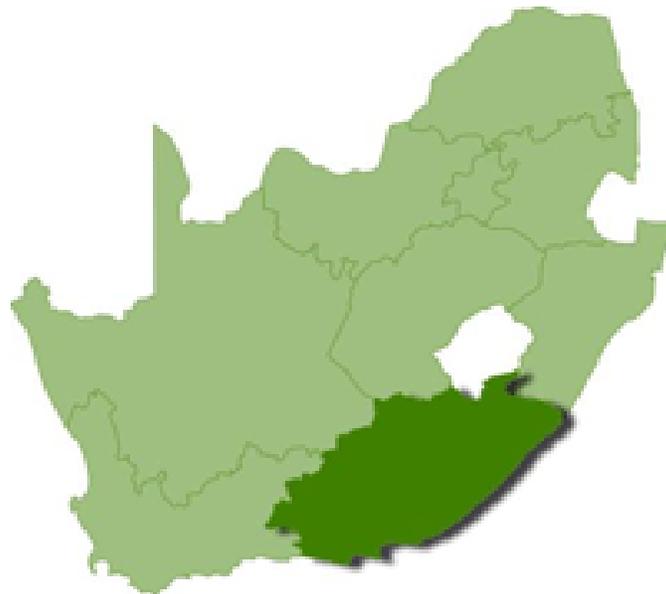


THE PEOPLE'S STATE OF THE PROVINCE ADDRESS EASTERN CAPE 2019

A CIVIL SOCIETY ASSESSMENT OF PROVINCIAL GOVERNMENT PERFORMANCE IN THE DELIVERY OF
PUBLIC SERVICES TO THE PEOPLE OF THE EASTERN CAPE



What is the People's State of the Province Address (PSOPA)?

This document represents a re-imagining of the State of the Province Address for the Eastern Cape in 2019 by a civil society organisation - the Public Service Accountability Monitor (PSAM). The People's SOPA is not intended to speak on behalf of South Africans.

It is a collation of data and perspectives from a range of publications (Statistics South Africa census data, National and Provincial Treasury budget data, provincial government annual and mid-term reports, media reports and non-government data). It also contains analyses of provincial government planning and budgeting over the past few years.

In re-imagining the SOPA – we asked ourselves some fundamental questions. If we were tasked with fulfilling this duty as the Premier of the Eastern Cape - what would we say to the people of the Province? What priorities would we table for scrutiny by members of provincial legislature and the Speaker of the House in the people's assembly? It is our hope that the People's SOPA will foster dialogue between the provincial government, civil society and the people of this province. We see it is an opportunity to re-imagine civic engagement through frank discussion between provincial leaders, members of legislature and the people they serve.

Friday, 15 February 2019 Eastern Cape Province, South Africa

People of the Eastern Cape, Members of the Executive and Provincial Legislature, civil society representatives, members of the media; it is my privilege to address you at this - the end of the fifth term of the current administration.

This constitutes the final State of the Province Address in this term. It is an important opportunity to reflect on both our successes and failures over this period. It is also an opportunity to chart a progressive, developmental path forward.

As I stand here today - I am acutely aware of the significance of this moment. Last week - President Ramaphosa reiterated the historical significance of the 25th anniversary of our democratic dispensation. The President also officially announced the national election date; 8 May 2019. This year will undoubtedly be marked by political contestation and - perhaps more importantly - opportunities to improve on past performance.

This address is dedicated to all people of the Eastern Cape for whom poverty, hunger and poor access to education and health service are all too often a daily reality. I address it in particular to the women and girls who continue to experience discrimination and abuse in its many guises. We have an opportunity to do much more than acknowledge events such as the annual 16 Days of Activism Against Abuse.

I begin with an important reminder from one of Africa's proponents of ethical leadership; former Liberian President and Nobel Prize winner, Ellen Johnson Sirleaf;

“Future generations will judge us not by what we say, but (by) what we do “

it is for this reason that I urge all members of the Eastern Cape Executive Council not only to lead by example but to take decisive steps to put our many plans to action!

Corruption and Financial Management

In my 2018 address - I highlighted that South Africa had been ranked amongst the ten most deteriorated countries on the continent since 2006 according to the 2016 Ibrahim Index of African Governance (IIAG). The indicators showed declines in levels of public accountability, safety, and rule of law. South Africa also exhibited a decline in participation and human rights. The 2018 IIAG outcomes illustrate national declines in social welfare, education quality, gender parity in basic education and freedom of expression. Another notable IIAG indicator marked a deterioration in the overall levels of transparency and accountability within the public service; 57.4 out of 100 - constituting a decrease of 14.3 since 2007.

Weak governance can be seen in cases such as Mnquma local municipality where irregular and unauthorised expenditure was recorded at R 65.8 million in 2014. The Auditor-General reported that the Mnquma local municipality is unable to provide audited evidence to explain a further expenditure amounting to R 55 million due to the municipalities failure to have systems in place to identify the expenditure.

Municipal Irregular Expenditure 2016/17 from highest to lowest

Municipality	Amount of Irregular Expenditure
Nelson Mandela Bay Metro-Eastern Cape	R 8.18 billion
OR Tambo District- Eastern Cape	R 3 billion
Tshwane Municipality- Northern Gauteng	R 1.8 billion
Rustenburg Municipality- North West	R 984 million
Ngaka Modiri Molema Municipality- North West	R 828 million
City of Johannesburg Metro Municipality- Gauteng	R 706 million
City of Ekurhuleni Metro Municipality -Gauteng	R 591 million
Buffalo City Metro Municipality- Eastern Cape	R 584 million
North West Municipality Madibeng- North West	R 562 million
Moretele Local Municipality- North West	R 557 million

Information sourced from Sunday Times live published on 23rd May 2018 online <https://www.timeslive.co.za/news/south-africa/2018-05-23-eastern-cape-municipalities-have-serious-problems-ag-warns/>

Madam Speaker – we *must* address corruption.

Corruption poses a direct threat to our human development efforts. We must admit that we have simply not made adequate strides to eradicate corrupt practices in our departments nor in our dealings with private sector actors. This includes putting in place effective anti-corruption measures at *all* tiers of governance.

Colleagues - that so many Eastern Cape municipalities are currently under investigation by the Special Investigations Unit should be a source of shame. Poor consequence management and failure to lead decisively means millions will continue to be lost every year; money that would otherwise fix roads, provide clean water and ensure regular refuse collection.

Madam Speaker, all of these issues must enjoin us as provincial leaders of government to do some deep introspections.

Poverty and unemployment

Madam Speaker – reducing poverty is at the core of our Constitutional obligations. The results of the *Poverty Trends* report released by Statistics South Africa in 2017 revealed, for instance, that between 2006 and 2011 - poverty levels actually *increased*.

While there has undoubtedly been progress made - we have also made painful regressions in the fight against poverty.

The Eastern Cape faces high unemployment rates; often considerably higher than the national rates - a reality that most acutely affects women and youth. This is especially pertinent when we consider that 52.4% of the Eastern Cape populace are women. The 2016 Community Survey conducted by Statistics South Africa indicates that the Eastern Cape Province is home to just under 7 million² people of which 20% live in the OR Tambo District and 18.1% live in the Nelson Mandela Bay Metropolitan Municipality.

The trend is that the hardest hit are black women, children, those living in the rural areas of the Eastern Cape as well as people with no education. This is another threat to human development. In 2016 – the Eastern Cape had the highest poverty headcount in the country at 12.7%

Statistics for gender based violence (GBV) in South Africa are alarming. President Ramaphosa spoke about this crisis and provided encouraging plans to institute a “coordinated national response”. The Centre for the Study of Violence and Reconciliation in 2016 outlined the profound physical, psychological, behavioural and economic impacts of GBV. As a province - we must redouble our efforts to tackle this fundamental human rights problem.

I would like to reiterate a challenge I set last year; as Members of the Executive, Members of Provincial Legislature and all public officials - we must improve our public participation practices and actively invite the people of the Eastern Cape in constructive dialogue.

The government of the people must be open to the people! Let us open our provincial legislature! Public participation is a vital component of a thriving democracy and functional public service. Let us now reflect on our performance in key social service delivery and governance sectors;

Local Government Governance

In the most recent municipal reports - the Auditor-General reported on regressions in seven municipalities in the province despite improvements in six. It was underscored that these municipalities are failing to maintain stable administrations, failing to fill vacant positions, and are underestimating the

complexities of the mergers of municipalities. According to the 2016/17 Municipal Audit outcome, for instance;

“Of greatest concern in this province were the accountability failures in the areas of supply chain management and infrastructure development. Infrastructure projects were not delivered as a result of poor planning and project management. Irregular expenditure of R13,558 billion (48% of the total irregular expenditure) was incurred by municipalities”

It is unacceptable in this time of financial austerity that such irregular expenditure would equate to 35% of the Eastern Cape provincial local government’s expenditure. We simply cannot afford to continue in this manner.

The implications that this has for the delivery of services is dire. It means that people will continue to receive sub-standard or no service. It means that those that need municipal services most urgently are likely to be the least - or last - served. Research by Municipal IQ indicates that the top three reasons for civic unrest and service delivery protests in the Eastern Cape relate to the provisioning of housing, electricity and water.

In October of 2018, for instance, we witnessed protests and blockades by residents of various villages including Hebe-Hebe, Matolweni and Gxojani between Ngqamakwe and Butterworth. Over several months - we have seen marches and protests in Makana Municipality. In each of these instances - residents were bitterly unhappy, demanding basic services such as clean water, sanitation and better roads.

The Eastern Cape has been home to some of the most affected municipalities in relation to service delivery protests in past years.

This too must change.

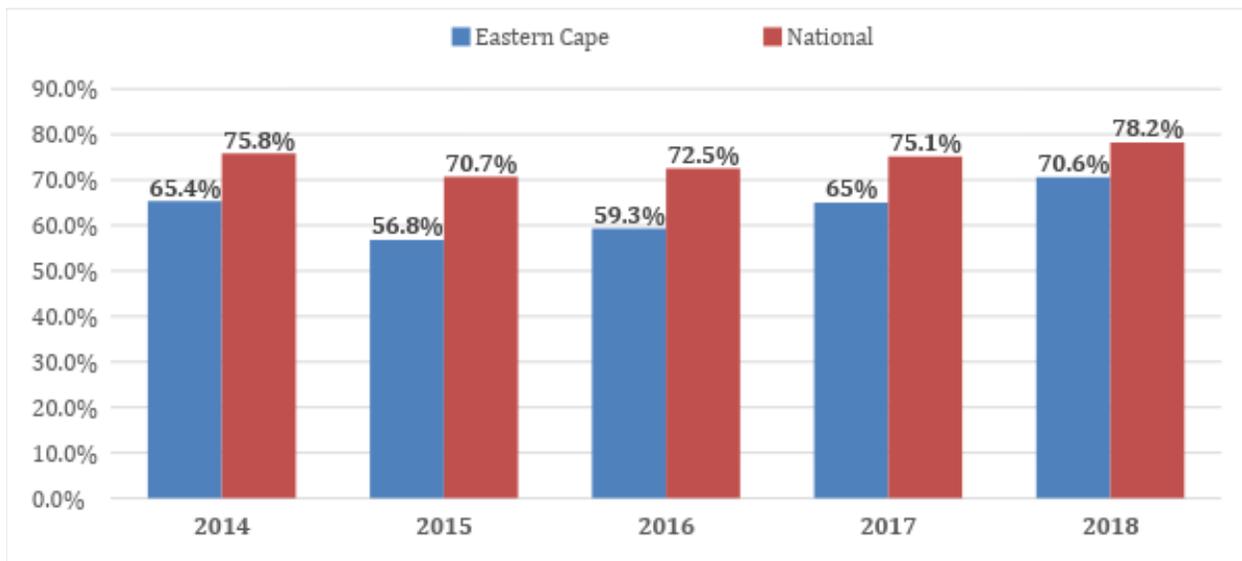
We must take action and communicate better (more often and more effectively) with our people. Operation Masiphathisane must become a genuine vehicle of community collaboration and building.

Education

We acknowledge the progress made on national and provincial national senior pass rates between 2014 and 2018. The national pass rate for the National Senior Certificate in 2018 was 78.2%. As a province, we are proud to have had the highest improvement in the country, of 5.6% in the 2018 Matric results, from 65% in 2017 to 70.6% in 2018. We are, particularly, pleased that the provincial pass rate increased from 65.4% in 2014 to 70.6% in 2018.

However, while the Eastern Cape experienced an improvement by 5.6% from 2017, there is a need to improve the quality of basic education from Grade R onwards and, not only in Grade 12. In the past 24 years of democracy, we have made progress in transforming education and addressing the inequalities of the past.

National and Provincial National Senior Certificate Pass Rates, 2014-2018



Access to quality of education remains very poor mostly in the historically deprived areas of the Eastern Cape; some of the schools do not even meet the basic learning infrastructure requirements such as access to laboratories, libraries and Internet connections. Honourable MEC Mlungisi Mvoko – we will need to address this problem of the poor quality of basic education if we are to address historical educational inequalities.

A clear, decisive and adequately resourced plan is required and must be tabled and implemented over the next months. Our fight against the deep-seated triple challenges of poverty, unemployment and inequality must start with the improvement of the quality and the outcomes of our education system.

Madam Speaker, turning our attention onto performance by school districts; in 2014, out of the 23 districts, 6 districts achieved a pass rate above 70%; the rest of the 17 districts performed between 66-55% pass mark. Between 2014 and 2015, 22 of the 23 districts experienced pass rate drops. For example, pass rate for Qumbu dropped by 27% from 75% in 2014 to 47% in 2015, increasing to 65% in 2016. While most of the 23 districts experienced a slight improvement between 2015 and 2016, this was still a decrease from the 2014 pass rate.

Districts	Pass rates		
	2014	2015	2016
Cradock	82.9%	71.6%	81.2%
Uitenhage	75.5%	69.0%	76.3%
Port Elizabeth	74.3%	66.0%	63.5%
Mthatha	67.6%	63.7%	66.4%
Cofimvaba	66.7%	61.9%	63.2%
East London	74.9%	61.8%	66.8%

Eastern Matric District	Cape Results by 2014 - 2016		
	2014	2015	2016
Grahamstown	71.9%	60.6%	70.3%
Graaff-Reinet	63.3%	60.1%	76.0%
King Williams Town	64.0%	59.0%	54.9%
Queenstown	58.0%	56.7%	63.2%
Maluti	61.7%	55.7%	62.0%
Mt Fletcher	64.9%	55.7%	61.1%
Mount Frere	55.1%	55.1%	61.9%
Butterworth	57.1%	54.9%	56.3%
Mbizana	60.1%	53.4%	55.1%
Dutywa	57.9%	52.2%	49.5%
Sterkspruit	60.5%	49.7%	65.2%
Fort Beaufort	56.9%	49.7%	50.9%
Libode	62.4%	48.6%	47.9%
Ngcobo	65.9%	58.1%	47.2%
Qumbu	75.0%	47.9%	65.3%
Lusikisiki	61.1%	47.2%	44.7%
Lady Frere	63.9%	46.3%	49.5%

In 2017, the former MEC for education - Mr Mandla Makupula approved the reduction of the education districts from the 23 to 12 districts. We note that 2 of the 12 districts achieved a pass rate 70%, and 10 districts between 69% and 50% pass mark. We also welcome the improvements in results of the 12 districts between 2017 and 2018.

In comparison to the 2 districts that achieved a pass rate above 70% in 2017, in 2018 - 10 districts achieved a pass rate above 70% and 2 districts between 60% and 68%. While we note the achievements of the 5th provincial administration between 2014 and 2018, there were challenges related to poor performance (below 50%) in 7 districts; below 70% in 15 districts, in 2015. Honourable MEC Mvoko - we will need to address the challenges of poor performance in our districts.

Eastern Cape Matric Results by Districts 2017 – 2018

Districts	Pass rates	
	2017	2018
Alfred Nzo East	62.4%	70.7%
Alfred Nzo West	67.3%	74.2%
Amathole East	56.7%	74%
Amathole West	53.6%	59.7%
Buffalo City	66.2%	72.8%
Chris Hani East	62.2%	77%
Chris Hani West	67.9%	71.5%
Joe Gqabi	67.0%	71.7%
Nelson Mandela	72.6%	73.7%
OR Tambo Coastal	61.7%	70.4%
OR Tambo Inlands	69.2%	80.2%
Sarah Baartman	71.8%	68.4%

We note that the matric results spawn a great deal of debate – and often anger. There is a huge focus on matric results every year, especially, the national pass rate. While it is important to look at the national pass rate to see how our education system is doing, it is important to recognize that this focus often obscures significant differences in provincial achievements and the divisions between urban and rural areas. More focus should be dedicated on improving the quality of education from foundation onwards.

Madam Speaker, the province continues to face challenges related to providing appropriate sanitation in schools. While provinces make use of the Education Infrastructure Grant (EIG) to build, maintain and refurbish education infrastructure and schools, EIG has a history of poor performance. The poor performance is related to the non-performance of project contractors and poor project management practices. It was promising to see the target met for the provision of sanitation facilities to 154 public ordinary schools, in the 2014/15 financial year. The actual achievement for this was 180 public ordinary schools, with the over-achievement having because of 38 projects which were not part of the original target but completed in 2014/15. In the 2015/16 financial year, the ECDoE failed to meet a target of supplying sanitation facilities to 246 planned public ordinary schools, and achieved 107, deviating from the planned target by 139. The main reason for the failure to meet this target was related to the fact that the bulk of new projects was affected by delays in implementation. In the 2016/17 financial year, the Department failed to meet its targets. For example, there was a target of providing sanitation facilities for the targeted 259 public ordinary schools, but the Department only managed to supply 88 public ordinary schools with adequate sanitation.

The failure to meet targets in the provision of sanitation facilities to public ordinary schools was also experienced in the 2017/18 financial year, where 86 schools were provided with sanitation against the target of 161 schools. Therefore, 75 schools could not be completed due to project delays. This failure to meet targets was also reported in the mid-year of the 2018/19, by the Adjusted Estimates of Provincial

Revenue and Expenditure reporting on the poor performance on delivering basic education in schools. During this period, the Department underperformed badly on the provision of sanitation facilities to 169 schools, where only 14 schools were provided with sanitation.

Poor performance was also reported in the provision of water to 17 schools against the target of 169 schools. We are concerned about the failure of the Department to meet its targets. Honourable MEC Mvoko, this poor performance needs to be resolved to ensure the realisation of the quality of basic education, as outlined in the NDP Vision 2030. There needs to be efforts by the provincial treasury to provide support to the Department, so as to improve performance in the 6th administration.

Madam Speaker - we have not adequately prioritised foundation phase and early childhood education - a fact evidenced by poor performance in basic literacy and numeracy across several phases. The poor spending, in the 2017/18 financial year, for ECD in both ECD of E and Eastern Cape Department of Social Development (ECDSD) is also evidence this. For example, in its [Expenditure Tracking Report \(ETR\)](#), the PSAM explained that while the underspending for programme 5 (ECD) of ECD of E decreased from 23% (R130.49 million) in 2016/17 to 16% (R92.80 million) in 2017/18.

Honourable MEC Mlungisi Mvoko – we will need to address this problem of the poor quality of spending if we are to address the poor quality of education at foundation phase. This is something that needs concerted intervention in the Eastern Cape given the added burdens of poverty, vulnerability and under qualified practitioners. We need to train – and support – educators delivering ECD services. It is our belief that early childhood education plays an important role in the overall and holistic development of a child. At the beginning of 2016, we tabled a three-year education transformation plan which, among other things, focuses on increasing the supply of appropriately trained educators. We need to prioritise this and intensify the implementation of the three-year education transformation plan in the coming 6th administration.

As we move closer to the end of the 5th national and provincial administration, we are acknowledge that the National Integrated Early Childhood Development Policy of 2015 was aimed at providing a multi-sectoral enabling framework for ECD services. This policy made provision for a comprehensive package of ECD services for young children. The Eastern Cape Vision 2030 Provincial Development Plan, in relation to ECD, emphasised on the importance of putting children first (Ematholeni!); building human development from ECD, through the foundation and intermediate phases of primary schooling. Moreover, the EC Vision 2030 Provincial Development Plan, noted that “with regard to ECD, all contributing departments and public, institutions and communities across the province will ensure that all children get the basic nutrition they they need for healthy growth, that they grow in nurturing and loving family environments, and that they receive the appropriate stimulation and foundations to learning at home, ECD centres and the early grades of schooling”. As part of strengthening the foundation phase, we are prioritising for two years of compulsory ECD before grade 1.

According to the 2014 ECD National Audit Report, infrastructure was recognised as the main factor that restricted ECD centres from registering with the Department of Social Development. The main challenge facing ECD in South Africa, is that children live in poverty, disadvantaged societies and some living with disabilities having limited access to ECD centres. The 2015/16 Annual Report of the Eastern Cape Department of Social Development, reported that “the department had a total of fifty two thousand two hundred and thirteen (52 213) children accessing ECD were subsidised of which sixteen thousand nine hundred and twenty-eight (16 928) accessed registered programmes”.

In 2017 – a conditional grant to support the ECD sector was introduced by the National Treasury. The poor spending by the ECDSD on the ECD grant especially in its first year is of concern. Out of R56.4 million allocated to the Eastern Cape Province for the ECD grant in the 2017/18 financial year, only R27.2 million (48.6 percent) was spent. R29.1 million of unspent funds were reported. This calls for urgent intervention by the Eastern Cape Treasury and National Department of Social Development.

Early Childhood Development Grant Spending

Province	2017/18 Spending R'000			
	Amount received by the department	Amount spent by the department	Unspent funds	% of available funds spent by department
Eastern Cape	56 365	27 238	29 127	48%
Free State	18 398	12 937	5 461	70%
Gauteng	38 489	35 938	2 551	93%
KwaZulu-Natal	71 879	71 870	9	100%
Limpopo	41 085	36 034	5 051	88%
Mpumalanga	25 799	23 645	2 154	92%
Northern Cape	13 761	11 710	2 051	85%
North West	32 686	20 304	12 382	62%
Western Cape	19 150	18 770	380	98%
TOTAL	317 612	258 446	59 166	81%

Honourable MEC Pumza Dyantyi – we call for plans to address this problem of underspending by your department. We are concerned that the department failed to spend its budget allocation of R10.2 million in the 2017/18 financial year, for ECD maintenance. While the ECDSD allocated R10.2 million for the maintenance of targeted 96 ECD centres, it failed to spend this money. As a result, no ECD centre benefited from the maintenance component. The ECDSD faced challenges related to delays internally because of the capacity constraints for administering the maintenance grant.

We trust that in tabling their budget and policy statements over the next few weeks – both the MEC for Education and the MEC for Social Development will share tangible plans about how their departments are responding to requirements of the National Integrated Policy for ECD.

This is a crucial opportunity to address the issues of access; quality and monitoring that continue to plague the sector. In the Eastern Cape, 34, 6% of children aged 0-4 years attended ECD formal facilities in 2017. It is concerning that the rural provinces had the lowest percentages of learners attending ECD facilities in 2017. Also, it is worth noting that all provinces are below 50%, and the country average is below 40%. In particular, all the rural provinces are below 40%. When we consider that children from poor families are less likely to access these services – the picture of inequality becomes even more striking. Our provincial plans must address this without delay.

Percentage of children aged 0-4 years attending ECD facilities by province, 2017

Province	Percentage
Eastern Cape	34,6%
Free State	45,5%
Gauteng	45,8%
KwaZulu-Natal	27,8%
Limpopo	35,9%
Mpumalanga	37,0%
Northern Cape	25,3%
North West	33,7%
Western Cape	41,1%
RSA	36,9%

The MECs for both ECDoE and ECDS D must ensure improved spending for early childhood development. Improving early childhood development will, in particular, have the potential to address several socio-economic problems. The provincial treasury should provide support to these departments on the management of allocated funds. Also, support should be provided on the better implementation of the early childhood development grant in the 2019/20 financial year.

Honourable MEC Vuyo Mvoko and Honourable MEC Pumza Dyanti – please ensure that the departments do not incur fruitless and wasteful expenditure in the 2019/20 financial year. Also, ensure that the departments take effective and appropriate steps to prevent unauthorised expenditure as required by section 38(1)(c)(ii) of the PFMA and treasury regulation 9.1.1. It is important that the resources allocated to the departments be used effectively and efficiently. Also, the departments must follow planning and monitoring processes to ensure that the set targets are realised.

Human Settlements

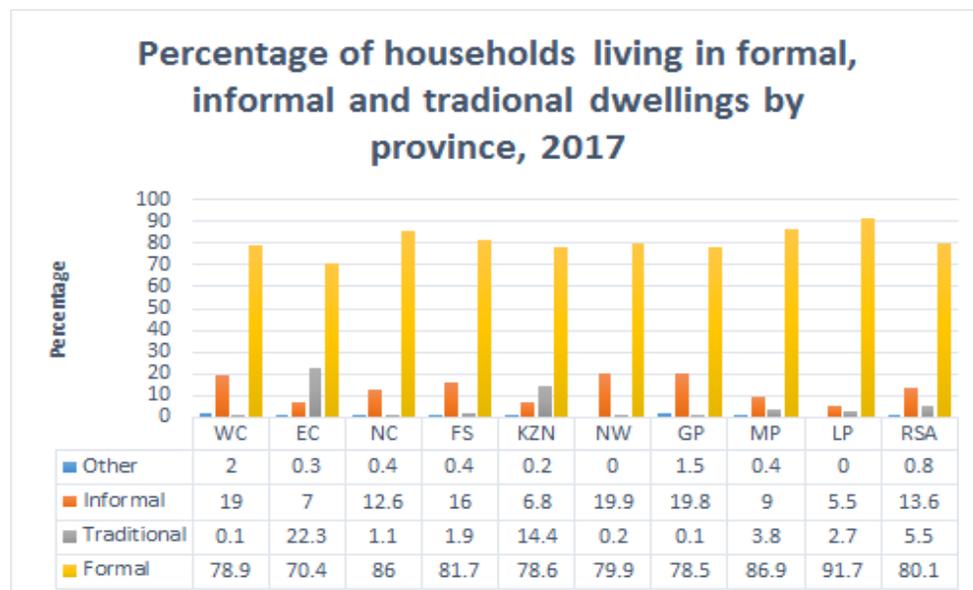
Honourable speaker, the establishment of integrated human settlements remains key to enhancing the dignity and welfare of the people of the Eastern Cape Province. Housing provision, upgrading of informal settlements, infrastructure development, provision of sanitation, water and electricity remain areas of focus towards the development of sustainable human settlements. This requires working closely with municipalities and ensuring coordination between the provincial department and municipalities if we are to achieve effective service delivery.

In 1994, the national department promised to ensure access to adequate human settlements and quality living conditions by creating one million housing opportunities and providing basic services and infrastructure in all existing informal settlements.

Over three million low-cost houses have been built since 1994, yet South Africa is experiencing increased housing protests in the second decade of its democracy. According to the Municipal IQ release, by September 2018, there were 198 service delivery protests with the highest number recorded in the Eastern Cape Province. Nationally the highest record of service delivery protests occurred between 2014 and 2018 with 191 and over 198 respectively. The South African Local Government Association attributes the majority of service delivery protests to housing issues. Although the

Department boasts of having created millions of housing opportunities there remains a huge backlog of housing needs for the majority of low-income earners.

Percentage of households that lived in formal, informal and traditional dwellings by province, 2017



Source: Stats SA . Online <http://www.statssa.gov.za/publications/P0318/P03182017.pdf>

About 13.6 percent of South Africa’s population live in informal dwellings according to the 2017 General Household Survey an increase from 12.9 percent in 2014 recorded in the General Survey in 2014. Although the number of formal dwellings have increased post-1994; increasing urban population growth, the expansion of informal (shack) dwellings in the country, backyard dwellers and rise in service delivery/housing protests reflects a great need for housing in the country. The Eastern Cape Province is not spared from these challenges. The province has the least number of households living in formal dwellings of all provinces.

The Eastern Cape Province has the highest percentage of households living in traditional dwellings at 22.3%. Human settlements provision for rural areas must not replicate urban settlements development model. Sustainable rural development must help create self-sustained communities. Support for households that do subsistence farming or smallholder farming is necessary to ensure food security in rural areas. Creating improved learning environments through school infrastructure development and providing well-trained teachers will also enhance rural development.

Provision of well-equipped clinics is necessary in the rural areas. The province must make integrated planning efforts between the departments of Rural Development and Agrarian Reform, Education and Health in order to ensure sustainable rural development is achieved and social service are accessible within the rural areas. Although integration between departments is a complex process which requires departments to coordinate planning and have programmes that connect, efforts towards inter-departmental coordination must be encouraged.

Upgrading of informal settlements is an attempt to address the challenges of informal settlements. There has been slow progress in the implementation of informal settlements upgrading plans in the province. Over the years, assessments and plans have not translated to action on the ground hence output remains at assessment and planning levels. Upgrading of informal settlements was introduced

through Breaking New Ground policy in 2004 yet more than a decade later, the programme is not yielding much result. The slow progress on upgrading of informal settlements in the five years of the current administration continue to retard development of habitable settlements for people living in informal settlements. Provision of water, electricity, sanitation and bulk infrastructure in informal settlements remain a serious challenge in the province.

It is notable that the Department exceeds its target on rectification in 2016/17 with a target of 1899 and output of 2653. Continued rectification has to be undertaken with the intention to clear backlog on houses with defects pre and post 1994. However due diligence needs to be exercised by the Department of Human Settlements for current construction of houses in order to ensure that the backlog on rectification does not continue to grow. In this regard, the Department must work closely with the National Home Builders Registration Council (NHBRC). The Eastern Cape Province has relatively the highest number of rectification of RDP houses in the country currently, which reflects the presence of a number of houses with defects.

The focus on vulnerable groups is a policy priority for the Department of Human settlements. As the Department of Eastern Cape acknowledges, Destitute and Vulnerable Group programme continues to be a vehicle for a speedy response to the plight of destitute families, child headed households and disabled persons. The year 2019/20 should see improved delivery on housing for vulnerable groups. Only 403 houses were delivered in 2016/17 out of a total of 1 914 approved possible beneficiaries under the programme. Improved performance in this area will help improve the lives of the most vulnerable and reduce levels of poverty.

In addition to other human settlements programmes, the Department took a positive step to accelerate the registration and issuing of title deeds. Title deeds registration is important for security of tenure for all state housing beneficiaries, hence the right to housing cannot be realised outside legal entitlement to property. The registration and issuing of title deeds has progressed slowly in spite of the national drive to speed up title deeds registration through the Title Deeds Registration Project and funds being allocated through a grant.

In its submission to the Division of Revenue 2015/16, the Financial and Fiscal Commission (FFC) noted that more than half of the state housing beneficiaries did not have title deeds. The 2015/16 financial year saw 6967 title deeds being issued against a target of 7000 by the Department. In 2016/17 8329 title deeds were registered above a target of 8000. Although more than 90% of the target was met, the backlog on title deeds remain high. This is because the Department continued over the years to accelerate the delivery of houses without concurrent issuing out title deeds.

The issuing of title deeds is important to curb illegal or wrongful allocation of state houses. The drive at national level to speed up the issuing of title deeds has been a positive response to the problems emanating from a lack of legal entitlement to state provided houses by the beneficiaries, which made it impossible for them to enter into the property market. The Eastern Cape Province should therefore speed-up delivery of title deeds as part of its provincial mandate.

Health

Honourable speaker, the current state of public healthcare in South Africa needs urgent attention. Only 17 of 100 South Africans have access to private medical aid which leaves an average of 82 out of 100 that rely on public healthcare. With such a high number of the population relying on public healthcare, there is a need for healthcare to be available, affordable and pro-poor especially in provinces where 90% of the population is rural like Limpopo and 62% of the population is rural like the Eastern Cape.

The right to healthcare in South Africa is affirmed by section 27 of the Constitution (hereinafter referred to as s27). Section 27 not only guarantees the right to health care which includes the right to reproductive services, but it goes a step further and places an obligation on the Government to take legislative and other measures to progressively realize this right-within its available resources.

The importance of this right cannot be understated as it not only means being free from disease and incapacity, but it also includes the sense of well-being because as human beings, being healthy includes the ability to live our lives to the fullest, to work, to reproduce and to procreate.

While this right includes the right to physical well-being, physical well-being is denied to millions of people in South Africa as our bodies are vulnerable to disease (communicable and non-communicable) and other risk factors such as injury. Society is denied physical and social well-being due to lack of access to health care services, water and enough food because of external socioeconomic factors.

The right to health care includes but is not limited to the right to access hospitals and medicines, it includes the obligation of the South African Government to ensure that people do not live in conditions that may be a threat to their health, but instead, promotes and fulfils this right.

The Eastern Cape Department of Health's budget per vote increased from R19 billion in 2015/16 to R 22 billion in 2017/18 and yet from 2015/16 to 2017/18, the department has been underspending every year by R79 million in 2015/16, R 142 million in 2016/17 and R 63 million in 2017/18. While the department has managed to keep under spending within a two-percentage mark despite the facts that it has had a steadily increased yearly budget vote allocation, this is not an indication of whether the department has been able to spend its budget effectively, efficiently or appropriately.

Honourable speaker, while Government health services are provided at minimal or no charge to the citizens of this country, they are used by those from low or middle-lower income groups which constitute a large majority of people in South Africa. It is for this reason that effectiveness and efficiency at which Government spends towards healthcare in South Africa must be maximised using sound public financial management. Funds for health need to be effectively allocated, executed and accounted for to ensure that the budgeting process does not hinder healthcare objectives.

Medico-legal claims due to medical-malpractice are on the rise and departments are struggling to provide healthcare services while having to pay out claims against them. The already high demands for public health services along with the Eastern cape department of health having to pay R 432 million in medico-legal claims in 2018 with an additional R 44.5 million paid towards attorney fees is putting health services under pressure. This is an indication that there is an increase in the frequency of the claims and the amounts that are sought by the claimants.

In the last financial year, the ECDOH medico-legal claims exceeded the department's operational budget. The auditor general indicated that the claims and commitments need urgent attention before they impact on service delivery.

The State Liability amendment Bill is a positive step towards the Government's attempts to deal with the impending and future costs of medico-legal claims in that the Bill proposes that for costs associated with future care, medical treatment, and future loss of earning, the recommendation is the costs be covered periodically however. While the Government's efforts are commendable, the Bill fails to address with the root causes of medico-legal claims but rather seeks to regulate the amount and times that the payments to the claimants must be made.

Honourable speaker, during the provincial medium-term budget policy statement, the MEC for Finance and Economic Development, the honourable Lubabalo Oscar Mabuyane expressed his concern about the rising medico-legal claims and how maternal and child mortality rates are posing a challenge for the provincial department of health. The most common causes of medico-legal claims have been identified as including maternity and obstetric claims and during the MTBPS, the MEC outlined the departments strategy aimed at addressing the root causes of medico-legal claims. The strategy included:

- The procurement of requisite equipment to minor fetal distress
- Designating and resourcing the most effective hospitals to conduct caesarean sections
- Proper archiving of patient records
- Improved maternal and patient child care
- Improved clinical governance
- Consult a panel of medico-legal experts
- Aggressively defend medico-legal claims

The District Health Services programme is-responsible for ensuring the delivery of primary health care services through the implementation of the District Health system. The Maternal, Child and Women’s Health and Nutrition programme focuses on mothers, newborn and child mortality through the strengthened maternal and child as well and nutrition health services across the Eastern Cape Province.

Adjusted estimates of provincial expenditure 2018/19

Adjusted estimates of Health Department Programme 2 expenditure 2018:									
2018/19									
Adjusted appropriation									
Programmes R'000	Main Appropriation	Roll-overs	Unforeseeable/unavoidable	Virements and shifts	Declared unspent	Other adjustments	Total additional appropriation	Adjusted Appropriation	
District Management	884 813			10 717		11 003	21 720	906 553	
Community Health clinics	2 334 772			19 831		23 836	4 005	2 348 727	
Community Health centers	1 246 933			4 511		6 178	10 689	1 257 622	
Community based services	551 266			34 879		4 846	39 725	590 991	
Other Community services	68 040			2 687		412	2 275	65 765	
HIV/AIDS	2 098 633	7 165					7 165	2 105 798	
Maternal Child and Women's Health and Nutrition	52 837			9 650		345	9 305	43 532	
Coroner Services	106 090					287	287	106 377	
District Hospitals	4 678 613			7 546		75 488	67 942	4 746 555	
Total	12 031 947	7 165		10 393		122 395	139 953	12 171 900	

In the Eastern Cape Provincial development plan, the premier, in dealing with challenges that the province would face in realising the development plan, outlined critical challenges that are faced by the health system. These challenges included a dysfunctional health system, socioeconomic conditions, poor financial resources and management, dilapidated health infrastructure along with the rural conditions of the province, inaccessibility in some areas which leads to difficulty in providing healthcare services, poor infrastructure and dispersed settlements.

It’s concerning that four years after the Provincial development plan was introduced, the challenges faced by the health system have not changed.

Primary health care is the closest link to the community and as such, the best avenue to respond to the healthcare needs of the community in preventing further ill health. Primary healthcare expenditure per capita on uninsured persons has increased in real terms by only 3.8% from R 1 112 in 2016/17 to R 1 155

in 2017/18. The Eastern Cape has the second lowest primary healthcare expenditure with Limpopo province having the lowest.

Honourable speaker, to improve primary healthcare in an attempt to overcome the challenges outlined in the Provincial development plan, there needs to be an improvement in the equity and efficiency of resources. Allocation of resources must be responsive to the demand for services in the area of allocation and they must be aimed at service delivery

Poor management and lack of accountability remain a concerning issues in the healthcare which is compounded by human resource constraints which lead to poor policy and budget decisions and increased workload.

Eastern Cape Department of Health clinical personnel

Category	Employ '17	March	Appointments 17/18	Terminations 17/18	Employ '18	March
Medical officers	1 806		853	681	1 978	
Medical specialists	178		54	49	183	
Dentists	153		42	27	168	
Dieticians and Nutritionist	106		26	23	112	
Professional nurses	10 435		1 449	1 221	10 663	
Nursing assistance	5 125		622	252	5 495	
Enrolled nurses	3 081		334	158	3 257	
TOTAL	20 884		3 380	2 411	21 856	

In March 2017, department had in its employ an amount of 20 884 clinical personnel. Between April 2017-February 2018, the department appointed 3 380 clinical personnel and terminated 2 411. By March 2018, the department had an amount of 21 856 clinical personnel. There is a high turnover and low retention rate of clinical personnel. Even though the department seems to be employing more people in March 2018, perhaps to make up for the shortfall of losing more employees than its hiring, the clinician per 10 000 population is disturbing as it shows how little employees are available in the various fields.

Honourable speaker, human resources, with emphasis on the planning for, training, staff retention and scope of practice staff, is a recognised need for improving the health sector. While there is a pressure to allocate the right quantity and category of staff to achieve the maximum quality, efficiency and equity, due to the population patterns, burden of disease, scope of practice and clinical practices, there needs to be a valuation of the proper allocation of staff at intervals by the department of health.

South Africa faces the challenge of inadequate numbers and poor distribution of health workers and this affects the rural provinces in the country the most. In ensuring access to healthcare services in the Eastern Cape, committed and qualified staff-including doctors, nurses, pharmacists, pharmacy assistance, community health workers, lay counsellors, peer educators, security guards, porters and cleaners are essential. The Eastern Cape is experiencing a shortage in doctors and nurses and there with

not enough open position to fill them-the freezing of allocations to posts needs to be uplifted so posts can be filled.

Honourable speaker, the National Department of Health reported that by May 2018, there were 46.3 thousand funded posts available in the Eastern Cape and of those 46.3 thousand, 39.3 thousand are filled which leaves a gap of 7 thousand posts unfilled, 15% of the workforce in healthcare. These shortages in turn, lead to longer waiting hours, doctors working for fewer hours, overworked staff, low morals and higher risks of death, factors that infringe access to healthcare services.

In 2018, Treasury redirected R546 million from the NHI indirect grant, R 350 million of which would be used to hire specialist and other healthcare professionals. During the 2018 National medium-term budget policy statement, the MEC for finance reported that there would be 2 200 critical medical posts that would be created, and which would expand in the provinces.

The MEC neglected to outline what is defined as critical posts, which areas would be targeted to get those posts and on what basis those areas will be chosen making it difficult to determine whether areas in the Eastern Cape will receive any “critical staff”. The provincial department of health needs to urgently survey which areas in healthcare required more workers and a request must be sent to the national department to consider these areas when deciding where the critical medical posts should be filled.

In December 2018, the Minister of Health Aaron Motsoaledi announced that there would be a drive to recruit 5300 personnel which would be hired by provincial departments but failed to indicate where the funding would come for to finance the drive and to fill these posts. The Minister assured the population that the positions would become available from January 2019, this is promising in light of provincial hospitals like Grey Hospital experiencing a shortage of doctors and mental health facilities in the Eastern Cape lacking permanent psychiatrists. This opportunity must be spearheaded by the provincial department of health to ensure that there is a call to have posts such as these filled.

Honourable speaker, community health workers seem to be slipping between the cracks of a crumbling health system. Community health workers are responsible for disease prevention, health promotion and linkage to care. They are the link which brings the community towards healthcare services and vice versa. However, there is a shortage of community health workers in the Eastern Cape which affects the province’s ability to efficiently respond to communicable and non-communicable diseases.

Community Health workers in the Eastern Cape

District	Total CHW's required by 1:600 ratio	Actual CHW's in post (DHIS 2016)	Additional CHW's who should be in post in 2018	% of additional CHW's needed in 2018
Alfred Nzo	1 444	411	1 033	71.55%
Amathole	1 620	426	1 194	73.71%
Buffalo city	1 427	198	1 259	86.41%
Chris Hani	1 365	499	866	63.44%
Joe Gqabi	619	311	308	49.74%
Nelson Mandela	2 164	364	1 800	83.18%
OR Thambo	2 487	816	1 671	67.19%
Sarah Baartman	871	343	528	60.63%
Eastern Cape	12 027	3 368	8 659	72.00%

The training and retention of community health workers must be a planning and budgetary consideration. Community health workers often have to work under constrained conditions in the hospitals where they are stationed, have to walk long distances to bring healthcare to poor communities, work under unsafe conditions due to high crime in the areas where they work and do not have the correct uniforms when seeing patients with communicable or non-communicable diseases.

More and better trained staff, ambulances and equipment is needed to tackle the problem with emergency and patient transport in the Eastern cape. An amount of R 72,6 million was adjusted from the emergency medical services-programme in the 2017/18 financial year, through the use of virements to fund medico-legal claims settlements incurred by various clinical service programmes. This diminished the total allocation to emergency medical services, an area's that is already burdened with not enough ambulances and staff.

Demographic Nursing Organisation of South Africa (hereinafter referred to as DENOSA) nurses across the Eastern Cape have given testimony attesting to patients that could have been saved had the emergency and patient transport reached patients in time, if there had been enough staff and if the correct equipment was available. These testimonies cannot be taken lightly, the provincial department of health must consider working alongside this organisation in finding ways to address the shortages of emergency medical staff, equipment, shortages of ambulances and ambulance response times to get a clearly picture of what is happening on the ground.

Honourable speaker, the Constitution of South Africa states that no one may be denied emergency medical treatment. According to Health department guidelines, there should be 1 ambulance every 10 000 and yet in the Eastern Cape and many other provinces in South Africa, the ideal number does not equate with the actual number of ambulances that are on the road, responding to emergencies and saving lives.

During the 2017/18 financial year, the Eastern Cape Department of Health reported that the Emergency Medical Services programme had spent R 1 million, 99.9% of its budget for emergency transportation but failed to reach their target to respond to emergencies under 40 minutes in rural areas, the areas that need them the most. The department confirmed that it failed to reach its target due to insufficient numbers of rostered ambulances to manage the programmes case load.

Honourable speaker, it is imperative that when the department plans and budgets for emergency medical services, it has taken into consideration factors such as population migration, the number of children born, costs of posts, the standard for emergency medical service ambulances outlined in the 2017 Emergency medical service regulation to ensure that the ambulances and staff are suitable and adequate to provide the emergency medical services needed by the province.

Emergency Medical Services (EMS)

Provinces	Number of EMS Ambulances in operation	Number of EMS Ambulances not in operation
EC	299	149
GP	328	398
FS	137	54
KZN	501	72
LP	233	140
MP	86	67
NC	92	97
NW	61	*
WC	254	*

Information sourced from Bhekisisa published on the 11 December 2018 online <https://bhekisisa.org/article/2018-12-11-00-how-many-ambulances-does-south-africa-have-ems-crisis>

* No data provided

Honourable speaker, the quality of any policy depends on how well it is able to be implemented. How well it can be implemented must be tested against whether its transparent, whether its efficient, whether it's suitable and whether the society for the benefit of which its implemented, have bought into the policy.

The National Health Insurance Bill, which seeks to ensure that quality healthcare is accessible to all South Africans regardless of their socio-economic status and their ability to pay.

In December 2018, the National Health Insurance (NHI) Bill was rejected by Cabinet for submission to parliament and sent back to the Department of Health to be reworked. The National Government has reiterated its commitment to implement the NHI Bill but failed to outline how the NHI will be financed and without indicating the course of action which will be taken by the Department of health to deal with the controversial issue raised concerning the Bill- in particular, the issues of transparency and efficiency, suitability.

While we wait for a way forward regarding the NHI Bill, it is incumbent on the provincial department of health to understand the far-reaching proposed changes that the Bill will have to the role of the provincial departments and create platforms to disseminate information surrounding the NHI Bill and what it will mean to the citizens in the province.

The National Government rightfully outlined that Universal health coverage under the NHI cannot be realised without addressing the crisis in health as it stands- corruption, poor financial management of

resources, human resource planning, training, budgeting, maintenance and upgrading of equipment and infrastructure must all be addressed.

Honourable speaker, the provincial department of health must in itself take all necessary measures to sufficiently plan to efficiently deal with the areas of crisis outlined by the Government in its planning, resource allocation, expenditure and performance management and oversight in the coming financial year so that when the NHI Bill becomes Law, it is the most vulnerable that will benefit from it.

Honourable speaker, corruption and mismanagement scourge South Africa and the Eastern Cape like a plague. It is due to lack of proper management and administration that the Eastern Cape Departments of Health and Public works have had judgement handed down against them in the amount of R 80 million in damages and legal fees for work that was not done for the Frere Hospital upgrade. This judgement is a lesson on the extent at which mismanagement could impact on service delivery.

Honourable speaker, the importance of investigations into corruption like the Zondo Commission on State Capture and the Special Investigation Unit (SIU) tasked with investigating corruption allegations against the office of the State Attorney, also dealing with medical malpractice scams, cannot be overemphasised and must be encouraged to bring about accountability.

We must acknowledge – and promote the fundamental role that civic actors have played in unravelling corrupt networks.

Environmental Governance

In my State of the Province Address last year I lamented the fact that environmental governance had received scant attention in past Addresses, despite its centrality to the wellbeing of all citizens of the Province. Likewise, I acknowledged both the obligations which accrue to the State by virtue of everyone's Constitutional right to have the environment protected by way of legislative measures, and the Provincial Government's responsibilities in implementing such measures. I also conceded that our failure to afford environmental governance its due profile in previous Addresses went hand-in-hand with the Province's lead environmental agency, viz. the Department of Economic Development, Environmental Affairs and Tourism, having a budgetary dispensation which is insufficient for it to fulfil its legal mandate. Finally, against this backdrop, I pledged to expedite the formulation of a visionary Eastern Cape Government response to the assault being relentlessly inflicted upon our Province's environment.

Regrettably, in as much as that commitment remains undiluted, recent occurrences have highlighted the reality that without a fundamental shift in the outlook of the State as a whole in relation to the crucial matter of the environment, the notion of a visionary Eastern Cape Government action plan is no more than a pipe dream. This is in view of the environment being a functional area of concurrent national and provincial legislative competence, and the inter-relatedness between service delivery performances by national and provincial organs of State which results from this arrangement.

The occurrences I refer to entail several instances during 2018 where it fell to our Courts to provide direction to national government departments in environmental matters, with my concern being the disregard for due process and stakeholder entitlements these interventions exposed, along with, and this is especially worrisome, a perilously poor grasp of the concept of sustainability in as much as it pertains to the exploitation of renewable natural resources.

Standing out in a trio of notable judgments was the High Court's setting aside of the total allowable catch of the West Coast Rock Lobster, as announced by the Department of Agriculture, Forestry and Fisheries, on the basis that it could not sustain the long-term survival of either the lobster resource or the fishers that depend on it. The sad fact of the matter is that the announced allowable catch was more than double the quantum recommended by the Department's own scientists with a view to stock recovery, in circumstances where the total mass of the resource is estimated to be just 1,9% of what it was in its pristine, pre-fished state.

An indiscretion of this scale is obviously a damning indictment of the State's environmental governance disposition, which needs to be drastically reconfigured. Small wonder that in reaction to the court case, a researcher from an Eastern Cape non-government organisation was driven to impress upon the Honourable State President that *at this time in history the sustenance of renewable resources demands unprecedented boldness and sagacity on the part of our national leadership*, and to prevail on him to *exemplify these values* in instilling direction to his functionaries.¹

On the other hand, the High Court also had cause in 2018 to overturn permission granted by the Mineral Resources and Environmental Affairs Ministers for a large, 15-year coal mine to be built inside the Mabola Protected Environment in Mpumalanga. The Protected Environment, which falls within a strategic water source area, was proclaimed in 2014 following extensive research and planning by a number of government agencies. The Court set aside the permission on the basis that the Ministers' respective decisions were not taken in a manner which was open, transparent and promoted public participation. As such, the decisions were deemed to be procedurally unfair.

Last but not least, and pertaining more directly to our Province, the High Court ruled last year that the free, prior and informed consent of the Xolobeni community is required in order for the Minister of Mineral Resources to grant a mining right in respect of its land.

In line with these judgments, I am compelled to modify the pledge I made in my 2018 Address, to the effect that overarching my expediting of a visionary provincial approach to environmental governance, I intend to use all influence at my disposal to promote the generation of an equivalent, progressive approach within South Africa *per se*.

My intention is as it is because when one alludes to the state of the environment in our Province, as I did in referring to the assault it is enduring, this is synonymous with alluding to the state of environmental governance. And since environmental governance is not in a god state in the Province, and cannot be meaningfully addressed without its state in the country as a whole simultaneously being tackled, it is incumbent on me to do both in the forthcoming financial year. I call on all citizens of the Province, regardless of affiliation or circumstance, to support my endeavours – nature renders us a collective behind the imperative to maintain the integrity of our environment.

Finally, Madam Speaker – I acknowledge that accountable governance should be upheld by the highest office of in the Eastern Cape. Section 133 of the Constitution obliges us to maintain high levels of accountability.

¹ <http://psam.org.za/wp-content/uploads/2018/11/WCRL.PSAM-letter-to-State-President.0918.pdf>

With that, Madam Speaker, I table the 2019 this address with mixed feelings about our achievements in the Eastern Cape.

I am unable to end this address with a poetic ending as President Ramaphosa did with the National Address.

I will, however, reiterate my challenge to the leadership of our province to execute our duties with integrity, with excellence and in a manner that is accountable and transparent as we conclude one term and enter another.

-Ndiyabulela



Above: a view from an Eastern Cape estuary

THE PUBLIC SERVICE ACCOUNTABILITY MONITOR (PSAM)

The PSAM was founded in 1999 as a research project in the Rhodes University Department of Sociology. Its initial aim was to monitor incidents of corruption within the Eastern Cape government. From 2005, recognising the systemic nature of poor governance and corruption in the province, the PSAM began a concerted advocacy effort to systematically strengthen public resource management by key Eastern Cape government departments.

In 2007, PSAM introduced a training and academic component. The training component has developed to be what is known as the Regional Learning Programme and the academic component has changed to become what is known as the Advocacy Impact Programme. The various activities and interventions by PSAM over the years have emphasised the ongoing need for greater and improved accountability interventions by civil society organisations across the region. Through our work we seek to achieve improved networking and advocacy to leverage impact and enhanced learning so that achievements are shared, evaluated and used to bolster social accountability interventions in sub-Saharan Africa.

psam.org.za

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