



ANNUAL REPORT 2020|21

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



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of Cultural, Religious and Linguistic Communities

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Part A: GENERAL INFORMATION

THE COMMISSION'S GENERAL INFORMATION

Full name of the Commission	: Commission for the Promotion and Protection of the rights of Cultural, Religious and Linguistic Communities
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Facebook address	: Like us at CRL rights Commission
Twitter handle	: Follow us @Crl_commission

The Letter to **THE SPEAKER**

Honourable Nosiviwe Mapisa-Nqakula
Speaker of the National Assembly
Parliament of the Republic of South Africa
PO Box 15
CAPE TOWN
8000

Dear Honourable Speaker

TABLING OF THE ANNUAL REPORT OF THE COMMISSION FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CULTURAL, RELIGIOUS AND LINGUISTIC COMMUNITIES FOR THE YEAR ENDED 31 MARCH 2021

It gives me great pleasure to present to you the 2020/2021 Annual Report of the Commission for the Promotion and Protection of the rights of cultural, religious and linguistic communities (the CRL Rights Commission) in terms of section 181 (5) of the Constitution of the Republic of South Africa, Act 108 of 1996. This Annual Report covers the activities and the performance of the Commission's functions for the period 1 April 2020 to 31 March 2021.

In accordance with the above provision, I hereby table the CRL Rights Commission's Annual Report 2020/2021 to give account of how the Commission fared in implementing its constitutional mandate in the year under review,

I would also appreciate it if this report could be referred to the National Assembly's Standing Committee on Cooperative Governance and Traditional Affairs (CoGTA) for formal parliamentary scrutiny.

Your sincerely



Prof Luka David Mosoma

Chairperson

CRL Rights Commission

Date 30 July 2021

List of **ABBREVIATIONS**

CRLRC	:	Cultural, Religious and Linguistic (Rights Commission)
AGSA	:	Auditor General of South Africa
CC	:	Community Council
CMIL	:	Communication, Marketing, IT and Linkages
MRM	:	Moral Regeneration Movement
PEE	:	Public Engagement and Education
LSCR	:	Legal Services and Conflict Resolution
RPD	:	Research and Policy Development
ARC	:	Audit and Risk Committee
PFMA	:	Public Finance Management Act
ATM	:	African Traditional Medicine
ATR	:	African Traditional Religion
SALGA	:	South African Local Government Association
WHO	:	World Health Organisation
PanSALB	:	Pan South African Language Board
SABS	:	South African Bureau of Standards
DPME	:	Department of Planning, Monitoring and Evaluation

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Foreword by **THE CHAIRPERSON**

Prof Luka David Mosoma

In the year under review the Commission has had reports of a myriad violations of religious rights of communities, which have come to light in a number of investigative hearings which were held, ranging from the abuse of women and children, financial abuses, vasectomies performed on male pastors, alleged abortions and outright criminal acts in which congregants were taken hostage in a church, resulting in the loss of people's lives.

The COVID-19 pandemic had a large role in reducing the pace and rhythm of the Commission's work. Thanks to the expeditious adaptation and the use of the 4th Industrial revolution tools of the trade, such as MS Teams and Zoom platforms which have significantly accelerated the performance of the departments and oversight work of the Commission. However, the ability of the Commission to reach rural communities was hampered, and/or limited by a lack of internet connectivity including the fact that we do not have provincial and municipal offices.

Further, the COVID-19 pandemic prompted the Commission, after rigorous committee meeting discussions, to issue a media statement appealing for collaboration between the Western trained scientists and the African Traditional Health practitioners in search for a cure because of the potential efficacy of traditional and natural healing for a variety of physical and emotional ailments. To foster the collaboration, the Commission called for the establishment of the South African Institute of Integrated African Herbal Medicine, of which the Traditional Health Practitioners are a significant part.

In 2020/2021 Financial Year, the Commission asked hard questions regarding the role of culture, religion and language - especially with regards to addressing inequality and racism. What became clearer was that the promotion and protection of the cultural, religious and linguistic rights of communities would require, in addition, that we address the moral decadence which has characterised much of our lives together, including socio-economic and educational preconditions of discontent which give rise to or are the drivers of unemployment and poverty in our country, if we are to succeed in "building a truly united South African nation bound by a common loyalty to our country and our people".



It is the contention of the Commission that culture, religion and language are inextricably bound together. For this reason, it is at the level of culture where production, consumption and distribution take place, which is contrary to the popular belief that culture is simply artefacts, tradition and attire, culture is at the core of economic, technological and educational advancement of any nation. This is the challenge which the Commission would like to pursue if we are to create an ubuntu cultural economy (human centred economy) with the South African characteristic of one's humanity taking precedence over poverty and inequality. This makes the promotion and protection of the rights of the CRL communities morally and constitutionally justifiable.

The Commission has addressed several community conflicts in line with its mandate in order to engender the values of peace, friendship, humanity, tolerance and unity in diversity amongst and within the cultural, religious and linguistic communities.



Prof Luka David Mosoma

CHAIRPERSON

CRL RIGHTS COMMISSION

30 July 2021

Statement by the **DEPUTY CHAIRPERSON**

Dr Sylvia Mamohapi Pheto

It affords me an absolute pleasure and honour to serve the South African citizenry, in my capacity as Deputy Chairperson of the Commission. This has provided a lifetime opportunity to understand the challenges that the country is facing in as far as culture, religion and linguistic communities are concerned. The commission has the important role of bringing together South African communities to confront disunity and intolerance collectively and creatively, as they observe and come up with constructive solutions to the challenges we face as a country.

Twenty-seven years into democracy, South Africa has drifted away from its values enshrined in the Constitution, of “Promotion of respect for, and the protection of the rights of cultural, religious and linguistic communities” and these go together with promotion of equality and unity in our diversity. This Commission and other Constitutional institutions supporting democracy are tasked with the important role of ensuring that a truly united South African nation exists and is enjoyed by all the people.

However, due to a limping economy, increased rate of rising population, unemployment and many other social issues, poverty has created new cultures within our communities. Many find themselves oppressed and suffering in their own cultural, religious, and linguistic communities. Violation of cultural, religious, and linguistic rights have created communities of people who have lost their dignity and had their manhood and womanhood taken away from them, by those who are entrusted to protect them.

The reality of the Covid-19 pandemic demonstrated that cultural and religious activities are integral parts of our everyday stories, especially since traditions, beliefs and institutions play important roles in our lives. It is therefore evident that Cultural, Religious and Linguistic communities are important parts of the society that need to be protected and promoted. Indeed, the pandemic interfered with aspects of religious life, congregations, religious rites, pastoral care, charitable work etc. The traditional and cultural practices and norms are also affected. With the assistance of cooperative stakeholders, the Ministry of Cooperative Governance and Traditional Affairs was able to formulate regulations for these communities. On the other hand, the leaders of these communities also demonstrated creativity and generosity to adapt to their circumstances, finding ways to practice faith, and observe their culture even under exacting restrictions.



The pandemic presented barriers to caring for the sick and performing certain religious and traditional death and burial rites. The Religious, Cultural and Linguistic communities continued to observe “a new normal” after their loved ones had suffered lonely deaths that deprived them of their mourning rites.

The Commission had successfully facilitated resolutions of friction between religious leaders, where the rights of religious communities were affected. There were instances where religious leaders had sought the intervention of the Commission and through its effective committees the commission had assisted congregations through the processes of conflict resolution and mediation to regain peace and tolerance among and within religious and traditional communities.

Countrywide, the majority of individual houses of worship, churches, mosques, temples and other places of worship responded positively to the President’s call to adhere to the Covid-19 pandemic regulations.

Covid-19 demonstrated to us the value of freedom – freedom of religion, belief and opinion, and freedom of movement. We have started to respect and appreciate the freedom to be with our loved ones, to live in dignity and security. The religious insight that “all people are created in the image of God” called us to recognise that everyone on earth is worthy of our respect and care. It was during the pandemic that the Commission felt its essential service status. There was a need for new narratives and reformed cultural and religious communities.

In spite endeavours to promote and protect cultural, religious, and linguistic rights of communities, resource constraints impede our pace to achieving our broad mandate. The uncertain political environment also presents risks for attaining cultural, religious and linguistics rights in our societies. Most importantly, we hope to inspire a process of thinking about actions we can take to foster peace, friendship, tolerance, humanity, social cohesion, and national unity among cultural, religious, and linguistic communities.

We therefore make a call to all stakeholders in the Cultural, Religious and Linguistic Communities, and the public to support the work of the commission in pursuit of its mandate. As a Commission we have declared our unwavering commitment to the promotion and protection of the rights of the Cultural, Religious and Linguistic community.



Dr Sylvia Mamohapi Pheto

DEPUTY CHAIRPERSON

CRL RIGHTS COMMISSION

31 July 2021

Overview by the **CHIEF EXECUTIVE OFFICER**

Mr Tsimangadzo Edward Mafadza

The Commission for the Promotion and Protection of the Rights of cultural, religious and linguistic Communities (CRL Rights Commission) is delighted to share its annual report for the financial year 2020/2021. At the beginning of the financial year under review there was much uncertainty in terms of whether the Commission would manage to achieve its targets or not. This was due to the challenges brought by the Covid-19 pandemic which had every institution and the nation battling to find a footing. The financial year started with the lockdown announced by the President as South Africa was preparing for the challenges of Covid-19. The Commission had to find alternative means on how its programmes could be carried over under the circumstances. I am glad to announce that the Commission quickly found its footing despite a very poor IT infrastructure which has been ailing for some time.



1. Commission's management of Covid-19 challenges

The first thing the Commission did to deal with the challenges related to the Covid-19 pandemic, was to ensure that we establish a Covid-19 management task team, which had the task of assisting the organization in terms of complying with the prescribed regulations pronounced by government. I must applaud management for handling this task swiftly and with much professionalism. Sanitizing stations were established within the Commission's premises and a temporary wellness person was employed to assist management in checking employees' temperatures when they enter the work premises, but also to ensure that the established wellness room was always prepared to deal with emergencies related to Covid-19 pandemic challenges that could befall the employees and visitors to the CRL Rights Commission.

Secondly, the Commission had to procure computers for Commissioners and other employees in order to assist them to continue to provide oversight to the work of the Commission while working from home. This then meant that plenary meetings had to also be held virtually as travelling was prohibited at times, although not throughout the year, as levels would change from time to time under the guidance of the National Command Council, the Presidency, the department of health and the department of Cooperative Governance and traditional affairs. In order to function effectively, the CRL Rights Commission was advised by the IT experts to prioritize IT upgrades and we are grateful that we managed to secure these services through State Information Technology Agency (SITA), as per the national prescripts that gives direction in terms of how such services are to be procured. Although this process took longer than we expected, eventually SITA managed to assist the Commission.

Thirdly, the Commission had to procure personal protective equipment and also secured the services of fumigating the offices which was done twice in the second quarter of the year under review. It was through these disruptions that the work got a bit slow than it was usually expected.

Lastly, it is in this financial year, that the Commission initiated a process of engaging with communities through Zoom meetings to ensure that the programme's work of promoting and protecting the cultural, religious and linguistic rights of communities continues.

2. Collaboration with other Stakeholders

The Commission also collaborated with other government departments in providing inputs during the crafting of regulations relating to the management of human remains. In addition, inputs were also made when regulations for religious gatherings were being processed. Several engagements with the department of Traditional Affairs on issues related to religion raised by different stakeholders and other collaborative efforts with the National House of Traditional Leaders on the management of initiation schools during the pandemic were held. One can only conclude that the joint efforts were worthwhile and helpful in providing direction to affected communities on challenges and concerns raised related to how the Covid-19 pandemic was affecting their lives.

3. General Performance Review of the CRL Rights Commission

In the year under review, the CRL Rights Commission programmes, in execution of their different activities to communities, were driven by the need to create an environment for cultural, religious and linguistic communities to co-exist and participate in the development of peace, friendship, humanity, tolerance and national unity based on equality, non - discrimination and free association. These programmes were guided by good corporate governance, sound financial management and administrative support in line with legislation, the desire to strengthen conflict resolution and legislative reviews in order to promote and protect cultural, religious and linguistic rights of communities. It was also critical for programmes to continue creating effective structured and informed communities on cultural, religious and linguistic rights matters. Intensification of the commission's communication, marketing and knowledge management systems and ensuring that evidence-based research reports are produced with recommendations to influence policy development.

In the year under review, the Commission still helped communities with cases that they lodged with the institutions. Some of the cases included amongst others: denied right to access graves in a particular church, destruction of graves, denied access to graves in private property areas and governance related complaints in various religious institutions. The Commission also mediated cases related to religious intolerance. In addition, several engagements, seminars and awareness campaigns were conducted. The engagements focused on cultural, religious and linguistic communities with specific reference to discussions on practical ways of promoting African languages, inequitable treatment of languages in the justice system and in higher education. An engagement on catalytic roles and challenges faced by women in religion as well as dialogues on the promotion of community languages. Some research work conducted included amongst others, promotion and protection of the Rights of African Traditional Religion in South Africa, Promotion of the use of African Traditional medicine during the Covid-19 pandemic and the impact of Covid-19 on religious communities in South Africa. Although, we worked so hard in the 2020/21 financial year, there are two programmes that did not fully achieve their targets and the details on the deviations are in the report. However, some of the targets were carried over to the current financial year to mitigate for the loss of time experienced in the year under review.

4. Cultivating Organizational Efficiency

The CRL Rights Commission received a clean audit in the year under review. This achievement adds to the efforts that the Commission worked on in 2016 when we marked our first clean audit in the history of the Commission. Management, staff and Commissioners are encouraged when they realize that their efforts within the Commission are yielding positive audit outcomes. The Commission tried by all means to implement the findings that auditors made in previous financial years. We had to put systems in place, improve internal controls and put emphasis on compliance while not compromising the main task of the Commission, that of educating our communities on their cultural, religious and linguistic rights, resolving and mediating cases and conflicts lodged with the Commission. Though at times we intervene in some cases, due to our observations from the public space, and as part of our efforts towards restoring the diminished and diminishing heritages of our communities.

I am delighted to be part of the team that worked so hard together to ensure that the organization executed its mandate within the governance frameworks and required operational standards for Constitutional institutions as directed by prescripts issued by Treasury and departments tasked with such accountabilities. I take this opportunity to thank all staff members, management and Commissioners who worked tirelessly in order to achieve our mandate. Our internal auditors and audit committee members who both kept us busy throughout the year in making sure that we do our work within the set parameters. It is through these collaborative efforts that today we are able to count our second clean audit report since the establishment of the Commission. Although, the Commission in terms of internal controls is now at a desirable level, we still must work hard in order to maintain this great achievement.

It is our considered view that the Commission will continue paying attention to matters that still need improvement while at the same time fiercely guard against regressing on systems and internal controls that we have worked so hard to put in place. We also want to say thank you for the support of the department of Cooperative Governance and Traditional affairs for always being willing to assist the Commission whenever called upon. It is through these collaborative efforts that we can both better serve the communities we are tasked to assist, in line with our different mandates. Finally, I want to thank our stakeholders who are always willing to walk with us in spite of the difficult challenges of the Covid-19 pandemic that affects all of us in one way or the other. We can only wish everyone well and say 'this too shall pass'. We shall again serve our people in a much better environment as we used to, as the work remaining is still huge compared to that which we have achieved. Our communities are still waiting for our services and together we will build one rainbow Nation.



Mr Tshimangadzo Edward Mafadza

CHIEF EXECUTIVE OFFICER

CRL RIGHTS COMMISSION

31 July 2021

1. Strategic OVERVIEW

1.1 Vision

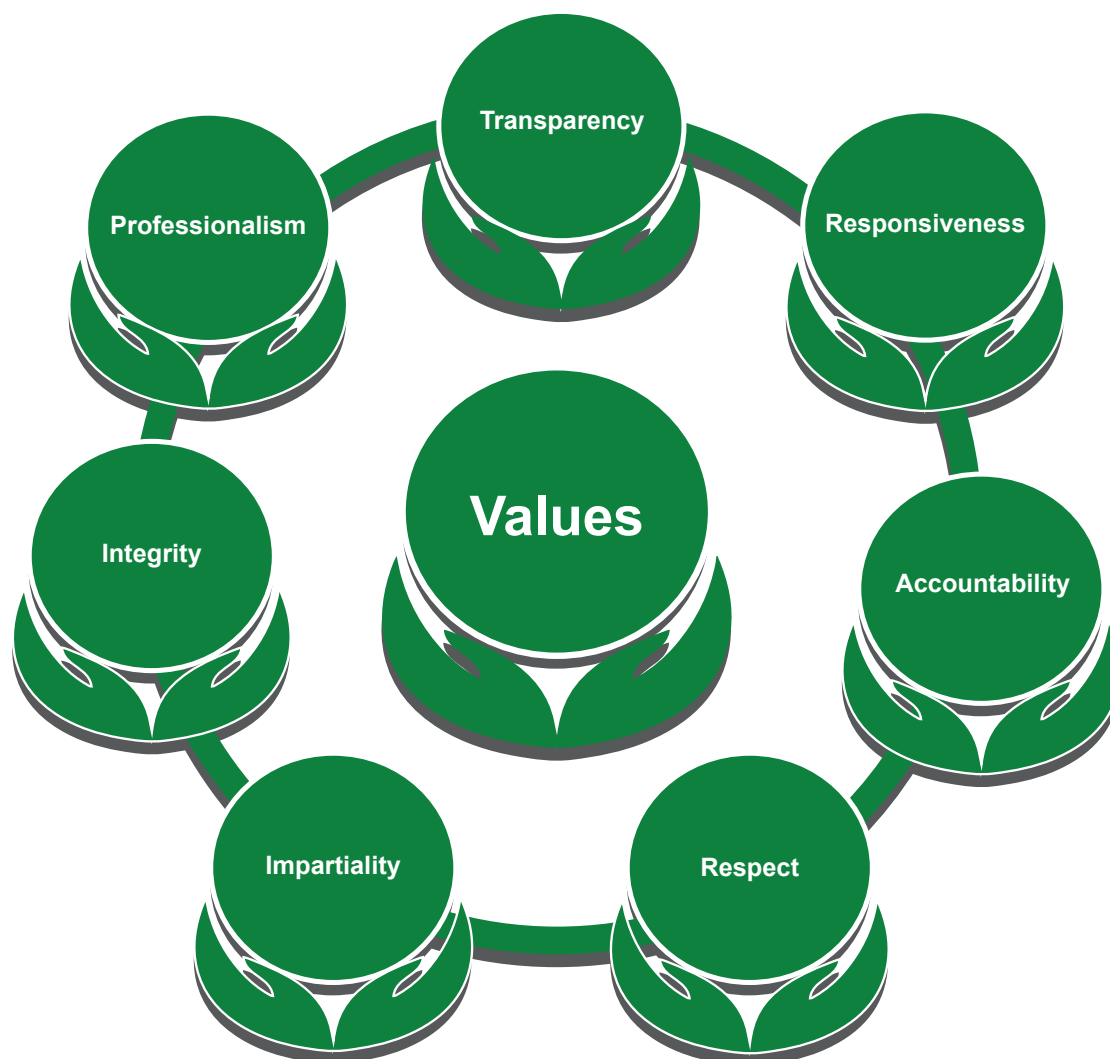
Mutual Respect amongst diverse cultural, religious and linguistic communities.

1.2 Mission

To foster the rights of cultural, religious and linguistic communities to be able to freely observe and practise their culture, religion and language.

1.3 Values

In order for the Commission to serve the cultural, religious and linguistic communities and the nation at large, the organisation is guided by the following values:



2. Legislative and **POLICY MANDATES**

2.1 Constitutional Mandate

The Commission for the Promotion and Protection of the rights of Cultural, Religious and Linguistic Communities (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 in order to protect and promote the rights of cultural, religious and linguistic communities. Its mandate is achievable through both a proactive and reactive approach.

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

- 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/s for community/ies in South Africa.

2.2 Other legislative and policy mandate

2.2.1 Legislative mandate

The powers and functions of the CRL Rights Commission are defined in section 5 (1) of the CRL Rights Act, these include among others the following:

- Conduct information and education programmes to promote public understanding of the objectives, 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 nation building in South Africa;
- 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 the appropriate authority or organ of state, and where appropriate, make recommendations to such authority or organ of state in dealing with such a matter.

2.2.2 Policy mandate

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

2.2.2.1 National Development Plan (NDP)

In terms of the CRL Rights Commission mandate the following areas are highlighted which seek to address one of the seven priority areas of government, namely priority number 5: Social Cohesion and Safe Communities which seeks to:

- 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 diverse multiple identities.

2.2.2.2 National Heritage and Cultural Tourism Strategy

Section 1 of the National Heritage and Cultural Tourism Strategy of March 2012 provides;

- The guiding Principles and values of sustainable tourism, sustainable development, social cohesion, public participation and public private partnership.
- The acknowledgement of the affected community rights to be consulted and to participate in the management of their cultural, religious and language heritage.

2.2.2.3 Cultural Charter for Africa

Article 1 of the Cultural Charter for Africa aims to:

- Liberate the African peoples from socio-cultural conditions which impede their development in order to recreate and maintain the sense and will for progress, the sense and will for development;
- Rehabilitate, restore, preserve and promote African cultural heritage;
- Assert the dignity of the African and of the popular foundations of African culture;

- Combat and eliminate all forms of alienation and cultural suppression and oppression everywhere in Africa, especially in countries still under colonial and racist domination including apartheid;
- Encourage cultural co-operation among the States with a view to the strengthening of African unity;
- Encourage international cultural co-operation for a better understanding among peoples within which Africa will make its original and appropriate contribution to human culture;
- Promote in each country popular knowledge of science and technology; a necessary condition for the control of nature;and
- Development of all dynamic values in the African cultural heritage and rejection of any element which is an impediment to progress

2.2.2.4 Regional and International conventions, convents and charters

The South African government has acceded to or ratified the following international conventions, covenants and charters (or protocols).

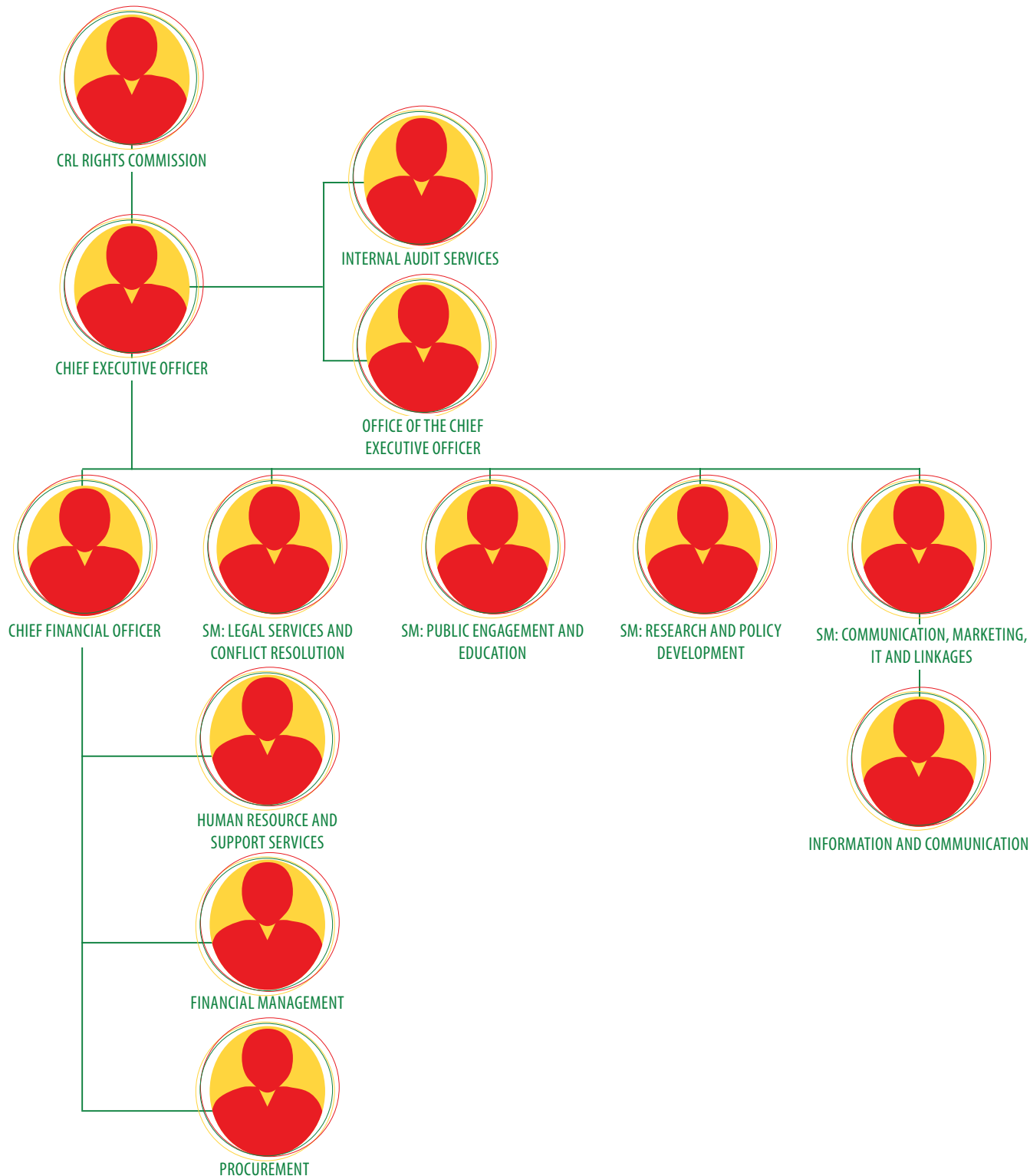
- Universal declaration of Human Rights
- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- African Charter of Human and Peoples Rights

Of relevance also, is the United Nations Sustainable Development Goals 16 that stresses to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

The CRL Rights Commission can play a significant role in monitoring and evaluating the implementation of such International Instruments by the South African government and the organs of state. This is in line with the power given by the CRL Rights Commission Act section 5 (1) (g) that states:

“Make recommendations to the appropriate organs of state regarding legislation that impacts, or may impact, on cultural, religious and linguistic rights of communities”

3. Organisational STRUCTURE



Part B:

PERFORMANCE INFORMATION

4. STATEMENT OF RESPONSIBILITY FOR THE PERFORMANCE INFORMATION

Statement of responsibility for performance information for the year that ended 31 March 2021

The Chief Executive Officer is responsible for the preparation of the institution's performance information and for the judgements made in this information.

The Chief Executive Officer is responsible for establishing and implementing a system of internal controls designed to provide reasonable assurance as to the integrity and reliability of performance information.

In my opinion, the performance information fairly reflects the performance of the institution for the financial year ended 31 March 2021.



Mr TE Mafadza

Chief Executive Officer

31 July 2021

4.1 OVERVIEW OF INSTITUTIONAL PERFORMANCE AND ORGANISATIONAL ENVIRONMENT

4.1.1 Institutional Service Delivery and Organisational Environment

Analysis of Covid -19's impact on operations in the year under review

The Commission, like many other organisations, had been impacted severely by the Coronavirus (Covid-19 pandemic) in terms of how it had to conduct its business. During the first months of the year under review, the Commission had to pause and figure out how the work or its operations had to be carried out. Management and members of the Commission had to be innovative and improvise new strategic interventions to ensure that health protocols are adhered to while not compromising the main purpose of its existence i.e., continuously ensuring that Cultural, religious and linguistic communities receive the expected services from the Commission. The first step for the Commission was to embrace the use of technology as one way of carrying out its services to the communities. As a result, management had to procure IT equipment such as computers to distribute to the members of the Commission, including staff who are in strategic positions to ensure the smooth running of the organization.

After the lockdown was lifted, the Commission immediately experienced a challenge when two staff members were affected by the pandemic. This was the first direct experience for the Commission and happened soon after the offices were opened. However, management were equal to the task as they had already established internal protocols on how to deal with such cases. As a precautionary measure, the Commission had to close its premises in line with national protocols to observe the waiting period while work was continuing from home for those who had access to the tools of trade. It is of critical importance to also point out that at this stage not all employees had been furnished with laptops for them to work remotely or from home as the procurement process took some time to secure said items due to unavailability of other role players such as service providers who took some time respond to our requests. As a result, those who had laptops had to carry the load of other employees to ensure that the work of the Commission continued under the circumstances.

Further to this, the Commission had to procure personal protective equipment and secure services for fumigating the offices which was done twice in the second quarter of the year under review. It was through these disruptions that the work proceeded slower than expected. This also affected programme operations to an extent that some targets were not fully achieved although efforts were made to recover the lost time. Programmes such as the Public Engagement and Education (PEE) and Legal Services and Conflict Resolution (LSCR) programmes that require physical contact with communities were the ones that were most affected. The first quarter got off to a slow start wherein the LSCR registered only 6 cases and the PEE could barely meet with communities until virtual means were improvised. The introduction of virtual engagements and accessibility to tools like particularly laptops, contributed effectively to the functioning of the two units as they managed to eventually start engaging communities to carry out their work.

Whilst the above was shaping up, the greatest challenge was faced by the communities that we serve. The struggle of access to computers and data bundles was a challenge to the broader communities to connect with the Commission when they were needed to add value to the work of the organization. The negative impact of this was that the number of expected participants to our meetings drastically reduced. Thus, reaching out to fewer communities as in many occasions, we only focused on representation of one or two members per identified community.

Review of the Strategic Plans and the Annual Performance Plans

In the first quarter of the year under review, the Commission had to submit its plans, that is; the Strategic Plan and the Annual Performance Plans 2020/2021 to the Department of Planning, Monitoring and Evaluation as was expected. This was the very first time that the Commission had

to engage with the DPME as the organization was never invited to their workshop which is still a mystery even today why the Commission was never invited to the workshops. This affected the Commission's work as we had to realign the strategic documents and Annual Performance plans in line with their inputs and thus delayed the focus of the Commission to be placed on the initially planned work. It is noteworthy though, that despite the challenges raised from above, the department acceded to the request from the Commission to workshop management on critical information missed due to correspondence or invitations of such trainings not reaching the organization. The submission of the plans to the department was to ensure that the Commission complies with processes as articulated in the department's documents for proper reporting. The feedback on our documents from the department prompted the CRL Rights Commission to thoroughly relook areas of concern in line with the inputs received. Although this was not an easy journey, the Commission managed to live up to expectations in terms of managing the requirements explained by the department in relations to strategic and annual plans.

4.1.2 IMPACT STATEMENTS AND PROGRAMME OUTCOMES

Organisational Programmes, impact statement and outcomes



FIGURES 1: Organisational Impact and Programme Outcomes

4.1.3 Progress towards the achievement of Institutional Impacts and Outcomes

Table 1: Achievement of Institutional Impacts and Outcomes

Impact Statement	Enabled environment for cultural, religious and linguistic communities to co-exist and participate in the development, peace, friendship, humanity, tolerance, national unity on the basis of equality, non discrimination and free association			
MTSF Priorities	Social cohesion and safe communities Better Africa and the world A capable, ethical and developmental state			
Outcomes	Outcome Indicators	Baseline	Five year target	Progress
Outcome 1 Good corporate governance, sound financial management and administrative support in line with legislation	Maintenance of unqualified audit opinion and improved oversight	Unqualified audit opinion for 2019/20	Unqualified audit opinion for each year until 2024/25	Clean audit in the 1st year
	Reduction of wasteful, fruitless and irregular expenditure to zero	No irregular expenditure	Zero fruitless, Irregular and wasteful expenditure	In progress
Outcome 2 Strengthened conflict resolution and legislative reviews to promote and protect cultural, religious and linguistic rights of communities	Percentage of complaints resolved within the approved turnaround timeframes	New	80% of complaints handled annually.	33% (which is reported performance for 2020/21 financial period).
	Percentage and number of legislative reviews conducted	New	100% of reviewed Bills before Parliament. Number of municipal by-laws reviewed	0% 15 Metropolitan By-laws
Outcome 3 Effective, structured and informed communities on cultural, religious and linguistic rights matters	Number of engagements and educational programmes conducted and community councils structured and recognised on CRL rights for the promotion of objectives of the Commission	New	250 engagements and educational programmes conducted with cultural religious and linguistic communities	44 engagements and educational campaigns conducted with cultural, religious and linguistic communities
Outcome 4 Research recommendations to inform evidence-based policies and sustained resuscitation of diminishing and diminished community heritages	Number of research reports with recommendations to organs of state that seeks to influence legislation and policy position	4 research reports produced per annum	20 research reports with recommendations produced.	5 research reports with recommendations were produced
Outcome 5 Intensified communication, marketing and knowledge management systems	Number of reports on Communications, Marketing and Knowledge Management systems produced and implementation of approved ICT Governance framework	4 reports on communications, marketing and knowledge management systems	20 reports on communications, marketing and knowledge management systems	4 reports on communication and marketing and knowledge management systems

5. PERFORMANCE INFORMATION BASED ON PROGRAMME OUTCOMES

5.1. Summary of programmes is illustrated in the below narratives:

For the Commission to deliver on its constitutional mandate, the Commission is divided into five programmes as listed below:

- a) Programme 1: **Administration:**
- b) Programme 2: **Legal Services and Conflict Resolution**
- c) Programme 3: **Public Engagement and Education**
- d) Programme 4: **Research and Policy Development**
- e) Programme 5: **Communication, Marketing, IT and Linkages**

Programme 1: Administration

This programme is divided into three sub programmes which are listed below as follows:

Executive Office

The Office is responsible for oversight in terms of guiding the implementation of the Commission's mandate. It is responsible for monitoring compliance with ratified international instruments, charters and reports on progress and impact made. In addition, the office also ensures that the administrative arm of the Commission carries out its duties effectively and efficiently. It monitors and provides oversight to the work of the organization through the Commission's Section 22 Committees. It further evaluates and approves recommendations to other Organs of State in order to influence legislation and policy direction in line with the CRL Rights Commission's mandate.

Office of the Chief Executive Officer

The Office is responsible for the Governance of the Commission and provides support to all programmes of the Commission. It provides strategic leadership, management and coordination between the Secretariat, Commissioners and other structures of the Commission. It is responsible for planning, monitoring and evaluation as well as reporting.

It is responsible for addressing audit related matters including, audit committee meetings, preparations for audit on an annual basis as well as managing internal audit work. In addition, the office is responsible for preparing and drafting internal audit terms of reference. Its main function is also to ensure adequate internal controls and governance processes are in place.

Finance and Support Services

This subprogram ensures recruitment; hiring and maintaining qualified skilled personnel and provides training and development and ensures wellness management systems are in place. It is responsible for Financial Services, risk Management and the provision of effective and efficient financial and supply chain management. It is further responsible for resource mobilisation and fundraising to give support to the work of other programmes within the Commission.

Programme 2: Legal Services and Conflict Resolution

The Unit is established to investigate and provide legal services on any matters concerning the rights of cultural, religious and linguistic communities and accelerate facilitation of resolution of friction between and within cultural, religious and linguistic communities. It receives and deals with requests related to CRL communities' complaints. It reviews legal frameworks and makes recommendations to Parliament and other organs of state regarding any legislation that impacts on the rights of cultural, religious and linguistic communities. The unit further monitors compliance with ratified international conventions and charters and reports on progress and impact.

In terms of Sec 5(1)(g) this programme is responsible for conflict resolution between and among cultural, religious and linguistic communities or between any such community and an organ of state where there is violation of cultural, religious or linguistic rights of a community; this programme also prepares recommendations to be brought to the attention of the relevant authority or organ of state in dealing with cultural, religious or linguistic rights of communities. It also provides legal advice and opinions to the Commission and the public on cultural, religious and linguistic rights.

The programme also review Bills and legislation that impacts on the rights of CRL communities, comments on Bills before Parliament; reviews and prepares recommendations on legislation that impacts on the cultural, religious and linguistic rights of communities as guided by complaints received.

Programme 3: Public Engagement and Education (PEE) Unit

The programme is entrusted with the responsibility to develop information and educational programmes that facilitate public understanding of the objectives of the Commission and promote respect for and protection of CRL communities. It also assists in the development of strategies that facilitate full and active participation of CRL communities in building the South African nation. This programme also raises awareness among the youth on diversified CRL communities and their rights and works to establish and strengthen the Community councils to enhance the visibility of the CRL Rights Commission. It is responsible for the recognition of community councils which serve as a vehicle for the commission to carry its mandate to local communities.

The Public Engagement and Education Programme is also responsible for the development of learning materials to be used in dialogues, workshops, seminars and campaigns. These materials assist the unit when educating communities on the promotion and protection of Cultural, Religious and Linguistic rights. In addition, the unit also manages related public programmes and education programmes, to foster public understanding of matters pertaining to the protection and promotion of cultural, religious and linguistic rights.

Programme 4: Research and Policy Development

The programme is responsible for developing research strategies that guide the monitoring, investigation and research of any issue concerning the rights of cultural, religious and linguistic communities. In addition, it establishes and maintains a database of cultural, religious and linguistic research institutions and experts on CRL matters. The unit further generates evidence to support the promotion, rediscovery, restoration and development of historically diminished heritage.

It is responsible for the development of a clear research agenda and to suggest critical topics on CRL rights issues. It also conducts research with the aim of empowering communities to restore their lost heritage. The unit facilitates participative engagements with relevant focus groups and collaboration with Institutions of Higher Learning (IHL), other research institutions and relevant organisation.

Programme 5: Communication, Marketing, IT and Linkages

The purpose of the programme is to Communicate a shared CRL Vision through effective Communication, Marketing, Linkages and IT functions to enhance knowledge management. Lobby, advise and report on any issues concerning the rights of cultural, religious and linguistic communities. To maximise the use of social media for the marketing and promotion of CRL rights and to continue to manage media relations.

The Unit is responsible for branding the Commission to help improve the visibility and image of the institution in and outside South Africa. There should be consistency across all online and

offline marketing materials. This includes website, social platforms, direct marketing campaigns, advertising campaigns, business cards, PowerPoint presentations etc. Further to this, the unit aims at developing state of the art Information and Communication technologies infrastructure to enable better communication and knowledge management. It is also responsible for the implementation of 4th Industrial revolution related technologies relevant to the work of the Commission. Information and Communication technology changes at an alarming rate. There is therefore a need to continuously build capacities for the Commission to remain relevant in the implementation of its mandate.

The unit is to collate and package gathered knowledge on cultural, religious and linguistic issues from within and outside the Commission. Knowledge products could include success stories, factsheets, blogs, research outcomes, reports and other documents that would be important to attract an audience and stimulate interest in CRL rights related matters.

The unit also focuses on building relationships with journalists to get press coverage and guest posts, and forge other strategic partnership with other institutions and influencers for a collective voice and maximisation of reach on cultural, religious and linguistic issues.

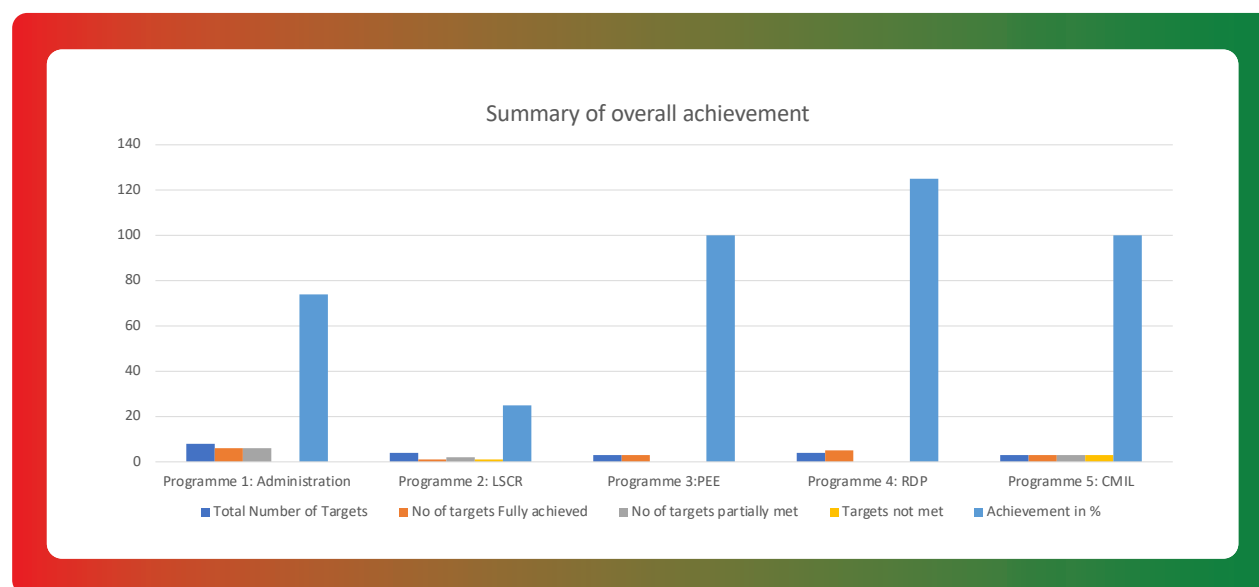
6. INSTITUTIONAL PERFORMANCE BY PROGRAMME

This portion of the report gives details of the performance achievement against the organisational planned targets for the 2020/2021 financial year. The Commission has recorded overall achievement of 81.81%. The summary of organisational achievement is shown in the table and the chart below.

Table 2: Summary of overall achieved targets

Programme	Total number of targets	No. of targets fully achieved	No. of targets partially met	No. of targets not met	Achievement in percentages
Programme 1: Administration	8	6	2	0	75%
Programme 2: Legal Services and Conflict Resolution	4	1	2	1	25%
Programme 3: Public Engagement and Education	3	3	0	0	100%
Programme 4: Research and Policy Development	4	5	0	0	125%
Programme 5: Communication. Marketing, IT and Linkages	3	3	0	0	100%
Totals	22	18	4	1	81.81%

Graph 1: Summary of overall achievement



6.1 Programme 1: Administration

Office of the Chief Executive Officer

The Office of the Chief Executive Officer continued to provide leadership and steered the ship to bring about the desired stable organisation and to guide the organisation to effectively deliver on its planned targets. This Office guided the organisation in the preparation of the strategic and annual performance plans to ensure that they are both implemented successfully. The Sub programme often engaged with the Department of Planning Monitoring and Evaluation to align the plans of the Commission to the guiding prescripts. The Plans were evaluated and assessed by the department of monitoring and evaluation. This assessment necessitated the Commission re- tabling its strategic and annual performance plan to Parliament.

The Office carried out all its obligations directed by approved documents within the organization as well as those that impact on the work of the Commission from national departments.

Finance and Support Services

Overview

During the 2020/21 financial year the Support Services Unit managed to achieve most of its objectives. The main objective not completed during the financial year, relates to the redesign of the organizational structure and staff development plan. Achievements and challenges will be discussed in more detail in the following paragraphs.

Achievements

Financial Finance

The Unit made improvements to the quality of financial statements issued on a quarterly basis. These improvements also improved the quality of the annual financial statements. The Finance Unit continues to strive for perfection and is optimistic that a clean audit has been achieved for the year under review.

Human Resource Management

2 employees resigned during 2020/21 financial period. One temporary staff member was appointed to ensure compliance with Covid-19 protocols.

The CRL Rights Commission is grateful to report that 2 instances of Covid-19 at the workplace was reported and both experienced no major complications. We thank staff for being vigilant in following protocols and in doing so contributing to the safety of the office environment.

Procurement

The commission continued to monitor compliance of suppliers through reliance on the Central Supplier Database of National Treasury.

Four tenders have been started that are expected to be finalised early in the 2021/2022 financial year. As part of ongoing quality improvement processes, members of all the bid committees attended training in respect of tender procedure in the government environment.

Due to the challenges in respect of Covid-19, the unit made interventions to fumigate the offices on two occasions. Personal Protective Equipment was sourced for staff members and IT equipment was procured to enable the implementation of the work-from-home policy.

Cash Management

Management of the cash flow at the CRL Rights Commission is at a high standard, as the CRL Rights Commission managed to pay all suppliers and staff on time. The CRL Rights Commission also successfully manages the delivery of services to remain within the scope of the allocated funds for the prolonged period from its inception in 2004.

Due to the challenges experienced with Covid-19, alternative means had to be deployed to achieve the objectives of the CRL Rights Commission that resulted in a saving of R4 390 mill during the year under review. These funds will be utilized to fund one-off projects during the 2021/2022 financial year. The details of the proposed projects are currently being finalised.

Challenges

Some delays were experienced in respect of the drafting of quarterly financial statements and the processing of tenders. The impact of Covid-19 on the operations of the CRL Rights Commission was mitigated during the last half of the reporting period. Management is paying close attention to these matters and have implemented strict work plans to ensure the implementation of its operational plans.

Table 3: Administration: Organisational Development and Support Services performance

Programme 1: Administration: Organisational Development and Support Services								
Outcome	Output	Output Indicator	Audited Actual Performance 2018/2019	Audited Actual Performance 2019/2020	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned target to actual achievement	Reasons for deviations
Good corporate governance, sound financial management and administrative support in line with legislation	Reports and minutes for increased oversight, reporting and evaluation and coordination	Number of Plenary and oversight Committee meetings held per annum	5 plenary and 4 section 22 meetings conducted	4 Plenary and 4 Oversight Committee meetings per annum	4 Plenary and 4 oversight Committee meetings held per annum	4 Plenary and 4 oversight Committee meetings held per annum	Target met	No deviation
		Number of quarterly performance reports reviewed per annum	4 approved business reports consolidated and compiled	4 quarterly reports were reviewed by the CEO within 30 days after the start of the new quarter	4 reviewed quarterly performance reports per annum	4 reviewed quarterly performance reports per annum	Target met	No deviation
		Number of quarterly financial statements reviewed per annum	4 sets of quarterly financial statements produced	Unqualified audit reports on Financial Statements.	with '4 quarterly financial statement reviewed per annum'	4 quarterly financial statements reviewed per annum	Target met	No deviation
		Number of quarterly internal audit reports per annum	New target	4 quarterly internal audit reports reviewed by the Audit Committee per annum	4 quarterly internal audit reports per annum	4 quarterly internal audit reports per annum	Target met	No deviation
		Percentage of approved performance agreements aligned to the strategy and the structure annually	New target	31 performance agreements submitted on time.	100% approved annual performance agreements aligned to the strategy and the structure annually	100% approved annual performance agreements aligned to the strategy and the structure annually	Target met	No deviation

Outcome	Output	Output Indicator	Audited Actual Performance 2018/2019	Audited Actual Performance 2019/2020	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned target to actual achievement	Reasons for deviations
		Percentage of workplace skills development plan implemented per annum	Implemented training and education programme as per personal growth plans per annum	37.1% of workplace skills development plan has been implemented	100% of Workplace skills development plan implemented per annum	45 % of Workplace skills development plan implemented per annum	Target partially met	Due to Covid – 19 pandemic and lockdown, training service providers were unable to carry out the required services virtually and as a result, turnaround time for the planned target was prolonged
		Percentage of queries on internal and external audit findings resolved annually	100% of audit queries resolved and findings register updated	External and Internal audit findings register has been updated and all audit findings resolved	100% of all queries on internal and external audit findings resolved annually	85.33 % of all queries on internal and external audit findings resolved annually	Target partially met	Remaining queries are under investigation and report will be updated as soon as the matters are concluded.
		Number of reports on implemented risk management strategy per annum	1 risk workshop conducted per annum	Risk Management Workshop conducted, and risk register updated annually	4 reports on implemented risk management strategies per annum	4 reports on implemented risk management strategies per annum	Target met	No deviation

Report on Institutional Response to COVID-19 Pandemic

Table 4: Institutional Response to COVID-19 Pandemic

Budget Programme	Intervention	Geographic location	Number of beneficiaries	Disaggregation of beneficiaries	Total allocated budget per intervention	Budget spent per intervention	Contribution to the outputs in the APP (where applicable)	Immediate Outcome
1 Finance and Support Services	Fumigation and Deep Cleaning of CRL Rights Commission Offices: Head Office	Head Office	35	Staff, Commissioners and walk-in communities	Funding was made available as needed from under expenditure areas	R54 593.50	NA	Safe environments
2 Finance and Support Services	Procurement of Personal Protective Equipment	Head Office	48	Staff, Commissioners and walk-in communities	Funding was made available as needed from under expenditure areas	R232 768.22	N/A	Safe environments

6.2 Programme 2: Legal Services and Conflict Resolution

Objective: Conflict resolution

The Unit received 73 cases, 23 on culture, 47 on religion and 3 on language. Although the functions of the Commission in furthering its mandate were hugely impacted by the Covid-19 lockdown regulations as per the Disaster Management Act, the unit still managed to handle 50% of these cases and 16% of the cases carried over from the previous year.

Culture

The cases on culture involved, amongst others, the drafting of a final settlement agreement by the Commission regarding access to graves located in the church of the Holy Ghost in Hammersdale, Durban.

Another case of access to graves was handled in Thohoyandou Tshifudi, where access to graves was denied by the owner of the property, who fenced the graves. The Unit made recommendations to the parties to unfence and re-fence the graves in a manner that will allow access to the graves by all family members.

The unit further met with the MEC of Arts and Culture in Eastern Cape regarding the recommendations made by the Commission in respect of the destruction of graves in Dukathole Aliwal North.

The other cases involved discrimination of the dead in Limpopo by a traditional leader (Ietona/ntona) due to the circumstances under which they pass on. Those that have committed suicide were buried in a separate graveyard under a supposed cultural belief that they will suffocate others if buried in the same graveyard. The unit conducted an investigation and made recommendations to Moshate wa Mapela.

Another case was that of violation of cultural rights at boulders Mall where a victim was chased out of the mall for wearing his isiNdebele traditional attire. The unit investigated the matter and made recommendations. The unit also conducted inspections in loco in respect of destruction of graves.

Religion

The cases on religion were mostly about governance issues in churches and abuse of congregants by church leaders. The unit conducted hearings to solicit facts from the victims. The Unit further conducted a successful mediation on a case concerning religious intolerance between two different religious communities.

Language

The unit handled a complaint regarding the discrimination of isiNdebele language by the South African Broadcasting Cooperation.

Objective: Legislative Review

The Unit reviewed 15 Metropolitan Municipality by-laws on fireworks and cemeteries which impacted on cultural and religious rights of communities and produced reports thereof. The unit also checked, on a regular basis, the parliamentary website for reviews of Bills that impact on the cultural, religious and linguistic rights of the communities.

Objective: Legal Opinions and drafts

The Unit produced approximately 34 legal opinions, advisories and drafts. These included, amongst others, notice to abide, and explanatory affidavit in SA Darma Sabha vs Joseph,

The unit assisted with drafting of notice of immediate termination of agreement and service of PWC.

The unit drafted a working from home policy in respect of the Disaster Management Act lockdown regulations on Covid-19.

The unit further analysed and prepared a response to the complaint letter to Parliament, about CRL Commission, from the Rivers of Living Waters Ministries. The unit analysed and summarized court papers from the Rivers of Living Waters Ministries.

The unit also advised on the Memorandum of Understanding between the CRL Commission and NIHSS.

The unit Advised on the guidelines in respect of Disaster Management on mass burial.

Table 6: Programme 2: Legal Services and Conflict Resolution Performance

Programme 2: Legal Services and Conflict Resolution								
Outcome	Output	Output Indicator	Audited Actual Performance 2018/2019	Audited Actual Performance 2019/2020	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned target to actual achievement	Reasons for deviations
Strengthened conflict resolution and legislative reviews to promote and protect cultural, religious and linguistic rights of communities	Register of complaints/requests handled.	Percentage of complaints/requests handled per annum	100% of complaints and disputes received processed in line with Complaints Handling Manual	32% of Cases were processed in line with Complaints Handling Manual	80% of complaints (new and carried over) handled annually	33 % of complaints handled annually. 50% of complaints received in the year under review and 16% of complaints carried over from 2019/20 financial year were handled.	Target partially met	New and carried over complaints needed deeper and further investigations and mediation which could not be fully accomplished due to Covid-19 pandemic and lockdown.
	Register of legal advice and opinions to the Commission and to the public on cultural, religious and linguistic rights	Percentage of Legal opinions and/or drafts in responses to all requests per annum	100% response to all requests	100% response to all requests: 36 Legal opinions and/or drafts have been produced.	100% response to all legal advice/opinion requests annually	100% response to all legal advice/opinion requests annually	Target met	No deviation
	Report on reviewed Bills before Parliament and report on reviewed legislation that impacts cultural, religious and linguistic rights of communities as guided by received complaints	Number of reviewed Bills before Parliament and on reviewed legislation that impacts cultural, religious and linguistic rights of communities as guided by received complaints per annum	New target	One report on Bills before Parliament: • Recognition of Customary Marriages Bill; • Comments on Issue Paper on Single Marriage Statute; • Hearings on the use of languages	Review 100% of Bills before Parliament that impacts on the mandate of the CRL Rights Commission annually	0% of Bills before Parliament that impacts on the CRL Rights Commission reviewed annually	Target not met	Management went into the Parliament website and found that there were no Bills that impacts on the cultural, religious and linguistic rights of communities
				New target	16 Reviewed municipal metropolitan By-Laws: 8 on fireworks and 8 on cemeteries that impact cultural, religious and linguistic rights of communities per annum	15 Municipal metropolitan By-Laws: 7 on fireworks and 8 on cemeteries that impact cultural, religious and linguistic rights of communities have been reviewed per annum	Target partially met	One metropolitan municipality (Buffalo Municipality) did not have By-laws on fireworks

6.3 Programme 3: Public Engagement and Education (PEE)

In the year under review the Public Engagement and Education unit strived to develop information and educational programmes that facilitate public understanding of the objectives of the Commission and promote respect for and protection of CRL communities. It also assisted in the development of strategies that facilitate full and active participation of CRL communities in nation building in South Africa. The unit engaged with young people to promote awareness among the youth of the diversity of CRL communities and their rights; the unit established strengthen the Community councils to enhance the visibility of the CRL Rights Commission for an improved promotion and protection of rights for cultural, religious and linguistic communities.

The Unit's outcome is effective, structured and informed communities on cultural, religious and linguistic rights matters and in order to achieve this outcome the following strategies were put in place:

- Public engagement and education programme development
- Structured and supported community councils
- Community and youth engagement

In order to achieve the above strategies, the Commission planned and conducted 24 engagements with communities on cultural, religious and linguistics rights of communities per annum, this included the dialogues, seminars and workshops in which the experts were called to share with participants, communities and the Commission on the issues that are pertinent in the promotion and protection of cultural religious and linguistic rights. The Commission further conducted 20 outreach programmes which included roadshows and awareness campaigns in certain parts of the country when it was possible to travel, when the lockdown regulations could allow members of the Commission and the officials to travel.

Some of the dialogues and seminars that stood out during this year under review were the following:

A webinar on the role of law in nation building conducted during Mandela Month.

The Seminar was conducted in collaboration with the Moral Regeneration Movement (MRM) sought look into the former and late Statesman and President, Nelson Mandela's ideal of what he envisaged to create and build when he deemed fit to engage in a peaceful, negotiated settlement rather than an armed struggle to build the South Africa of his dreams. In one of his many speeches, he said something very striking: "as I walked out of the door toward the gate that would lead to my freedom, I knew if I did not leave my bitterness and hatred behind, I would still be in prison." This speaks volumes of how much the man was prepared to extend the olive branch to people who kept him in chains almost half of his productive life for the sake of building the nation. This statement is the springboard of what the dialogues sought to achieve and to look into the laws and policies currently put in place as to whether they are helping to bring the dream nation into being. Is that dream nation growing closer together or is it growing apart? Experts were called to answer this question

The seminar's objectives were as follows:

- a) To celebrate Madiba's legacy and continue his call for unity and nation building
- b) To view law as a tool towards Nation Building and ensuring that people have access to justice.
- c) To define, interrogate and clearly state elements required for Nation Building.
- d) To look at how culture religion and language can contribute towards unification of the population and create a national identity

e) Revisiting the values and norms that make up a truly cohesive society

The seminar had several topics/subthemes that panelists were confined to, and they are listed below as follows: **The legacy of Madiba as a champion of law and justice.** This topic was addressed by Advocate Thembeke Nqckukaitobi. In his presentation, Advocate Nqckukaitobi made three points that highlighted President Mandela's attitude to the rule of law. He indicated that the former president during the launch of the Constitutional Court made a very powerful speech in which he conceded political ground to the judiciary and subjected the political authority which had no ground to subject the legal system in order to create a system of checks and balances. In a nutshell he made 3 points in this respect, that is; Mandela was committed to the rule of law as a way of governing society and he was committed to a transformative rule of law. Lastly, he pointed out that President Mandela's ideas were not to tolerate racism and classism but to uproot it in society. The next subtheme; **is Social Cohesion possible in the context of economic exclusion** which was addressed by Professor Tinyiko Maluleke. In his presentation Professor Maluleke was frank in sharing with the Commission and participants that he is not entirely comfortable with the notion of social cohesion. He indicated that the concept is not only deeply problematic but that it has been overtaken by events in more ways than one. He indicated we should perhaps start by problematising the very notion of social cohesion because this notion is premised on a book on social cohesion edited by Christopher Ballantine and Michael Chapman, Kira Erwin and Gerhard Marais. The basic argument in the book is to show how elusive social cohesion as a notion has been in the country. The first reason for this is that we have different understandings of what social cohesion is all about, as a people. The second reason is that social cohesion has got many dimensions. Prof Maluleke indicated that in terms of the topic that he has been given, the suggestion seems to be that economic inclusion is an important consideration for social cohesion and that is a fact. Economic inclusion is very important for social cohesion, but it is not the only consideration for social cohesion to take place. For example, he indicated that economic inclusion is also problematic because of the deep inequality that exists in South Africa. He pointed that for as long as some knowledge is more superior than others, we should not be talking about social cohesion but rather about social coercion.

The subtheme: **the role of positive values in reconstructing the National Ethos** was addressed by Dr Larry Kaufman. Dr Kaufmann who indicated that the moral wisdom of the past shared by Madiba, Sisulu and others has been a boon to humankind and that the values enshrined in the constitution are a gift to humanity and we should embrace and share the gift. Ethics is about values and for the social beings that we are, they are about shared values. What else is our constitution but a gathering together of a vast array of ideals and values, hopes and dreams of all the people of this country.

The last subtheme: **the importance of culture, religion and linguistics as building blocks for the Nation** was addressed by Professor Alex Asakitiki. In his presentation Prof Alex emphasised the importance of culture, religion and language and said that we need to mobilise these three elements for national growth and development. He indicated that it is important to define cultures not only in terms of food, dress and dancing and showed that culture goes beyond this because it's a total way of life. He demonstrated that those are tangible aspects of culture but that there are immaterial and intangible aspects of culture which have to do with our ideas, our values and morals. He showed that the three concepts are so important in the development of an individual and by extension the society within which they function, that they cannot be separated. He gave an example of various nations such as Germany who are known for the discipline in all aspects of life and the Japanese who are known for the culture of respect and how that respect permeates every aspect of their lives, and Singapore is known for the culture of knowledge - of education and schooling. The cardinal question is: does South Africa have a national culture? He indicated

that this national culture should be separated from indigenous knowledge culture where there is no society that does not have the culture because it is within cultural frameworks that the society is sustained. What type of national culture does the South African society portray as a nation? He indicated that he has researched on this particular topic and the result is that there are cohesive, positive cultural values that stands out to be part of a national culture of the South African nation. Prof Asakitikpi agreed with Prof Larry who indicated that we as a nation must begin to work on what are good values for our society and in doing so a national culture can be created. The ideals of such a culture are defined within the values as enshrined in the constitution.

Prof Asakitikpi pointed out that there is a lot of tension that still needs to be diffused and then there could be true reconciliation and forgiveness. We can begin to inculcate that in ourselves and in our children, so once therefore it becomes an important characteristic, but it is not only Ubuntu. African culture and specifically South African culture is expressive, it is cooperative, it is transformative; so it is not static. It is a culture that we can tap into because it is transformative, and it is also accommodative. In the 21st century with the interconnectedness of nations, of citizens all over the world, we can borrow not only from within but also from without to create a society that is truly rainbow in character.

He showed that when we begin to harness the positives, we then need government to design programmes that are ethnocentric in nature so that we take ownership of those values that define us as a nation. It is not to say that there are no negative cultural practices. We can identify those negative cultural practices that may hinder growth and development and submerge them and eradicate them and then use those that are positive to work for the development of a society. But how do we do this? He indicated that it can be done by establishing structures and institutions and that one of the easiest ways of doing this is to establish a department of family and social relations. It needs to be emphasised that as a primary agent of socialisation, the family as the fabric that holds a society together is gradually disintegrating in the South Africa and the department of family and social relations will be entrusted with that primary responsibility to rebuild the family as a social institution where values are inculcated in the young ones and will help them grow up to be functional members of society.

A second point that will become so very important therefore is, with the establishment of the department of family and social relations there will also be an intersectoral coordination of social institutions such as religious organisations that play important roles in society as the second agent of socialisation: the schools, cultural groups, non-governmental organisations. All these will cooperate to enrich our national values and as a result develop the society.

A third point is the engagement with social influencers including musicians, actors and authors who will play a major role in positive social transformation. Once we begin to identify the interconnectedness of these social groups, these social organisations and individuals, everyone will as a part of this process, take ownership of the project and domesticate it so that it becomes long lasting rather.

A seminar on practical ways of promoting African Languages to equitable levels with others

Various language experts from universities were invited to share views and papers under various subtopics such as presentation on the African Official Languages, Community Languages, Khoi and San languages and the lessons that can be learnt from the Afrikaans language. The presentations were required to address certain questions to which the answers would form the objectives of this conversation regarding practical ways of promoting African languages to be on equal footing with other languages. The questions posed in the presentation were as follows:

- What are the practical ways in which we can elevate African languages to reach the same

level of equity and parity as other languages?

- What stands in the way of ensuring equal treatment of African languages?
- What can be done to ensure that some African languages spoken in a particular Province are designated and used as official languages in that province?
- What could be done to ensure that African languages are used as languages of trade, communication, commerce, education and in our justice systems etc. be it nationally, provincially or locally?

Presentations were made by various scholars and professionals. Dr Zakeera Dockrat spoke on Use of African Official Languages in the justice system and in higher education. He indicated that there is a challenge regarding the use of African languages in the justice system's use of Afrikaans and English languages. He indicated that at some point an Afrikaans speaking person was given an opportunity to be prosecuted in Afrikaans even though a decision was made that the Official language in court is English. He was given an opportunity so that he could understand what was said in courts. What was surprising was that, when an African man's turn came to be prosecuted and he wanted an opportunity to be prosecuted in an African language the request was declined. This showed inequality of languages within the system. He indicated that the justice system is full of African languages speaking individuals which would make it very easy to conduct business in African language, but the political will is still lacking. He pointed out that higher education should prepare law graduates to be linguistically competent to deal with issues of languages when they start to practise.

Dr Adri Breed shared the Afrikaans experiences and indicated that the language takes its roots from multicultural and multilingual heritage of the Khoi and other African Languages. It is also made up of Portuguese. What made the language grow was the political will and the financial backing at the time. In her presentation Dr Breed indicated that for language to thrive it must compete in digital spaces.

The following were the recommendations that came out of the seminar:

1. To have a declaratory order: an order by which a dispute over the existence of a legal right or obligation is resolved. Therefore, the courts need to determine and establish the parameters of the African languages' rights and provisions. To get rid of the level of ambiguity in the form of discretionary words and phrases detracting from the implementation. In the case of an existing right or obligation, the declaratory order would be brought to seek clarification (meaning) from the court.
2. To have purposive interpretation: we can emulate the Canadian model as Africans and in South Africa particularly as they have bilingual judgements and fully sworn translation which doesn't exclude interpreters and ensures that court proceedings are in the accused's mother tongue.
3. Language audit is equally important. Heads of courts, the department of justice and other relevant stakeholders/organisations who are formulating language policies need to be informed by accurate statistics. This means looking at how many people speak the language and are we giving meaning to those people's language rights and access to services. It should be mandatory and important to assess the linguistic competencies of judicial officers and public prosecutors.
4. The country needs to have meaningful engagements and open discussions and be doing something meaningful. Such discussions need to guide policies and planning

processes. PanSALB is playing a very important and active role currently, however, there is still room for more work. Other organs of state such as the magistrate's commission, judicial service commission, black lawyers association are all coming out in support of the use of African languages in the courts.

5. There needs to be support for Forensic linguists as expert witnesses in South African courts and linguistic training.
6. There needs to be Linguistic justice for African language speakers. To elevate these languages through practical methods.
7. It has been identified that a language receives more status compared to others when it's characterised by the following: when it's used by the presiding parliament, used by courts, the education system, and when used for and in business and the media. Therefore, these stakeholders play an equally important role in elevating the status of language.
8. Stakeholders and language users need to invest in community work.
9. There needs to be content development for storybook writing/writers for the South African audience, rather than just taking what belongs or was developed by Namibians, context plays an important role.
10. There needs to be school curriculum content that is relatable to South Africa.
11. The spirit of African renaissance in a linguistics sphere where people can proudly reflect and identify with the Khoi & San language and identity, needs to be revived.
12. A change of policy to forge a new history/future for SA for language learning and indigenous languages.
13. Bootstrapping and recycling (of existing technologies and resources).
14. Collaboration with relevant stakeholders.
15. Language and product awareness (involvement by the language community).
16. Shared funding and infrastructure opportunities.

A Seminar on Celebration of African Traditional Medicine

The Chairperson of the Commission, Prof Luka David Mosoma, in his opening and introductory remarks during the seminar outlined what he intends the purpose of the seminar to be and indicated that the celebration of ATM is an important World Health Organisation (WHO) day, which the CRL Rights Commission was supposed to have celebrated on the 31st of August 2020 but due to other commitments could not do so on the day. However he thought it prudent and agreed with the members of the Commission to have a belated virtual ATM celebration day after the fact, to emphasise its importance.

He indicated that the purpose of the seminar is to explore the following questions and concerns with a view of providing concrete and implementable recommendations and resultant challenges:

- To identify possible evidence of collaboration between Western Medicine and Traditional Medicine practitioners.
- To acknowledge and place a spotlight on values and contributions of ATM on human health which has served this purpose for centuries. The call to collaboration for the Western Medicine and ATM was made by the World Health Organisation (WHO) in line with the 2012 – 2023 strategy in which it sought to implore and encourage the member states to harness the potential contribution of Traditional Medicine to health, wellness and people-centred health care.

- How far has the Department of Health gone to assist in bringing Traditional Medicine out from the periphery and the margins to the mainstream of Western Medicine and what can be done to achieve this?
- Is there any existing regulatory framework and standardisation of policies to ensure safe, appropriate and efficacious use of Traditional Medicine?
- What progress has been made by the World Health Organisation on the implementation of the use of African Traditional Medicine since the adoption of its 2013 – 2023 strategy on African Traditional Medicine?
- What lessons can be drawn from countries such as China, India and other African countries who may have been pioneers in this regard and could give practical effect of the role of the CRL Rights Commission as a strategic partner in the establishment of the South African national institute for Traditional Medicine in line with the media statement the Commission released on the 17th May 2020 in which a call was made for the establishment of this institute.

The presentation and papers were prepared by the officials from the Department of Health, World Health Organisation, Researchers and Traditional Health Practitioners. 2. Dr Joseph Mwangi, Medical Officer responsible for Non Communicable diseases, from the World Health Organisation, when he was requested to share with the Commission what can be done to explore the ATM to its full potential and to expose it to its international markets, indicated that the WHO has been at the forefront of embracing traditional medicine, collating information about TM practices worldwide and providing guidelines in advancing the recognition, acceptance and integration of TM into health systems by member countries.

Dr Mwangi further indicated that the WHO defines traditional medicine as the total of the knowledge, skills, and practices based on the theories, beliefs, and experiences indigenous to different cultures, whether explicable or not, used in the maintenance of health as well as in the prevention, diagnosis, improvement or treatment of physical and mental illness

In responding to the issue of exploitation and exposition of the ATM to international markets Dr Mwangi stated that the WHO has developed a Model legal framework for the practice of TM, a model Traditional Health Practitioners Bill, Model codes of ethics and practice for traditional health practitioners as well as modules for training THPs on TM and PHC which have been field tested in 10 countries in the region. He moreover indicated that the WHO developed a framework on collaboration between traditional and conventional health practitioners and a guide on the contribution of TM for COVID-19 response and also developed a Master Protocol for multi-country phase III clinical trials of COVID-19 organics and a Regional Expert Advisory Committee on Traditional Medicine for COVID-19.

Ms Amanda Qcabashe the former Director at the South Bureau of Standards (SABS) and the Chairperson of the African Organisation for Standardisation talked about the regulations and standards of Traditional Medicine (TMs) at the African continental level. In her presentation she made internal comparisons and used Korea as reference to make her point. In this case she indicated and defined Korean medicine as any medical treatment services. These are medicines as traditionally handed down from a nation's ancestors, scientifically applied and developed Korean medicine services and Korean medicine pharmaceutical affairs.

She indicated that Korea has a twin strategy for the development of Korean Traditional medicine. The strategies are aimed at improving the offering of the local market and of the meeting of international requirements for natural herbal products. For strategy one, offering the local market improved and quality products, the country works on the following:

- Improving training of practitioners
- Quality control for manufacturers
- Improving access to the TM products

In strategy 2, which talks of meeting the international requirements for the natural herbal products, the country aims to research and develop products to suite the international markets.

Ms Qcabashe indicated that the Korean Government means business when it comes to the development of TMs as the government has a national plan to develop the TMs. The government has put aside a budget of over 918 million US dollars over a period of 5 years to invest in Korean Traditional Medicine.

A Seminar on catalytic roles and challenges faced by women in religion

The Commission conducted a seminar on this topic amongst others to appreciate South African women and to listen to the challenges encountered by females within the cultural, religious and linguistic sector. The Commission invited women leaders across the republic from the Hindu, Baha'i Faith, African Traditional Religion, Islam, Judaism, Mainstream Christianity, Women in Society and Women from Cultural environment as part of the celebrations of women's month. The purpose of this seminar was to:

- a) Share the achievements and challenges encountered by women, in their different spaces and roles, in as far as cultural, religious and linguistic rights are concerned.
- b) Listen to how women view cultural, religious and linguistic rights in South Africa today.
- c) Find what other catalytic roles women still want to see accomplished in as far as cultural, religious and linguistic rights are concerned.
- d) Ask why it is important for women that their cultural, religious and linguistic rights should also be celebrated and enhance their being.
- e) Find what it is that the CRL Rights Commission can do to make the promotion and protection of cultural, religious and linguistic rights much better for women.

In the seminar Dr Ramokgopa was one of the panellists and in her presentation she indicated that the Nation should be looking at women in society and how improving the quality of life of women can be fast-tracked. She indicated that in celebrating women's month, the women are inspired by women like Mrs Charlotte Maxeke, who was very influential in religious and political spaces and instrumental in seeking justice and equality for women from rural settings to urban areas. She indicated that the strength showed by women like Mrs Maxeke continued to inspire women today. She said this indicates that it is important for women to know, and to be reminded, that they can take charge, they are more than capable of getting into positions of leadership and being influential and they are more than capable of being influential in leadership roles in cultural, linguistic and faith circles; in some instances, with the boost of further education and mentoring for efficient carrying out of duties.

She also commended men by indicating that men also get into the forefront of advocating for gender equality alongside women. In terms of female political leadership, the national parliament has a less than a quarter representation of women; however, the few that are there are creating space and change within that realm. More so, of the 190 countries which are part of the United Nations, only 12 heads of government are women (at a president or prime minister level). It is important to highlight that in Africa, the fight against colonialism, peace and freedom also included resistance from women under the leadership of the Pan African Women Organisation. It's also vital to take note that the first female heads of states were in Liberia (Ms. Ellen Johnson Sirleaf)

and Malawi (Ms Joyce Banda) and in South Africa, the struggle against the apartheid colonial political system also saw a lot of women fighting for freedom, e.g. History witnessed Ms. Maxeke mobilising many to attend the 1st meeting of the African National Congress which comprised of leaders from the religious sector, leaders from traditional leadership institutions as well as leaders who were professionals. It's important to indicate that the voices of women in advancing justice, human rights, development and quality of life has been critical in history although very little has been documented. It can be added that although the right to vote was fought for alongside men, the right to economic emancipation remains distant for many women.

The Charismatic Christian Churches were represented by Mrs Pearl Kupe and her presentation highlighted that there are serious challenges faced by women and the search for solutions. She touched on the cultural practice of Ukuthwala and asked cardinal questions about the impact of such practices on the lives of women in general. She indicated that such practices are finding their way into charismatic churches. Mrs Kupe indicated that she is against the narrative that the bible is patriarchal because Proverbs 31 is dedicated solely to the woman and portrays her as a capable woman who is entrepreneurial, who takes fields, can handle real estate, is able to be involved in community of work.

She further indicated that women are multidimensional and therefore, the proponents of the view that the bible relegate women to second class citizenry are misinformed. Examples of depictions of strong women in the bible are the likes of Deborah, Jael, Esther - these are women who left lasting impacts and legacies on their generation and in their time. Negative cultural and patriarchal things that are brought into the church result in the oppression of women within the church which aren't biblical; people have brought these cultural practices into the church. Therefore, these are issues which should be attended to and interrogated by the CRL through its mandate.

Commissioner Mndende represented African Traditional religion and in her presentation, she indicated that the religion was not fully liberated. She indicated that the constitution refers to freedom of religion and this was an opportunity to bring African religion back to its original state as this will subsequently bring the women to their original state as well. We also have an identified problem of the African customary law being recognized by the Roman, English and Dutch customary laws which doesn't make sense being guided by different faiths which bear no similarity to African customary laws. Therefore, the CRL Rights Commission needs to fulfill the mandate of freedom of religion by promoting and resuscitating the diminishing African religion and equipping women within the African religion and spirituality, before equality between religions can be spoken of or dynamism for all can be promoted.

Dialogue on the promotion of Community Languages: Case of Sepulana

The Commission conducted 3 seminars with Communities in Mpumalanga wherein a community that seeks to promote Sepulana as a community language was discovered. The Commission through the PEE unit had three dialogues with a community made up of writers who write books in Sepulana in Acornhoek, Graskop and Bushbuckridge. During this tour the Commission's engagements were graced by the presence of Kgoshi Sehlaré, Kgoshi Malele and Kgoshi Mokoena, the President of the Congress of Traditional Leadership of South Africa who are all Mapulana, leading the Mapulana nation.

It was during these dialogues that it was established that learners whose home language is Sepulana and are attending schools in which Sepedi is the language of learning and teaching, struggle to make it through in school. It could be proven that Sepulana is not Sepedi, as the language has its own orthography and its own culture.

It was during this time that a group of Sepulana writers (Mapulaneng Writers Association) was discovered and it was recommended that they be recognised as a community council, as envisaged in the CRL Act 19 of 2002.

The same group also registered a complaint in which they want the Commission to investigate and help them to have Sepulana as an official language as they claim the language has over 3 million active speakers.

Dialogue on Cultural Perspectives- Your child is my child

The Commission also had 3 dialogues with Communities in Kwa Lubisi in Pongola, Kwa-Zulu Natal. These dialogues were done in collaboration with one of the Community councils in the area who indicated that they were worried by a cultural practice that is becoming prevalent amongst communities of Kwa Lubisi wherein older men sexually violate young girls and when they are caught, they just pay the family of the girl to make the offense go away. The community/family to which the young girls come from then are urged to perform ritual cleansing ceremonies for actions not to be repeated.

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Virtual Meeting with the SACC Affiliates (26/06/20)

The Unit had a virtual meeting with a religious community affiliated with the South African Council of Churches (in the Eastern Cape) as a way of the Commission sharing the work of the Commission with them. This meeting took place because of the pandemic, Covid-19, which prohibited the travelling of persons from one place to the next. The main report discussed during the meeting was the Commercialisation of Religion Report which deals with the abuses of the people's belief systems. The following were issues raised and discussed at the meeting:

- Pastors raised the plea that they wish that the state of the churches affairs would change for the better after the pandemic, that the pastors/churches would use this time to reflect on concerns over the abuses carried out in churches by pastors and move towards bringing the church closer to the Maker and be true to the word.
- There was a plea for churches to be in the forefront of campaigns against gender-based violence. That the church should be more accountable, resuscitate family values and rebuild family structures.
- With regards to the Commercialisation of Religion, there was a recommendation that the government should work together with other relevant stakeholders such as the Department of Home Affairs to control the influx of undocumented people who pose as pastors and end up abusing people's belief systems.
- Another recommendation was that the forum appealed to the Commission to revisit and follow up with the forum's recommendation to Department of Home Affairs and see if it's being implemented.

Virtual Meeting with the Shree Luxmi Community Council

The Unit took the initiative to conduct an awareness campaign for community councils virtually during the covid-19 period. To carry out these virtual meetings would be a way for the Commission to still serve the Rights of the Cultural, Religious and Linguistic communities even during a time where communities cannot freely carry out their cultural and religious practices like they were used to. The meeting was also to give feedback and highlight the report on the Diwali Dialogue which was conducted in KZN in the previous year (2019) with the local Hindu communities (That said event had been to raise awareness of the discrimination directed towards communities practicing Hinduism).

Awareness Campaign meeting with Moshate Initiation Forum (01/09/20)

The unit met with the Moshate Initiation forum at the CRL offices after the forum had requested a meeting with the Commission wherein it intended on discussing their aligned mandate and scope of work with the commission and establish ways in which the two stakeholders can work together in promoting and protecting the cultural practice of initiation rites. The Moshate Initiation Forum is an organisation which specializes in traditional initiations, and they are comprised of initiation holders who have been operating for a long period of time. Their mission is to uphold the traditional laws and regulations of the Traditional Initiations acts as bound by the Constitution of South Africa and to acknowledge the socio-economic challenges that communities face. Moreover, they support the efforts of public authorities to address historical disadvantages in communities. The Moshate Initiation Forum is also committed to building order within the traditional initiation practice, advance traditional values and beliefs and uphold the dignity of African culture whilst also complying with all legislation that govern initiations practices considering the abuses which have recently been linked with the practice. A few of the recommendations from the meeting were:

- To have training programmes on traditional initiation schools to avoid the exploitation and the many forms of abuse at initiation schools.
- To restore dignity in initiation schools and within all cultures who (still) practice the rite of passage and ensure the state of readiness and preparations with regards to initiation schools.
- Restoring the Integrity of the culture and ensuring that it doesn't diminish.

Awareness campaign with the Mapulaneng Writer's Association (19/09/20)

The Unit carried out an awareness Campaign meeting with the Mapulaneng Writers Association as a way of trying to establish a long-standing working relationship with the Commission. The Association formed this forum for them to resuscitate and promote their native language of Sepulana; which has been diminishing in the provinces and cultural groups which use the language. The Association has a database of older writers and users of the language who are trying to exhaust all resources which are available to them and to document the language so that it can be developed and resuscitated by stakeholders responsible for the development (& promotion) of languages. The association has also brought the youth on board to try and ensure that they encourage the use of language even between the younger generation to prevent the language and cultural ways of Sepulana 'dying out' and/or becoming extinct. Therefore, the general sense of the meeting was to resuscitate the importance of the relationship between culture, language, and religion and how these 3 concepts form part of one's identity.

Awareness Campaign with the community in the Matlosana district municipality (10/11/20)

the purpose of this campaign was to ensure that the services of the Commission are accessible to cultural, religious and linguistic communities at a local level. This is of critical importance in sustaining the broader vision of building one South African Nation in its diversity. The involvement of such a group of people in the work of the Commission is essential, as they directly live and experience the beauty born out of their observances of cultural, religious and linguistic heritages and thus, the Commission gets to have first-hand information of issues in the communities they interact with. The mayor's office and religious fraternity showed a great appreciation of the Commission's visit. They expressed that most of them had misconceptions about the Commission and are glad that they were workshopped of the actual work of the CRL Rights Commission, its role and mandate and functions.

3 Awareness campaigns with three Traditional Councils and their communities in: Mashashane (25/11/20), Bjatladi (26/11/20) and Molepo communities (27/11/20)

The educational awareness campaigns carried out throughout the country employed a strategy of using local traditional councils as entry points to gain access to cultural, religious and linguistic communities especially areas where community councils have not been established or recognised. And the stakeholder's relationship with the traditional councils and the Commission, will create a conducive platform wherein the Commission can have access to more formalised and coordinated communities as the commission has the challenge of not having provincial offices for easier mobilisation for events.

Awareness Campaign with Tsweleng Pele Dingaka organisation (13/14/21)

This meeting stemmed from an interest raised when some of the organisation's members were attending an awareness campaign conducted in Matlosana during the third quarter. The organisation then requested a meeting with the commission for an educational session with members of their organisation and those around. The meeting was centred around the Commission informing the organisation about the work of the commission, how the commission protects the rights of traditional healers, how the stakeholders work together and what's expected of them when they register as a community council of the Commission. The meeting was conducted virtually.

Awareness Campaign with a group of pastors from Middleburg (03/03/21)

The meeting was informed by a complaint that the PEE Unit received from the office of the CEO. This was of a public demonstration by religious leaders in Middleburg that had an altercation with the police. The religious leaders felt aggrieved that they were forcefully removed by the municipality from land that they were rightfully occupying. The unit invited the legal services unit to form part of the meeting and as such, Advocate Sedupane attended the meeting. Some of the challenges with regards to this meeting was that because of financial constraints (of having to buy data for the virtual meeting) a couple of other invited pastors couldn't form part of the meeting. What could be noted is a challenge with church sites. The municipality had previously given permits for churches to operate at a designated space, however, lately the police had been evicting the churches from these areas. Which then disregards the permits issued by the municipality. A follow up with regards to this meeting would be to engage the municipality as well as legal representation for a way forward. This meeting was conducted virtually.

Awareness campaign with the Community Development Forum (10-12/03/21)

With following the Covid-19 protocols, the organisation had indicated that 60 participants would attend the meeting and because the engagement was to be physical, the unit resorted to seeing only 20 representatives per day over three successive days to adhere to Covid-19 safety protocols. The purpose of the meeting was to introduce the work of the Commission to the Forum and establish a working relationship between the two stakeholders. After the discussions over the three days, there was great interest in establishing a community council.

Awareness campaign meeting with SALGA and its intergovernance relations unit (19/02/21)

Each stakeholder went over their mandate, functions and objectives. The purpose of this meeting was to formulate the grounds for establishing a permanent working relationship between the 2 entities. This is because many of the institutions' functions are similar and with the lack of national offices for CRL, the use of SALGA provincial offices by the commission will ensure more efficient interaction with local communities. It was therefore mutually agreed that the two entities would work together, involve their legal departments, and create an MoU for further partnership in projects.

Awareness campaign meeting with PanSALB (05/03/21)

The Commission had an engagement with PanSALB and other organisations to celebrate international mother tongue day. Each year this day is observed to celebrate linguistic and cultural diversity and multilingualism. The importance of the Commission being present at such spaces is because Culture and language informs the mandate of the commission and it creates a platform for the Commission to expose the work of the commission and what it stands for as a chapter 9 Institution, what it promotes and the principles and rights it protects.

Awareness campaign meeting with SALGA and its Community Development and Social Cohesion working group unit (09/03/21)

The meeting with this specific unit was to assist the Commission with its identified opportunity of finding organisations which will assist the Commission with expanding its reach when it comes to local (& marginalised) communities. The stakeholders indicated that the drawing of an MoU between the stakeholders has already been established and would be going through each stakeholder's legal departments.

The Commission further had some engagement with the South African National Christian Forum (SANCF) and the South African Local Government Association (SALGA). The purpose of the meeting with SALGA was to establish some form of relations to see if the two organisations could collaborate. The two organisations are in the process of signing a Memorandum of Understanding and will be collaborating on a study on Social Cohesion in the new financial year.



Table 6: Programme 3: Public Engagement and Education Performance

Programme 3: Public Engagement and Education (PEE)									
Outcome	Output	Output Indicator	Audit Actual Performance 2018/19	Audited Actual Performance 2019/2020	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned target to actual achievement	Reasons for deviation	
Effective, structured and informed communities on cultural, religious and linguistic rights matters	Reports on engagements with communities on cultural, religious and linguistic rights of communities conducted	Number of engagements with communities on cultural, religious and linguistic communities conducted per annum	7 nation building dialogues conducted	4 engagements with PEE stakeholders on C-R-L matters have been conducted	24 engagements with communities on cultural, religious and linguistic rights of communities per annum	24 engagements with communities on cultural, religious and linguistic rights of communities were conducted per annum	Target met	No deviation	
	Reports on public educational campaigns on cultural, religious and linguistic rights of communities conducted	Number of public educational campaigns on cultural, religious and linguistic rights of communities conducted per annum	26 awareness campaigns	10 educational programmes have been conducted on CRL matters	20 public educational campaigns on cultural, religious and linguistic rights of communities conducted per annum	20 public educational campaigns on cultural, religious and linguistic rights of communities conducted per annum	Target met	No deviation	
	Established and maintained database of cultural, religious and linguistic community organisations and institutions	Updated, established and maintained database of community organisations and institutions per annum	New indicator	Community Council Policy has been reviewed by March 2020	1 updated maintained database of community organisations and institutions per annum	Updated maintained database of community organisations and institutions per annum	Target met	No deviation	

6.4 Programme 4: Research and Policy Development

The Commission conducted 5 research reports in the year under review and they are summarised below as follows:

Promotion and Protection of the Rights of African Traditional Religion in South Africa

This document is based on the implementation of Sections 9 (Equality), 10 (Human dignity) and 15 (Freedom of religion, belief and opinion) as found in the Bill of Rights of the South African Constitution. To further entrench these rights to Freedom and equality, the Constitution introduces Section 185 where it speaks of a Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities. Section 4 (d) of the CRL Act No. 19, 2002 which formed the Commission just mentioned, states that one of the Commission's objectives is 'to promote the right of communities to develop their historically diminished heritage'. This means the recognition and inclusion of African Traditional Religion (ATR) as one of the religions in this multi- religious country.

African Traditional Religion is still defined from a colonial perspective; 'as an exclusive African culture, primitive religion, tribal religion, as equivalent to the practices of Traditional healers, ancestor worship, or as secular spirituality'. More evidence could be found in various sections of many government Departments like; Stats South Africa, Education, Chaplaincies in Defence, SAPS and Correctional Services, Home Affairs and Justice, Public Broadcaster, and Freedom Park Trust Documents.

At present the accepted religions are the Abrahamic faiths and the religions of the East and the Far East. The indigenous faith is still in underground praxis. For Sections 9,10, and 15 of the Constitution to be effective, it is therefore proposed that the government equally and practically treats African Traditional Religion as an independent religion as it does with all those that came into the country. The report covers some explanation of the content of the religion as understood by its practitioners.

Promotion of African Traditional Medicinal Use during the COVID-19 Pandemic

The promotion of use of African traditional medicinal has been a challenge for many years. Despite several debates on the promotion of Traditional medicines and the promulgation of the Traditional Health Practitioner Act no 22 of 2007, these policies and pieces of legislation are still biased and problematic as they tend to favour western medicines at the expense of African indigenous medicine. This research topic was chosen, following the Covid-19 pandemic and the recognition of western medicine to combat the virus. The main aim of the study was to promote African Traditional Medicine to reach the same equity with western and modern medicine. The following objectives were tabled, to unpack the merit of knowledge and roles of traditional health practitioners and describe the challenges and intellectual property rights for medicinal use.

The marginalisation of African Traditional Medicine and the cultural violation of a people to observe their rights prompt the study. Before the introduction of modern medicine, African communities relied on the use of indigenous healing techniques for treating disease and illness. The cultural rights of communities were suffocated and suppressed under the pretext that African Traditional Medicine was unscientific. Furthermore, the current health policies also hinder free observation and equal practices of medicinal use. The Traditional Practitioners Health Act recommends that medical practitioners and pharmacists should form part of the Council, yet the same does not apply with the Western Medicines' Council. This is demotion, discrimination and unequal treatment towards African Traditional Medicine and traditional practitioners. Using the qualitative approach, desktop research, and interviews, the following findings showed that for African Traditional Medicine to reach the same equity with western medicine it should:

- Stand independently away from western techniques and methodologies of testing,

- There should be African Traditional Medicine Boards of Association,
- And there should be traditional herbal medicine institutes accredited for African Traditional Medicine.

What is a Cult

The matter of “cults” in South Africa reared its head when the CRL Rights Commission was conducting its Commercialization of Religion investigations where there were reports of cult-like practices in some religious communities.

On several occasions, we saw the media and other groups referring to some religious groups as cults. To be able to use it as an analytical tool, it became very important to explain very clearly and concisely the definition of the term for the public. To this end, this report tries to give a clear definition of a cult. It further seeks to better help deal with the rising challenge of religious intolerance and abuse and also to find a handle to deal with rising incidences of “indoctrination” and harmful practices some churches and cults are prone to. It gives characteristics and religious behaviour of cult-like groups and a theological and sociological definition of a cult.

Notwithstanding the fact that the CRL Rights Commission promotes and protect freedom of religion, the primary aim of this report is to call on the government to develop policy that protects the human dignity, the properties, the spiritual, physical, psychological and emotional well-being of all believers at the hands of cult leaders. This policy must be clear on what intervention measures must be in place to discourage and remedy the cult situation people might find themselves in. The developed legislative prescripts must criminalise the practice of following cult-like religious behaviours in South Africa.

The Cultural Value of Umqombothi and Covid-19 Regulation

The report focused on the meaning and significance of Umqombothi in African culture. Umqombothi as a sacred product for the community was discriminated against during lockdown. The degrading of sacred/spiritual items resulted in cultural abuse of community rights. In the country of its inception, Umqombothi was isolated and treated like alcohol. The aim was to look at the community’s cultural values, and Covid-19 pandemic regulations. To achieve this the objective was to explore and describe the use of Umqombothi among the communities. Through the utilization of desktop, archive collection and interviews, the finding was that Umqombothi, as a sacred symbol used during rituals, was misinterpreted and undermined. It is suggested that the government cannot classify it under alcohol regulations as it does not regulate the wine in the church but regulates drunkenness. The government should not destroy sacred elements in rituals as this is tantamount to blasphemy and violation of the people’s freedom of religion.

The Impact of Covid-19 on Religious Communities in South Africa

The primary goal of this research report was to investigate how Covid-19 impacted religious activities, identify alternative measures for worship, and recommend on future solutions. This is so as there is no doubt that the Covid-19 global pandemic posed sombre challenges for the health and wellbeing of citizens in almost every country around the world. Government responses have varied, but almost without exception every country has faced some version of ‘lockdown’ which imposed serious restrictions upon the interaction of citizens in many settings, including faith-based. The Disaster Management Regulations determined and regulated all public gatherings including religious, cultural and social gatherings.

This report recommends that, once the current crisis has lessened, government, and all religious leaders and stakeholders should be involved in planning for the future. This would enable religious institutions and congregants to be well prepared for how they worship, perform religious ceremonies, and respond to the needs of their communities for social and psychological support under future ‘constrained’ times. It further recommends that future policies should recognize the social differences of citizens.

Table 7: Programme 4: Research and Policy Development Performance

Programme 4: Research and Policy Development								
Outcome	Output	Output Indicator	Audited Actual Performance 2018/2019	Audited Actual Performance 2019/2020	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned target to actual achievement	Reasons for deviation
Research recommendations to inform evidence-based policies and sustained resuscitation of diminishing and diminished community heritages	Research reports on cultural, religious and linguistic rights produced	Number of research reports on cultural, religious and linguistic rights produced per annum	4 research reports per annum produced	1 Research report on a topic approved by the research committee has been produced	4 research reports on cultural, religious and linguistic rights produced per annum	5 research reports on cultural, religious and linguistic rights produced per annum	Target exceeded	An urgent request was made to conduct research on a particular topic which needed the position of the Commission, hence the variation

6.5 Programme 5: Communication. Marketing, IT and Linkages

The activities highlighted in this report were executed in the context of immense constraints imposed by the Covid-19 pandemic. Despite all the challenges, the Unit managed to discharge its responsibilities.

Governance Committee Meetings

There were two governance meetings that the Department facilitated: namely the

- Communication, Marketing, IT and Linkages meeting on 16 March 2021, and
- The ICT Governance Committee meeting on the 26 April 2021.

Exhibition

The Communication & Marketing Unit is expected to identify and create opportunities to raise the Commission's profile. In order to realize this goal, the Unit is expected to continuously explore opportunities to raise the profile either through media engagements, exhibitions, events, conferences, seminars and roadshows. Notably, this goal requires the Unit to regularly engage with various stakeholders which includes Universities and Youth Forums.

For this reason, the CRL Rights Commission was invited to exhibit at the North West University Career Expo. CRL Communication & Marketing Unit together with other Organizations (Exhibitors) exhibited virtually for 1 day with the aim not only to exhibit but to also be given an opportunity to reach out to the youth (students) at the NWU. The virtual exhibition was a success.

Objective of exhibition

- To virtually exhibit;
- To market the CRL Rights Commission to the youth (students) at the NWU Campuses; and
- To share the Commission's Act, Information Card, Complaint Form, Community Councils Registration Form.

Comments

The new normal is here and we are all faced with a highly disruptive and digitally driven landscape. On this basis, the Commission needs to make use of time and available opportunities to build-up or come up with sustainable ways during these challenging times.

The Virtual Exhibition was well organized, and it was a great lesson as the Commission was participating in a virtual exhibition for the first time.

We had at least 32 visitors.

Over 40 Organizations Exhibited including AGSA.

Recommendations

- Personnel in CM Unit to be trained on how to host and run the virtual expos.
- Commission to consider more virtual exhibitions due to ongoing Covid-19 challenges.
- Commission to organize at least one roadshow in the coming financial year.

Support function:

The Unit continued to support Programmes during the events and hearings

3.1 Investigative Hearings

3.2 Public Education

The Quarterly Events Calendar

The Unit has continued to populate and update the CRL Rights events calendar and subsequently shared it with the staff internally.

Media Activities**Media Statements**

In the year under review, the Commission issued media invites and statements related to the activities which the Commission was undertaking, particularly related to hearings on allegations of abuses that are reported to have taken place at the Rivers of Living Waters Church, hearings of allegations that have taken place in Inter Heaven Fellowship Church, hearings on allegations that have taken place at Universal Church. The CRL also issued a media statement condemning the attack and destruction of a place of worship as well as messages of condolences in respect of the passing of King Goodwill Zwelithini of the Zulu nation.

Facebook and Twitter activities overview

Twitter contributed 50% towards the overall social media coverage generated, followed by Facebook at (98%). A total of 140 users generated social media coverage for the CRL Rights Commission. Much of the coverage was produced from sources within Gauteng, with a total of 35 social media mentions.

Negative coverage accounted for 5% of the overall social media mentions received. Negative sentiments derived from a twitter post by a user associated with the handle, @av_mka, who expressed dissatisfaction with the CRL, saying that “South African council of churches and the CRL Rights commission are useless.” Furthermore, a twitter user associated with the handle @mbhewuza, stated: “@Crl_Commission you are allowing our young South African girls and women to be abused by foreign “pastors” you are party to this, shame on you! our country has become a public toilet!”. A positive sentiment was attached to 3% of the total coverage for CRL Rights Commission during the period. Favourable media coverage pertained to the Commission’s messages of condolences following the passing of his majesty King Goodwill Zwelithini ka Bhekuzulu. About 92% of the overall social media coverage received was assigned to positive sentiment largely related to the investigative hearings conducted by the CRL Rights Commission

Importantly, a lot of traction was noticed on the CRL Rights Facebook page and Twitter account during the Commission’s investigative hearings.

- The CRL messages on Facebook - posted during the investigative hearings on the Rivers of the Living Waters Church - reached about 10 200 users.
- On 15 March the Commission released a media statement on the passing of his majesty King Goodwill Zwelithini of the Zulu Nation.
- The CRL Rights Commission’s messages reached an even higher number of viewers and followers on 19 March 2021 when it conducted its investigative hearings into the allegations levelled against the Universal Church. For instance, the Commission reached about 8.5 thousand people during testimony given by one witness whilst it also reached about 6.7

thousand people during the testimony of another witness. As the hearings continued, the Commission further reached about a total number of 25 thousand people respectively.

- During January – March 2021 the Commission was able to get about 2500 new followers due to several projects it executed which were also updated on its social media platforms.
- Consequently, the Twitter page has 2248 followers.
- More than 15 interviews were conducted during the 4th quarter.

The IT Activities and Projects

Activities	Outcomes
Support applications	• Performed sage evolution password reset for users as per request • Assisted users with sage evolution problems • Performed sage evolution backups • Performed sage evolution upgrade for users • Renewed annual sage software licenses • Liaise with sage consultants on support for sage applications and granted access to servers where needed • Liaise with iron tree regarding sage evolution backups • Reviewed access rights for sage evolution users
Server maintenance and Email support	• Ensuring server services are running • Managing of accounts on active directory • Assigned office 365 licenses to all users • Monitoring the logs of all servers • Assisted users with connectivity to emails • Installed needed updates on servers • Set up emails for senior managers on cell phones • Provided support for Microsoft exchange
Network and Firewall	• Ensured all users have access to the network • Continued support on VPN services • Monitored Firewall logs to guard against intrusion

General IT support	• Issued printer toners as per request from users • We then updated all user machines with the missing updates and files that could compromise the network. • Attended Section 22 committee meeting and presented an IT report • Attended IT governance committee meeting and presented a report • Assist with audio files for service provider to transcribe • Provided IT support during hearings that were conducted in the quarter • Assisted users with their electronic signatures • Participated in the quarterly review by internal auditors and provided them with all information requested • Assisting with creating meetings and downloading virtual attendance registers for staff. • Set up Microsoft teams for users
Liaising with service providers	• Held meetings with service providers regarding the path we want to undertake in upgrading our ICT Infrastructure. • Liaised with Website Service provider for SLA • Liaised with Microsoft partner regarding office 365 deployment, provided information about CRL environment. • Liaised with SITA for progress on Office 365 and backup services • Liaise with appointed service provider regarding McAfee Expo installation and commenced with the installation. • Liaise with Microsoft regarding security updates that must be installed on our exchange server
Website content update	• Uploads and updates were done on the new website

Media Impact Analysis

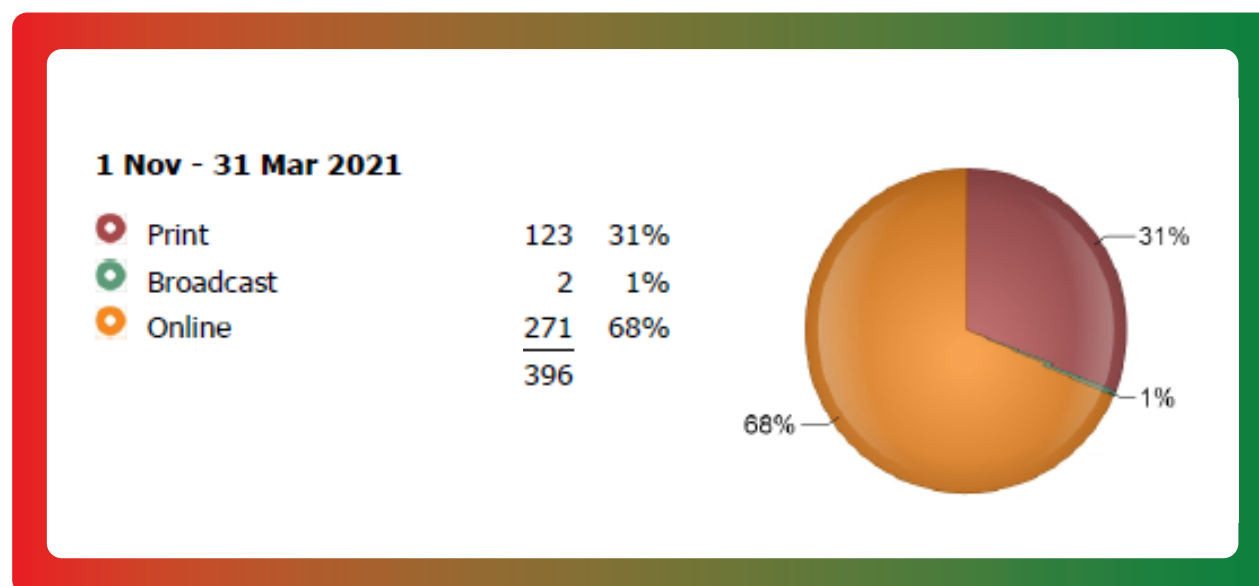
Statistical report of metadata volumes, by service, showing yearly movement and direction - overview

Print		Broadcast		Online	
Clip Count	123	Clip Count	2	Clip Count	271
AVE (R)	10 357 270	AVE R	50 855	Ave R	13 473 222
Publication Sowetan	(Late Final & Early Edition) (11)	Radio Station (SAFM) (Ukhozi FM)	(1) (1)		

The CRL Rights Commission generated a total of 396 traditional media mentions during the period of November 2020 to March 2021. The Commission garnered extensive media publicity in the month of November 2020. Notably, this media coverage was further driven by the Commission's response through its investigative hearings that revealed several challenges that were negatively impacting the rights of communities to practice their cultural, religious, and linguistic rights.

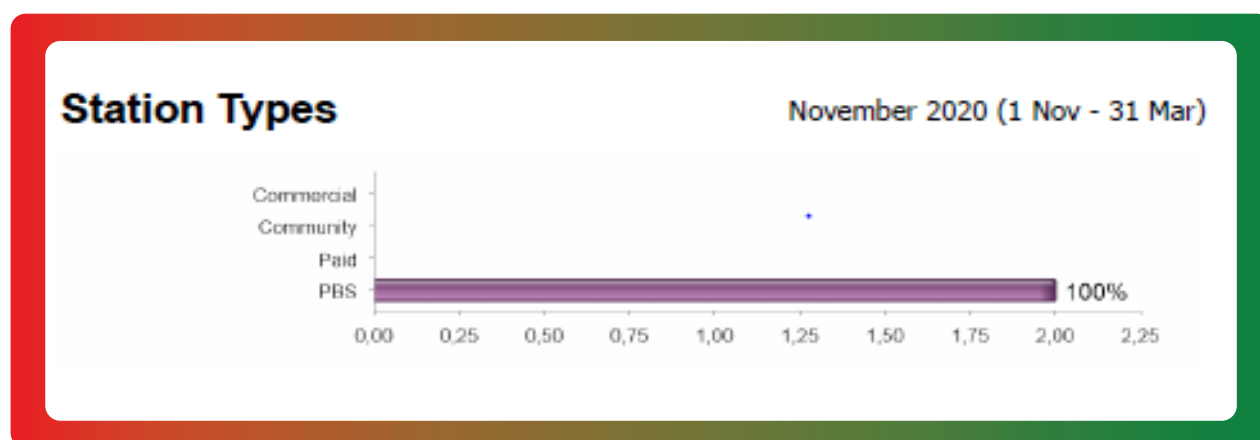
Media Type	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21
Print	60	21	17	2	23
Broadcast	1	-	-	1	-
Online	120	19	55	11	66
Total	181	40	72	14	89

Total Combined media coverage

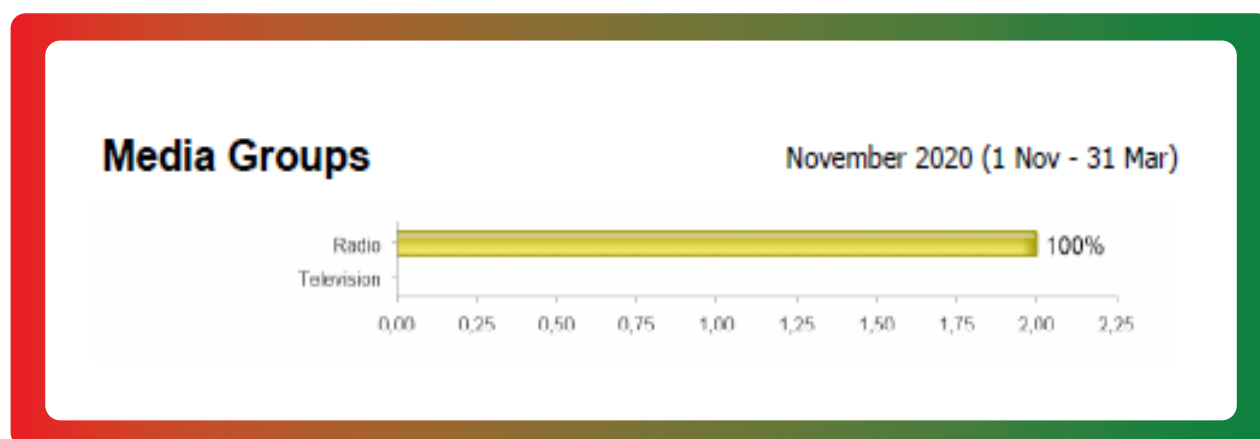


Breakdown of Media Types, Media Groups, and Regions

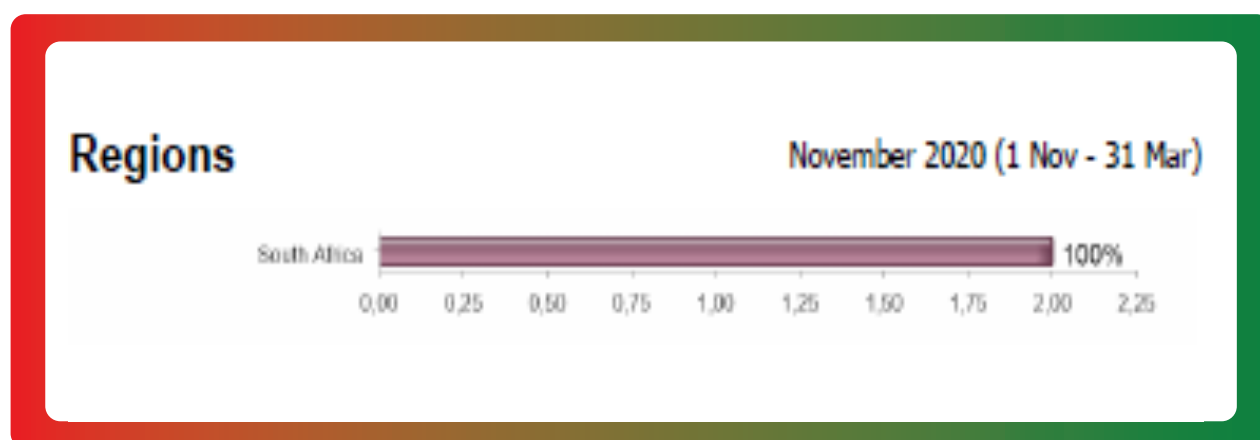
Broadcast



Overview: PBS contributed the bulk of the coverage.



Overview: Radio contributed two media broadcasts.



Overview: Regionally 2 news stories were generated.

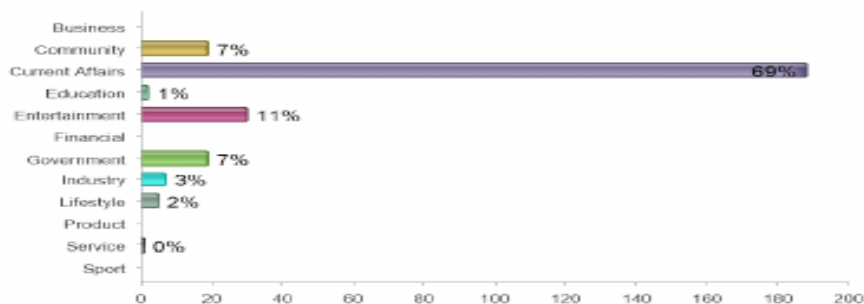
Breakdown of Media Types, Media Groups, and Regions

Online

Overview: Current affairs contributed 187 media articles followed by Entertainment with 30.

Website Types

November 2020 (1 Nov - 31 Mar)



Overview: Website articles accounted for 263 online media articles and Blogging sites 8.

Media Groups

November 2020 (1 Nov - 31 Mar)



Overview: South Africa contributed all online media stories.

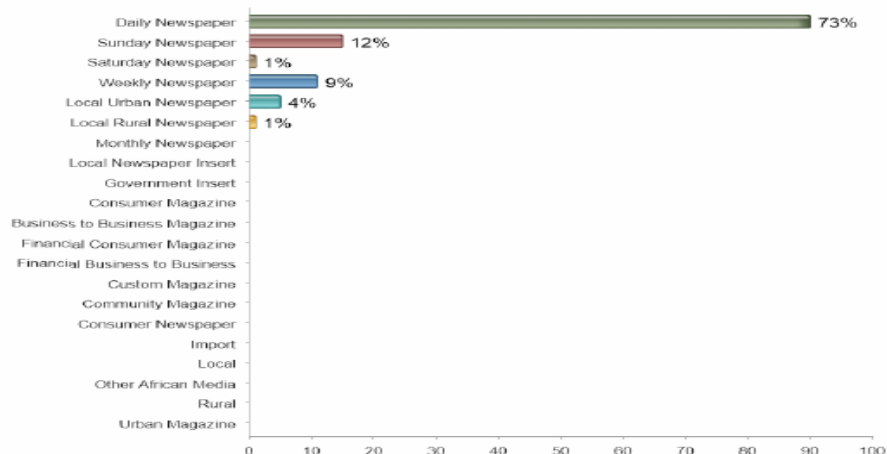
Breakdown of Media Types, Media Groups, and Regions

Print

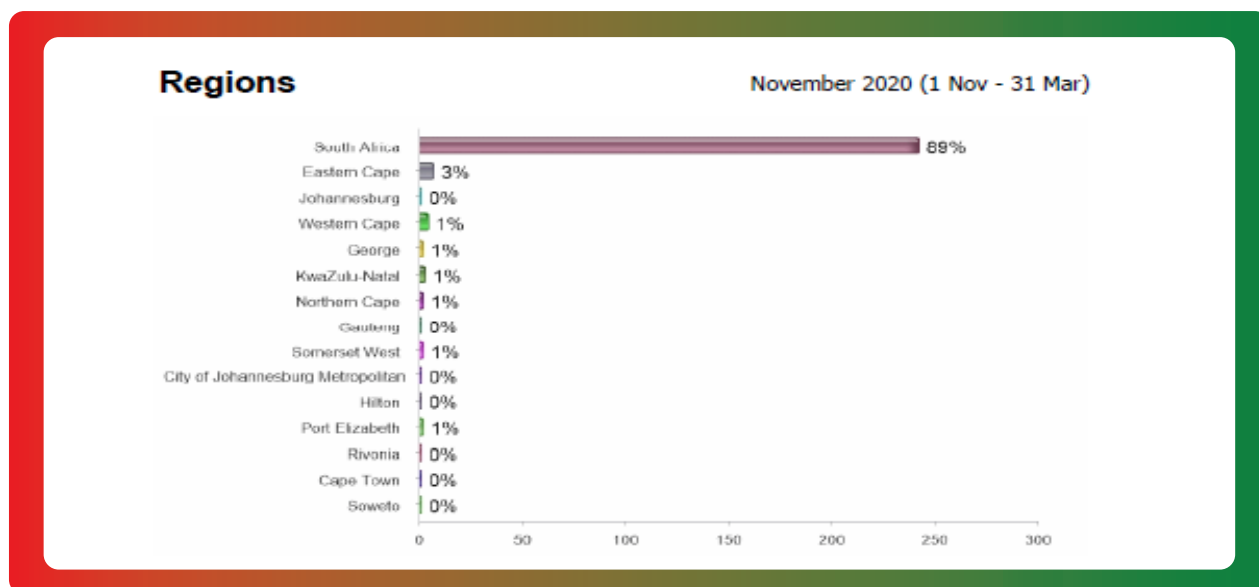
Overview: Daily newspapers contributed 89 media articles and Sunday papers 14.

Media Types

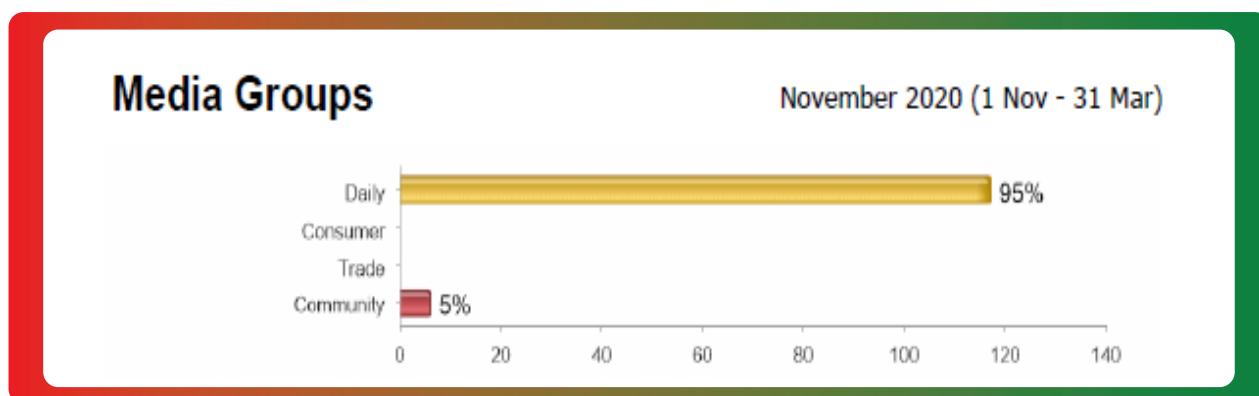
November 2020 (1 Nov - 31 Mar)



Daily newspapers contributed 116 media articles and Community newspapers contributed 6 mentions.



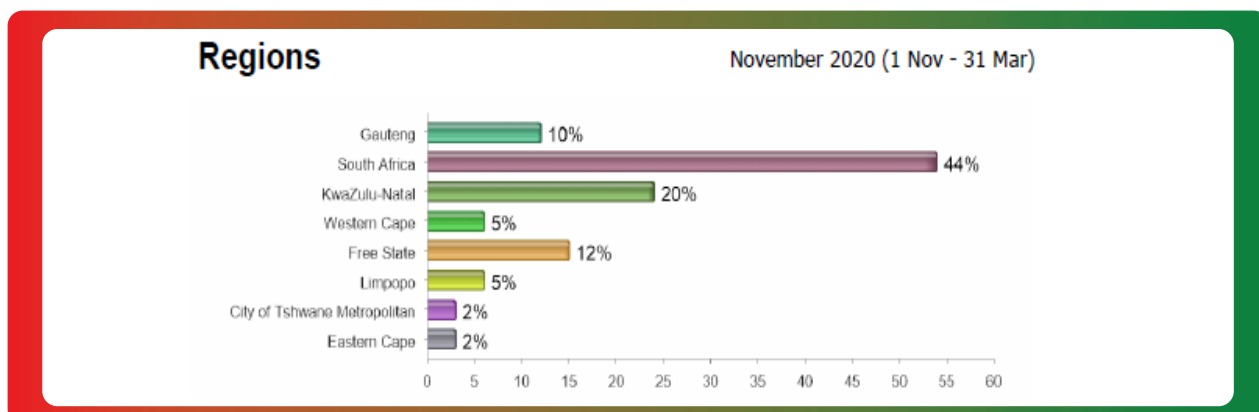
Gauteng contributed 88 media articles and National 72.



Statistical summary of top performing titles by clip volumes per service

Top publications

Print: From the print service Sowetan Late Final and Early Edition produced the most clips (1), followed by The Star Country Edition and The Star (6) and Daily Sun and Daily Sun Limpopo/ Mpumalanga/ North West (6).



	Clip Count	AVE
Sunday Times (Gauteng), Insight	1	973,176
Sunday Times (Express Edition), Insight	1	973,176
Sunday Times (KZN), Insight	1	973,176
Sunday Times (Western Cape), Insight	1	973,176
Sowetan (Late Final)	11	820,411
Sowetan (Early Edition)	11	820,411
Daily Sun	6	551,873
Daily Sun (Limpopo/Mpumalanga/North)	6	462,227
The Star (Country Edition)	8	460,884
The Star	8	449,899

Websites: Of the online services Sowetan Live produced the most clips (19), followed by Times Live (18) and IOL (16).

	Clip Count	AVE
Parliament of RSA	7	3,221,535
Politics Web	6	2,896,032
Times Live	18	1,169,766
IOL	16	641,853
News24	9	578,324
Daily Sun	15	497,180
SABC News	12	480,008
Daily Maverick	3	451,781
Sowetan Live	19	424,291
Mail & Guardian	2	408,003

Broadcast: Of the broadcast services SAFM and Ukhozi FM produced 1 broadcast mention each

	Clip Count	AVE
SAFM	1	26,909
Ukhozi FM	1	23,946

Statistical Reports, by service and favourability



Table 8: Programme 5: Communication, Marketing, IT and Linkages

Programme 5: Communication, Marketing, IT and Linkages									
Outcome	Output	Output Indicator	Audited Actual Performance 2018/2021	Audited Actual Performance 2019/2020	Planned Actual Target 2020/21	Actual Achievement 2020/21	Deviation from target to actual achievement	Reasons for deviations	
Intensified communication, marketing and knowledge management systems	Reports on the implemented internal and external communication and marketing strategy	Number of reports on implemented internal and external communication strategy per annum	4 checklists of implemented and integrated communication and marketing strategy per annum	External and Internal Communication Strategy has been approved	4 reports on implemented internal and external communication strategy per annum	4 reports on implemented internal and external communication strategy per annum	Target met	No deviation	
	Stable and secure ICT environment that meets all functional needs of the Commission and its strategy	Number of reports on maintained and upgraded infrastructure and implemented ICT Governance Framework per annum	4 checklists of implemented IT Framework and IT strategy per annum	IT Governance Framework has been reviewed	4 reports on maintained and upgraded infrastructure and implemented ICT Governance Framework per annum	4 reports on maintained and upgraded infrastructure and implemented ICT Governance Framework per annum	Target met	No deviation	
	Report on monitored activities on social media platforms	Number of reports of activities on social media platform per annum	New indicator	Report on active social media platforms and posts produced per annum	4 reports on activities on social media platforms per annum	4 reports on activities on social media platform per annum	Target met	No deviation	

Table 9: Summary of target not achieved and strategies to deal with them

3.3.6 Strategies to deal with targets not met

The targets listed below were not achieved in the year under review:

PPI	Performance Indicator	Planned Annual Target	Annual Achievement	Reason for variation and corrective measure
1.6	Percentage of workplace Skills Development Plan implemented per annum	100%	52%	Due to Covid-19 and lockdown it was difficult for some training service providers to carry out services virtually. The Commission will identify skills internally that can be used to provide training as well as to identify suppliers that have capacity to provide training virtually
1.7	Percentage of queries on internal and external audit findings resolved annually	100%	85.33%	Remaining queries are under investigation and report will be updated as soon as the matters are concluded.
1.9	Percentage of complaints/requests handled per annum	80%	33% of complaints received in the year under review. 50% are new cases and 16% is for carried over cases were handled.	New and carried over complaints needed deeper and further investigations and mediation which could not be fully accomplished due to Covid-19 pandemic and lockdown
1.10	Number of reviewed Bills before Parliament and on reviewed legislation that impacts cultural, religious and linguistic rights of communities as guided by received complaints per annum	Review 100% of Bills before Parliament that impacts on the mandate of the CRL Rights Commission annually	0% of Bills before Parliament that impacts on the mandate of the CRL Rights Commission reviewed annually	Management went into the Parliament website and found there were no Bills that impacts on the cultural, religious and linguistic rights of communities. Management will continue monitoring Parliament's website to ascertain that there are no Bills that impacts on the cultural, religious and linguistic rights of communities

Part C: **GOVERNANCE**

7. Introduction

Governance entails how an organisation is managed, which includes issues of culture, policies and strategies and the way it deals with stakeholders including the Audit and Risk Committee.

8. Risk Management

The Commission has established a Risk Management Committee composed of members of the Management Committee to assist the Commission in conducting regular risk assessment to determine the effectiveness of the risk management strategy and to identify new and emerging risks. The Risk Management Committee meets quarterly to evaluate progress made in respect of risk management interventions. The Commission has approved the Risk Management Strategy and the Risk Management Policy in place. Risk Management reports are tabled at the Audit and Risk Committee made up of independent members. The ARC meets quarterly to review the work of the risk management committee and provide advice as required.

9. Fraud and Corruption

The Commission has a fraud prevention policy which spells out mechanisms put in place to report fraud and corruption and how these operates. The commission is participating in the fraud hotline of the Public Service Commission. The fraud hotline is also published on emails and the website of the commission. Whistle Blowing is encouraged and allows officials to make confidential disclosures about specific instances of fraud and corruption.

10 Minimising Conflict of Interest

The supply chain code of conduct is in place and staff members involved in procurement are required to complete declaration of interest forms annually.

11. Code of Conduct

The Commission subscribes to a code of good conduct and has adopted the Code of Conduct provided for by the Public Service Regulations. The Commission believes in corrective disciplinary measures and providing support to all employees. The process of disciplinary action includes giving a warning (verbal and written), a final warning and suspension with full salary or suspension with no salary and finally, dismissal.

12. Health Safety and Environmental Issues

The Commission is committed to the environmental health and safety of its employees because it safeguards the general well-being and infuses higher employee morale. The Occupational health and safety assessment is applied and enforced by closely monitoring workplace conditions to identify and eliminate potential hazards, which amongst others range from agronomical risk to physical and psychosocial risks.

13. Portfolio Committees

The Commission met with the Portfolio Committee on Cooperative Governance and Traditional Affairs on the following dates in the year under review:

- 10 – 11 March 2020 – indaba on social ills
- 11 May 2020 – APP and Strategy Plan
- 18 November 2020 – Annual Report and work done by the Commission
- 27 November 2020– CWP

The summary below details the issues that the Portfolio Committee raised and how those issues have been resolved:

Through the process of Capacity and capabilities project, the CRL Rights Commission also developed a business case to be used in terms of addressing some of the concerns raised by Members of the COGTA Portfolio Committee, particular the issue of provincial offices and that of including the District Development Model in the strategy and Annual performance plans of the Commission. The business model is comprehensive in its approach and several concerns such as enhancing the visibility of the Commission to deep rural areas and collaboration with other stakeholders and related matters will eventually be addressed. In addition, the CRL Rights Commission also sought a partnership with the Gauteng department of Cooperative Governance and Traditional Affairs; to be part of their pilot projects on district development model in order to evaluate and assess how the model works, so that the Commission can then be able to expand the vision of this model to other constituencies that we seek to provide services to in line with our mandate. Further to this, the Commission has now started internal debates on how the National Consultative Conference can be held under the current operational environment. It would be easier for the Commission to organize and facilitate this conference virtually although it will be a very difficult condition for cultural, religious and linguistic communities, as many are still struggling to put the IT systems in place largely due to their economic conditions and limited access to connectivity. The Commission is however, prepared to ensure that the idea of hosting this conference virtually is feasible at least to the majority of the stakeholders that are required to attend it. Another concern raised by the Committee was about the funding of the organization. Although the Committee agreed in our engagement with them that the CRL Rights Commission needs to be funded appropriately and that the relevant government stakeholders need to be engaged to assist the institution, they also encouraged the Commission to also lobby financial resources in line with their Act 19 of 2002. The Commission took the initiative to implement the latter by developing a fundraising strategy to be used to lobby financial resources. The strategy has been finalized internally and the relevant Committee to deal with these issues has been established.

14. Internal Audit and Audit Committees

The CRL Rights Commission Audit and Risk Committee is an independent governance structure whose function is to provide an oversight role on the system of internal control and risk management. Governance plays a pivotal role in ensuring that the Commission functions according to the required good governance, accounting and audit standards. The Committee monitors the adoption of appropriate risk management arrangements.

15. Audit and Risk Committee Report 2020/21

The Audit and Risk Committee is pleased to present its report for the financial year that ended on 31 March 2021.

Audit and Risk Committee Members and Attendance:

The members of the Audit and Risk Committee are listed below and in terms of the Audit Committee Charter they should meet at least four times per annum as per the approved terms of reference. During the 2020/2021 financial year, six (6) meetings were held, four scheduled and two special meetings.

Audit Committee Membership, date appointed, number of meeting and qualifications

Table 10: Audit and Risk Committee membership

#	Name and Surname	Date Appointed	No of meeting	Qualifications
1	Ms Margaret Phiri	Nov 2019 – to date	6 of 6	CA(SA)CTA/B Compt Hons,
2	Mr Luyanda Mangquku	1 Jan 2020 – to date	6 of 6	CA(SA), B Compt Hons, MBL
3	Mr Thabo Poee	1 Jan 2020 – to date	6 of 6	B Com Accounting Hons, CFE

Audit Committee Responsibility:

The Audit and Risk Committee reports that it has operated and performed its oversight responsibilities independently and objectively and adopted appropriate formal terms of reference in its charter in line with the requirements of Section 38(1) (a) of the PFMA, No. 1 of 1999 and Treasury regulation 3.1. The Audit and Risk Committee further reports that it conducted its affairs in compliance with the approved charter.

The Effectiveness of Internal Controls:

In line with the PFMA and the King IV Report on Corporate Governance requirements, the Internal Audit provided the Audit and Risk Committee and management with assurance that the internal controls are partially effective and partially adequate. This was achieved using the risk management process as well as the identification of corrective actions and suggested enhancements to the controls and processes.

The Audit and Risk Committee would like to report that the systems of internal controls implemented by management were assessed to be partially 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. Management has accepted recommendations from the Internal Audit and undertaken to implement all the necessary improvements.

It is worth mentioning that control weaknesses around SCM processes require urgent management response to ensure that proper processes are fully followed.

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 was helpful as the service provider provided all skills needed to conduct internal audit. Based on the reports presented by the internal audit and their ability to execute audits in accordance with the approved annual audit plans, the Audit Committee believes that the internal audit function provided the required assurance

Enterprise Risk Management:

The Committee considers reports on the effectiveness of risk management activities. A strategic and operational risk assessment for the year under review was not conducted. The Audit Committee has reviewed the risk registers on a quarterly basis and has made recommendations for the improvement of the registers. The Committee has identified several control weaknesses relating to risk management processes. Moreover, a culture of risk management needs to be embedded in the daily activities of the organisation to ensure effective enterprise-wide risk management. The Committee will monitor progress regarding this. The Committee ensured that the assurance functions of management and internal and external audit are sufficiently integrated.

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

The Audit and Risk 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 prior to the completion of the regulatory audit.

Evaluation of Financial Statements:

The Audit and Risk Committee has reviewed:

- the audited annual financial statements to be included in the annual report;
- the AGSA's management report 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.

Auditor-General's report

The Audit and Risk 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 met separately with the Auditor-General.



Margaret Phiri

Chairperson of the Audit and Risk Committee

Date: 30 July 2021

Part D:

HUMAN RESOURCES MANAGEMENT

16. Human Resources Management

Status of HR in the Commission

The CRL Rights Commission currently has five (5) Programmes in the structure with a staff complement of 31 employees to deliver on its mandate and strategic objectives.

HR priorities for the year under review and the impact of these priorities

The Commission embarked on a strategic process to review the capacity and capability of its workforce with a view to ensure alignment to its strategic objectives. A well-defined and realistic human resource strategy was developed in this process to determine the human capital required and the available talent to make the attainment of the strategic objectives a reality. With this strategy the CRL Rights Commission intends to anticipate future operational needs and environmental demands to determine the human resource requirements dictated by these conditions.

Workforce planning in the Commission serves as an integral function through which the human resource unit can implement systems to enhance the capability of the Commission to deliver on its objectives. This is done by ensuring that the performance management and development system (PMDS) is in place, organizational design and HR systems that facilitate delivery are developed and that transformation issues of ensuring equity and empowerment of previously disadvantaged sectors such as women and people with disabilities are observed. Through such systems the unit will also be in a position to ensure that the right number of suitable personnel is recruited at the right time and placed at the right positions within the Commission. It furthermore suggests that these people should be supported by way of ensuring the availability of Employee Assistance Programmes and trained on areas of their competence where they seem to lack as indicated by performance development plans.

Highlights on Achievements

Major success has been achieved through services of an independent service provider to undertake talent management assessments in the Commission and review of all job profiles to ensure alignment with the job functions in various programmes.

Human Resources Oversight Statistics

Personnel Related expenditure

Table 11: Personnel expenditure by programme for the period 1 April 2020 to 31 March 2021

Programme	Total expenditure (R'000)	Personnel expenditure (R'000)	Training expenditure (R'000)	Professional and special services expenditure (R'000)	Personnel expenditure as a % of total expenditure	Average personnel cost per employee (R'000)
Executive Office	8 246	951	0	2	2%	476
Office of the CEO	4 274	3 937	0	780	10%	1 312
Corporate Services & Finance	17 723	6 970	166	3 232	17%	536
Communication & Marketing	4 602	3 292	0	250	8%	549
Legal Services	3 100	2 514	0	286	6%	629
Research	1 842	1 728	0	0	4%	864
Public Engagement	731	654	0	0	2%	327
Total	40 518	20 046	166	4 553	49%	590

Table 12: Personnel costs by salary band for the period 1 April 2020 to 31 March 2021

Salary band	Personnel expenditure (R'000)	% of total personnel cost	No. of employees	Average personnel cost per employee (R'000)
Lower skilled (Levels 1-2)	896	4%	6	149
Skilled (level 3-5)	493	2%	2	247
Highly skilled production (levels 6-8)	1 557	8%	4	389
Highly skilled supervision (levels 9-12)	11 158	56%	16	697
Senior and Top management (levels 13-16)	5 942	30%	5	1 188
Total	20 046	100%	33	590

Table 13: Salaries, Overtime, Homeowners Allowance and Medical Aid by programme for the period 1 April 2020 to 31 March 2021

Programme	Salaries		Overtime		Homeowners Allowance		Medical Aid	
	Amount (R'000)	Salaries as a % of personnel costs	Amount (R'000)	Overtime as a % of personnel costs	Amount (R'000)	HOA as a % of personnel costs	Amount (R'000)	Medical aid as a % of personnel costs
Executive Office	951	5%	0	0	34	0.02%	76	10%
Office of the CEO	3 937	20%	0	0	17	0.08%	50	0.2%
Corporate Services & Finance	6 970	35%	5	0.02%	170	0.8%	323	2%
Communication & Marketing	3 292	16%	13	0.06%	68	0.3%	166	22%
Legal Services	2 514	13%	0	0	34	0.17%	88	11%
Research	1 728	8%	0	0	17	0.08%	62	8%
Public Engagement	654	3%	0	0	17	0.08%	34	4%
Total	20 046	100%	18	0.09%	357	1.8%	799	4%

Table 14: Salaries, Overtime, Homeowners Allowance and Medical Aid by salary band for the period 1 April 2020 to 31 March 2021

Salary band	Salaries		Overtime		Homeowners Allowance		Medical Aid	
	Amount (R'000)	Salaries as a % of personnel costs	Amount (R'000)	Overtime as a % of personnel costs	Amount (R'000)	HOA as a % of personnel costs	Amount (R'000)	Medical aid as a % of personnel costs
Skilled (level 1-2)	896	4%	1	0	34	0.17%	40	0.2%
Skilled (level 3-5)	493	2%	1	0	34	0.17%	42	0.2%
Highly skilled production (levels 6-8)	1 557	8%	5	0.02%	68	0.3%	108	0.5%
Highly skilled supervision (levels 9-12)	11 158	56%	11	0.05%	221	1%	486	2%
Senior management (levels 13-16)	5 942	30%	0	0	0	0	123	0.6%
Total	20 046	100%	18	0.09%	357		799	4%

Table 15: Employment and vacancies by programme as at 31 March 2021

Programme	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Executive Office	4	4	0	0
Office of the CEO	3	3	0	0
Support Services	14	13	92.8%	1
Research & Policy Development (RPD)	2	2	0	0
Public Education & Engagement (PEE)	2	1	50%	1
Communications & Marketing (CM)	5	5	0	1
Legal Services & Conflict Resolution (LS & CR)	3	3	0	1
Total	33	31	93.9%	4

Table 16: Employment and vacancies by salary band as at 31 March 2021

Salary band	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Lower skilled (1-2)	2	2	0	4
Skilled (3-5)	2	2	0	0
Highly skilled production (6-8)	4	4	4	0
Highly skilled supervision (9-12)	17	16	94.1%	0
Senior management (13-16)	6	5	83.3	0
Total	31	29	93.5%	4

Table 17: Employment and vacancies by critical occupations as at 31 March 2021

Critical occupation	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Not applicable	0	0	0	0
Total	0	0	0	0

Table 18: SMS post information as at 31 March 2021

SMS Level	Total number of funded SMS posts	Total number of SMS posts filled	% of SMS posts filled	Total number of SMS posts vacant	% of SMS posts vacant
Director-General/ Head of Department	0	0	0	0	0
Salary Level 16	0	0	0	0	0
Salary Level 15	0	0	0	0	0
Salary Level 14	1	1	1	0	0
Salary Level 13	5	4	80%	1	20%
Total	6	5	83.3%	1	16.6%

Table 19: SMS post information as at 30 September 2021

SMS Level	Total number of funded SMS posts	Total number of SMS posts filled	% of SMS posts filled	Total number of SMS posts vacant	% of SMS posts vacant
Director-General/ Head of Department	0	0	0	0	0
Salary Level 16	0	0	0	0	0
Salary Level 15	0	0	0	0	0
Salary Level 14	1	1	1	0	0
Salary Level 13	5	4	80%	1	20%
Total	6	5	83.3	1	16.6%

Table 20: Advertising and filling of SMS posts for the period 1 April 2020 to 31 March 2021

SMS Level	Advertising	Filling of Posts	
	Number of vacancies per level advertised in 6 months of becoming vacant	Number of vacancies per level filled in 6 months of becoming vacant	Number of vacancies per level not filled in 6 months but filled in 12 months
Director-General/ Head of Department	0	0	0
Salary Level 16	0	0	0
Salary Level 15	0	0	0
Salary Level 14	0	0	0
Salary Level 13	0	0	0
Total	0	0	0

Table 21: Reasons for not having complied with the filling of funded vacant SMS - Advertised within 6 months and filled within 12 months after becoming vacant for the period 1 April 2020 to 31 March 2021

Reasons for vacancies not advertised within six months
Organizational capacity review is still in progress. It is hoped this will be concluded before the end of the 2021/22 financial year.

Reasons for vacancies not filled within twelve months
Awaiting finalization of organizational capacity review

Table 22: Disciplinary steps taken for not complying with the prescribed timeframes for filling SMS posts within 12 months for the period 1 April 2020 to 31 March 2021

Reasons for vacancies not advertised within six months
Review of organizational capacity

Reasons for vacancies not filled within six months
Review of organizational capacity

Table 23: Job Evaluation by Salary band for the period 1 April 2020 to 31 March 2021

Salary band	Number of posts on approved establishment	Number of Jobs Evaluated	% of posts evaluated by salary bands	Posts Upgraded		Posts downgraded	
				Number	% of posts evaluated	Number	% of posts evaluated
Lower Skilled (Levels 1-2)	2	0	0	0	0	0	0
Skilled (Levels 3-5)	2	0	0	0	0	0	0
Highly skilled production (Levels 6-8)	4	0	0	0	0	0	0
Highly skilled supervision (Levels 9-12)	17	0	0	0	0	0	0
Senior Management Service Band A	5	0	0	0	0	0	0
Senior Management Service Band B	1	0	0	0	0	0	0
Senior Management Service Band C	0	0	0	0	0	0	0
Senior Management Service Band D	0	0	0	0	0	0	0
Total	31	0	0	0	0	0	0

Table 24: Profile of employees whose positions were upgraded due to their posts being upgraded for the period 1 April 2020 to 31 March 2021

Gender	African	Asian	Coloured	White	Total
Female	1	0	0	1	2
Male	1	0	0	0	1
Total	2	0	0	1	3

Employees with a disability	0
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Table 25: Employees with salary levels higher than those determined by job evaluation by occupation for the period 1 April 2020 and 31 March 2021

Occupation	Number of employees	Job evaluation level	Remuneration level	Reason for deviation
Not Applicable	0	0	0	0
Total number of employees whose salaries exceeded the level determined by job evaluation				
Percentage of total employed				0

Occupational category	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	0	0	0	0	0	0	0	0	0
Professionals	0	0	0	0	0	0	0	0	0
Technicians and associate professionals	0	0	0	0	0	0	0	0	
Clerks	0	0	0	0	0	0	0	0	0
Service and sales workers	0	0	0	0	0	0	0	0	
Skilled agriculture and fishery workers	0	0	0	0	0	0	0	0	0
Craft and related trades workers	0	0	0	0	0	0	0	0	0
Plant and machine operators and assemblers	0	0	0	0	0	0	0	0	0
Elementary occupations	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0
Employees with disabilities	0	0	0	0	0	0	0	0	0

The following table summarises the beneficiaries of the above in terms of race, gender, and disability.

Table 26: Profile of employees who have salary levels higher than those determined by job evaluation for the period 1 April 2020 to 31 March 2021

Gender	African	Asian	Coloured	White	Total
Female	0	0	0	0	0
Male	0	0	0	0	0
Total	0	0	0	0	0
Employees with a disability	0	0	0	0	0

Notes: If there were no cases where the salary levels were higher than those determined by job evaluation, keep the heading and replace the table with the following:

Total number of Employees whose salaries exceeded the grades determine by job evaluation	0
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Table 27 Annual turnover rates by salary band for the period 1 April 2020 to 31 March 2021

Salary band	Number of employees at beginning of period 1 April 2020	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Lower skilled (Levels 1-2)	2	1	0	0
Skilled (Levels 3-5)	2	0	0	0
Highly skilled production (Levels 6-8)	4	0	0	0
Highly skilled supervision (Levels 9-12)	16	0	0	0
Senior Management Service Bands A	1	0	1	0
Senior Management Service Bands B	4	0	0	0
Senior Management Service Bands C	0	0	0	0
Senior Management Service Bands D	0	0	0	0
Contracts	3	0	0	0
Total	32	1	1	0

Table 28: Annual turnover rates by critical occupation for the period 1 April 2020 to 31 March 2021

Critical occupation	Number of employees at beginning of period April 2020	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Not Applicable	0	0	0	0
TOTAL				0

The table below identifies the major reasons why staff left the department.

Table 29: Reasons why staff left the department for the period 1 April 2020 to 31 March 2021

Termination Type	Number	% of Total Resignations
Death	0	0
Resignation	0	0
Expiry of contract	0	0
Dismissal – operational changes	0	0
Dismissal – misconduct	0	0
Dismissal – inefficiency	0	0
Discharged due to ill-health	0	0
Retirement	0	0
Transfer to other Public Service Departments	0	0
Other	0	0
Total	0	0
Total number of employees who left as a % of total employment	0	0

Table 30: Promotions by critical occupation for the period 1 April 2020 to 31 March 2021

Occupation	Employees 1 April 2020	Promotions to another salary level	Salary level promotions as a % of employees by occupation	Progressions to another notch within a salary level		Notch progression as a % of employees by occupation
None	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

Table 31: Promotions by salary band for the period 1 April 2020 to 31 March 2021

Salary Band	Employees 1 April 2020	Promotions to another salary level	Salary bands promotions as a % of employees by salary level	Progressions to another notch within a sala- ry level	Notch progression as a % of em- ployees by salary bands
Lower skilled (Levels 1-2)	5	0	0	0	0
Skilled (Levels 3-5)	2	0	0	0	0
Highly skilled production (Levels 6-8)	4	0	0	0	0
Highly skilled supervision (Levels 9-12)	16	3	18.75%	3	18.75
Senior Management (Levels 13-16)	5	0	0	0	0
Total	32	3	9.37%	3	9.37%

Table 32: Total number of employees (including employees with disabilities) in each of the following occupational categories as at 31 March 2021

Occupational category	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	0	0	0	0	0	0	0	0	0
Professionals	0	0	0	0	0	0	0	0	0
Technicians and associate professionals	0	0	0	0	0	0	0	0	
Clerks	0	0	0	0	0	0	0	0	0
Service and sales workers	0	0	0	0	0	0	0	0	
Skilled agriculture and fishery workers	0	0	0	0	0	0	0	0	0
Craft and related trades workers	0	0	0	0	0	0	0	0	0
Plant and machine operators and assemblers	0	0	0	0	0	0	0	0	0
Elementary occupations	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 33: Total number of employees (including employees with disabilities) in each of the following occupational bands as at 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	1	0	0	0	0	0	0	0	1
Senior Management	3	0	0	1	0	0	0	0	4
Professionally qualified and experienced specialists and mid management	2	0	0	0	0	0	0	0	2
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	1	0	0	0	11	0	1	1	14
Semi-skilled and discretionary decision making	3	0	0	0	3	0	0	0	6
Unskilled and defined decision making	0	0	0	0	6	0	0	0	6
Total	10	0	0	1	20	0	1	1	33

Table 34: Recruitment for the period 1 April 2020 to 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	0	0	0	0	0	0	0	0	0
Senior Management	0	0	0	0	0	0	0	0	0
Professionally qualified and experienced specialists and mid management	0	0	0	0	0	0	0	0	0
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	0	0	0	0	0	0	0	0	0
Semi-skilled and discretionary decision making	0	0	0	0	0	0	0	0	0
Unskilled and defined decision making	0	0	0	0	1	0	0	0	0
Total	0	0	0	0	1	0	0	0	0
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 35: Promotion for the period 1 April 2020 to 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	0	0	0	0	0	0	0	0	0
Senior Management	0	0	0	0	0	0	0	0	0
Professionally qualified and experienced specialists and mid management	0	0	0	0	0	0	0	0	0
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	1	0	0	0	1	0	0	1	3
Semi-skilled and discretionary decision making	0	0	0	0	0	0	0	0	0
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
Total	1	0	0	0	1	0	0	1	3
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 36: Terminations for the period 1 April 2020 to 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	0	0	0	0	0	0	0	0	0
Senior Management	1	0	0	0	0	0	0	0	1
Professionally qualified and experienced specialists and mid management	0	0	0	0	0	0	0	0	0
Skilled technical and academically qualified workers, junior	0	0	0	0	0	0	0	0	0
management, supervisors, foreman and superintendents	0	0	0	0	0	0	0	0	0
Semi-skilled and discretionary decision making	0	0	0	0	0	0	0	0	0
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
Total	1	0	0	0	0	0	0	0	0
Employees with Disabilities	0	0	0	0	0	0	0	0	0

Table 37: Disciplinary action for the period 1 April 2020 to 31 March 2021

Disciplinary action		Male					Female			Total
	African	Coloured	Indian	White	African		Coloured	Indian	White	
None	0	0	0	0	0	0	0	0	0	0

Table 38: Skills development for the period 1 April 2020 to 31 March 2021

Occupational category	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	8	0	0	3	6	0	0	0	17
Professionals	1	0	0	0	0	0	0	0	1
Technicians and associate professionals	1	0	0	0	1	0	0	0	2
Clerks	0	0	0	0	1	0	0	0	1
Service and sales workers	0	0	0	0	0	0	0	0	0
Skilled agriculture and fishery workers	0	0	0	0	0	0	0	0	0
Craft and related trades workers	0	0	0	0	0	0	0	0	0
Plant and machine operators and assemblers	0	0	0	0	0	0	0	0	0
Elementary occupations	0	0	0	0	0	0	0	0	0
Total	10	0	0	3	8	0	0	0	21
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 39: Signing of Performance Agreements by SMS members as at 31 April 2020

SMS Level	Total number of funded SMS posts	Total number of SMS members	Total number of signed performance agreements	Signed performance agreements as % of total number of SMS members
Director-General/ Head of Department	0	0	0	0
Salary Level 16	0	0	0	0
Salary Level 15	0	0	0	0
Salary Level 14	1	1	1	3.12
Salary Level 13	5	4	4	1.25
Total	6	5	5	15.62

Table 40: Reasons for not having concluded Performance agreements for all SMS members as at 31 March 2020

Reasons
None

Table 41: Disciplinary steps taken against SMS members for not having concluded Performance agreements as at 31 March 2021

Reasons
None

Table 42: Performance Rewards by race, gender and disability for the period 1 April 2020 to 31 March 2021

Race and Gender	Number of beneficiaries	Beneficiary Profile	% of total with-in group	Cost (R'000)	Cost
		Number of employees			Average cost per employee
African	-	-	-	-	-
Male	-	-	-	-	-
Female	-	-	-	-	-
Asian	-	-	-	-	-
Male	-	-	-	-	-
Female	-	-	-	-	-
Coloured	-	-	-	-	-
Male	-	-	-	-	-
Female	-	-	-	-	-
White	-	-	-	-	-
Male	-	-	-	-	-
Female	-	-	-	-	-
Total	-	-	-	-	-

Table 43: Performance Rewards by salary band for personnel below Senior Management Service for the period 1 April 2020 to 31 March 2021

Salary band	Beneficiary Profile			Total Cost (R'000)	Cost	Total cost as a % of the total personnel expenditure
	Number of beneficia-ries	Number of employees	% of total within salary bands		Average cost per employee	
Lower Skilled (Levels 1-2)	-	-	-	-	-	-
Skilled (level 3-5)	-	-	-	-	-	-
Highly skilled production (level 6-8)	-	-	-	-	-	-
Highly skilled supervision (level 9-12)	-	-	-	-	-	-
Total	-	-	-	-	-	-

Table 44: Performance Rewards by critical occupation for the period 1 April 2020 to 31 March 2021

Critical occupation	Number of beneficiaries	Beneficiary Profile		% of total within occupation	Cost	
		Number of employees			Total Cost (R'000)	Average cost per employee
Not Applicable	-	-		-	-	-
Total	-	-		-	-	-

Table 45: Performance related rewards (cash bonus), by salary band for Senior Management Service for the period 1 April 2020 to 31 March 2021

Salary band	Beneficiary Profile			Cost		Total cost as a % of the total personnel expenditure
	Number of beneficiaries	Number of employees	% of total within salary bands	Total Cost (R'000)	Average cost per employee	
Band A	n/a	-	-	-	-	-
Band B	n/a	-	-	-	-	-
Band C	n/a	-	-	-	-	-
Band D	n/a	-	-	-	-	-
Total	n/a	-	-	-	-	-

Table 46: Foreign workers by salary band for the period 1 April 2020 to 31 March 2021

Salary band	01 April 2020		31 March 2021		Change	
	Number	% of total	Number	% of total	Number	% Change
Lower skilled	n/a					
Highly skilled production (Lev. 6-8)	n/a					
Highly skilled supervision (Lev. 9-12)	n/a					

Contract (level 9-12)	n/a					
Contract (level 13-16)	n/a					
Total	n/a					

Table 47: Foreign workers by major occupation for the period 1 April 2020 to 31 March 2021

Major occupation	01 April 2020		31 March 2021		Change	
	Number	% of total	Number	% of total	Number	% Change
Not applicable	-	-	-	-	-	-

Table 48: Sick leave for the period 1 January 2020 to 31 December 2021

Salary band	Total days	% Days with Medical certification	Number of Employees using sick leave	% of total employees using sick leave	Average days per employee	Estimated Cost (R'000)
Lower Skills (Level 1-2)	29	27%	6	20.6%	2	17
Skilled (levels 3-5)	6	33%	2	33.3%	2	6
Highly skilled production (levels 6-8)	22	18%	4	18.0%	2	33
Highly skilled supervision (levels 9 -12)	148	25.6%	16	10.8%	2	365
Top and Senior management (levels 13-16)	28	28.5%	5	17.8%	3	132
Total	226	12.83%	29	12.83	3	553

Table 49: Disability leave (temporary and permanent) for the period 1 January 2020 to 31 December 2021

Salary band	Total days	% Days with Medical certification	Number of Employees using disability leave	% of total employees using disability leave	Average days per employee	Estimated Cost (R'000)
Lower skilled (Levels 1-2)	n/a	-	-	-	-	-
Skilled (Levels 3-5)	n/a	-	-	-	-	-
Salary band	Total days	% Days with Medical certification	Number of Employees using disability leave	% of total employees using disability leave	Average days per employee	Estimated Cost (R'000)
Highly skilled production (Levels 6-8)	n/a	-	-	-	-	-
Highly skilled supervision (Levels 9-12)	n/a	-	-	-	-	-
Senior management (Levels 13-16)	n/a	-	-	-	-	-
Total	n/a	-	-	-	-	-

Table 50: Annual Leave for the period 1 January 2020 to 31 December 2021

Salary band	Total days taken	Number of Employees using annual leave	Average per employee
Lower skilled (Levels 1-2)	117	6	21
Skilled Levels 3-5)	43	2	21.5
Highly skilled production (Levels 6-8)	76	4	19
Highly skilled supervision (Levels 9-12)	422.5	16	26.4
Senior management (Levels 13-16)	121	5	24.2
Total	779.5	33	891.6

Table 51: Capped leave for the period 1 January 2020 to 31 December 2021

Salary band	Total days of capped leave taken	Number of Employees using capped leave	Average number of days taken per employee	Average capped leave per employee as at 31 March 2021
Lower skilled (Levels 1-2)	0	0	0	0
Skilled Levels 3-5)	0	0	0	0
Highly skilled production (Levels 6-8)	0	0	0	0
Highly skilled supervision (Levels 9-12)	0	0	0	0
Senior management (Levels 13-16)	0	0	0	0
Total	0	0	0	0

Table 52: Leave pay-outs for the period 1 April 2020 to 31 March 2021

Reason	Total amount (R'000)	Number of employees	Average per employee (R'000)
Leave payout for 2021 due to non-utilisation of leave for the previous cycle	86 074.14	1	3.03
Capped leave payouts on termination of service for 2020/21	0	1	3.03
Current leave payout on termination of service for 2020			
Total	86074.14	1	3.03

Table 53: Steps taken to reduce the risk of occupational exposure

Units/categories of employees identified to be at high risk of contracting HIV & related diseases (if any)	Key steps taken to reduce the risk
None	

Table 54: Details of Health Promotion and HIV/AIDS Programmes (tick the applicable boxes and provide the required information)

Question	Yes	No	Details, if yes
1. Has the department designated a member of the SMS to implement the provisions contained in Part VI E of Chapter 1 of the Public Service Regulations, 2001? If so, provide her/his name and position.		x	
2. Does the department have a dedicated unit, or has it designated specific staff members to promote the health and well-being of your employees? If so, indicate the number of employees who are involved in this task and the annual budget that is available for this purpose.	x		Seven (7)
3. Has the department introduced an Employee Assistance or Health Promotion Programme for your employees? If so, indicate the key elements/services of this Programme.		x	
4. Has the department established (a) committee(s) as contemplated in Part VI E.5 (e) of Chapter 1 of the Public Service Regulations, 2001? If so, please provide the names of the members of the committee and the stakeholder(s) that they represent.			
5. Has the department reviewed its employment policies and practices to ensure that these do not unfairly discriminate against employees on the basis of their HIV status? If so, list the employment policies/practices so reviewed.	x		Recruitment Policy
6. Has the department introduced measures to protect HIV-positive employees or those perceived to be HIV-positive from discrimination? If so, list the key elements of these measures.		x	
7. Does the department encourage its employees to undergo Voluntary Counselling and Testing? If so, list the results that you have achieved.		x	
8. Has the department developed measures/indicators to monitor & evaluate the impact of its health promotion programme? If so, list these measures/indicators.	x		Covid-19 health protocols

Table 55: Collective agreements for the period 1 April 2020 to 31 March 2021

Subject matter	Date
As per DPSCA Circulars 2020/21	

Notes If there were no agreements, keep the heading and replace the table with the following:

Total number of Collective agreements	None
---------------------------------------	------

Table 56: Misconduct and disciplinary hearings finalised for the period 1 April 2020 and 31 March 2021

Outcomes of disciplinary hearings	Number	% of total
Correctional counselling	0	-
Verbal warning	0	-
Written warning	1	3.03
Final written warning	0	-
Suspended without pay	0	-
Fine	0	-
Demotion	0	-
Dismissal	0	-
Not guilty	0	-
Case withdrawn	0	-
Total	1	3.03

Notes: If there were no agreements, keep the heading and replace the table with the following:

Total number of Disciplinary hearings finalised	None
---	------

Table 57: Types of misconduct addressed at disciplinary hearings for the period 1 April 2020 to 31 March 2021

	Type of misconduct	Number	% of total
n/a			
Total		0	0

Table 58: Grievances logged lodged? for the period 1 April 2020 to 31 March 2021

Grievances	Number	% of Total
Number of grievances resolved	2	6.06
Number of grievances not resolved	0	0
Total number of grievances lodged	2	6.06

Table 59: Disputes logged lodged? with Councils for the period 1 April 2020 to 31 March 2021

Disputes	Number	% of Total
Number of disputes upheld	-	-
Number of disputes dismissed	-	-
Total number of disputes lodged	-	-

Table 60: Strike actions for the period 1 April 2020 to 31 March 2021

Total number of persons working days lost	Not applicable
Total costs working days cost	Not applicable
Amount recovered as a result of no work no pay (R'000)	Not applicable

Table 61: Precautionary suspensions for the period 1 April 2020 to 31 March 2021

Number of people suspended	Not applicable
Number of people whose suspension exceeded 30 days	Not applicable
Average number of days suspended	Not applicable
Cost of suspension(R'000)	Not applicable

Table 62: Training needs identified for the period 1 April 2020 to 31 March 2021

Occupational category	Gender	Number of employees as at 1 April 2020	Training needs identified at start of the reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	6	0	6	-	-
	Male	12	0	12	-	-
Professionals	Female	13	0	13	-	-
	Male	3	0	3	-	-
Technicians and associate professionals	Female	2	0	2	-	-
	Male	3	0	3	-	-
Clerks	Female	4	0	4	-	-
	Male	-	-	-	-	-
Service and sales workers	Female	-	-	-	-	-
	Male	-	-	-	-	-
Skilled agriculture and fishery workers	Female	-	-	-	-	-
	Male	-	-	-	-	-
Occupational category	Gender	Number of employees as at 1 April 2020	Training needs identified at start of the reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Craft and related trade workers	Female	-	-	-	-	-
	Male	-	-	-	-	-
Plant and machine operators and assemblers	Female	-	-	-	-	-
	Male	-	-	-	-	-
Elementary occupations	Female	-	-	-	-	-
	Male	-	-	-	-	-
Sub Total	Female	-	-	-	-	-
	Male	-	-	-	-	-
Total		43	-	43	-	-

Part E: FINANCIAL INFORMATION

Report of the auditor-general to Parliament on the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities

Report on the audit of the financial statements

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 set out on pages 88 to 124, which comprise the statement of financial position as at 31 March 2021, the statement of financial performance, statement of changes in net assets, the 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 Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities as at 31 March 2021, and its financial performance and cash flows for the year then ended in accordance with Standards of Generally Recognized Accounting Practice (Standards of GRAP) and the requirements of the Public Finance Management Act 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' *International code of ethics for professional accountants (including International Independence Standards)* (IESBA code) as well as other 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 the 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 constitutional institutions' ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the constitutional institutions or to cease operations, or has 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 assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in 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 this auditor's report.

Report on the audit of the annual performance report

Introduction and scope

10. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I have a responsibility to report on the usefulness and reliability of the reported performance information against predetermined objectives for selected programme presented in the annual performance report. I performed procedures to identify material findings but not together evidence to express assurance.
11. My procedures address the usefulness and reliability of the reported performance information, which must be based on the constitutional institution's approved performance planning documents. I have not evaluated the completeness and appropriateness of the performance indicators included in the planning documents. My procedures do not examine whether the actions taken by the constitutional institution enabled service delivery. My procedures do not extend to any disclosures or assertions relating to the extent of achievements in the current year or 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 programme presented in the constitutional institution's annual performance report for the year ended 31 March 2021:

Programmes	Pages in the annual performance report
Programme 2 – Legal services & Conflict Resolution	33 - 35

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 this programme:
- Programme 2 - Legal services & Conflict Resolution

Other matters

15. I draw attention to the matters below.

Achievement of planned targets

16. Refer to the annual performance report on pages 28 to 63 for information on the achievement of planned targets for the year and management's explanations provided for the under achievement of targets.

Adjustment of material misstatements

17. I identified material misstatements in the annual performance report submitted for auditing. These material misstatements were on the reported performance information of Programme 2 Legal services & Conflict Resolution. As management subsequently corrected the misstatements, I did not raise any material findings on the usefulness and reliability of the reported performance information.

Report on the audit of compliance with legislation

Introduction and scope

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

19. I did not identify any material findings on compliance with the specific matters in key legislation set out in the general notice issued in terms of the PAA.

Other information

20. The 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 and those selected programme presented in the annual performance report that have been specifically reported in this auditor's report.
21. 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 on it.
22. 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 programme presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.
23. I did not receive the other information prior to the date of this auditor's report. When I do receive and read 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 retract this auditor's report and re-issue an amended report as appropriate. However, if it is corrected this will not be necessary.

Internal control deficiencies

24. 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 on it. I did not identify any significant deficiencies in internal control.

Auditor General
Pretoria

4 August 2021



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

General Information

Country of incorporation and domicile	South Africa
Business address	Head office, 33 Hoofd Street Forum IV, Ground Floor, Braampark Braamfontein Johannesburg 2001
Postal address	Private Bag X 90 000 Houghton 2041
Auditors	The Auditor General of South Africa
Legal form	The CRL Rights Commission is a Constitutional Institution legislated by the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act, Act 19 of 2002.
Operations	The CRL Rights Commission deals mainly with social sciences of culture, religion and languages. The CRL Rights Commission's main objective is to facilitate nation building through Promotion and Protection of the Rights of Cultural, Religious and Linguistic communities.
Governing legislation	The operations of the CRL Rights Commission are mainly governed by the following legislations: The Constitution of South Africa; The PFMA Act, Act 1 of 1999; and The CRL Rights Commission Act, Act 19 of 2002
Bank	First National Bank Current Account First National Bank Call Account

**Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
Annual Financial Statements for the year ended 31 March 2021**

Index

The reports and statements set out below comprise the annual financial statements for the year ended 31 March 2021 presented to the parliament:

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Statement of Financial Position as at 31 March 2021

	Note	2021 R'000	2020 R'000
Assets			
Current Assets			
Trade and other receivables from exchange transactions	7	113	28
Prepayments	6	490	539
Cash and cash equivalents	8	13 076	6 973
		13 679	7 540
Non-Current Assets			
Property, plant and equipment Restated	3	3 866	2 815
Intangible assets	4	274	308
Trade and other receivables from exchange transactions	7	387	332
		4 527	3 455
Total Assets		18 206	10 995
Liabilities			
Current Liabilities			
Trade and other payables from exchange transactions	11	2 408	3 060
Provisions	10	4 091	900
		6 499	3 960
Non-Current Liabilities			
Operating lease liability	5	672	386
Total Liabilities		7 171	4 346
Net Assets		11 035	6 649
Accumulated surplus	9	11 035	6 649
Total Net Assets and liabilities		18 206	10 995

Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
Annual Financial Statements for the year ended 31 March 2021

Statement of Financial Performance

	Note	2021 R'000	2020 R'000
Revenue			
Revenue from exchange transactions			
Finance income	12	305	385
Proceed from the insurance	13	-	25
Total revenue from exchange transactions		305	410
Revenue from non-exchange transactions			
Transfer revenue			
Transfer from the Department of Cooperative Governance and Traditional Affairs	13	46 046	45 189
Total revenue		46 351	45 599
Expenditure			
Employee costs	14	(25 005)	(24 246)
Depreciation and amortisation	15	(844)	(697)
Other operating expenses	16	(11 327)	(7 724)
Administrative expenditure	17	(3 161)	(6 208)
Auditors fees	18	(1 575)	(1 883)
Interest and penalties	19	(49)	-
Total expenditure		(41 961)	(40 758)
Surplus for the year		4 390	4 841

Statement of Changes in Net Assets

Figures in Rand thousand	Accumulated surplus	Total net assets
Balance at 01 April 2019	1 808	1 808
Changes in net assets Surplus for the year	4 841	4 841
Restated* Balance at 01 April 2020	6 649	6 649
Changes in net assets Surplus for the year	4 386	4 386
Total changes	4 386	4 386
Balance at 31 March 2021	11 035	11 035

Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
Annual Financial Statements for the year ended 31 March 2021

Cash Flow Statement

	Note	2021 R'000	2020 R'000
Cash flows from operating activities			
Receipts			
Proceed from the insurance	13	-	25
Cash receipts from transfer payments	13	46 046	45 189
Interest received	12	290	363
		46 336	45 577
Payments			
Employee costs		(22 434)	(22 110)
Suppliers		(15 873)	(15 977)
		(38 307)	(38 087)
Net cash flows from operating activities	20	8 029	7 490
Cash flows from investing activities			
Purchase of property, plant and equipment	3	(1 905)	(542)
Purchase of other intangible assets	4	(21)	-
Net cash flows from investing activities		(1 926)	(542)
Net increase/(decrease) in cash and cash equivalents		6 103	6 948
Cash and cash equivalents at the beginning of the year		6 973	25
Cash and cash equivalents at the end of the year	8	13 076	6 973

Statement of Comparison of Budget and Actual Amounts

Budget on Accrual basis						
Figures in Rand thousand	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Variance	Reference
	R'000	R'000	R'000	R'000		
Statement of Financial Performance						
Revenue						
Revenue from exchange transactions						
Interest received - Investment	237	-	237	305	29 %	1.
Transfer revenue						
Government grants & subsidies	46 046	-	46 046	46 046		
Total revenue from non-exchange transactions	46 283	-	46 283	46 351		
Expenditure						
Personnel	(27 097)	-	(27 097)	(25 005)	8 %	2.
Depreciation and amortisation	(1 355)	-	(1 355)	(844)	38 %	3.
Audit fees	(1 857)	-	(1 857)	(1 575)	15 %	4.
Administrative expenditure	(4 165)	-	(4 165)	(3 161)	24 %	5.
Operating expenditure	(11 800)	-	(11 800)	(11 327)	4 %	6.
Interest and penalties	-	-	-	(49)	100 %	7.
Total expenditure	(46 274)	-	(46 274)	(41 961)		
Actual Amount on Comparable Basis as Presented in the Budget and Actual Comparative Statement	-	-	-	4 390		

Analysis of all variances

1. The increase in investment income by 29% was due to interest earned in cash held in the bank resulting in savings from less expenditure in operating and administrative expenses.
2. The 8% savings in employee cost is due approved positions not filled during the current financial year.
3. The decrease in the depreciation expense by 38% was as a result of the correction of change in estimate on useful lives of office furniture, office equipment and computer equipment as they are depreciation rates were higher than originally anticipated.
4. The 15% savings in audit fees is due to appointment of a new service provider by Auditor General with lower operating overheads cost.
5. The savings of 24% in administrative expense was due to decrease in spending on internal audit fees, stationary and printing and common area electricity.
6. The savings of 4% on operating expenditure was due to a drop in travel and subsistence allowance due to lockdown and marketing expenses.
7. The 100% interest and penalties was as a result cost incurred due to late payment of employee tax to SARS.

Accounting Policies

1. Presentation of Financial Statements

1.1 Basis of preparation

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

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 annual 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 CRL Rights Commission makes estimates and assumptions that affect the reported amounts of assets and liabilities within the current and subsequent financial years. Estimates and judgements 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.

Significant judgements made includes provisions for leave credits and estimations in respect of the useful lives values of property, plant and equipment. The method of calculation applied in respect of provisions is disclosed in accounting policy 1.11.

The COVID - 19 pandemic and its regulations impacted on the expenditure patterns and trends of the CRL Rights Commission. The impact has no material influence on the judgements and going concerns assertions.

1.3 Presentation currency

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

1.4 Exchange 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.
Interest income.

Exchange revenue constitute interest earned on bank accounts as a result of positive bank balances.

Accounting Policies

Interest income is recognised on an accrual basis throughout the year, taking into account the cash on hand in approved bank accounts of the CRL Rights Commission using the effective rate.

1.5 Revenue from non-exchange revenue

Transfers

The CRL Rights Commission recognises transfers at the date when funds are deposited in the bank account of the CRL Rights Commission. The CRL Commission receives its budget allocation in the form of transfer payments through the budget vote of the Department of Co-operative Governance and Traditional Affairs. Revenue from non-exchange transactions are generally recognised to the extent that the related receipt or receivable qualifies for recognition as an asset and there is no liability to pay back the amount.

1.6 Leases

Leases are classified as finance leases where substantially all the risks and rewards associated with ownership of an asset are transferred to the CRL Rights Commission.

Leases in which significant portion of the rights and rewards of ownership are retained by the lessor are classified as operating leases.

As Lessee

Property, plant and equipment subject to finance lease agreements are capitalised at their cash cost equivalent. Corresponding liabilities are included in the Statement of Financial Position as finance lease obligations. The cost of the item of property, plant and equipment is depreciated at appropriate rates on the straight-line basis over its estimated useful life. Lease payments are allocated between the lease finance cost and the capital repayment using the effective interest rate method. Lease finance costs are expensed when incurred.

Operating leases are those leases that do not fall within the scope of the above definition. Operating lease rentals are recognised on the straight-line basis over the term of the relevant lease.

In the event that the lease incentives are received to enter into operating leases, such incentives are recognised as a liability. The aggregate benefit of incentives is recognised as a reduction of rental expense on a straight-line basis, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed.

Operating leases - lessor

Initial direct costs incurred in negotiating and arranging operating leases are added to the carrying amount of the leased asset and recognised as an expense over the lease term on the same basis as the lease revenue.

The aggregate cost of incentives is recognised as a reduction of rental revenue over the lease term on a straight-line basis. The aggregate benefit of incentives is recognised as a reduction of rental expense over the lease term on a straight-line basis. Income for leases is disclosed under revenue in statement of financial performance.

Operating lease payments are recognised as an expense on a straight-line basis over the lease term. The difference between the amounts recognised as an expense and the contractual payments are recognised as an operating lease asset or liability.

Accounting Policies

1.7 Property, plant and equipment

Property, plant and equipment are tangible non-current assets (including infrastructure assets) that are held for use in the production or supply of goods or services, rental to others, or for administrative purposes, and are expected to be used during more than one year.

Property, plant and equipment are initially recognised at cost on its acquisition date. The cost of an item of property, plant and equipment is the purchase price and other costs attributable to bring the asset to the location and condition necessary for it to be capable of operating in the manner intended by the CRL Rights Commission. Trade discounts and rebates are deducted in arriving at the cost. The cost also includes the necessary costs of dismantling and removing the asset and restoring the site on which it is located.

Where an asset is acquired by the CRL Rights Commission for no amount or nominal consideration through a non-exchange transaction, its cost is deemed to be equal to the fair value of that asset on the date acquired.

The cost of an item of property, plant and equipment acquired in exchange for non-monetary assets or monetary asset, or a combination of monetary asset and non-monetary assets is measured at fair value of an asset given up, unless the fair value of the asset received is more clearly evident. If the acquired item could not be measured at its fair value, its cost is measured at the carrying amount of the assets given up.

Subsequent expenditure relating to property, plant and equipment is capitalised if it is probable that the future economic benefits or potential service delivery associated with subsequent expenditure will flow to the entity and the cost or fair value of subsequent expenditure can be reliably measured. Subsequent expenditure incurred on an asset is only capitalised when it increases the capacity or future economic benefits associated with the asset. Where the entity replaces parts of an asset, it derecognises the part being replaced and capitalises the new component.

Subsequent measurement

Subsequently property, plant and equipment are measured at cost, less accumulated depreciation and accumulated impairment.

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

Depreciation

Land is not depreciated as it is regarded as having unlimited life. Depreciation on assets other than land is calculated using the straight line - method, to allocate their cost or revalued amounts less their residual values over the estimated useful lives of the assets. The depreciation method used reflects the pattern in which the assets' future economic benefits or service potential are expected to be consumed by the entity.

The CRL Rights Commission re-assesses the useful lives and residual value of property, plant and equipment annually. Management considers the expected useful lives of the individual asset, to determine the remaining period over which the asset is expected to be used. Residual value is determined only in respect of motor vehicles at 20% of cost.

Accounting Policies

The depreciation rates are based on the following estimated useful lives..

Item	Useful Lives(Years)
Furniture and fixtures	10 years
Motor vehicles	15 years
Office equipment	8 years
Computer equipment	6 years
Leasehold improvements	Period of the lease
Mobile communication devices	2 years

The useful life and depreciation method of each asset in an asset class is reviewed at the end of each reporting date. The CRL Rights Commission re-assesses the useful life of the property, plant and equipment annually for any indication that the CRL Rights Commission's expectations have changed. If the expectation differs from previous estimates, the change is accounted for as a change in accounting estimate.

1.7 Property, plant and equipment (continued) De-recognition of assets

An asset is de-recognised and withdrawn from service due to impairment or when the asset is replaced due to it reaching the end of its useful life. The CRL Rights Commission is not a profit making institution and does not therefore use any of its assets with the objective to generate commercial gain.

The gain or loss arising from de-recognition of an item of property, plant and equipment is included in the statement of financial performance when the item is de-recognised. The gain or loss arising from the de-recognition of an item of property, plant and equipment is determined as the difference between the net disposable proceeds, if any, and the carrying amount of the item.

1.8 Impairment of non-cash generating assets

The CRL Rights Commission assess assets to be cash generating, when the asset is used with the objective to generate commercial return. The CRL Rights Commission assess assets to be a non-cash generating asset when the asset is not used with the objective to generate commercial return. Commercial return means that positive cash flows are expected to be significantly higher than the cost of the asset.

Recognition and measurement

At the end of each reporting date, the condition of non-cash generating assets is reviewed to determine whether there is an indication of impairment or reversal of impairment. If such indication exist, the recoverable service amount of the asset is estimated in order to determine the extent of impairment loss, if any.

Where the recoverable service amount is less than the carrying amount, the carrying amount of the asset is reduced to the recoverable service amount. The reduction is recognised as an impairment loss. An impairment loss is recognised immediately in the Statement of Financial Performance. Recoverable service amount of a non-cash generating asset is the higher of the fair value less cost to sell, and its value in use as estimated.

Assets held by the CRL Rights Commission are classified as non cash-generating assets, as they are not utilised with the objective of generating commercial return.

The CRL Rights Commission assesses all its tangible and intangible assets at reporting date to determine

Accounting Policies

whether there is any indication that an asset may be impaired. If there is any indication that the asset may be impaired the recoverable service amount is estimated for the individual asset. The recoverable service amount is calculated as depreciated replacement cost. Depreciated replacement cost is calculated as the replacement cost of the asset less depreciation in line with the useful life expired for the asset.

Reversal of impairment loss

The CRL Rights Commission assess at each reporting date whether there is any indication that an impairment loss recognised in prior periods for an asset may no longer exist or may have decreased. If any such indication exists, the CRL Rights Commission estimates the recoverable service amount of that asset.

An impairment loss recognised in prior periods on an asset is reversed if there has been a change in the estimates used to determine the asset's recoverable service amount since the last impairment loss was recognised. The carrying amount of the asset is increased to its recoverable service amount. The increase is a reversal of an impairment loss.

A reversal of an impairment loss for an asset is recognised immediately in the Statement of Financial Performance.

In allocating a reversal of an impairment loss for a non-cash generating unit, the carrying amount of an asset is not increased above the lower of:

- its recoverable service amount; and
- the carrying amount that would have been determined (net of amortisation or depreciation) had no impairment loss been recognised for the asset in prior periods.

1.9 Intangible assets Recognition

An intangible asset is recognised when:

- it is probable that the economic benefit associated with the asset will flow to the CRL Rights Commission; and
- the cost of an asset or its value can be measured reliably.

The cost of an intangible asset is calculated at the value at which the asset was purchased.

Initial measurement

Intangible assets are initially measured at cost. The cost of an intangible asset is the purchase price and other costs attributable to bring the intangible asset to the location and condition necessary for it to be capable of operating in the manner intended by CRL Rights Commission, or where an intangible asset is acquired at no cost, or nominal cost, the cost shall be its fair value as at the date of acquisition. Trade discounts and rebates are deducted in arriving at the cost.

Intangible assets acquired separately or internally generated are reported at cost less accumulated amortisation and accumulated impairment losses.

Subsequent measurement

Amortisation is calculated on cost, using the straight line method, over the useful lives of assets, which is 10 years upon initial recognition. Where intangible assets are deemed to have an indefinite useful life, such intangible assets are not amortised.

Accounting Policies

The estimated useful life, residual values and amortisation method are assessed at each reporting date on an indicator basis. Amortisation of an asset commences when the asset is ready for its intended use. The useful lives of intangible assets have been assessed as follows:

Item	Useful life (Years)
Computer software	10 years

De-recognition of intangible assets

An intangible asset is derecognised when the separate item of intangible asset is disposed off or withdrawn from service or replaced. The gain or loss from de-recognition of intangible assets are determined as the difference between the proceeds, if any, and carrying amount of the item.

The gain or loss arising from de-recognition of an intangible asset is included in surplus or deficit when the asset is derecognised.

The useful lives and amortisation method of intangible assets are assessed on an annual basis. The residual value of intangible assets is assumed to be zero.

1.10 Financial instruments

The CRL Rights Commission shall recognise a financial asset or a financial liability in its Statement of Financial Position when, the CRL Rights Commission becomes a party to the contractual provisions of the instrument. Financial assets carried on the Statement of Financial Position include cash and cash equivalents, and trade and other receivables.

The CRL Rights Commission's principal financial liabilities are trade and other payables.

Initial measurement

When a financial asset or financial liability is recognised initially, the CRL Rights Commission shall measure it at its fair value, plus in the case of a financial asset or a financial liability not subsequently measured at fair value cost, transaction costs that are directly attributable to the acquisition or issue of the financial asset or financial liability.

Subsequent measurement

The CRL Rights Commission measures all financial assets and financial liabilities after initial recognition using the following categories:

- financial instruments at fair value;
- financial instruments at amortised cost; and
- financial instruments at cost.

Impairment

The CRL Rights Commission shall assess at the end of each reporting period whether there is any objective evidence that an impairment loss on the financial asset measured at amortised cost has been incurred. If any evidence exists, the CRL Rights Commission shall determine the amount of any impairment loss. The amount of impairment loss is measured as the difference between the carrying amount of a financial asset and present value of estimated future cash flows (excluding future credit losses that have been incurred) discounted at the financial asset's original effective interest rate. The carrying amount of the asset shall be reduced through the use of an allowance account. The amount of the loss shall be recognised in the surplus or deficit.

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Accounting Policies

De-recognition

The CRL Rights Commission derecognises financial asset when:

- the contractual rights to cash flows from the financial asset expire, are settled or waived;
- the CRL Rights Commission transfers to another party substantially all of the risks and rewards of ownership of the financial asset; or
- the CRL Rights Commission, despite having retained some significant risks and rewards of ownership of a financial asset, has transferred control of the asset to another party and the other party has the practical ability to sell the asset in its entirety to an unrelated third party, and is able to exercise that ability unilaterally and without needing to impose additional restriction on the transfer.

Measurement

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

Financial assets

The CRL Rights 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 rate risk.

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

Financial liabilities

The CRL Rights 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.

1.11 Provisions Recognition

The CRL Rights 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 as a provision shall be the best estimate of expenditure required to settle the obligation at reporting date.

Leave provision

Leave provision is calculated on the liability for leave credits due to each member as at the reporting date. Leave provision for employees who are on structured salary is calculated by dividing the monthly salary at cost to company by average monthly working days multiplied by the leave days that has actually accrued to that employee. Leave provision for employees that are not on structured salary is calculated by dividing monthly basic salary by average working monthly days multiplied by actual leave credits that have been accrued to the employee. An additional 37% is added in lieu of benefits. The leave provision is utilised by the leave being taken or the actual leave value paid out to the employee.

Change of provision

Provisions are reviewed at each reporting date and adjusted to reflect the current best estimate. If it is no longer probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation, the provision shall be reversed.

Accounting Policies

1.12 Employee benefits

Contributions to the defined contribution retirement plan and defined benefit retirement plan are charged to the Statement of Financial Performance in the year in which they relate. The CRL Rights Commission has no legal or constructive obligation to pay further contributions in respect of the provident fund 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 contribution plan. Additional contribution to the plan is the responsibility of the state and not of the CRL Rights Commission.

The actual 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 absence is recognised as an expense in the Statement of Financial Performance as the employee renders service that increase their entitlement.

State plan

The CRL Rights Commission classifies the state plan as a 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 the plan, the CRL Rights Commission account for the plan as if it was a defined contribution plan.

Staff members of the CRL Rights Commission by means of election belong to a defined benefit plan which is managed by Government Employee Pension Fund. Sufficient information in the form of actuarial calculations relating to the CRL Rights Commission's employees is not available as the employees are part of a larger pension fund plan managed by Government Employee Pension Fund. Therefore, the defined benefit plan is disclosed as a defined contribution plan.

1.13 Going concern

The CRL Rights Commission is considered a going concern due to its status as a Constitutional Institution. Detail in respect of the going concern status of the CRL Rights Commission is disclosed in note 22

1.14 Related parties

Only transactions with related parties that do not arise in the ordinary course of business are disclosed.

Transactions with key management personnel are recognised as related party transactions. Key management personnel is defined as being individuals with the authority and responsibility for planning, directing and controlling activities of the CRL Rights Commission. All individuals from the level of Senior Manager and Commissioners are regarded as key management in terms of the definition of the financial reporting standards. Senior Manager's and Commissioner's remuneration is disclosed in note 21.

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

Transactions outside the normal cause of business with related parties are disclosed, recognised and accounted for at actual cost.

Department of Cooperative Governance and Traditional Affairs and CRL Rights Commission in the context of national sphere of government in terms of GRAP 20 'Related party transactions and has been disclosed as such in note 30.

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Accounting Policies

1.15 Fruitless and wasteful 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 Statement of Financial Performance and where recovered, it is subsequently accounted for as other income in the Statement of Financial Performance.

1.16 Budget information

General purpose financial reporting by the CRL Rights Commission shall provide information on whether resources were obtained and used in accordance with the legally adopted budget.

The approved budget is prepared on a cash basis and presented by programmes linked to performance outcome objectives.

The approved budget and final budget for the fiscal period from 2020/04/01 to 2021/03/31 is presented in the annual financial statements. The approved budget apply to the CRL rights Commission only.

A comparison between the surplus 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.

1.17 Irregular expenditure

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 thereof must be provided in the notes. Irregular expenditure receivables are measured at the amount that is expected to be recovered and recognised when settled or written off as irrecoverable.

1.18 Events after reporting date

Events after the reporting date that came to the attention of management are reported in note 23.

1.19 Prepayments

The CRL Rights Commission discloses material payments made in advance on goods or services to be acquired. Prepayments are accounted for as current assets if the goods or services are to be delivered within one year from reporting date and as long term assets if goods or services are to be delivered beyond one year as per note 6.

Statutory receivables

Statutory receivables are receivables that arise from legislation, supporting regulations, or similar means, and require settlement by another entity in cash or another financial asset.

Carrying amount is the amount at which an asset is recognised in the statement of financial position.

The cost method is the method used to account for statutory receivables that requires such receivables to be measured at their transaction amount, plus any accrued interest or other charges (where applicable) and, less any accumulated impairment losses and any amounts derecognised.

Nominal interest rate is the interest rate and/or basis specified in legislation, supporting regulations or similar means.

The transaction amount (for purposes of this Standard) for a statutory receivable means the amount specified in, or calculated, levied or charged in accordance with, legislation, supporting regulations, or similar means.

Accounting Policies

2. New standards and interpretations

2.1 Standards and interpretations issued, but not yet effective

The CRL Rights Commission has not applied the following standards and interpretations, which have been published and are mandatory for the CRL Rights Commission's accounting periods beginning on or after 01 April 2021 or later periods:

Standard/ interpretation	Standard Name:	Effective date: Years beginning on or after	Impact
GRAP 5	Borrowing Costs	Effective for annual periods beginning on 1 April 2021	No Impact
GRAP 13	Leases	Effective for annual periods beginning on 1 April 2021	No Impact
GRAP 16	Investment Property	Effective for annual periods beginning on 1 April 2021	No Impact
GRAP 17	Property, Plant and Equipment	Effective for annual periods beginning on 1 April 2021	No Impact
GRAP 20	Related Party Disclosures	Effective for annual periods beginning on 1 April 2021	No Impact
GRAP 24	Presentation of Budget Information in Financial Statements	Effective for annual periods beginning on 1 April 2021	No Impact
GRAP 25	Employee Benefits	No effective date have been set	Unlikely there will be a material impact
GRAP 31	Intangible Assets	Effective for annual periods beginning on 1 April 2021	No Impact
GRAP 32	Service Concession Arrangements: Grantor	Effective for annual periods beginning on 1 April 2021	No Impact
GRAP 37	Joint Arrangements	Effective for annual periods beginning on 1 April 2021	No Impact
GRAP 104	(amended): Financial Instruments	No effective date have been set	Unlikely there will be a material impact
GRAP 106	Transfer of Functions Between Entities Not Under Common Control	Effective for annual periods beginning on 1 April 2021	No Impact

The CRL Rights Commission has not adopted GRAP 20 but have used it to develop accounting policies. The Minister of Finance has pronounced the effective date of GRAP 34 to GRAP 38 and are not applicable to the CRL Rights Commission.

Figures in Rand thousand

3. Property, plant and equipment

	2021 R'000			2020 R'000		
	Cost	Accumulated depreciation	Carrying value	Cost	Accumulated depreciation	Carrying value
Mobile Communication devices	219	(150)	69	172	(67)	105
Furniture and fixtures	2 409	(1 447)	962	2 300	(1 354)	946
Motor vehicles	841	(34)	807	204	(163)	41
Office equipment	2 360	(1 333)	1 027	2 066	(1 118)	948
Computer equipment	1 976	(1 025)	951	1 788	(1 080)	708
Leasehold improvements	1 001	(951)	50	1 001	(934)	67
Total	8 806	(4 940)	3 866	7 531	(4 716)	2 815

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

Figures in Rand thousand

3. Property, plant and equipment (*continued*)

Reconciliation of property, plant and equipment - 2021

	Opening balance	Additions	Disposals	Depreciation	Total
Mobile communication devices	105	47	-	(83)	69
Furniture and fixtures	946	169	(17)	(136)	962
Motor vehicles	41	841	(41)	(34)	807
Office equipment	948	348	-	(269)	1 027
Computer equipment	708	500	(8)	(249)	951
Leasehold improvements	67	-	-	(17)	50
	2 815	1 905	(66)	(788)	3 866

Reconciliation of property, plant and equipment - 2020

	Opening balance	Additions	Disposals	Depreciation	Total
Mobile communication devices	13	169	(16)	(61)	105
Furniture and fixtures	1 079	121	-	(254)	946
Motor vehicles	41	-	-	-	41
Office equipment	1 053	94	-	(199)	948
Computer equipment	791	158	(18)	(223)	708
Leasehold improvements	84	-	-	(17)	67
	3 061	542	(34)	(754)	2 815

There are no encumbrances or restrictions on property, plant and equipment.

The asset register is available for inspection at the registered offices of CRL Rights Commission. There are no contractual commitments on property, plant and equipment at financial year end.

Repairs and maintenance in respect of property, plant and equipment are disclosed in note 17.

There are fully depreciated property, plant and equipment which are still in use.

There were adjustments in the opening balances in the reconciliation of financial year ended 31 March 2020, however, these adjustments were immaterial.

Notes to the Annual Financial Statements

Figures in Rand thousand

4. Intangible assets

	2021 R'000			2020 R'000		
	Cost	Accumulated amortisation	Carrying value	Cost	Accumulated amortisation	Carrying value
Computer software	558	(284)	274	537	(229)	308

Reconciliation of intangible assets - 2021

	Opening balance	Additions	Amortisation	Total
Computer software	308	21	(55)	274

Reconciliation of intangible assets - 2020

	Opening balance	Amortisation	Total
Computer software	361	(53)	308

There are no contractual commitments on intangible assets at year end.

- -

The asset register is available for inspection at the registered office of CRL Rights Commission. There are no encumbrances on intangible assets .

5. Operating lease liability Non-current liabilities

Building	604	348
Parking	68	38
Total	(386)	(672)

Refer to note 25 on operating lease commitment details.

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Annual Financial Statements for the year ended 31 March 2021

Notes to the Annual Financial Statements

Figures in Rand thousand	2021 R'000	2020 R'000
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6. Prepayments

Software for accounting Caseware annual licence	80	103
Software for accounting and payroll annual licence	166	156
Building and parking operating lease payments	244	225
Exhibition at Rand Easter show	-	55
	490	539

Prepayments are made in respect of contractual obligations that the CRL Rights Commission is committed to through normal procurement process.

7. Trade and other receivables from exchange transactions

Deposits (Landlord)	332	332
Exhibition at Rand Easter show	55	-
Receivable from third parties	116	286
Provision for bad debts	(3)	(258)
	500	360
Non-current assets	387	332
Current assets	113	28
	500	360

The provision for doubtful debt relates to monies owed by SARS to the Commission.

The non current receivable relate to the deposit paid to the landlord in respect of the lease agreement, which will only be receivable at the end of the lease term.

8. Cash and cash equivalents

Cash and cash equivalents consist of:

Cash on hand	1	3
Bank balances	13 038	5 853
Short-term deposits	37	1 116
	13 076	6 972

All funds are available for use by the CRL Rights Commission and there are no restricted funds.

Notes to the Annual Financial Statements

Figures in Rand thousand	2021 R'000	2020 R'000
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9. Accumulated surplus

Accumulated surplus - 2021

	Accumulated surplus	Total
Opening balance	6 649	6 649
Net surplus	4 386	4 386
	11 035	11 035

Accumulated surplus - 2020

	Accumulated surplus	Total
Opening balance	1 808	1 808
Net surplus	4 841	4 841
	6 649	6 649

10. Provisions

Reconciliation of provisions - 2021

	Opening Balance	Additions	Utilised during the year	Total
Provision for leave pay	900	1 091	(900)	1 091
Provision for retention of funds	-	3 000	-	3 000
	900	4 091	(900)	4 091

Reconciliation of provisions - 2020

	Opening Balance	Additions	Utilised during the year	Leave paid during the current year	Total
Provision for leave pay	937	900	(856)	(81)	900

Employees did not utilise accumulated leave credits, resulting in increase in leave provision. The leave provision for the current year is higher, resulting in increase in employee cost of R191 000. The increase of R3 000 000 is as result of retention of funds not yet approved by National Treasury at reporting date.

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Annual Financial Statements for the year ended 31 March 2021

Notes to the Annual Financial Statements

Figures in Rand thousand	2021 R'000	2020 R'000
11. Payables from exchange transactions		
Trade payables	1 446	2 572
Accrued bonuses	502	488
Payroll liabilities	460	-
	2 408	3 060
12. Other income - exchange transactions		
The amount included in revenue arising from exchanges of goods or services are as follows	290	363
Finance income from bank accounts - Cash		
Finance income from bank accounts - Accrued	15	22
	305	385
13. Revenue from non-exchange transactions		
Transfer from the Department of Co-operative Governance and Traditional Affairs	46 046	45 189
Proceed from the insurance	-	25
	46 046	45 214
14. Employee costs		
Basic	14 576	14 751
Commissioners remuneration	3 222	1 883
Other non pensionable allowances	5 138	5 476
Unemployment Insurance fund	60	62
Skills development levy	123	189
Total	23 119	22 311
Post retirement benefits plans		
Pension fund	827	914
Provident fund - Defined contribution	1 059	1 021
Total	1 886	1 935
	25 00	24 246
Staff compliment	-	33

Remuneration of the Chairperson and the Deputy Chairperson is included in the normal employee cost, but has been disclosed with the Commissioners remuneration in the related party transactions in note 22.

Notes to the Annual Financial Statements

Figures in Rand thousand	2021 R'000	2020 R'000
15. Depreciation and amortisation		
Depreciation and amortisation costs	844	697
16. Other operating expenditure		
Software licenses	278	285
Consulting and professional fees	2 047	641
Operating lease	3 167	3 070
Travel and subsistence allowance	574	2 405
Marketing	214	558
Repairs and maintenance	208	254
Loss on disposal of assets	66	21
Photographic services	-	13
Communication and courier cost	1 232	308
Staff training and development	166	120
Removal of office furniture	-	3
Computer expenses	79	46
Covid - 19 Personal protective equipment	296	-
Refund retained earnings	3 000	-
	11 327	7 724
17. Administrative Expenditure		
Administrative Expenditure		
Recruitment advertisement	-	75
Internal auditing	526	1 460
Insurance	201	197
Legal expenses	545	141
Catering	93	651
Stationary and printing	794	1 588
Venues and facilities	252	382
Acquisition of non-capital assets	32	15
Bank charges	19	19
Provision for doubtful debts	-	258
Water and electricity	18	44
Municipal charges	27	42
Common area electricity	472	1 094
Rates and Taxes	182	242
	3 161	6 208

Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
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Notes to the Annual Financial Statements

Figures in Rand thousand	2021 R'000	2020 R'000
18. Auditors' Fees		
Fees	1 575	1 883
19. Interest and penalties		
Interest and penalties paid	49	-
20. Cash generated from operations		
Surplus	4 390	4 841
Adjustments for:		
Depreciation and amortisation	843	697
Loss on disposal of assets	66	21
Retention of funds	3 000	-
Decrease in accrual income	(37)	-
Interest accrued	-	(22)
Proceeds from insurance	-	25
Increase in operating lease liability accruals	-	313
Increase/(Decrease) in provisions	191	(37)
Increase/ (Decrease) in bonus provision	502	-
Decrease /(Increase) in prepayments	(6)	8
Changes in working capital:		
(Increase)/decrease in trade and other receivables from exchange transactions	(170)	270
Decrease/(Increase) in payables from exchange transactions	(666)	1 364
Leave payout	(81)	-
Other non-cash items	(3)	-
	8 029	7 490

21. Commissioners and prescribed officer's emoluments

Audit and Risk Committee

2021

	Appoint- mentDate	Fees	Total
M Phiri (Chairperson)	2019/08/01	95	95
T Poee	2019/12/01	55	55
L Mangquku	2019/12/01	55	55

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Figures in Rand thousand	2021 R'000	2020 R'000
	Appoint- mentDate	Fees
		Total
	-	-
	-	-
	205	205

2020 Audit Committee

	Appoint- mentDate	Fees	Other benefits	Total
MM Madiwa	2014/02/01	95	30	125
TN Baloyi	2014/02/01	31	47	78
M Phiri	2019/08/01	26	4	30
T Pooe	2019/12/01	10	1	11
L Mangquku	2019/12/01	10	1	11
		172	83	255

Commissioners

2021

	Appointment Date	Basic Salary	Struc- tured Salary	Provident fund	Other Benefits	Fees	Total
DL Mosoma	2019/07/01	796	569	-	-	-	1 365
SM Pheto	2019/07/01	677	383	109	2	-	1 171
M Abduroaf	2019/07/01	-	-	-	-	187	187
T Mosala	2019/07/01	-	-	-	3	255	258
NV Tyamzashe	2019/07/01	-	-	-	-	162	162
RS Schoeman	2019/07/01	-	-	-	1	189	190
ON Mndende	2019/07/01	-	-	-	-	293	293
S Dlamini	2019/07/01	-	-	-	80	166	246
FS Khama	2019/07/01	-	-	-	-	334	334
RT Kgatla	2019/07/01	-	-	-	4	199	203
RD Botha	2019/07/01	-	-	-	12	306	318
P Ntuli	2019/07/01	-	-	-	29	295	324
M Langa	2019/07/01	-	-	-	1	183	184
		1 473	952	109	132	2 569	5 235

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Notes to the Annual Financial Statements

21. Commissioners and prescribed officer's emoluments (continued)

2020	Appoint- ment Date	Basic Salary	Structured Salary	Pen- sion Fund	Other Benefits	Fees	Total
DL Mosoma (Chairperson)	2019/07/01	593	395	-	4	-	992
SM Pheto (Deputy Chairperson)	2019/07/01	504	218	76	4	-	802
M Abduruf	2019/07/01	-	-	-	2	101	103
NV Tyamzashe	2019/07/01	-	-	-	10	81	91
RS Schoeman	2019/07/01	-	-	-	16	149	165
T Mosala	2019/07/01	-	-	-	10	155	165
ON Mndende	2019/07/01	-	-	-	7	183	190
S Dlamini	2019/07/01	-	-	-	93	163	256
FS Khama	2019/07/01	-	-	-	-	210	210
M Langa	2019/07/01	-	-	-	1	93	94
RT Kgatla	2019/07/01	-	-	-	4	171	175
RD Botha	2019/07/01	-	-	-	21	148	169
P Ntuli	2019/07/01	-	-	-	4	136	140
		1 097	613	76	176	1 590	3 552

Senior Management Emoluments

2021

	Appoint- ment Date	Basic Salary	Structured Salary	Pension/ Provident Fund	Other Benefits	Total
Chief Executive Officer - TE Mafadza	2008/04/01	762	409	99	2	1 272
Chief Financial Officer - CM Smuts	2006/06/01	872	243	131	2	1 248
Senior Manager - KA Sedupane	2007/08/01	694	377	90	3	1 164
Senior Manager - B Makeketa	2008/01/14	694	358	104	26	1 182
Senior Manager - RM Mkholo	2016/12/01	644	333	97	2	1 076
		3 666	1 720	521	35	5 942

2020

		Basic Salary	Struc- tured Salary	Pension/ Provident Fund	Other Bene- fits	Perfor- mance Bonuses	Total
Chief Executive Officer - TE Mafadza	2008/04/01	744	429	98	31	38	1 340
Chief Financial Officer - CM Smuts	2006/06/01	852	268	129	-	37	1 286
Senior Manager - RM Mkholo	2016/12/01	629	350	95	-	-	1 074
Senior Manager - KA Sedupane	2007/08/01	678	388	89	15	-	1 170
Senior Manager - B Makeketa	2008/01/14	678	377	104	23	-	1 182
Senior Manager - K Sithole	2019/04/01	521	328	69	22	-	940
		4 102	2 140	584	91	75	6 992

* There were no transactions with related parties or individuals other than those disclosed above.

Notes to the Annual Financial Statements

22. Going concern

During the current 2021/ 2022/2023 the medium term expenditure framework the CRL Rights Commission is allocated a baseline allocation of R 46 046 000. 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's baseline allocation have been reduced during the medium term due to the prevailing economic climate in South Africa.

The reduction in the allocation does not result in a going concern problem, as programs will be reduced in line with available resources only.

Lockdown will not have an impact on the future cashflows and going concern of CRL Rights Commission.

Management considered the cash flow forecast for the year ending 31 March 2022 and in light of this review and the current financial position of the CRL Rights Commission, is satisfied that the Commission has sufficient resources to continue operations for the foreseeable future.

Although the outbreak of Coronavirus will negatively impact the work of the CRL Rights Commission it will not affect the going concern status of the CRL Rights Commission.

The CRL Rights Commission has received a budget allocation. Although the outbreak of Coronavirus will negatively impact the work of the CRL Rights Commission it will not affect the going concern status of the CRL Rights Commission.

23. Events after the reporting date

There are no intention to change the shape and function of the CRL Rights Commission by parliament in the foreseeable future.

There are no events that occurred after reporting date at 31 March 2021.

The outbreak of the Coronavirus will impact negatively on the work of the CRL Rights Commission.

24. Irregular expenditure

Opening balance as previously reported	11 697	10 525
Irregular expenditure incurred in the previous period	-	1 173
Irregular Expenditure incurred during the current period	282	-
Closing balance	11 979	11 697

The irregular expenditure incurred in the previous financial years relate to procurement processes in respect of tax clearance certificates, contract management and local content. A detailed register of irregular expenditure is kept at the CRL Rights Commission office.

National Treasury has been approached in respect of irregular expenditure in respect of the previous financial years. The response in respect of condonation is still pending.

Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
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Notes to the Annual Financial Statements

24. Irregular expenditure (continued)

Irregular expenditure identified in the current and previous financial years include those listed below:

	Disciplinary steps taken		
Opening balance	Investigation finalised	11 697	10 525
Tender for outsourced internal function awarded to an incorrect bidder	Investigation finalised	268	934
Facilitation of strategic planning order awarded to an incorrect supplier	Investigation finalised	-	104
Payment made with insufficient supporting documentation	Investigation finalised	-	134
Non compliance in the previous year	Investigation finalised	-	-
Contract of hygiene products and equipment extended after expiration date	Investigation finalised	14	-
Closing balance		11 979	11 697

25. Fruitless and wasteful expenditure

Opening balance as previously reported	817	814
Wasteful expenditure incurred in the current year	49	3
Over-expenditure on promotional items - March 2018	145	-
Over-expenditure on promotional items-March 2019	195	-
Over-expenditure on the 2018-2019 annual report	253	-
Over-expenditure on the 2018-2019 NCC report	234	-
Closing balance	1 693	817

26. Operating lease

The CRL Rights Commission rents premises with lease rental of R217 731.40 (R200 538.90 +R17 192.50) per month according to lease agreement that commenced on 1 June 2019, with a lease term of five years. The escalation of the operational lease is set at 8% per annum.

Minimum lease payment - 2021	Within 1 year	Within 2 - 5 years	Total
Building	2 772	6 773	9 545
Parking	309	756	1 065
	3 081	7 529	10 610

2020 Minimum lease payments

	Within 1 year	Within 2 - 5 years	Total
Building	2 567	9 545	12 112
Parking	286	1 065	1 351
	2 853	10 610	13 463

Notes to the Annual Financial Statements

Figures in Rand thousand	2021 R'000	2020 R'000
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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.

The cash deposits are held with First National Bank of South Africa.

Financial assets					
Trade and other receivables			356		264
Cash and cash equivalents			13 076		6 975
Financial liabilities					
Trade payables			2 408		3 060
Monthly maturity analysis of liabilities 2021	1-3 months	4-6 months	7-9 months	10-12 months	Total
Trade payables	2 408	-	-	-	2 408
Monthly maturity analysis of financial liabilities 2020	1-3 months	4-6 months	7-9 months	10-12 months	Total
Trade payables	3 060	-	-	-	3 060

Liquidity risk

The CRL Rights Commission has no financial liabilities that extend beyond twelve months.

Trade and other payables

The CRL Rights Commission is only exposed to liquidity risk in respect of maintaining sufficient cash to pay creditors as they become due. The CRL Rights Commission manages liquidity risk through ongoing review of future commitments.

Credit risk

Credit risk is managed by the use of accredited financial service providers as approved by National Treasury.

Credit risk consist mainly of cash deposits and cash equivalents. The CRL Rights Commission only deposit cash with a major bank with a credit rating of Baa2.

The CRL Rights Commission considered the credit rating of the financial service provider and is satisfied with the quality of credit.

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Notes to the Annual Financial Statements

Figures in Rand thousand	2021 R'000	2020 R'000
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The maximum exposure to credit risk for the CRL Rights Commission at the end of the period were as follows:

Financial instruments

Trade and other receivables	98	28
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Interest rate risk

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

28. Contingencies

There are no contingent liabilities known to management at this point in time .

29. Related party transactions

Aggregate amounts with related parties		
Chairperson	1 365	992
Deputy Chairperson	1 171	802
Audit Committee members	205	225
Commissioners	2 699	1 758
Senior management	5 942	6 992
Cogta	46 046	45 189
	57 428	55 958

Payments made to Commissioners, Audit Committee members and Senior management of the CRL Rights Commissioners are treated as related and are disclosed.

The transfer to the CRL Rights Commission is through the budget vote of department of Cooperative Governance and Traditional Affairs and therefore department of Cooperative Governance and Traditional Affairs is treated as a related party and therefore disclosed.

Annexure - Auditor-general's responsibility for the audit

1. As part of an audit in accordance with the ISAs, I exercised professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected programme 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 this 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 relating to events or conditions that may cast significant doubt on the ability of the CRL Rights Commission and 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 my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor's report. However, future events or conditions may cause a public entity to cease operating as a going concern
 - evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation

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 provide the accounting officer with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.

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 annual 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 and the results of its operations and cash flows for the period. The Auditor General is engaged to perform an independent review on the annual financial statements and has been given unrestricted access to all financial records and related data.

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

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

The Accounting Officer acknowledge ultimately responsible for the system of internal financial control established by henceforth referred as the CRL Rights Commission and place considerable importance on maintaining a strong control environment. To enable the Accounting Officer to meet these responsibilities, the Audit and Risk Committee members sets standards for internal control aimed at reducing the risk of error or loss 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 CRL Rights Commission and all employees are required to maintain the highest ethical standards in ensuring the CRL Rights Commission's business is conducted in a manner that in all reasonable circumstances is above reproach. The focus of risk management in the CRL Rights Commission is on identifying, assessing, managing and monitoring all known forms of risk across the CRL Rights Commission. While operating risk cannot be fully eliminated, the CRL Rights Commission endeavours to minimise the possible impact of loss by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

The Accounting Officer is of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the annual financial records may be relied on for the preparation of the annual financial statements. However, any system of internal financial control can only provide reasonable, and not absolute, assurance against material misstatements or losses.

The Accounting Officer has reviewed the entity's cash flow forecast for the year ending 31 March 2022 and, in the light of this review and the current financial position, is satisfied that the CRL Rights Commission has adequate resources to continue in operational existence for the foreseeable future.

The CRL Rights Commission is entirely dependent on government funding for continued operations. The annual financial statements are prepared on the basis that the CRL Rights Commission is a going concern, and that the CRL Rights Commission has no intention to curtail materially the

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scale of its operations. Although the Accounting Officer is primarily responsible for the financial affairs of the CRL Rights Commission he is supported by the CRL Rights Commission's internal auditors and management.

The pandemic and related regulations had a direct impact on the operations of CRL Rights Commission. Management had to devise alternative means to meet the set targets, without physical contact with communities. Communities are the main beneficiaries of the services of the CRL Rights Commission.

The Auditor General is responsible for independently reviewing and reporting on the CRL Rights Commission's annual financial statements. The annual financial statements is set out on pages 4 to 35 and were approved for auditing by the Accounting Officer on the 31 May 2021.



Accounting Officer

Date: 31 July 2021



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

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