

**‘PUBLIC PARTICIPATION MECHANISMS EFFECTIVENESS
DURING THE COVID-19 PANDEMIC: A CASE OF
WESTERN CAPE PROVINCIAL PARLIAMENT’.**

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Chapter 1: Introduction

1.1 Background

On March 11, the World Health Organization proclaimed Coronavirus 19 (Covid-19) a global epidemic. Covid-19 was reported as a highly communicable disease that originated in Wuhan, China (Gumede and Badriparsad, 2020). Countries across the world were grappling with the consequences of the pandemic, and South Africa was no exception. Unbeknownst to South Africans, the virus signalled the start of a chaotic global pandemic that would upset social, political, and economic systems. A World Health Organization (WHO) report highlighted the insufficient understanding of the virus's behaviour, prompting many countries, notably South Africa, to respond with extreme lockdowns to restrict the virus's spread (World Health Organization, 2020).

Dr Nkosazana Dlamini Zuma, Minister of Cooperative Governance and Traditional Affairs, proclaimed a National State of Disaster in March 2020, in accordance with the terms of the Disaster Management Act (DMA) (Act no.57 of 2002) (no. 43096 Government Gazette, March 15, 2020). The DMA's proclamation was in response to the emerging worldwide health pandemic known as COVID-19 and the need for the South African government to deal with it (DMA, 2002). In accordance with the proclamation of a national state of disaster, President Cyril Ramaphosa issued a countrywide lockdown to halt the spread of the virus, which was in effect beginning in March 2020.

The national lockdown disrupted daily activity and restricted the movement of goods, services, and people. However, government tasks did not cease, and a return-to-work formula was implemented, with critical services and commercial operations continuing during the national lockdown (Department of Public Service and Administration, circular no 18 of 2020). The Western Cape Provincial Parliament (WCPP) also implemented a return-to-work formula in accordance with national catastrophe and lockdown regulations. The Western Cape Provincial Parliament is bound by its constitutional mandate, which emphasizes public participation in legislative and oversight procedures (Section 118, Constitution of the Republic of South Africa, 1996).

During the Covid-19 pandemic, the Western Cape Provincial Parliament was unable to carry out a number of activities, including the State of the Province Address, public meetings, committee sessions, public hearings, education initiatives, and stakeholder engagement. The current study sought to examine how the WCPP addressed the issues posed by the Covid-19 epidemic. The study evaluates the efficiency of interventions targeted at sustaining the functionality of the WCPP's public involvement programs, as well as technological measures used to assure work continuity in the WCPP's participatory aspects. The research focuses on how WCPP mechanisms supported public participation during the lockdown, ensuring inclusivity across economic status, social standing, geographic location, gender, race, and age. The study investigates the province parliament's commitment to involving both elite and marginalized communities in public participation processes in the face of the coronavirus epidemic, as well as how successful the WCPP was in maintaining this commitment.

1.2 Research Problem Statement

The challenges posed by the COVID-19 pandemic and the subsequent lockdown regulations mandated by the Disaster Management Act (DMA) impacted various sectors of the economy. Similar to many industries, these restrictive measures prohibited public gatherings in any form, with the only exceptions being burial ceremonies, which were limited to 50 persons. Even essential services, such as health and welfare, as well as parliamentary activities, found themselves subject to these regulations to a certain extent, as stipulated by the directives outlined in the DMA. These regulations made the normal traditional way of public participation impractical. They placed a heavy onus on the WCPP to develop innovative ways to involve the public in the law-making process, budgeting, and oversight activities as best as possible. The pandemic disrupted the functions of the Provincial Parliament, and innovative new ways were instituted to ensure the implementation of the constitutional mandate of public participation in provincial legislatures, as stipulated by section 118 of the Constitution. This demanded agile leadership, one that was able to make sense of the changing reality and able to innovate and move the organisation as a collective to achieve the overarching goal (Section 118, Constitution of the Republic of South Africa, 1996).

The members of the provincial parliament and support staff suddenly found themselves in a new, unfamiliar reality, but their responsibilities remained to deliver on the roles assigned in terms of the Western Cape Constitution (1998). No blueprint existed on how to function normally within an unfamiliar and unprecedented environment, defined by volatility, uncertainty, complexities, and ambiguity. Community participation in the WCPP's law-making and oversight processes shifted to an online information technology-driven world. This transition was done without any feasibility study to ascertain whether communities can participate via online technology or not. The Western Cape Province is a culturally diverse, and socially and economically unequal society. According to the 2022 Census results, the Western Cape is now the third largest province in terms of population moving from being the fifth largest in 1999 (Census 2022 Results, 2023). Recent census data showed that the Western Cape population consisted of 42.4 percent coloured citizens, 38.6 percent black African citizens, 15.7 percent white citizens, 1,4 per cent Asian or Indian citizens, and 1.9 percent other racial classifications (World Population Review, 2024).

The lingering impact of apartheid persists in Cape Town, where the city's historical apartheid system categorized the African population based on tribal affiliations, assigning individuals to one of nine specific ethnic groups (World Population Review, 2024). The term "coloured" remains a contentious racial classification in the country, often serving as a catch-all for individuals who do not fit within the nine designated ethnic groups. Predominantly concentrated in the Western Cape, the coloured population has roots tracing back to enslaved individuals brought to work on local farms during the 17th century (World Population Review, 2024). The country is confronted by the triple challenge of unemployment, poverty, and inequality and how this crisis impacted on access to, and use of, information technology to participate meaningfully in the WCPP's law-making and oversight process is uncertain (Sikwela, Tshuma & Tshabala, 2018). Given the afore, it is important to analyse the effectiveness of the WCPP's community participation in law-making and oversight during the COVID-19 pandemic and associated restrictions imposed by the DMA.

1.3 Purpose of the study

The purpose of this research is to analyse the WCPP's public participation mechanisms during COVID-19 and the extent to which they were able to ensure citizens' participation in the law-

making and oversight processes. No study of this nature has been undertaken within the WCPP. The research findings will contribute to the knowledge of how parliaments/legislatures could continue functioning during a crisis such as the COVID-19 pandemic. The findings will also assist other provincial legislatures in fulfilling their roles and responsibilities as best as possible during future crises.

1.4 Research Question

How effective was the WCPP public participation mechanism in ensuring effective public participation in its oversight responsibilities and legislative processes during the Covid-19 pandemic’?

1.4.1 Research Sub-Questions

1. What measures did the Western Cape Provincial Parliament used to ensure effective public participation during Covid-19?
2. To what extent were these measures effective in ensuring public participation in the work of the WCPP during COVID-19?

1.5 Research Objective

The objective of the research is to determine the effectiveness of the measures used by the WCPP to ensure public participation during COVID-19 pandemic.

1.6 Chapter Outline

Chapter One: This chapter provides the background, problem statement, research questions, and objectives as an introduction to the study.

Chapter Two: The chapter is an analysis of the literature on the subject matter of community participation. It provides a preliminary discussion of the literature leading to the contribution of this study to the body of knowledge.

Chapter Three: Research Methodology and Design. This chapter will explain the strategy of the WCPP during the COVID-19 pandemic to execute their constitutional responsibility.

Chapter Four: Data collection and analysis will be the focus of the chapter. The Case will be described, and the responses from the sample will be analysed.

Chapter Five: Presentation of Data. This chapter presents the findings from the research conducted with respondents.

Chapter Six: Analysis of Data. This chapter presents an analysis from the responses gathered from the respondents, recommendations and conclusions that arise from the research process.

Chapter 7: Conclusion. This chapter provides an overview of the study in its entirety and answers the primary research question.

Chapter 2: Review of Literature

2.1 Legislative framework for public participation in provincial legislatures

2.1.1 Constitution of the Western Cape, 1997

Section 142 of the Constitution (1996) outlines the right for provincial legislatures to pass provincial constitutions insofar as the said constitution remains consistent with the provisions of the Constitution of the Republic of South Africa (1996). The Western Cape Constitution (1997) stipulates in Section 28 that, in line with the provisions of the national Constitution, the provincial legislature has a duty to ensure that the proceedings of the provincial parliament occur in public, and that the provincial parliament has a duty to facilitate public participation in its activities, and in those of its committees (Western Cape Constitution, 1997).

2.1.2 Standing Rules of the Western Cape Provincial Parliament, 2022

The regulations concerning public access to meetings of the Provincial Parliament and its committees, along with their subcommittees, are outlined under the Standing Rules of the Western Cape Provincial Parliament. In adherence to Rules 7 and 72, it is mandated that meetings of the provincial parliament be conducted in public. The Speaker holds the authority to implement reasonable measures for regulating public access to the precincts of the Provincial Parliament, the Chamber, or a committee room (Western Cape Provincial Parliament Standing Rules, 2007).

These measures, while not exhaustive, encompass various aspects such as allocating specific places within the Chamber or a committee room for public attendance, with the discretion to refuse entry when all designated places are occupied. Furthermore, the Speaker may designate specific entrances and routes for the public to access or leave the Chamber or a committee room.

In addition, identification or searching procedures may be implemented for any member of the public seeking or having obtained access to the precincts of Parliament, the Chamber, or a committee room. The determination of the number of public members admitted to these areas is also a consideration, with specifications for daily admission or on days, times, or occasions. These provisions collectively establish the framework for public participation in the workings of the Provincial Parliament and its committees, emphasizing transparency and regulation of access in an open and democratic setting.

2.1.3 Case Law

There are two primary cases which are relevant to the duty of public participation as discussed in this paper, and which lay most of the current foundation to understanding the duty of public participation within the lawmaking process. These are:

Doctors for Life International v Speaker of the National Assembly and Others [2006] ZACC 11 (17 August 2006); and

Mogale and Others v the Speaker of the National Assembly and Others (CCT 73/22) [2023] ZACC 14.

2.1.3.1 Doctors for Life

The Doctors for Life case concerned a complaint filed against the National Council of Provinces (NCOP) for passing certain health bills without allowing the public to submit written comments and for failing to hold public hearings on these bills, as required by the constitution to allow public participation in the NCOP's legislative and committee processes. The primary concerns that emerged from the Doctors for Life case were whether the Constitutional Court had the right to get involved in parliamentary proceedings and whether parliament could pass laws without engaging the general public (*Doctors for Life International v Speaker of National Assembly and others*, 2006).

The facts of the case arise out of Parliament having enacted four health statutes, namely:

- The Choice on Termination of Pregnancy Amendment Act 38 of 2004 (“the CTOP Amendment Act”);
- The Sterilisation Amendment Act 3 of 2005; the Traditional Health Practitioners Act 35 of 2004 (“the THP Act”); and
- The Dental Technicians Amendment Act 24 of 2004.

These statutes (the health legislation) were at the centre of the constitutional dispute. The applicant's complaint was that the NCOP and the provincial legislatures failed to facilitate public participation in their legislative processes, as required by sections 72(1)(a) and 118(1)(a) of the Constitution, respectively, during the legislative process that resulted in the enactment of these statutes (*Doctors for Life International v Speaker of National Assembly and other*, 2006). In accordance with the Constitution's section 72(1)(a), the NCOP was required to “enable public participation in [its] legislative and other processes, as well as [those of] its committees.” A comparable clause pertaining to a provincial legislature was found in Section 118(1)(a) (*Doctors for Life International v Speaker of National Assembly and other*, 2006).

The applicant recognised that by seeking written contributions and having public hearings, the National Assembly had fulfilled its constitutional mandate to involve the public in health policy. They contended that provincial legislatures and the National Council of Provinces (NCOP) ought to take comparable measures (*Doctors for Life*, para 73). The case questioned whether Parliament could pass laws without public consultation and if the Constitutional Court had the authority to intervene. The tension between representative and participatory democracy was at the heart of the matter (*Doctors for Life*, para 115). While the Constitution implied a multi-party democratic system, it didn't explicitly state “participatory democracy.” *Doctors for Life* argued Parliament hadn't adequately involved the public, but Parliament insisted it had fulfilled its obligation by offering opportunities for submissions. The Constitutional Court ruled that while Parliament and provincial legislatures had discretion in public involvement, it must be reasonable. It found that public interest required hearings for two bills, declaring associated acts invalid but suspending the order for 18 months to allow Parliament to address the issues (*Doctors for Life*, para 214).

The rulings in cases that followed, like *Matatiele and Others v. President of the Republic of South Africa and Others* (2006) and *Merafong Demarcation Forum and Others v. President of the Republic of South Africa and Others* (2008), demonstrate the significance and impact of the ruling. These cases reinforce the Constitutional Court's dedication to preserving the democratic ethos enshrined in South Africa's Constitution by building on the precedent set by *Doctors for Life* and extending the concepts of public participation in major political decisions (Nyati, L., 2008: 104).

2.1.3.2 Mogale Judgement

The question in this case was whether the National Assembly, the National Council of Provinces, and the provincial legislatures failed to meet their constitutional obligations to reasonably facilitate public participation during the passing of the Traditional Khoi-San Leadership Act 3 of 2019. Failure to comply with the constitutional duty for public participation may render legislation illegal, and the applicants argued that this occurred, seeking the CC to declare the TKLA unconstitutional and invalid. In a ruling with significant repercussions for both those affected by the legislation and the wider principle of participatory democracy, the CC agreed with the applicants and struck down the statute (*Mogale and Others v Speaker of the National Assembly and Other*, 2023).

September 2015 saw the introduction of the Traditional and Khoi-San Leadership Bill (TKLB) in the National Assembly, which sought to address shortcomings in the Traditional Leadership and Governance Framework Act 41 of 2003. All nine provinces held public engagement processes between 2015 and 2019, which resulted in the Bill's passage in both chambers of Parliament on February 26, 2019, and the President's signature on November 20, 2019, with an effective date of April 1, 2021 (*Mogale and Others v Speaker of the National Assembly and Other*, 2023).

The Constitutional Court emphasised constitutional duties outlined in sections 59(1)(a), 72(1)(a), and 118(1)(a) for the National Assembly, National Council of Provinces, and provincial legislatures, respectively, when examining the responsibility to encourage public involvement. The court emphasised that although Parliament has the authority to select the public involvement procedure, it nevertheless has a duty to guarantee that the public has a

fair chance to receive information, voice their opinions, and potentially have an impact on legislative decisions (Mogale and Others v Speaker of the National Assembly and Other, 2023). While Parliament and the defending provincial legislatures acknowledged minor deficiencies, they argued against the severe consequences of declaring the Act unconstitutional, emphasizing the overall extensive public participation process.

The Constitutional Court affirmed its exclusive jurisdiction under section 167(4)(e) of the Constitution in a majority decision written by Theron J. Given the significant impact of the Act on millions of South Africans living in traditional communities, the Court dismissed the respondents' first objection, which was based on the applicants' delay in filing the application. Three essential elements for determining reasonableness were determined by the Constitutional Court: time restrictions, relevance of the legislation, and conformity to norms set by Parliament. The court discovered in its assessment of the Traditional and Khoi-San Leadership Bill (TKLB) that there were shortcomings in the public participation process, such as insufficient notification, insufficient education, and problems with accessibility (Mogale and Others v Speaker of the National Assembly and Other, 2023).

Due to material deficiencies and failure to meet constitutional obligations, the court declared the TKLB invalid. Parliament was granted 24 months to re-enact the statute in compliance with the Constitution. Deficiencies in public hearings included inadequate notice, lack of education, accessibility issues, and misrepresentation of the Bill's content, resulting in the arbitrary silencing of certain groups (Mogale and Others v Speaker of the National Assembly and Other, 2023). Conclusively, the Court determined that the collective deficiencies amounted to a substantial failure in facilitating public participation, rendering the Act unconstitutional and invalid. The declaration of invalidity was suspended for 24 months, allowing Parliament the opportunity to re-enact the TKLB in alignment with the Constitution or pass another statute meeting constitutional standards.

The Mogale judgement was significant, not only in its highlighting of the vagueness of the current Constitutional provisions, but also in providing a test for the standard of reasonableness in relation to a public participation process towards the fulfilment, by parliament and the provincial legislatures, in facilitating public involvement. This test is laid

out in paragraphs 128 and 129 of the *Doctors for Life* case in which the court indicates that the significance and impact of legislation on the public must be considered, along with practical concerns like time and expense. However, saving time and money alone doesn't justify limited public involvement. The court will assess Parliament's actions based on its own understanding of appropriate public engagement, considering the legislation's content, importance, and urgency. Parliament must provide meaningful opportunities for public participation and ensure people can take advantage of those opportunities (*Mogale and Others v Speaker of the National Assembly and Other*, 2023).

2.2 Policy and legislative frameworks for public participation

The WCPP is the legislative arm of the Western Cape Provincial Government and is assigned specific responsibilities as per the Western Cape Constitution of 1998. The Western Cape Provincial Parliament is responsible for law-making and oversight over the affairs of the Western Cape Provincial Executive (Constitution of the Western Cape, 1998). The WCPP precinct closed its doors to the traditional operations of physical contact in March 2020 and shifted to a virtual system using digital innovations such as the adoption of e-signatures, virtual meeting platforms to convene house sittings, committee meetings and ordinary business of the institution like document processing catapulting an even more paper-less culture of doing business. This meant that Members of Parliament and support staff offices shifted to their home environment from where they performed all parliamentary business.

A new normal started, and the traditional person-to-person engagement gave way to a virtual and hybrid world of engagement. According to Mackenzie (April 2020), the WCPP law-making and oversight duties continued, and it was the first legislature in the country to use digital platforms to perform its responsibilities. Initially, when the proclamation was made, it was expected that the hard lockdown would only be for 21 days, with effect from 26 March 2020 till 1 May 2020. Thereafter, the country would return to normalcy (South African Government News Agency, 23 March 2020). This was not to be, and the Minister of Cooperative Governance and Traditional Affairs, in terms of the DMA, announced several regulations to manage the movement of people and goods and to combat the pandemic. This effectively

prevented any face-to-face engagement and restricted the movement of people only within the jurisdiction of their place of residence.

No directives were given by the national government to provincial parliaments on how to continue with their constitutional responsibility of public participation, law-making and oversight. Instead, restrictive disaster management measures were introduced, curtailing normal social and economic interaction. According to Mackenzie (April 2020), no plan was provided on how to navigate the new reality, and the WCPP had to adjust and introduce new ways of doing business.

Central to the functions of the provincial parliament is the involvement of citizens in the law-making process and oversight duties. In this regard, the Constitution of South Africa (S) (118) (a) requires a provincial parliamentarian to “(a) facilitate public involvement in the legislative and other processes of the legislature, budget, and its committees”. The constitution, therefore, enjoins the responsibility of provincial legislatures to ensure that public participation in the law-making process takes place; if not, then such a law formulated will be deemed unconstitutional and, therefore, unlawful (Phooko, 2014). Transparent and accountable governance is contingent upon effective public participation. By guaranteeing that all citizens, especially those from the most disadvantaged social groups and rural communities, can actively participate in choices that affect their lives, it aids governments in combating inequality (United Nations Economic Commission for Europe, 2016).

Before the proclamation of the DMA, the WCPP had a formal program to ensure the inclusion of the public in its oversight and lawmaking functions. This program entails face-to-face engagement such as the public attending parliament and portfolio meetings. Other community participation initiatives include processes such as petitions to shape policy and taking the Provincial parliament to the people to advance community participation in the lawmaking process. The COVID-19 pandemic and the DMA regulations impacted governance and the traditional way of operating, and in particular, public participation in the law-making and oversight processes. The WCPP introduced novel ways of continuing with its responsibility and, importantly, ensuring community participation.

2.3 Policy Framework for Public Participation in Legislation

The Constitution of Republic of South Africa, 1996 (S) (159) places a responsibility on the National Assembly to facilitate 'public involvement in the legislative and other processes of the Assembly and conduct its business in an open manner. This is an important Constitutional requirement that applies likewise to provincial parliaments.

The White Paper on Transforming Public Service Delivery, 1997, commonly known as the Batho Pele – People advanced the notion of public participation. It provides eight principles, the first of which is that the users of services must be consulted. This is a clear indication that the public must be involved in the policy-making processes of government that will affect them. Public participation increases the credibility and acceptance of the laws formulated (Christian, 2016). The importance of the public accepting and buying into the process is important when the law is implemented.

The National Policy Framework for Public Participation (2007) Section 2.2.1 states that “public participation in government can enhance good governance in at least eight important ways” (National Policy Framework, 2007:17). These are increased levels of information in communities, better need identification, improved service delivery, community empowerment, greater accountability, wealth distribution, community solidarity, and tolerance of diversity. The national policy framework for public participation indicates that community involvement in policy-making processes holds multiple benefits and improves good governance (National Policy Framework, 2007: 18).

A framework for public participation was developed in 2013 by the Legislative Sector Support (LSS) for the Legislative Sector in South Africa. The framework draws from international best practices and was developed to guarantee better knowledge, practice, and reporting on public participation in the sector and is applicable to the South African National Parliament as well as the nine provincial legislatures. The purpose of this Public Participation Framework is to promote alignment and the practice of public participation by offering a written guidelines with integration opportunities, minimum norms, and standards for public participation within the legislative sector. In addition, the framework aims to promote public participation as a constitutional requirement and enable the legislatures to carry out their mandate of

creating a capable and responsive state that benefits all citizens (Public Participation Framework, 2013: 10).

2.4 Theoretical Framework

This study is grounded in the following three theories, namely, Democratic theory, Stakeholder theory and Principal-agent theory. These theories are interrelated and relevant to the study. They will bring a better understanding of the need for public participation in the law-making process. In short, principal-agent theory means that the agent, the government, acts on behalf of the principal, namely the people.

Democratic theory similarly underscores regular and free elections and the centrality of citizens in the process of government. Lastly, stakeholder theory is important to understand that society is heterogeneous and has diverse needs. The stakeholder theory is fundamental to understanding the stakeholders that must be consulted. These theories are unpacked further below.

2.4.1 Democratic Theory

Dean, Gagnon and Asenbaum (2019) state that democratic theory, in essence, has multiple definitions and focuses on understanding what constitutes democracy. In part, it addresses the matter of regular free and fair elections and related concepts such as accountability, representation, and legitimate coercion. Thus, Democratic theory, according to Dean et al. (2019), is the umbrella theory that deals with democracy and has various strands applied in different contexts. The following subsets of democratic theory will be discussed. These are representative democracy, participatory democracy, and deliberative democracy. As indicated above, the three are selected subsets of the overarching body of democratic theory.

South African democracy is built on three pillars of democracy, namely representative democracy, participatory democracy, and deliberative democracy. Representative democracy is the holding of regular, free, and fair elections to elect political representatives (Landemore, 2017). The representatives serve in the various legislatures to formulate policies and provide oversight in response to societal problems. According to Fisher (2012), participatory democracy is the involvement of the citizens in government affairs. Ryfe (2005) states that deliberative democracy is when ordinary people are consulted meaningfully, and they must

form part of all the decision-making and implementation processes. This ensures that the voice of the people becomes part of the policies formulated intended to shape their realities.

The Constitution of Republic of South Africa (S) (159) places a responsibility on the National Assembly to facilitate ‘public involvement in the legislative and other processes of the Assembly and conduct its business in an open manner’. This is an important Constitutional requirement that applies likewise to provincial parliaments. The Western Cape Provincial Parliament is responsible for the formulation of laws to govern the Western Cape Province. The Western Cape Provincial Constitution of 1998, mandates community participation in the Provincial law-making process. Community involvement in the legislative processes is therefore a constitutional requirement.

2.4.2 Representative Democracy

According to Urbinati and Warren (2008), representative democracy is premised on the principal-agent theory in which the citizens are the principal and representatives are agents. The principal (citizens) will, through the electoral process, elect agents (political representatives) to represent their interests in government and hold them accountable.

The downside of representative democracy is that once elected, very little engagement with the electorate occurs between elections, and citizens become frustrated. Pitkin (Urbinati and Warren 2008: 393) is of the view that for representatives to be democratic, they must “(a) be authorised to act; (b) they must act in a way that promotes the interests of the represented (c) people must have the means to hold the representatives accountable for their actions”.

Representative democracy is where the citizens entrust the political representative to act on their behalf and formulate policies to address their needs and improve society. The critique, though, is that a disjuncture developed between the citizens and the political representative that acts contrary to the wishes of the people. The only mechanism of accountability at the disposal of the citizens is the elections, either to vote or not for the political representative (Urbinati and Warren 2008: 395).

In a South African context, the political parties elect their representatives, and it is not a citizen-participatory process. The election process is more along party-political lines than the election of individual political representatives. The notion of holding individual political

representatives accountable is, therefore, non-existent because they are protected under the political party umbrella.

2.4.3 Deliberative Democracy

On the other hand, deliberative democracy advances the notion of the involvement of citizens in all stages of the state decision-making on matters that affect the citizens. Bachtiger, Dryzek, Mansbridge and Warren (2018) postulate that deliberative democracy is where people come together and participate as equals with mutual respect, discussing matters affecting communities and providing meaningful input into the decision-making processes of government.

Deliberative democracy is not a top-down process in which citizens are informed but a mutually inclusive one of engagement and consultation. To give effect to deliberative democracy, the necessary platforms for engagement and meaningful participation in matters that affect society must be created. Deliberative democracy brings together a diverse group of stakeholders to discuss matters affecting the community. In the deliberative process, the stakeholders' views and perspectives are deliberated on in the hope that a common understanding and agreement will be reached (Bachtiger, et al, 2018).

Within the WCPP, such platforms for engagement are encountered primarily within the realm of constituency work conducted by Members of the Provincial Parliament in designated communities. Constituency work, unlike that of the various Committees which focuses on already identified and partly legislated issues, seeks to uncover community issues in order to bring them to the attention of both the executive and the legislature (Parliamentary Monitoring Group, 8 December 2022).

According to Young (2001, pg. 672), deliberative democracy “aims to bracket the influence of power differentials in political outcomes because agreements between deliberators could be reached on the basis of arguments, exchange of views rather than as a result of threat of force”. The diversity of the stakeholders and the challenges associated are recognised, and the deliberation amongst these contending views enhances the legitimacy of the outcome. Thompson (2008) is of the view that deliberative democracy enhances legitimacy and increases community support for the decision taken.

2.5 Conceptualising Public Participation

Kanyane (2004) and Sebola and Fourie (2006) suggest that the concept of public participation is congruent with community participation, citizen engagement and civil participation. Nzimakwe (2010), the Australia South Africa Local Governance Partnership (2012), INFED (2012), and Kemp and Hilliard (2012) conclude that this is an inevitable exercise because the whole process of involving the public in decision-making, implementation and evaluation of programmes affecting their socio-economic conditions is a key pillar of inclusive governance.

Civil Society Organisations, particularly the NGO sector, play a significant role and enjoy relative levels of independence from political influence, albeit with exceptional cases, although even when used on service delivery matters, they tend to be more effective in reaching beneficiaries, which sets a tone for good governance, democratisation, respect for the rule of law and human rights and in pushing for social, economic and political change (Paffenholz & Spark, 2006, pg. 9-10). Civil society's relative political independence allows for greater and targeted citizen engagement, which these organisations then use in their engagements within the legislative sector where a call for submissions, and varying other levels of participation, has been made by the provincial parliament to organised stakeholders. It is considering this reality, that parliament and the various legislatures are best served by maintaining a positive relationship with civil society bodies, as they are involved in the communities in a way that South Africa's system of democracy does not always allow for.

In amplifying the critical role of public participation in the affairs of the state, I will draw lessons from Stakeholder Theory, which states that organisations must understand who their stakeholders are that could influence decisions or who will be affected by decisions taken. According to Phillips, Freeman, and Wicks (2003, pg. 481), stakeholder theory requires that organisations understand the environment they operate in and make a deliberate effort to determine who the stakeholders are that "can assist or hinder the achievement of organisation's objectives". Wilburn and Wilburn (2011, pg. 8) support this description of stakeholder theory and state that "stakeholders are any individual, group, organisation, institution that can affect as well as be affected by individual groups, organisation or institution policy or policies".

According to Flak and Rose (2005, pg. 648), stakeholders are persons or groups with legitimate interests in the procedural and/or substantive aspects of corporate activity. Stakeholders are identified by their interests whether the organisation has any corresponding functional interest in them. The interest of stakeholders is of intrinsic value. That is, each group of stakeholders' merits consideration for their own sake and not merely because of its ability to further the interest of some other group. While Flak and Rose are referring to a corporate environment, the various Committees within the legislatures work on issue-specific matters relating to the various government departments and therefore often need to engage stakeholders particularly interested and involved in designated sectors and activities. The participation of relevant stakeholders ensures that when passing legislation, that not only is participation and engagement with the citizenship at large, but also that participation and engagement is had with members of the public who have a vested interest in, and knowledge of, the issues presented and tackled within the legislation. The stakeholder theory is important for this study to discuss community participation in the law-making process of the Western Cape Provincial Parliament. Stakeholder analysis and mapping are important to arrive at a decision about who the real stakeholders are. There is no law-making process and decisions on policy without public participation. In conducting site visits as part of oversight and holding the executive to account, the concept of public participation is at the heart of that (Framework for Public Participation). During sectoral engagements, parliament has to identify key stakeholders in line with strategic objectives, and the actors for a particular programme, and do a mapping exercise. Public participation is often mentioned among the procedural instruments policymakers can use when shaping policies (Howlett, 2011).

2.5.1 Conceptualisation of public participation for the legislative sector

The framework advocates for a shift from the concept of best practice to that of best-fit approach, while emphasising the importance of global best practices in promoting public participation (Public Participation Framework, 2013: 21). Consequently, the Public Participation Framework, 2013 and in the context of the South African legislative sector, public participation is defined a process by which provincial legislatures and national parliament

engage the public, interested or impacted parties, groups, and government offices prior to a decision. Additionally, the framework conceptualises public participation as a cooperative approach to issue resolution and two-way communication that leads to more representative and accepted decisions. The framework also lists several legislative sector-relevant public participation methods that legislatures can choose to implement to strengthen public participation (Public Participation Framework, 2013, 26). A few examples are shown in the figure 1 below:

Best-fit approach for public participation in the South African Legislative Sector

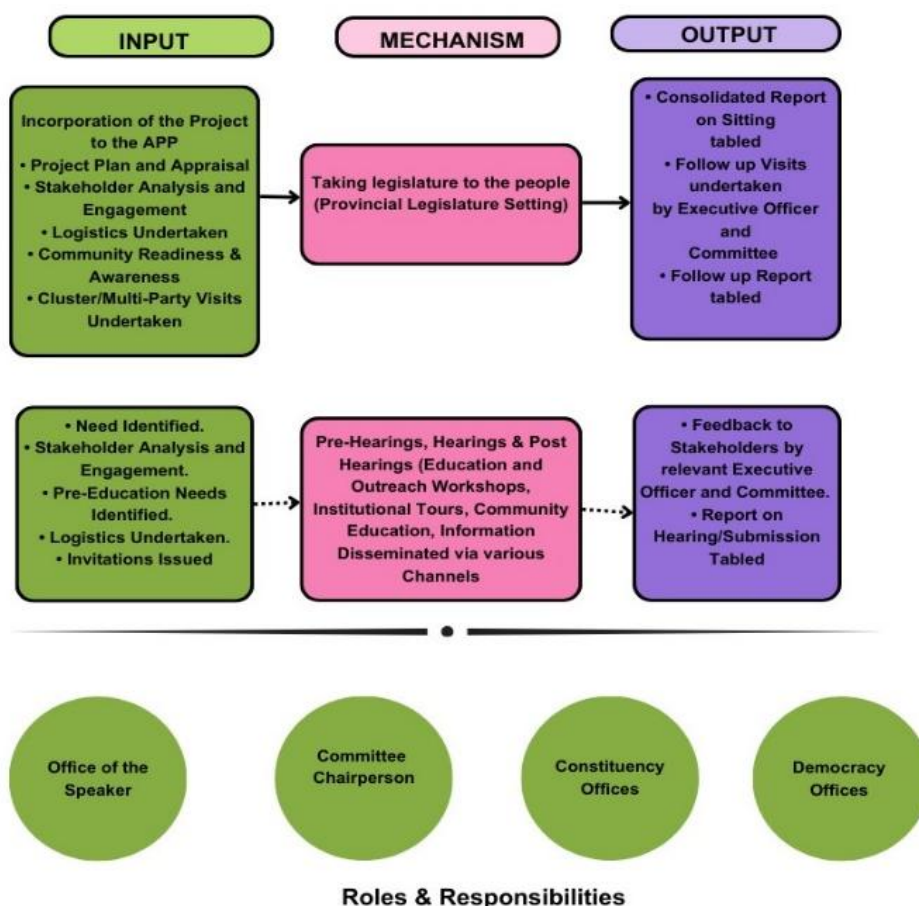


Figure 1: Adapted from the Public Participation Framework for the SA Legislative Section, 2013

As can be inferred from the above graphic, the figure depicts the flow of procedures connected to public participation in the legislative sector. The mechanisms were created especially for this framework to visually represent the primary actors in the public participation space and the essential procedures that must be employed to achieve public participation (Public Participation Framework, 2013: 27). For instance, the National Council Provinces (NCOP) visit a predetermined area to engage with the community on concerns related to service delivery as part of the "taking parliament to the people" process. By bringing together municipal council members and members of the cabinet at the national and provincial levels to hear concerns raised by the public and provide solutions, the programme enables direct communication between the people and their elected public representatives (Public Participation Framework, 2013: 34).

Regarding Pre-hearings, Public Hearings, and Post-Hearings, the framework stipulates that to obtain the opinions of the public that may be significantly impacted by the proposed law, public hearings must be held during the legislative process. Pre-hearing workshops should be held before the public hearing to mobilise stakeholders and make sure they are well prepared to participate in the hearings. The framework further stipulates that the provincial executives should conduct follow-up visits within six months of bringing the legislature to the people and that stakeholders should get continuous feedback following public hearings to close the loop and legitimise the process (Public Participation Framework, 2013: 46). Additionally, as seen in figure 2 below, the public participation framework, 2013, adapted from Arnstein's ladder of participation to represent a best-fit strategy for the South African legislative sector, demonstrating that the opportunity to influence the process increases with each level of public participation.

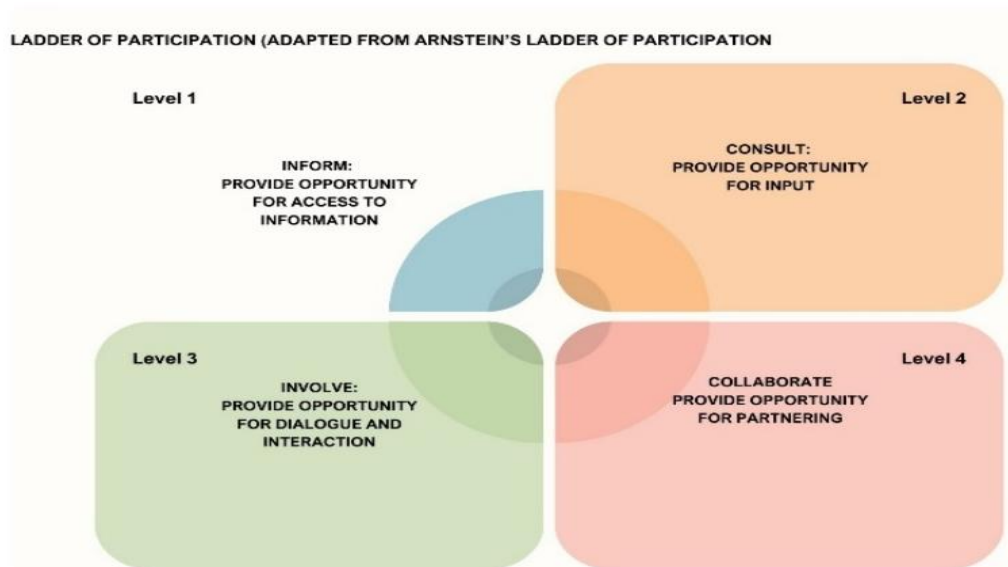


Figure 2: Public Participation for the South African Legislative Sector_ Adapted from Arnstein Ladder of Public Participation

According to figure 2, the legislative sector aims to inform, consult, involve, and work with the public at these levels to enable significant public participation in the sector's legislative process. Legislatures must therefore design their public participation strategies to allow for the aforementioned levels of participation, which must correspond to the degree of public interest. However, it is exceedingly unlikely that the legislative sector's public participation strategies will achieve Arnstein's highest degree of "citizen control" or the highest level of "collaboration" in the setting of South Africa. It is submitted that at this point in our democratic and participatory evolution, level 3—which Arnstein classifies as "tokenism"—is viewed as highly likely, while level 4 remains an ambition (Public Participation Framework, 2013: 22). Thus, the framework's main goal is to move the legislative sector to involvement at these levels of participation or tokenism level in terms of Arnsten ladder of participation.

2.5.2 Impact of the framework on public participation within the legislative sector

As previously stated, the framework was created to encourage alignment, offer guidelines for public participation, and establish minimal norm and standards for public participation. Therefore, to guarantee alignment, provincial legislatures are required to compare their current Public Participation procedures and practices to the framework's standards and then tailor their own Public Participation strategies accordingly (Public Participation Framework, 2013: 76). This is in line with section 116 of the Constitution's which permits legislature to determine their own internal arrangements with due regard to representative and participatory democracy. However, the Constitutional Court saw the framework as codifying the degree of public participation that the legislative sector has determined to be reasonable in *Mogale v. the Speaker of the National Assembly and Others*. The ruling has broad ramifications for the legislative sector because the framework establishes extremely high standards that are not met. According to this ruling, pre-hearing workshops, the provision of bill summaries in the official languages of the relevant provinces, transportation for interested parties, and the requirement that invitations be sent at least five weeks in advance of the hearings are all examples of reasonable public participation. In the *Mogale* case, the Constitutional Court considered the overall effects of the public participation process that the legislatures had adopted before invalidating the legislation for failing to enable meaningful public participation. In this case, reasonable public participation has come to be understood as meaning giving interested parties and affected stakeholders' sufficient opportunity to learn about the proposed legislation and voice their opinions. To this end, the court stated that:

"A reasonable opportunity to participate in the legislative affairs must be an opportunity capable of influencing the decision to be taken" (Public Participation Framework, 2013:17). This means that to give citizens a chance to voice their opinions and influence the process, the legislative sector must take all reasonable steps within the limits of the resources at its disposal. The inability to involve the public can no longer be justified by a lack of resources. However, the ability to facilitate pre-hearing workshops and provide transportation for interested parties depends on the resources available. Therefore, the public participation outlined in the framework is still ideal since the nation is now operating on an austerity

budget. While the public participation framework, 2013, points to several factors, including a lack of coordination and poor alignment between the provincial legislatures and national parliament public participation practices, as the reasons for the implementation failure. Moving forward, the legislative sector will need to exercise caution to minimise the possibility of protracted litigation. A precedent has been set by the Constitutional Court.

2.6 Constitution of the Republic of South Africa, 1996

The significance of public participation under the current democratic dispensation in South Africa arises as a direct response to past administrations, under which the majority of South Africans were excluded from public life, most notably through a denial of the right to vote. Sections 59(1)(a), 72(1)(a), and 118(1)(a) of the current Constitution impose a duty on the National Assembly, the National Council of Provinces, and the provincial legislatures to actively facilitate public participation during their legislative processes.

Section 59 of the Constitution (1996) outlines the right of public access to, and involvement in, the legislative processes of the National Assembly and its committees. It continues to state that the National Assembly is required to conduct its proceedings openly, holding both its sessions and those of the various committees in public with reasonable measures to restrict access or adhere to security measures being implemented where necessary. Section 59 also states that “the National assembly is prohibited from excluding the public, including the media, from a committee sitting unless such exclusion is reasonable and justifiable in an open and democratic society” (Constitution, 1996).

In Section 72(1), the National Council of Provinces is required to facilitate public involvement in its legislative and other processes, as well as conduct its business openly, holding both its sessions and those of its committees in public (Constitution, 1996). However, reasonable measures may be taken to regulate public access, including media access, to the Council and its committees. Additionally, the Council is allowed to provide for the searching of any person and, when deemed appropriate, refuse entry or remove any person. As under section 59, the National Council of Provinces is not permitted to exclude the public, including the media, from a committee sitting unless such exclusion is reasonable and justifiable in an open and democratic society (Constitution, 1996).

Section 118 of the Constitution (1996) speaks to public access to, and involvement in, the provincial legislatures. Under this section, a provincial legislature has the duty to facilitate public participation within its legislative and committee processes while ensuring that its affairs are conducted transparently through holding both committee and legislative sessions in public. As with the two sections, reasonable measures may be undertaken to regulate both public and media access, and where necessary the legislatures hold the discretion to refuse entry to, or to remove an individual from the premises. The required justification for the exclusion of the public in an open and democratic society is the same for provincial legislatures as it is for the National Assembly and National Council of Provinces (Constitution, 1996).

2.6.1 Public Participation: What has the Constitutional Court given the public?

In her opening paragraph, Nyati highlights the Freedom Charter's tenet that "The People shall govern," connecting it to the structure of South Africa's constitutional democracy. Representative and participatory elements define democracy; multi-party democracy is attained by frequent elections and proportional representation (Nyathi, 2008: 102–103). Beyond election cycles, public engagement is viewed as a supplement to representative democracy. The right to vote in regular elections is protected by the Constitution, which also ensures that the government is democratically elected, transparent, accountable, and responsive. Public engagement in the legislative process is established under Sections 59(1)(a), 72(1)(a), and 118(1)(a) of the Constitution of the Republic of South Africa, 1996 (Nyati, 2008: 103). In order to determine whether public participation rights are justiciable, the article looks at the Constitutional Court's involvement in instances such as *Merafong Demarcation Forum and Others v. President of the Republic of South Africa and Others* (Nyati, 2008: 103).

In the case of *Doctors for Life International v. The Speaker of the National Assembly*, the Constitutional Court set a test, even though legislative bodies retain the authority to choose the protocols and procedures for public participation. The nature of the responsibility to facilitate public participation, whether the legislature fulfilled its obligation in particular health-related legislation, and the effect of defective public involvement on the legitimacy of

legislation were among the important issues that the court considered. The key question is whether the legislature fulfilled its obligation in a reasonable manner, considering the significance and character of the legislation, the degree to which it affected the public, and other pertinent circumstances (Nyati, 2008: 104).

In addition, the duty to facilitate public involvement encompasses two essential elements: providing meaningful opportunities for public participation in the law-making process and ensuring that individuals can avail themselves of these opportunities. Justice Sachs, concurring with the majority judgment, highlighted the "special meaning" of public participation within the democracy, emphasizing that it should allow all interested parties to feel heard, respected, and considered in influencing decisions (Nyati, 2008: 104). This judicial stance represents a clear departure from a history marked by arbitrary legislative decisions and the marginalization of the majority of South Africans. It underscores the Constitutional Court's commitment to addressing past injustices and emphasizes the legislature's accountability to the electorate. While *Doctors for Life* established the constitutional obligation to facilitate public participation, subsequent jurisprudence was expected to provide a more comprehensive understanding of this obligation (Nyati, 2008: 104).

2.6.2 The Constitutional Duty to Facilitate Public Involvement

The constitutional duties of public participation in legislative processes, as outlined in sections 59(1)(a), 72(1)(a), and 118(1)(a), signify a departure from the exclusionary practices of previous regimes in South Africa. The *Doctors for Life International v The Speaker of the National Assembly* case established a test for the reasonable discharge of this duty, emphasizing factors such as the nature and importance of legislation, its impact on the public, and other relevant circumstances. The duty involves providing meaningful opportunities for public participation and ensuring people have the ability to take advantage of these opportunities (Nyati, 2008: 104-105). The Constitutional Court's judgment reflects a commitment to rectifying historical injustices and holding the legislature accountable to the electorate. While *Doctors for Life* set the standard, subsequent jurisprudence further refined the understanding of the constitutional obligation to facilitate public participation. Constitutional protection against arbitrary legislation enactment is hoped for, considering South Africa's historical context (Nyati, 2008: 104).

2.6.3 Reasonableness

The reasonableness of the Gauteng Provincial Legislature's decision-making, particularly its public involvement, is under scrutiny. Upon legal advice, the legislature's approach shifted, indicating that it could only vote "aye or nay" without amending the Bill to include Merafong Municipality in Gauteng. The key query is whether the legislature acted reasonably by not revisiting public consultation after this substantial change (Nyati, 2008: 107).

Justice Van der Westhuizen, representing the majority, asserted that the prior decisions relied upon by the applicants did not necessitate continuous dialogue. The Gauteng Provincial Legislature's choice not to return to the public was deemed "discourteous conduct," falling short of unconstitutional behaviour that would invalidate the legislation (Nyati, 2008: 107). The court emphasized that constitutional standards were met through prior submissions and public hearings, and there was no proof indicating unreasonable neglect of duty by the Gauteng Legislature.

The appellants argued that the legislature remained impervious to persuasion, citing the Minister's pre-existing public announcement that Merafong Municipality would be incorporated into the Northwest Province. They contended that this decision, predating public participation, and the reluctance to provide reasons were influenced by political pressure (Nyati, 2008: 107). The court clarified that its findings rely on available facts and evidence, refraining from making a conclusive determination on the existence of political pressure.

When considering the reasonableness test, which involves assessing factors such as the importance of the legislation and its impact on the public, the court's decision not to require the Legislature to return to the people of Merafong Municipality after a change in consultation circumstances seems perplexing. This change resulted from legal experts' advice. The adverse effects of re-demarcation on fundamental rights, as discussed in *Matatiele* by O'Regan J, emphasize the significance of meaningful involvement in the legislative process for directly affected individuals (Nyati, 2008: 107).

The failure to communicate the changes to the Merafong community, according to the majority, does not reach the level of unreasonableness that would render the Twelfth Amendment invalid. Previous decisions underscore the centrality of the duty to facilitate public involvement in our constitutional democracy. Sachs J highlighted the necessity of active

and ongoing public participation in our country, asserting that decisions not accurately reflecting public input during the legislative process can compromise the legitimacy of resulting legislation. The Court implied in *Doctors for Life* that legitimate legislative processes enhance public acceptance (Nyati, 2008: 108).

While the court acknowledges the importance of holding politicians accountable and the democratic system's mechanisms, the concern arises when public participation becomes an ineffectual exercise. Limiting the public's meaningful contribution to once every five years contradicts the constitutional principle that encourages continuous citizen involvement in governance.

2.6.4 Overview

Nyati concludes by arguing that while the Constitutional Court's effectiveness in safeguarding the dignity of minorities and vulnerable groups is considered a key strength, the absence of procedural safeguards in the reasonableness test for the duty to facilitate public involvement grants the legislature significant discretion, allowing them to merely meet the minimal standards set by rationality and reasonableness tests (Nyati, 2008: 108-109). This minimalist approach to public participation creates a substantial gap that permits the passage of important legislation, with significant implications for the public, under the guise of reasonableness.

By setting low standards, judicial review of other government branches becomes ineffective. Sachs J suggested that portraying the Constitutional Assembly's dedication to promoting public involvement as mere rhetoric would be gravely unjust (Nyati, 2008: 109). The majority's perspective is that the public will have a meaningful say in the next election. However, the concern remains that the lack of robust standards for public participation undermines the court's ability to provide effective scrutiny of legislative processes, potentially compromising the constitutional commitment to inclusive governance (Nyati, 2008: 109).

2.6.5 Evaluating the Constitutionality of Covid-19 Regulations

One of the over-arching themes within the discussions around the COVID-19 pandemic and the subsequent regulation in South Africa is a question about the constitutionality of the

COVID-19 regulations as instituted by the government at the time. As has been discussed, public participation is deeply embedded within the South African Constitution and is imposed as a duty on all the spheres and branches of government. In their assessment of the constitutionality of the COVID-19 regulations against the required public participation processes, Sobikwa and Phooko (2021) scrutinise the enactment of COVID-19 regulations under the Disaster Management Act, 2002 of 18 March 2020 (DMA).

The authors outline the conceptualisation of public participation as well as the country's framework for public participation and place this within South Africa's historical context. It is against this backdrop that the authors then analyse the COVID-19 regulations as imposed in supposed accordance with the DMA, ultimately concluding that the regulations as imposed were incompatible with the Constitution based on a failure of adequate public participation (Sobikwa and Phooko, 2021, pg. 311). Ultimately, the authors argue that it is "apparent that the measures implemented by the government to combat the spread of the COVID-19 virus [were] largely unilateral, effectively excluding the people in decision and law-making processes" (Sobikwa and Phooko, 2021, pg. 311).

Public participation is fundamentally ingrained within the South African constitution due to the country's historical context, and while the authors accurately highlight the lack of a "universally ascribed definition" (Sobikwa and Phooko, 2021, pg. 312), public participation is generally understood to mean the inclusion of members of the citizenry in the decisions that impact them, especially where said impact can be considered significant in nature.

One of the authors' primary criticisms of the implementation of the COVID-19 regulations as implemented in South Africa arise out of the absence of specific guidelines within South African law for discharging the duty of public participation. It is under this premise that the authors believe that the judicial authorities failed to adequately apply the test of reasonableness to the approaches taken by administrative authorities in the implementation of the COVID-19 regulations.

To effectively analyse, critique or praise an institution for its response to the COVID-19 lockdown as instituted by the South African government, it is imperative to understand the critiques on the regulations from a public participation perspective (a primary function of the legislature) and contrast the institution's approach to ongoing public service in light of that.

The *Esau* case (*Esau & Others v Minister of Co-Operative Governance and Traditional Affairs & Others* [2021] ZASCA 9) is the primary case analysed by Sobikwa and Phooko (2021) to address the effectiveness of the public participation processes employed prior to instituting the COVID-19 lockdown regulations.

The facts in *Esau* follow the below timeline:

- Between 17 and 23 March 2020, the President meets with political party, religious and business leadership as well as trade union representatives and the National Command Council on COVID-19.
- The first national lockdown began on 27 March 2020.
- On 25 April 2020, the government begins a digital public participation focusing on the various government provisions put forward in response to the national lockdown necessitated by the spread of the Corona Virus in which citizens were encouraged to send their comments on proposed sector frameworks within 48 hours via email.
- Within those 48 hours, 70, 000 submissions were received (these responses included the Western Cape).

In *Esau*, the challenge laid before the court against the Minister, was one which argued that the 48-hour public-participation period granted to citizens to make representations, on the already instituted lockdown regulations, was unreasonable and could not amount to an effective discharge of the duty of public participation (Sobikwa and Phooko, 2021 and *Esau* (2020) at para 142). The courts in this case ultimately dismissed the case on the basis that the discretion for what constitutes “adequate” public participation rests with the administrative authority. However, the authors argue that “court decisions relied on the absence of a prescribed procedure for public participation in the DMA ... (and) that a constitutionally endorsed and obligatory procedure cannot be applied at the mercy of the administrators” (Sobikwa and Phooko, 2021, pg. 332).

Most significant within the outcomes of the assessment by Sobikwa and Phooko (2021) is an understanding of the ongoing nature of an administrator’s duty to facilitate public participation under all circumstances, save for a state of emergency, and the supremacy of the constitution and its obligations; most significantly, that obligation which allows for the engagement of the public in decisions affecting every aspect of their wellbeing.

The authors contend that the government's failure to involve the public renders the COVID-19 regulations unconstitutional due to a lack of procedural legitimacy and inclusiveness. They stress the government's duty to be prepared for emergencies and argue that given the knowledge of the COVID-19 threat three months prior to regulation promulgation, adequate preparations and public participation should have occurred. The authors criticize the misuse of public funds intended for COVID-19 challenges and reject urgency as a valid defence for the government's failure to fulfil its constitutional duty, stating that such a concession undermines the rule of law and constitutional democracy. Although the authors have a valid concern about the use of urgency as justification for bad governance and corruption, at the core of public life in South Africa, governance had to continue across all three arms of state. The suspension of some rights did not translate into the suspension of the duties of the executive, legislative and judicial sectors. The expedited approval of policies under the national lockdown allowed for a semblance of clarity on how to continue with central tenets such as public participation in legislative processes during an ever-changing social and political environment.

2.7 Arnstein's Ladder of Public Participation

Arnstein's ladder of degrees of citizen participation denotes that there are eight steps, or what she refers to as 'rungs', which highlight various degrees of levels of participation. These are illustrated below in Figure 3. Arnstein groups the steps into three categories, namely citizen control, tokenism, and non-participation.

At the bottom of the ladder are manipulation and therapy. These two rungs are often perceived as non-genuine participation with their objective not being to truly enable citizens to participate effectively, or in any way at all, in the planning or conducting of citizen-focused programmes but rather to continue to allow those in power to educate and cure the participants (Arnstein, 1969: 243). The ladder then progresses to tokenism, which provides the citizens, or "have nots", an opportunity to hear what is being presented and to have a voice.

Within the rungs of 'informing' and 'consultation' citizens are offered an opportunity to hear and to be heard. However, within this form of citizen participation, although citizens may make their views known, there is no guarantee, and the citizens do not have the power to ensure,

that those in positions of power – the “haves” – will heed the views expressed (Arnstein, 1969: 244). While this is a form of citizen participation that has the optics of giving citizens some agency, there is no follow through, and therefore little to no chance of changing the status quo. Just above this is ‘placation’, providing similar pros and cons as within consulting and informing, and truly exists as a higher-level tokenism, because once again while citizens are offered an opportunity to advise, the decision-making power continues to rest with those in power (Arnstein, 1969: 245).

As we move up Arnstein’s ladder, we encounter a kind of citizen participation that has increasing degrees of decision-making leverage. Within the rung of partnership, citizens are enabled to negotiate with, as well as engage in trade-offs with those who traditionally hold positions of power (Arnstein, 1969: 247). At the very top of the ladder, and where citizen participation is at its most elevated or actualised is delegated power and citizen control where citizens obtain decision-making authority (Arnstein, 1969: 248).

This kind of citizen engagement improves the legitimacy of the law-making process and indicates that the government value their input. It sends a message to the community of a responsive government that cares and limits community dissatisfaction and social unrest. The Constitution of Republic of South Africa, 1996 S (118) (1) mandates community involvement in the matters of the Provincial Parliament. It states that communities cannot be barred from participation in the lawmaking process. Likewise, community involvement in the affairs of the WCPP is constitutionally mandated, and responsibility is awarded to design systems and processes to give effect thereto. This improves the legitimacy of the law-making process and indicates that the government value their input. It sends a message to the community of a responsive government that cares and limits community dissatisfaction and social unrest.

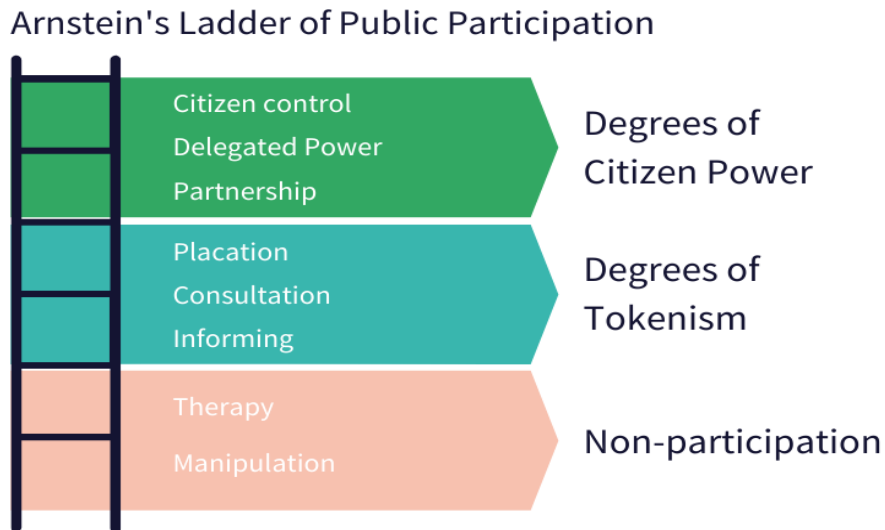


Figure 3: Adapted from: *Arnstein's Ladder of Public Participation* (Sourced: Sherry Arnstein, *Journal of the American Planning Association*, 1969). Accessed Online: <https://www.commonplace.is/blog/armsteins-ladder-of-citizens-participation-explained>.

2.7.1 Limitations of the Typology

The 'ladder', while useful, has several limitations, most notably that it juxtaposes the citizens – as powerless or as the have-nots – with those in power to highlight the fundamental differences between the two groups. Neither citizens nor decision-makers are a homogenous group, as within both groups exist significant differences including sub-groups with vastly different views as well as competing interests.

Additionally, the typology does not account for analysing significant roadblocks encountered in achieving genuine levels of citizen participation. Such roadblocks exist on both sides of the equation. Those in power tend to struggle with a number of issues, including but not limited to racism, paternalism and an aversion to the redistribution of power; whereas, those without power and authority struggle with a lacklustre political socioeconomic infrastructure, distrust, alienation (particularly in circumstances where some members of the community are involved, as representatives or otherwise, of political structures) and struggles for organising the community into a structure that can withstand all that comes with trying to engage from a perceived, and realistic, position of weakness.

2.8 The Western Cape Provincial Parliament COVID-19 Strategy

2.8.1 Analysing the adaptability of the WCPP to Covid-19 Regulations

This outline and analysis of the Western Cape Provincial Parliament's (WCPP) response to the impact of COVID-19 is informed primarily by the internal report on the Western Cape Provincial Parliament's Response to the Impact of COVID-19 (WCPP COVID Response Report, 2021). The report focuses on the institution's business response to COVID-19, and most significantly its change management initiatives, even though these were not systematically recorded due to the required urgency in ensuring that the legislature remained both operational and compliant with the Financial Management of Parliament and Provincial Legislatures Act (FMPPLA) (WCPP COVID Response Report, 2021, pg. 1).

The WCPP COVID Response Report (2021) was drafted with the intention of providing an "evidence-based record" (pg. 1) of the institution's change management experience; as a means towards reaching the institution's modernisation strategy, as well as for inter-sectoral collaboration on best practice development. The primary question addressed within the WCPP COVID Response Report (2021) was: "how was the WCPP able to adopt and implement, within a relatively short period, a change management response that ensured the continued functioning and operational activity of the legislature despite the impact of COVID-19" (pg. 1).

The major themes identified, and the themes under which my study will reflect, were the following:

- Impact of COVID-19 on WCPP functions and operations
- Decision-making Processes
- Managing Internal Communication
- Support provided to WCPP Members and Staff
- Members and Staff Experience, Views, and Perspectives of WCPP's response

2.8.2 Impact of Covid-19 on WCPP

Work continuity challenges within the WCPP were unique to the various sections and units within the organisation in accordance with their duties and functions. While some units reported little to no disturbance of the lockdown regulations in the execution of their work, others experienced a significant overhaul of how they performed their duties (WCPP COVID Response Report, 2021, pg. 14).

Most notably impacted were the Public Education and Outreach (PEO) Section as the nature of their work required cancellation of in-person engagements with virtual alternatives posing significant difficulties due to infrastructure and accessibility limitations within the stakeholder groups the unit ordinarily works with (WCPP COVID Response Report, 2021, pg. 14).

The PEO section is responsible for citizen engagement insofar as it relates to educating different groups (scholars, students, youth, elderly, community, and grassroots organisations) on the work of the provincial parliament and on how members of the public can participate in the WCPP's various legislative processes. PEO's programmes focus on outlining representative democracy and how it differs from direct democracy and how that translates into how governance decisions are made in South Africa. The programme goes on to unpack the Constitution by highlighting the basic principles informing the foundations of South Africa's democracy as well as the Bill of Rights (derogable and non-derogable), and the chapters relating to the powers of the executive branch, the legislative branch both nationally and provincially as well as the judiciary. This allows for a deeper understanding by the citizens of the scope of work of the various arms of the state and equips them with knowledge of where complaints are best sent in anticipation of both an efficient and relative response.

The PEO educational programme focuses quite significantly on the various ways in which members of the public can engage with the provincial parliament. This is done through an in-depth explanation of the rights for public participation, as held in both the national and provincial constitutions and unpacking of what submissions ("presentation of views or opinions on a matter or piece of legislation under consideration by a Committee of Parliament" (WCPP website, 2024)) are and how they differ from petitions ("a written complaint or request to Parliament or a provincial legislature seeking its intervention or assistance in a particular issue"), and what is required from the members of the public should

they seek to present either of these to the legislature. The PEO section goes further than this, in that where a need has been identified and a request for assistance in the drafting of a submission or a petition has been made by a community member and/or organisation, the PEO section is able to organise a session dedicated to assisting with guidance on the specifics of how to present a matter.

Within a province like the Western Cape, in which a significant majority of the citizens requiring such information and assistance are in rural and lower income areas with limited access to digital resources and services, the vast majority of PEO's work is conducted via physical sessions with the participants either being transported to the WCPP's Chamber in the Cape Town City Centre, or with the PEO staff travelling to the rural areas where the financial cost of transporting a large number of participants to the WCPP would be unjustifiable. Understandably, the lockdown impacted the work of PEO in a tangible manner with participants being unable to conduct their programmes in person and with this, the reality of rural and lower income communities being further marginalised in the realisation of their constitutional right to staying informed and actively represented set in.

This was a primary consideration in the WCPP's focus on figuring out how to capacitate members of the community, particularly those who were already members of marginalised communities. Similarly, the Communication and Stakeholder Management unit faced technological challenges, having to provide their services, under increased communication demands as well as a necessity for new skills in graphic design and video editing to allow for ongoing communication exclusively via digital platforms.

The Finance Directorate, again in the need for compliance with FMPPLA, faced challenges in ensuring the necessary authorisations were obtained digitally. Initially, the directorate relied on email certification; however, critiques of this process arose due to the time taken (WCPP COVID Response Report, 2021, pg. 14). The non-allocation of laptops to Assistants and Clerks posed a challenge to the Supply Chain and Asset Management section, initially necessitating a rearrangement of responsibilities and ultimately the dissemination of the relevant tools for business continuity. The introduction of virtual meeting protocols also resulted in increased technical enquiries to the ICT staff who were arguably the most significantly affected by the changes which required both flexible and extended working hours for the line function (WCPP COVID Response Report, 2021, pg. 14).

2.8.3 Decision-Making Processes

On the 12th of March 2020, the WCPP's Senior Management Team (SMT) met after reports of the first COVID-19 case in the country. Initial discussions were held with the Speakers Consultative Forum and, in partnership with the SMT, embarked on an institutional response to the rapid spread of COVID-19 (SMT Special COVID-19 Meeting Minutes, 2020).

The primary decision makers throughout the COVID-19 lockdown period were members of the SMT as well as the Speakers Consultative Forum. The WCPP's SMT is comprised of the Secretary of Parliament, the Directors of Institutional Enablement, Public Engagement and Parliamentary Services, the Chief Financial Officer as well as the Manager in the Office of the Secretary (WCPP COVID Response Report, 2021, pg. 15).

Resolutions from the initial SMT meeting on COVID-19 were the development of a COVID-19 action plan, an update of the Business Continuity Plan (BCP), an establishment of an official communication tool as well as exploring how to sanitise the building and office equipment (SMT Special COVID-19 Meeting Minutes, 2020). Under a directive of the Speaker, access of Members and staff to the parliamentary precinct was monitored and limited with specific exceptions handled by the Secretary where the work of Members or staff fell under the declared essential services in line with the DMA (DMA, 2002, pg. 34).

The WCPP had an existing BCP, and this simply had to be invoked. The BCP outlined the following steps in the instance of a disaster:

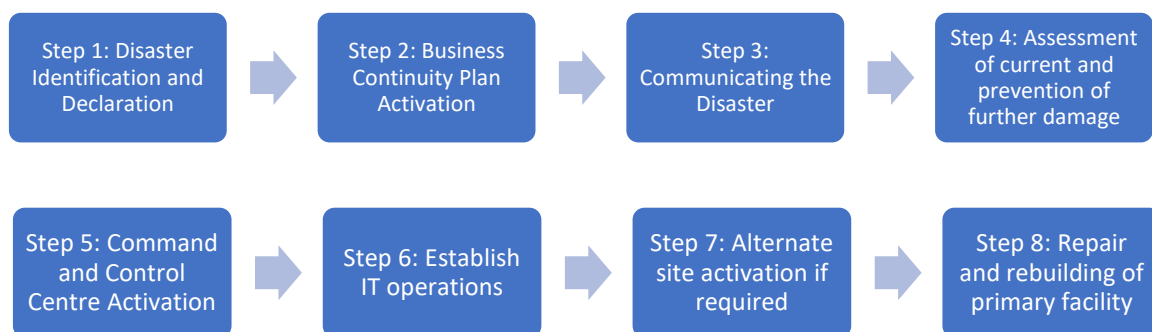


Figure 4: WCPP Decision Making Process. Adapted from the WCPP COVID Response Report, 2021

A BCP review revealed that there was a need for revision to include a “response to an unprecedented phenomenon” (WCPP COVID Response Report, 2021, pg. 16). Above and beyond the invocation of the BCP, the SMT developed a Risk-Adjusted Strategy based on the national government’s strategy, and in this strategy travel logistics, PPE provisions, staffing plans and operational matters were covered. To effectively implement this strategy and to provide comprehensive institutional support, a COVID-19 Task Team under the chairmanship of the Sergeant-at-Arms (WCPP COVID Response Report, 2021, pg. 17).

Most significant for the purpose of this paper was the establishment of virtual meeting platforms by the WCPP. Early on during the lockdown, WCPP leadership implemented an online platform through which parliamentary operations could proceed. What this allowed for was the seamless continuation of core legislative business through the provision of a platform upon which house proceedings and meetings could continue virtually. A recognition of the critical importance of the online platforms resulted in swift action from the ICT team in identifying, procuring, and implementing the most suitable platform for business continuity (WCPP COVID Response Report, 2021, pg.18).

On 8 April 2020, the Speaker to the WCPP introduced Rule 1A which stipulated that “the House may sit, or a committee may meet with its members in remote attendance by electronic means [and] the Speaker may issue such directives as are necessary to give effect to this rule” (WCPP COVID Response Report, 2021, pg. 18). Following this, directives on virtual sittings and meetings were circulated to staff in which all relevant factors were accounted for. These were, but not limited to, technical support, voting procedures, quorum and maintenance of order and formalities as well as various factors relating to the technical camera and audio settings (WCPP COVID Response Report, 2021, pg. 18).

2.9 Implementation of the WCPP Covid-19 Strategy

As indicated above, the WCPP’s response to the COVID-19 regulations imposed across the country was swift and took on a multi-pronged approach in looking at the various ways in which the institution could ensure that it was able to continue exercising its constitutional mandates.

2.9.1 Remote Working Policy

One of the key decisions taken by the WCPP at this time was the decision to draft a Working from Home Policy as well as amending the existing Cellular Phone and Mobile Internet policy to ensure that employees were able to perform effectively off-site (WCPP Secretary's Report, 2020). The successful transition to remote work for employees during the lockdown period hinged significantly on the acquisition of Information and Communication Technology (ICT) equipment and tools. While a Working from Home Policy is not in and of itself innovative, within the legislative sector in South Africa, considerations of remote working operations had yet to be considered by any of the institutions. However, a formidable challenge surfaced as service providers were not readily available, necessitating a strategic budgetary allocation for the procurement of essential ICT resources. In response to this challenge, the Western Cape Provincial Parliament (WCPP) demonstrated adaptability by adopting unconventional yet compliant ICT procurement methods to ensure the seamless continuation of its operations.

Addressing the urgent need for an online communication platform and Virtual Private Network (VPN) access, the WCPP embarked on a thorough exploration of various online platforms. Ultimately, MS-Teams emerged as the preferred choice due to its seamless integration with the existing Microsoft IT architecture, incorporating essential functionalities and robust security features. The ICT team further played a pivotal role in enabling the streaming of House sittings and committee meetings on YouTube, enhancing transparency and accessibility. The introduction of VPN access ensured that, where required, governance, infrastructure, compliance, and cyber security issues could be performed anywhere. Most significantly, VPN access ensured that there was no interruption to financial management functions as payments could be processed remotely (WCPP Secretary's Report, 2020, pg. 4).

In addition to the implementation of VPN access and Adobe digital signatures, the WCPP prioritized ICT training and guidelines. Given the unavailability of external service providers during the lockdown, the WCPP opted for an in-house training approach (WCPP Secretary's Report, 2020). The Ad Hoc Committee on COVID-19 and the COVID-19 task team received specialized training in MS-Teams, with Member Wenger assuming a crucial role in assisting her colleagues in adapting to the platform.

The issuance of laptop computers to staff members, while a commendable initiative, encountered delays in the procurement process. This delay, unfortunately, impacted some employees' ability to work remotely during the initial stages of the lockdown. Despite this setback, the Information and Communication Technology (ICT) unit stepped in to provide support, addressing hardware problems experienced by staff members through a combination of in-person and remote assistance.

Financial support mechanisms were also put in place to alleviate the challenges of remote work. Data allowances were extended to staff members, with a detailed framework outlined in the Addendum 1 of 2020 to the "Cellular Phone Policy." This allowed employees to be reimbursed for additional costs incurred for cell phone and internet data usage while working remotely during the National State of Disaster.

Furthermore, special programs funding was earmarked to assist Members in providing direct support to communities severely impacted by COVID-19. This initiative included the distribution of essential items such as masks and sanitizers, demonstrating the WCPP's commitment to addressing the broader community impact of the pandemic. Essential services permits were issued to Members, facilitating their travel during the stringent lockdown regulations. These permits played a crucial role in enabling Members to carry out oversight duties, engage in constituency work, and participate in social relief interventions and activities.

Recognizing the importance of employee wellness, the WCPP extended psychosocial support services to safeguard the mental and emotional well-being of its staff members. Although faced with challenges in contracting a new Employee Wellness service provider, the WCPP implemented temporary solutions, such as referring staff to counselling and appointing short-term service providers. Continuous efforts were made to ensure no disruption occurred in business functions and operations, underscoring the commitment to employee well-being. Internal communication channels were leveraged to disseminate information, including health and safety videos, fostering a sense of community and support among staff members during the challenging period.

2.9.2 Public Engagement, Education and Outreach

Prior to 2020, the WCPP's Public Education and Outreach office had an annual target of seventy-five (75) education initiatives to have been rolled out in accordance with the section's annual programme (Western Cape Provincial Parliament APP, 2020: 70). These programmes took place across all five of the districts in the Western Cape. As a result of the COVID-19 lockdown, the PEO section only managed to conduct twenty-four (24) programmes in the 2020/2021 financial year while having managed to complete sixty-six (66), ninety-one (91), seventy (70), and seventy-five (75) in the preceding four financial years respectively (Western Cape Provincial Parliament APP, 2020: 71).

Considering COVID-19 restrictions, the WCPP altered its conventional approach to supporting public education initiatives by introducing virtual educational programs. The implementation of financial support for cell phone and internet data usage opened up the possibility of PEO officials being able to set up meetings and planning sessions to troubleshoot various approaches to continuing with public education initiatives, even remotely. This meant that no additional special permits had to be sourced because officials would require consistent internet connectivity to run successful digital programmes. While the implementation of digital programmes did not solve the problem of inaccessibility for rural stakeholders, they did provide a solid alternative platform for holding programmes.

The first of these programmes was in August 2020 in collaboration with The South African Institute of International Affairs (SAIIA). SAIIA put forward a request to bring together different stakeholders to discuss topics of sustainable development and implications of climate change in the province of the Western Cape. As discussed above in relation to the partnership between the legislative sector and civil society, SAIIA deemed it effective to create a platform for exchange between civil society and the Western Cape Provincial Parliament on legislative processes and climate change impacts for the province. The colloquium was aimed at enhancing public participation and environmental governance in the Western Cape culminating in a broader discussion on matters of climate change. It was envisaged that the discussion around climate change with specific reference to the Western Cape would resonate and be broadened over the five-year term of the 6th Parliament (WCPP Secretary's Report, 2020).

SALLA ran the programme, hosting it virtually and coordinating the participants from across the five districts in the Western Cape. The Dialogue was opened by the Speaker, Hon. M. Mngqasela who welcomed the participants and outlined the WCPP's role and function in the Western Cape as well as the WCPP's understanding of the Climate Change crisis and the institutions contributions to community participation in legislative processes as well as public education (WCPP Secretary's Report, 2020).

Contributions were made by various stakeholders from Western Cape-based non-governmental and community organisations on the realities of environmental and climate change-related issues faced by Western Cape citizens. These included, but were not limited to:

- A presentation by Professor Coleen Vogel, a Climatologist, Adaptation and Sustainability Specialist on the current impact of Climate Change, with a specific focus on South Africa, and the Western Cape and what the future could look like without further intervention.
- A presentation from Vanessa von der Heyde from the Sustainability Institute, an international living and learning centre, on the various environmental initiatives run by the Institute which encompass a wholesome approach to environmental sustainability through providing educational and outreach opportunities to the communities in which the Institute operates.

An open discussion was held, whereby stakeholders directed questions at the Speaker on the impact of the initiatives led by the WCPP, and on the intended outcomes of these initiatives beyond the educational purpose into the advancement of the daily living situation of communities regarding environmental awareness.

Mr Khayaletu Mkunyana, Senior Public Education and Outreach Officer at the Western Cape Provincial Parliament presented on the public participation role of the WCPP, and the ways in which the WCPP is available for partnership in education and outreach initiatives around the Climate Change crisis. The dialogue was closed with commitments made to continue with the collaborative initiatives in addressing the Climate Change crisis in the Western Cape and in

imagining a more sustainable and climate resilient Western Cape. This dialogue was the first successful implementation of a multi-stakeholder, public-private, civil society-led virtual engagement under the lockdown regulations and paved the way for imagining more ways to conceptualise participation and engagement under the restrictions.

The second of these programmes followed from a request for assistance from the National Parliament Public Education Office. The Public Education Office had received a request from the Khayelitsha Development Forum to assist them with formulating a submission on the then upcoming Social Assistance Amendment Bill being processed by the provincial legislatures. In consideration of the fact that this request fell more appropriately within the ambit of the WCPP, the team reached out to the WCPP PEO section to assist with providing the Development Forum with an educational workshop focusing on submissions, as well as including information on the law-making process in general (WCPP Secretary's Report, 2020, pg. 50).

The WCPP PEO section then began to liaise with the members of the Khayelitsha Development Forum, and in consideration of the fact that they did not have access to a venue with consistent internet connection, the group was secured conferencing at a hotel in the Cape Metropolitan area with Senior Public Education and Outreach Officer Khayaletu Mkunyana facilitating the programme remotely. (WCPP Secretary's Report, 2020, pg. 50).

The third of these activities was a virtual youth dialogue. One of the difficulties identified in the WCPP was the severe disruption created by COVID-19 on young people. The youth were greatly affected, as were all South Africans. On June 26, 2020, the University of Cape Town (UCT) Newsletter published an article titled "South African Youth Hit Hard by COVID-19 (University of Cape Town, 2020)". The article discussed a poll conducted by UCT Graduate School of Business's Bertha Centre for Social Innovation and Entrepreneurship. According to the survey, more than 60% of young people in South Africa aged 18 to 34 are "very worried" about COVID-19, with many of them confused about their future and whether they would have work chances. Some of the survey's significant findings include the fact that 30% of young people stated they had lost money as a result of the lockdown, while 28% admitted to borrowing money as a result of the lockdown, furthering their debt. A total of 32% indicated their finances had been harmed since they were unable to go out looking for job, indicating

that many young people are facing increased financial difficulties (University of Cape Town, 2020).

As a result, there was a need to acknowledge that young people were facing an uncertain future. Considering the fact that the youth is a significant national stakeholder it was essential to include them in the determination of solutions to challenges posed to the country and the province by Covid-19. The youth dialogue hoped to deepen democracy and enhance continued participation and engagement of these youths. The purpose of the event was to serve as a platform for the participants to engage with their elected public representatives. No incentive was attached to participating in the event. The participating youth was proposed to have demonstrated, some form of social activism or involvement in their area of residence. Representatives were nominated from organised youth formations such as Junior Town Councils, Youth with disabilities, Business, Academia, Non-Governmental Organisations (NGO'S) and Faith based organisations. The dialogue was hosted on 20 November 2020 in a hybrid form (some participants at the WCPP, and others remoting into the session from various municipal offices and where able, their homes) under the theme of: Delivering Parliamentary Democracy during and post-COVID-19 in the Western Cape: A Youth Dialogue 2020 (WCPP Secretary's Report, 2020, pg. 60). Thirty-four diverse youth delegates participated in the dialogue session, with both the Premier and the Honourable Chairperson of the COVID-19 Ad-hoc Committee providing updates on the WCPP's COVID-19 response (WCPP Secretary's Report, 2020, pg. 60).

2.9.3 Ad-hoc Committee on Covid-19

The establishment of the Ad hoc Committee on COVID-19 by the Speaker of the Western Cape Provincial Parliament (WCPP) on April 14, 2020, marked a crucial step in response to the ongoing pandemic. Acting in accordance with Standing Rule 119(1) (b) of the Standing Rules of the Western Cape Provincial Parliament (ATC 14 April No. 22/2020), the committee was tasked with the vital role of overseeing the provincial executive authority's actions in addressing the challenges posed by the COVID-19 crisis. This oversight extended to various

entities involved in pandemic-related activities, including provincial departments and organs of state.

To ensure a comprehensive representation, the Ad-hoc Committee engaged with all seven political parties represented in the Western Cape Provincial Parliament. Following consultations and consideration of input from all parties, a decision was reached to constitute the committee with fifteen members, reflecting a balanced and inclusive approach.

Empowered with the general powers outlined in the Standing Rules (Rule 91) and other applicable powers within the range of Standing Rules (Rules 77–95), the Committee was well-equipped to carry out its oversight responsibilities effectively. The flexibility provided by electronic communication means was adopted, allowing the Committee to convene virtually. This decision aligned with both the COVID-19 lockdown regulations issued by the National Government and the directives of the WCPP Programming Authority, emphasizing adherence to social distancing rules.

In line with the Committee's mandate, all meetings were conducted virtually, ensuring compliance with safety protocols and contributing to the collective efforts to curb the spread of the virus. The Committee received specific instructions to provide regular updates on its findings, fostering transparency and accountability in its actions.

Central to the WCPP's response was prioritizing the health and safety of its members and employees during the review period, significantly impacted by the pandemic. In response, provisions were made for the procurement of personal protective equipment (PPE) for both Members and employees. Additionally, to uphold transparency, an assessment of all PPE transactions was conducted up to September 30, 2020, which revealed no transactions involving companies declared by WCPP employees in their declaration of interest forms (WCPP Annual Report 2020/2021, 2021: 9-11).

To facilitate a seamless transition amid changing alert levels and restrictions, the WCPP developed and implemented a comprehensive Return-to-Work Plan aligned with the Risk-Adjusted Strategy. This plan, along with corresponding staffing adjustments, enabled the WCPP to maintain business continuity despite fluctuating conditions. However, the shift to remote work posed challenges such as workload imbalances and resource allocation (WCPP Annual Report 2020/2021, 2021: 9-11).

2.9.4 Employee Data and Cell Phone Reimbursement Policy

In response, the WCPP deployed laptops to relevant employees, replacing desktops, and introduced a policy to reimburse additional cellular phone and internet costs incurred while working from home (WCPP Annual Report 2020/2021, 2021: 10). Moreover, a Working-from-Home Policy was approved and enacted to provide clear guidelines for remote work and specify administrative functions permissible from home. Furthermore, relevant employees were granted VPN access, ensuring the seamless processing of payments, and enabling all financial and human-resource functions to be carried out remotely (WCPP Annual Report 2020/2021, 2021: 10). These measures not only addressed immediate challenges but also laid the groundwork for a more agile and resilient operational framework in the face of future uncertainties.

2.9.5 Members Enabling Allowance

In the reporting period, the Special Rules Committee convened on 23 March 2021 to deliberate and finalize the Presiding Officer's Manual outlining the benefits and allowances for the Speaker and Deputy Speaker of the Western Cape Provincial Parliament. Subsequently, the House approved the manual through a resolution on 29 March 2021 (WCPP Annual Report 2020/2021, 2021: 12). This manual serves as a policy framework dictating the benefits and allowances accorded to the Speaker and Deputy Speaker to facilitate the execution of their official duties.

The finalisations to the Presiding Officer's Manual, in particular in relation to the enabling allowances for Members, arose out of changes made to the enabling allowances for Members necessitated by the COVID-19 lockdown (WCPP Annual Report 2020/2021, 2021: 61). The purpose of the enabling allowances subprogramme is to oversee the distribution of:

- Membership fees for parliamentary and affiliated associations.
- State contributions towards the medical aid of continuing Members.
- Enabling allowances aimed at compensating Members for expenses related to official travel, accommodation, and telecommunication.

Furthermore, the subprogramme is structured to handle the distribution of:

- Constituency allowances, facilitating political parties represented in the WCPP in establishing and maintaining infrastructure within constituencies to serve the constituents' interests.
- Secretarial allowances, supporting political parties represented in the WCPP to establish and maintain their administrative infrastructure within the precincts of the WCPP.
- Allowances for special programmes, enabling Members to organise programs in their constituencies for the purposes of oversight, law-making, and public participation by the WCPP. (WCPP Annual Report 2020/2021, 2021: 63)

Most significant under the COVID-19 lockdown restrictions was the increase of the enabling allowance in order to allow for Members to be able to continue to organise community programmes and to organise outreach in their respective constituencies handing out personal protective equipment, as well as getting evidence-based information from the ground (WCPP Annual Report 2020/2021, 2021: 63). This particular policy changes required deviations from the planned budget and funds had to be shifted in order to accommodate these targeted programmes (WCPP Annual Report 2020/2021, 2021: 63).

2.9.6 Employee Wellness

Although employee wellness programmes are an ongoing feature of the WCPP, on 5 May 2020, the WCPP announced (internally) its employment of the services of DNA Wellness to support all WCPP employees and their immediate household's wellness needs. The service was provided via a call centre, operated 24 hours a day and seven days a week (WCPP Internal Communication, 2020). The call centre was operated by qualified counsellors who would be able to provide assistance in all three of the province's official languages (WCPP Annual Report 2020/2021, 2021: 79) and provided support and counselling services for a range of issues including, but not limited to, COVID-19 related, emotional and relationship, drug or alcohol abuse, legal and parenting (WCPP Annual Report 2020/2021, 2021: 80).

Internal communications regarding employee wellness continued throughout the COVID-19 lockdown period with a focus on providing grief and loss support services being introduced in 2021 with several staff members having experienced direct losses as a result of COVID-19 as well as some WCPP employees succumbing to the virus (WCPP Annual Report 2020/2021, 2021: 82).

2.9.7 Donor Funding

In 2021, the WCPP received donor funding from the Legislative Sector Support (LSS). Obtaining the funding was delayed due to external factors related to the COVID-19 pandemic; however, the funding allowed for the development of various technological advancements for the WCPP (WCPP Annual Report 2021/2022, 2022: 67):

- The WCPP Stakeholder database

Section 118 of the Constitution of the Republic of South Africa, 1996 stipulates that a Provincial Legislature must actively facilitate public involvement in its legislative and other processes, including those of its committees (Constitution, 1996). Aligned with this directive, the Western Cape Provincial Parliament (WCPP) identified public and external stakeholder participation and engagement as a strategic imperative within its organisational strategic plan.

Historically, the implementation of a system for public and stakeholder engagement faced challenges, such as diverse communication mechanisms and segregated databases of stakeholder information. To address these challenges, the WCPP initiated the development of a software application. This application aimed to automate stakeholder registration and maintenance within a centralized repository, enhance communication capabilities through a unified engagement point, and facilitate tracking and reporting focused on public participation and engagement functions.

The WCPP Stakeholder Database Application elevates stakeholder engagement and public participation in the legislature's activities. It achieves this by registering various stakeholders, facilitating communication through electronic channels, inviting stakeholders to events, and sending general notifications. The application, accessible through the web, offers functionalities such as stakeholder registration and maintenance, linkage to specific portfolio

committee issues and activities, event creation, stakeholder invitations, attendance registration, reporting on stakeholder and event information, administration of master file data, and user rights administration by system administrators.

At the time of completion, the Stakeholder Database's SMS functionality was not operational requiring the institution to partner with a secondary service provider (WCPP Annual Report, 2021/2022, 2022: 65). While this assisted with the WCPP communicating with stakeholders, it did not empower stakeholders and citizens to reach out to the WCPP. One of the key considerations in determining how to make the WCPP more accessible was the acknowledgement of the aforementioned marginalisation of rural and impoverished communities with digital developments. In light of this, the WCPP embarked on a reverse billing policy through which, in partnership with major network providers, citizens of the Western Cape can communicate with the WCPP, make direct submissions and access the various stakeholder platforms free of charge (WCPP Annual Report 2022/2023, 2023: 65).

Chapter 3: Research Methodology and Design

3.1 Research Approach

The research paradigm for this study is qualitative in nature and deemed appropriate for the study. According to Frankel and Devers (2000, pg. 251), the qualitative study "...consists of describing people and groups particular situations and meanings and experiences." The qualitative study enables the researcher to get an insider's perspective of the phenomenon being researched. It allows the researcher to engage the participant in their own setting, describe it in their own words, and understand their understanding of the events. It is there for first-hand experience and input from those involved or affected by the matter being researched (Merriam & Tisdell, 2016). This approach gives authenticity and credibility to the data collected and the subsequent findings.

This study is based on the post-positivist epistemology; it will draw on the experiences of the sample to bring an understanding of the phenomenon being researched. This insider's knowledge of their lived experience on the phenomenon contributes to addressing the research question. The post-positivist epistemology research approach is therefore deemed appropriate for this research.

3.2 Research Design

Using the qualitative research methodology, the case study is deemed suitable to study the research phenomenon. According to Yin (1994, pg. 23), a case study “is an empirical study of a contemporary phenomenon within its real-life context”. The Western Cape Provincial Parliament is the unit of analysis, and key informants are used to understand the effectiveness of community participation in the lawmaking processes of the WCPP during the COVID-19 pandemic. The case study approach enables the researcher to ringfence the unit of study and to collect data that will result in an analysis and thick description of the phenomenon being researched.

Gerring (2004, pg. 342) posits that a case study is the “intensive study of a single unit for the purpose of understanding a larger class of similar units”. Therefore, a case study is appropriate for this study to understand the Western Cape Provincial Parliament's organisational strategy to ensure continued public participation in the law-making process during the National State of Disaster. This enables more focused research and understanding of the specific context of the case in a scientific manner and the subsequent findings of the phenomenon being researched.

3.3 Data Collection

According to Belisario et al. (2015), self-administered questionnaires are a valuable data collection method. They are good for providing broad geographic coverage of the target population, dealing with sensitive themes, and requiring fewer resources than other data collection methods. These questions can be distributed electronically, increasing the speed of data gathering. The questionnaire featured both open- and closed questions, which allowed participant to answer based on their experience, perspectives, and views without predetermined answer choices.

The advantage of using both open and close-ended questions in research lies in capturing potentially diverse narratives. This approach enables respondents to express their views freely, providing detailed responses to support their perspectives whilst also allowing for

clarifying responses to assist the researcher in identifying the level of base knowledge the respondent has on the matter. Data was collected from a representative sample drawn from the WCPP and analysed to inform the findings and recommendations.

The questionnaire design was intended to assess public opinion on the effectiveness of measures put in place by the WCCP for public participation during the period under study. It included both open-ended and closed questions. The open-ended questions aimed to prompt participants to express their views and understanding on specific matters, fostering an environment conducive for them to feel free and safe to share their experiences. The researcher will also be combining the data from the questionnaires with written information on the legislature's procedures and ways of working.

3.4 Sampling Method

A population is an entire group about which some statistical data needs to be ascertained. A research study's population could consist of people in many different contexts (university students, for instance). Any part of a fully characterised population can be considered a sample (Banerjee and Chaudhury, 2010). The population for the study consisted of Members of the Provincial Parliament, Non-Government Organisations (NGOs), and representatives of Faith-Based organisations. For this study, the purposive sampling method was used to determine the sample. The sampling technique allows the researcher to decide who will be the most relevant person or participant to answer the research question/s posed. The sample is selected from the larger research group, also known as the population. In determining the sample size, a diverse pool of interested and affected individuals from independent stakeholders was identified for this research.

Purposive sampling is a non-random sampling method (Rai & Thala, 2015). It relies mostly on the judgement of the researcher to determine the criteria for selection of the sample. According to Olivier and Jupp (2006), the selection of the sample could be based on knowledge of the phenomenon being researched, willingness to be part of the study, gender, and years of knowledge of the subject matter. The researcher will develop a set of criteria to select the sample. Campbell, Greenwood, and Prior (2020) state that purposive sampling methodology results in a sample choice that matches the research aim. The reason is that the

sample selection is based on having one or other association with the phenomenon being researched. The participants, therefore, can share their experiences regarding the research matter. This will improve the data collection process, and the reliability of the data collected. According to Thomas (2022, pg. 3), purposive sampling “improves the study continuity and accuracy of the data and conclusion”. The researcher, therefore, has a responsibility to develop the selection criteria for the sample that will meaningfully contribute in an objective way to the research.

The questionnaire sample consisted of 18 participants consisting of a selection of WCPP members/officials who have engaged with the WCPP in some public participation initiative. Although the sample consisted of 18 participants, only eleven responses were received. The WCPP comprises of persons who undertake public participation of their mandate. The sole criteria for participation were that the individuals have had considerable interaction with the WCPP during the Covid-19 lockdown and could reflect on the effectiveness of the public participation mechanisms employed during the Covid-19 pandemic. The sample of participants below were chosen because the individuals have had considerable interaction with the WCPP during the Covid-19 Lockdown and could reflect on the effectiveness of the public participation mechanisms employed during the pandemic.

The sample selection comprised of the following:

- Members of Provincial parliament. Three members of parliament will partake in the questionnaire because they have first-hand experience with the implementation of the change management mechanisms (innovation of new way of doing business) used by the WCPP and, therefore, are best placed to provide input. They participated in the virtual business model.
- A senior official from the Office of the Premier responsible for the Western Cape Government response to COVID-19 and public participation mechanism and one other official will be interviewed who is from the Department of Local Government given their role in monitoring and supporting the response by the municipalities to the pandemic.
- Eight (8) representatives from stakeholders such as Faith-Based Organisations, Western Cape Business Chamber, NGO sector, Labor Unions and Civil Society Organisations like Khayelitsha Development Forum that represent various

stakeholders and play an active role in coordinating communities on matters of law-making and service delivery imperatives including public engagement process will be identified. This is an important group because community participation in the affairs of the state is key to the realisation of the WCPP constitutional objectives.

- 3 municipalities were identified, and the IDP manager of each municipality formed part of the sample. The IDP manager is responsible for community participation at the municipal level.
- Two members from the Community Development Forum (CDF) formed part of the sample. The CDWs are the eyes and ears of the municipalities and will be able to provide input on the WCPP community participation strategy.
- In identifying community organisations, gender and youth representatives of the sample remain key features. The sample did not include anybody younger than 18 years of age.

3.5 Data Analysis

Data analysis was done by using thematic analysis (TA). Thematic analysis is a widely used tool in qualitative research. Thematic analysis is a technique for identifying, analysing, and reporting patterns or themes that emerge from data. This method of data analysis is descriptive and reduces data in a flexible manner that can be integrated with other forms of analyses (Castleberry & Nolen, 2018). This method of data analysis was used because it is often used in qualitative research and because it is often advantageous due to its versatility in addressing diverse research problems and themes.

3.6 Validity, Reliability and Objectivity

- **Validity:** Traditional definitions of validity include how well an empirical measure represents the underlying relevance of the issue under study (Babbie & Mouton, 2001). The study can be deemed as valid because the data collection was done in an ethical method and the research participants are individuals who have had

considerable interaction with the WCPP during the Covid-19 pandemic and lockdowns, therefore ensuring that the data presented is accurate. The question in the questionnaire also accurately reflects/measures the objectives and aim of the study.

- **Reliability:** The topic of reliability is whether a certain approach, when employed repeatedly on the same item, consistently generates the same output (Babbie and Mouton, 2001). The study can be regarded as reliable as it focused on a topic that has not been dealt with before. The study therefore provides the reader with a good understanding of the public participation processes during the Covid-19 pandemic. The study is also reliable as the study sample represents individuals who have had considerable interaction with the WCPP during the Covid-19 lockdown and they could therefore reflect on the effectiveness of the public participation mechanisms employed during the Covid-19 pandemic.
- **Objectivity:** Objectivity can be defined as adhering to facts, and anything can be considered objective when it is independent of value commitments (Dongen & Sikorski, 2021). Objectivity was kept throughout conducting this research. The researcher conducted the research without using their own bias and without trying to prove their hypothesis, but rather to see the true facts presented by the data collected.

Chapter 4: Presentation of Data

This chapter focuses on the presentation of findings. It begins by examining the biographical data of the study participants, and thereafter presents the findings that are relevant to each of the research questions.

4.1 Biographical Data

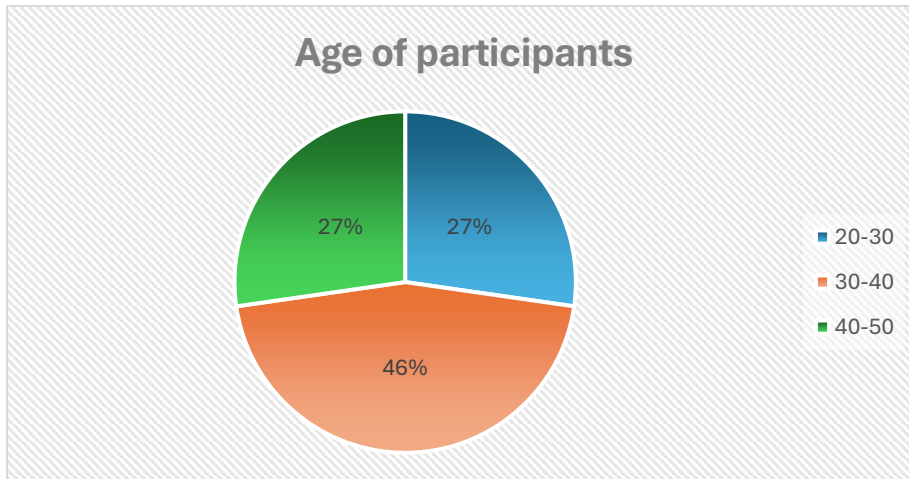


Figure 5: Age of Respondents

The above chart represents the age of the study participants. The figure represents that most of the study participants belonged to the 30-40-year-old age group.

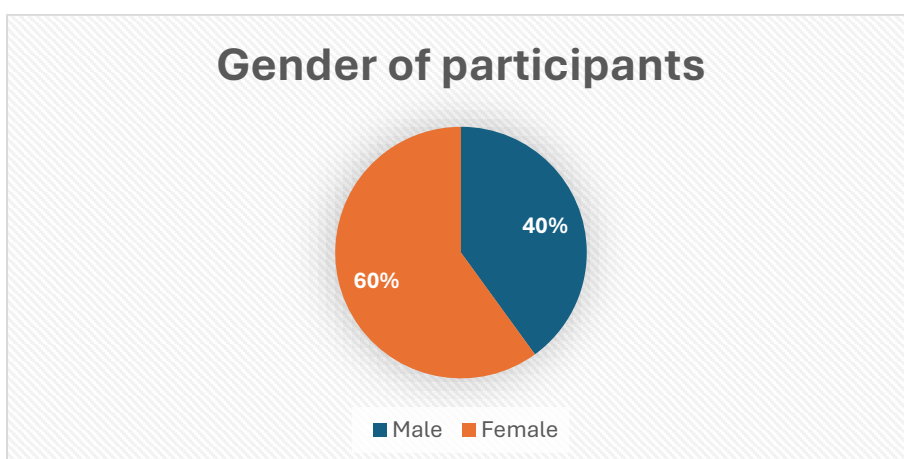


Figure 6: Gender of Participants

The above figure represents that the majority (60%) of participants in the study were female.

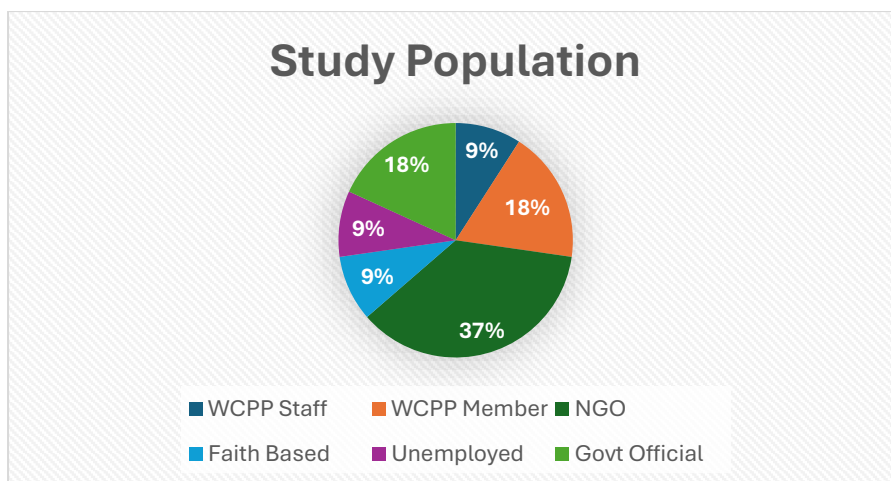


Figure 7: Study Population

The above graph represents the population of individuals who took part in the study. The figure shows that participants from non-governmental organizations made up the largest portion of the population who took part in the study, while the WCPP staff members were the ones to take less part in the study.

4.2 Findings related to research questions.

4.2.1 Theme 1: Knowledge of the Western Cape Provincial Parliament

Participants displayed an adequate understanding of the mandate of the WCPP with consistency in their responses outlining the basic mandate of the WCPP as the law-making body of the Western Cape and the Institution's role in overseeing the provincial parliament and holding government accountable. Many of the participants adequately understand how the public can participate in WCPP legislative and other processes. Most of the respondents mentioned that the public can participate in the WCPP's legislative and other processes through public hearings and Imbizo. In contrast, not all participants were able to identify the various mechanisms through which the public can participate in the WCPP's legislative and other processes.

4.2.2 Theme 2: Attending Meetings (Were meetings held and did participants attend?)

The participants identified a number of meetings that were held at the WCPP during the Covid-19 pandemic. These include budget meetings and annual reports, meetings on health

and social welfare related issues, a meeting on the Expropriation Bill in the West Coast at the Cathy Johnson Community Hall and Youth Parliament meetings. Three of the participants in the study indicated that they did not attend meetings because they felt that the meetings were talk shops. They also indicated that they did not attend because they were not informed about the meetings either in their individual capacities as members of the public or through the leadership in their organizations. Other respondents indicated that they participated in these meetings virtually, in a hybrid setting or in person. One of the female participants who is from the unemployed/freelancer sector indicated: "Online meetings give one time to process added information and do a quick research on the spot which allows you to frame questions better or better understand fellow participants - something which in-person meetings do not really allow. I found the meeting efficient; travel time was saved, saved money, and discussed the necessary issues. In terms of carbon footprint: electronic copies of agendas instead of hardcopy printouts and no carbon emissions from transport.' The findings indicate participants did attend meetings and at the same time found the meetings useful and insightful.

4.2.3 Theme 3: The use of media for meeting awareness.

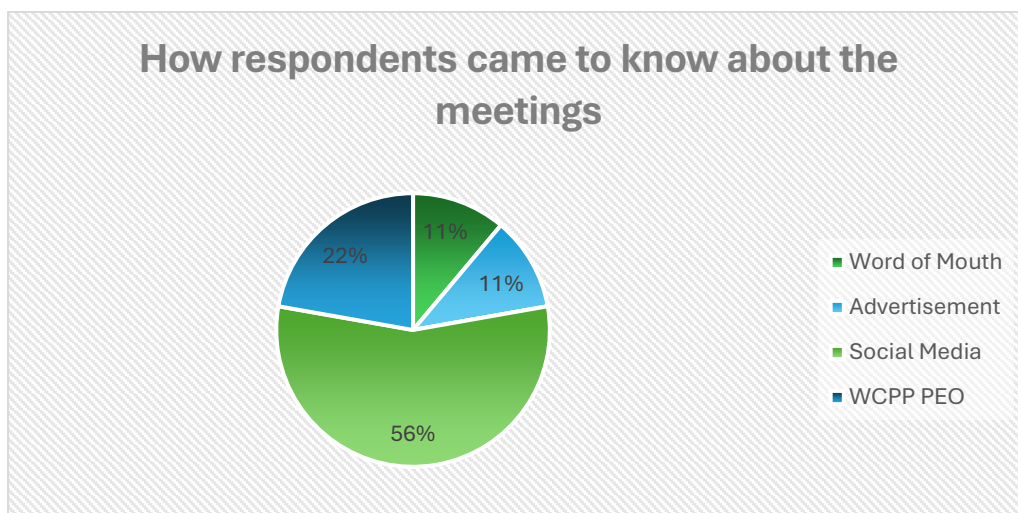


Figure 8: How respondents came to know about meetings

The majority of respondents came to know about meetings through social media and communication with the WCPP's PEO section, with 56% of respondents indicating that they

heard through social media and 22% of respondents indicating that they received communication through the WCPP's PEO office.

It is important to note that the WCPP's PEO office was not included in the questionnaire as one of the options. However, it has been indicated in the results due to the written responses of the participants indicating that this is how they came to know about meetings at the WCPP. Eleven percent of participants indicated that they heard about the meetings through word of mouth and the remaining 11% of participants indicated that they heard about the meetings through advertisements.

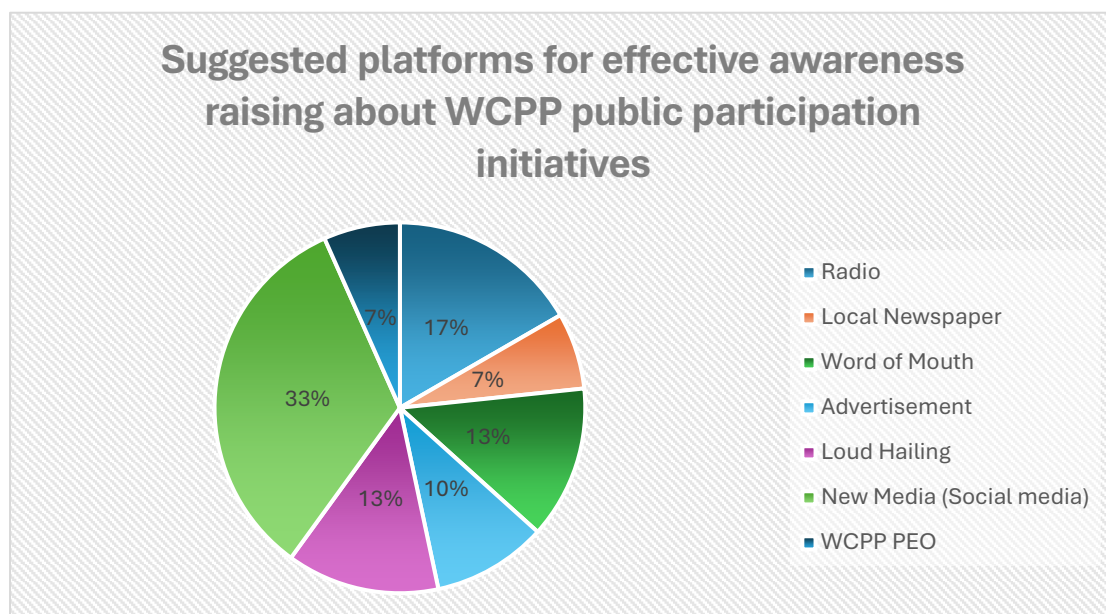


Figure 9: Suggested platforms for effective awareness

The above figure represents the suggested platforms for raising effective awareness about WCPP initiatives. Participants were able to identify multiple communication platforms. The largest percentage came from participants indicating that social media was the most effective platform, with a percentage of 33%. Only 7% of participants indicated that newspapers would serve as an effective platform for awareness raising, with another 7% indicating that the WCPP PEO serves as an effective platform for awareness raising, with another 10% of participants indicating that advertisements served as an effective platform. 13% of participants identified loud hailing as an effective platform and another 7% identified the WCPP PEO as an effective

platform. Radio received 17% of participants and word of mouth received 13% of the responses for effective communication.

4.2.4 Theme 4: Agenda of the meetings.

The following were identified by participants as the agenda of the various meetings that were held and attended.

- How the Western Cape Health Department will be dealing with the COVID-19 pandemic and how to keep residents safe.
- What parliament does about its public participation and the importance of it
- Youth unemployment
- Education and training (primary to tertiary)
- Mental wellness (linked to drug abuse and domestic issues)
- Early childhood development (in shaping adults)
- Youth participation in legislation (how and why)
- Youth engagement with the WCPP

4.2.5 Theme 6: Accessibility and Language

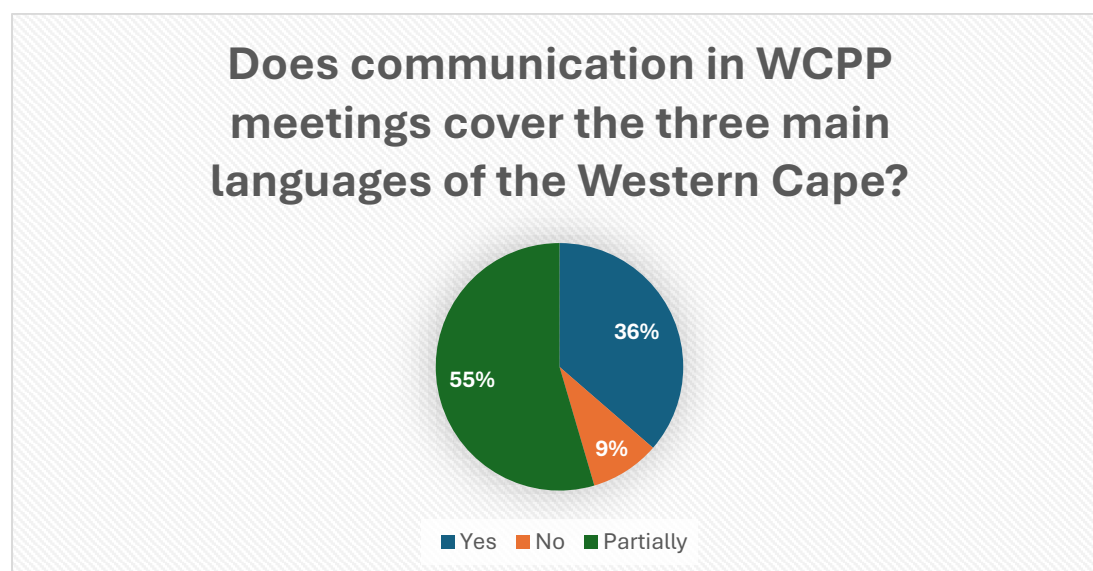


Figure 10: Accessibility and Language

The responses by the participants indicated that the WCPP's public participation modes ranged from it being great and easy to understand and other stating that it was completely inaccessible. The three major languages in the Western Cape are Afrikaans, IsiXhosa and English. 55% of participants indicated that communication in and by the WCPP covers the three main languages in the Western Cape, with only 9% indicating that it does not cover all three major languages. The WCPP's staff base is made up of a diverse group of individuals with not all employees being fluent in all three major languages (Afrikaans, IsiXhosa and English). This means that, where the WCPP held public participation initiatives with communities, the facilitator available for the programme was not always able to communicate effectively with the given community because of language barriers. Additionally, the use of social media as a communication platform (as identified in Figure 5) made accessibility hard for marginalized communities that do not have full access to these platforms or the means to access them.

4.2.6 Theme 7: Using Arnstein's Ladder of participation as a guide to Public Participation

The questions in this section of the questionnaire sought to understand the respondents' experience of participation and the nature or type of participation that took place in the light of the various levels of participation identified in Arnstein's Ladder of Participation (Arnstein, S. 1969).

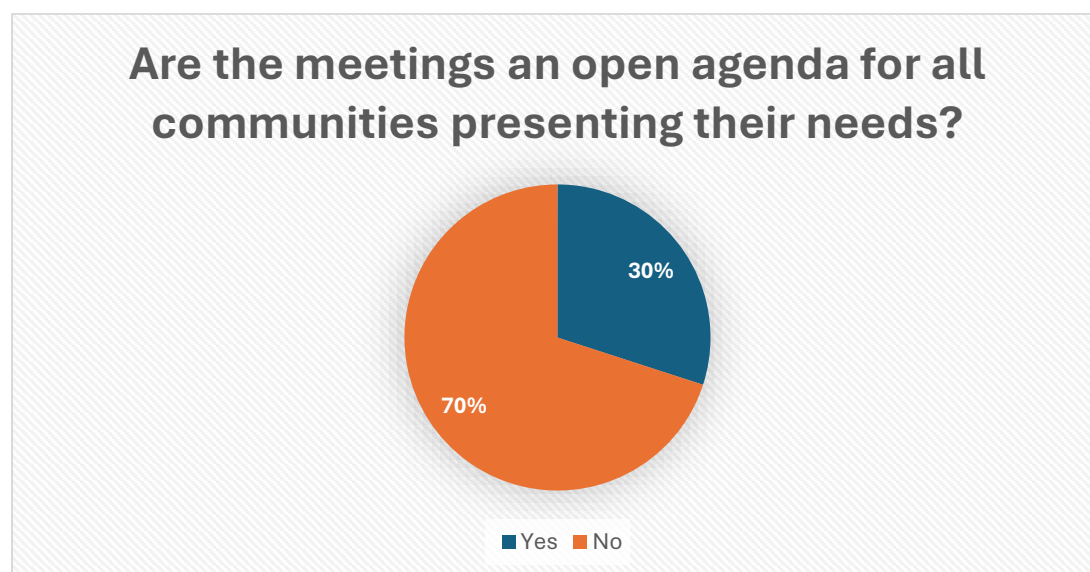


Figure 11: Were meetings on an open agenda for all communities?

The above diagram represents the respondents' opinions of the nature of meetings and whether they meet and address community needs and concerns. 70% of respondents indicated that the meetings were not an open agenda for all communities presenting their needs, with some of the respondents indicating that "the agenda is controlled to manipulate how the public react to it", and that, while "all members of the public can watch it (the meeting), they are not able to comment during the meeting".

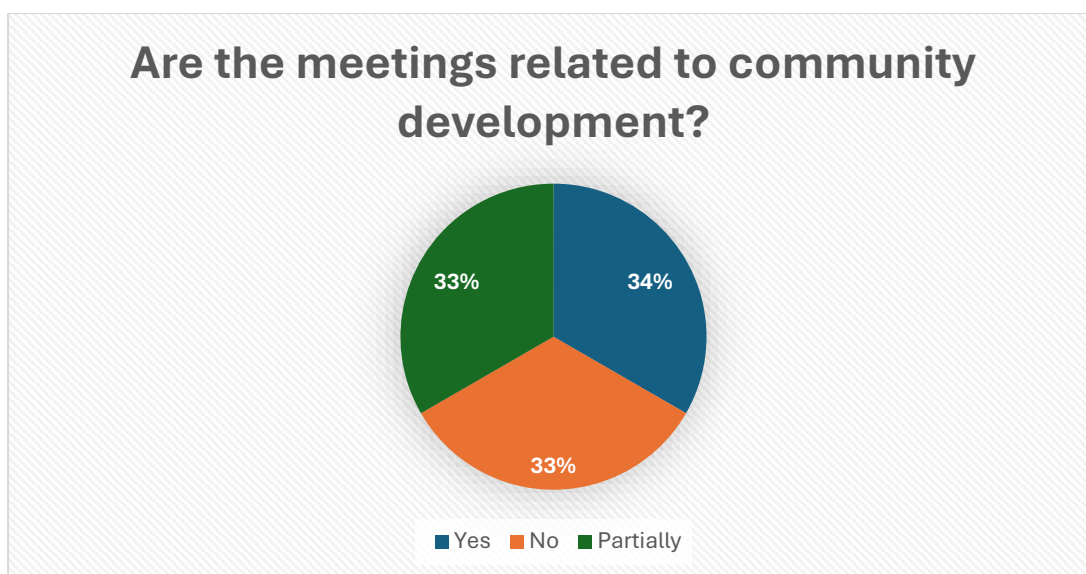


Figure 12: Were meetings related to community development?

The diagram above represents the respondent's opinions about whether or not the meetings were related to community development. 34% of the respondents believed that the meetings were related to community development, whereas 33% of the respondents believed that they were not. The remaining 33% stated that the meetings only partially addressed community development with one of the respondents stating that, outside of the meetings being related to community development, they are also neither participatory nor inclusive.

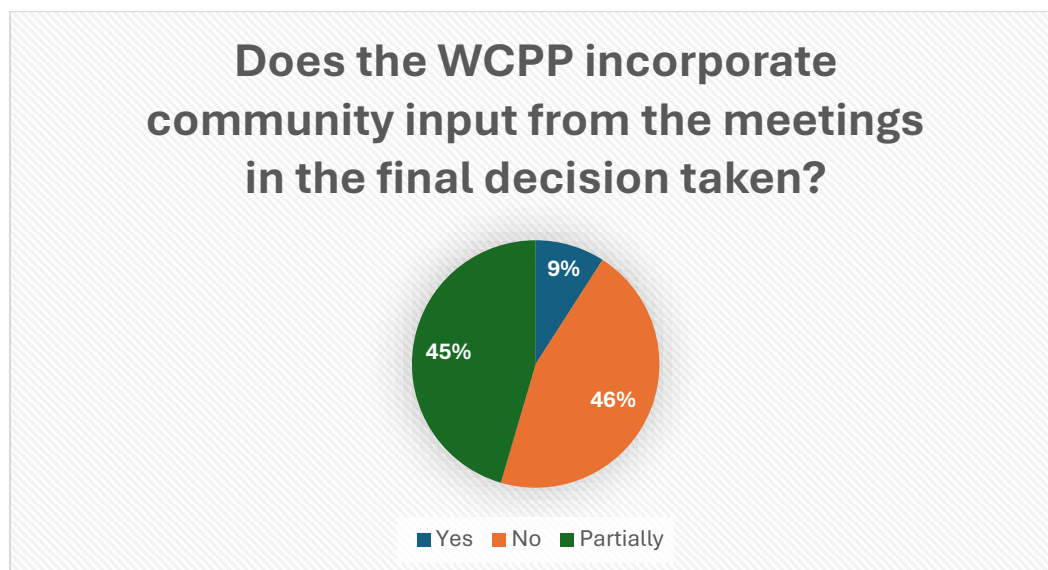


Figure 13: WCPP incorporation of community input from meetings in decision making

Participants indicated that the WCPP does not incorporate community input from the meeting in the final decisions taken. Participants indicated that there was room for improvement in the incorporation of community input from the meetings in the final decision making. One of the respondents, a youth representative at the virtual youth dialogue, stated the following in the questionnaire response:

“I can only speak for municipal council level where degrees of citizen power are definitely visible. When it comes to parliament, we see officials and executives busy doing work, but we don’t necessarily understand because we are merely informed and consulted and then outcomes are communicated. This is wonderful that there are results, but it remains at degrees of tokenism. Few individuals try to use their social media platforms to inform, be transparent and educate. What is necessary is that education must translate to active citizens who are able to identify and make informed inputs in policies and by-laws etc., as is the case in the municipal council structure”.



Figure 14: The degree of inclusive participation in meetings

The above figure represents the participants' opinion on whether the WCPP meetings were inclusive and participatory. The majority (45%) indicated that the meetings were inclusive and participatory. 33 % of participants indicated that the meetings by WCPP were not inclusive and participatory. One of the participants who is a female from the unemployed/freelance sector responded with the following:

"They are. At least with the parliamentary meeting I was part of, it was an informative discussion. The particular youth representatives invited were active citizens of the public with a keen interest in community development. There were no political agendas in mind to influence the public against certain parties or in favor of certain parties – it was purely unpacking issues that may be hindering youth progress. At least important conversations are sparked."

Another participant who is male from the NGO or Faith-Based sector responded with the following:

"Yes, they are definitely community development-related but sometimes they are used as a political platform."

4.2.7 Theme 8: Inclusion in the decision-making and implementation.

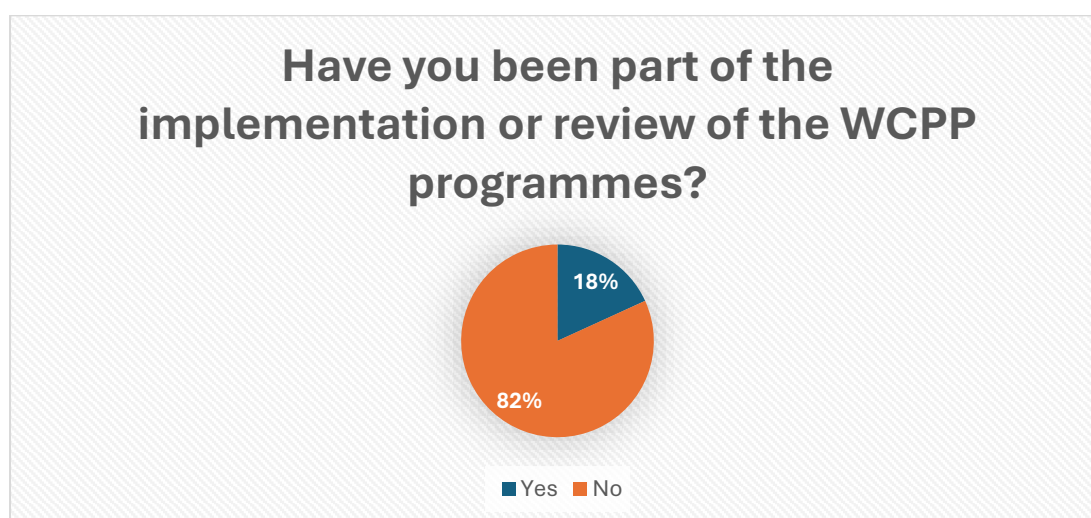


Figure 15: Inclusion in the decision-making and implementation

The above figure represents whether participants were part of the implementation or review of the WCPP programmes. Only one of the respondents provided an example of their involvement in the implementation or the reviews of the WCPP programmes, and they indicated that they did this by recruiting members to attend the different Bill hearings and explaining what the Bill is all about.

Outside of the use of social media and local radio stations, respondents indicated that it would be best for the WCPP to have a more community-centric approach that focused on being more physically present. The suggestions included the following:

“By implementing a comprehensive community engagement portal, the WCPP can provide a transparent and accessible platform for meaningful participation in the planning and implementation of policies and initiatives affecting the Western Cape province”.

“Oversight visits at community halls inviting community members”.

“Regional in person dialogues and include different stakeholders that are part of community development”.

4.2.8 Theme 9: Participation Strategy

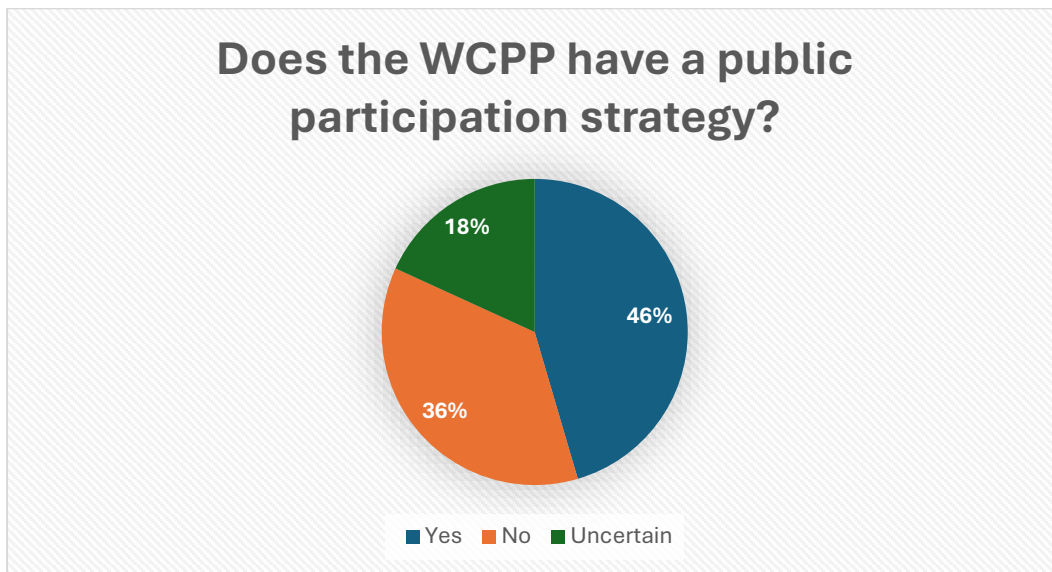


Figure 16: Participation Strategy

The above figure represents whether the WCPP had a public participation strategy. 36% of the participants had no knowledge of or were familiar with the WCPP's public participation strategy. A respondent from the NGO or Faith Based sector indicated that: "the people who receive this communication only share information to their networks only. For me different stakeholders, which includes those who are not politically influenced in their decisions should be invited, WCPP must be taken to people as it is easy [for some] and difficult for other people to access it." Another participant also from the NGO or Faith Based sector indicated: "the strategy does not promote inclusivity since you will find that the announcements target certain locations and groups in venues that does not accommodate for every person".

Conversely, some of the respondents indicated that while they are familiar with the public participation strategy of the WCPP, highlighting the use of multiple methods of communication which are then able to be distributed by individuals to the community members, that the struggles come with stakeholder coordinators having to bear the financial and logistical responsibilities of stakeholder participation. One of the respondents stated that: "on paper, their objectives are ideal. However, in practice it is not particularly visible. There is a disconnect between the public and parliament."

Chapter 5: Analysis and Discussion of Data

In this chapter, the researcher will be looking at analysing the data collected to answer the research questions. This chapter will look at analysing the demographics of the study participants and then look at analysing each research question.

5.1. Demographics of participants

In the initial stages of the research, the researcher distributed eighteen questionnaires, but only eleven participants submitted their responses. The eleven participants who submitted their responses are all individuals who have participated in the WCPP's public participation processes. The participants were from the following categories:

- Members of Parliament
- Government Official/Expert
- Ratepayers Association
- NGO or Faith-Based
- Unemployed/ Freelancer

Having only 11 responses out of 18 questionnaires limits the data collection process. This is because if more responses were received it could have painted a different picture in terms of the public participation initiatives and continuation therefore during the covid-19 pandemic. Within the age category, most of the participants were from the age thirty to forty-years old category and females represented as the gender who responded or submitted their responses most. The age group was not purposely chosen but the researcher is of the notion that this age groups represents the larger population. According to the pie chart most responses were from the non-governmental (NGO) based organisation which is understanding as WCPP works closely with stakeholders from these organisations.

5.2. Theme 1: Knowledge of the WCPP

Theme 1 of the study focused on the level of knowledge that the participants have of the Western Cape Provincial Parliament. This theme was focused on all participants which included members of parliament, government officials/experts, ratepayers' associations, businesses and participants from the NGO OR Faith Based Section. To understand the level of knowledge from the participants four key questions were asked namely: 1. What is your understanding of the WCPP's mandate; 2. How can the public participate in the WCPP's legislative and other processes, 3. In your view has the WCPP enabled continued public involvement in its legislative and other processes during the Covid-19 pandemic 4. Do you know who the leader of the WCPP is? The researcher focused on these questions so that a clear understanding of the level of knowledge that participants have about the WCPP can be clearly understood.

Participants in the study displayed an adequate understanding of the mandate of the WCPP with consistency in their responses outlining the basic mandate of the Western Cape Provincial Parliament (WCPP) as the law-making body of the Western Cape and that the institution's role in overseeing the provincial government and holding government accountable. The Western Cape Provincial Parliament has a Public Education and Outreach Office section. This section deals with citizen engagement in terms of educating various groups such as scholars, students, the youth and the elderly, and community and grassroots organisations, about the work of the provincial parliament and how the public can participate in the WCPP's various legislative processes (WCPP COVID Response Report, 2021). The Provincial parliament through the Public Education and Outreach Section ensures that citizens of the Western Cape are educated about WCPP and how the public can participate in legislative processes. It is therefore not surprising to the researcher that most of the participants had an adequate understanding of the mandate of the WCPP.

Sentiments from the respondents around WCPP's efforts in enabling public participation during Covid-19 are varied with some participants indicating that there were virtual engagements during the initial stages of the virus and lockdown, with hybrid sittings and workshops being offered. The PEO section was notably affected by the Covid-19 pandemic. Because of the nature of work that the PEO section does, their work often requires them to

work in person with individuals, stakeholders, and communities through workshops where they educate citizens about the WCPP and how the public can engage in the legislative and other processes of the WCPP. During the Covid- 19 pandemic the PEO sections had to cancel in-person engagements and rely on virtual alternatives that posed significant difficulties due to infrastructure and accessibility limitations (WCPP COVID Response Report, 2021). Section 28 of the Western Cape Constitution (1997) stipulates that in line with the provision of the national Constitution, the provincial legislatures have a duty to facilitate public participation in its activities (Western Cape Constitution, 1997). The WCPP tried to maintain public participation through virtual platforms, but the difficulties faced by remote villages in terms of technology access was not considered. It can therefore be argued that the efforts to maintain public participation by the WCPP was not adequate. One of the participants mentioned that initial engagements for public participation were held in the beginning of the pandemic but as time went on, they heard less about any engagements. This could be attributed to the fact that even virtual engagements became a challenge in many aspects, especially when we consider poor communities.

5.3. Theme 2: Attending meetings.

Theme 2 of the questionnaire focused on understanding if participants had knowledge of or participated in any meeting held by the WCPP during the COVID-19 pandemic. The theme also aimed to understand whether the WCPP had alternative modes of having meetings and interacting with participants during the pandemic and what these were. This theme focused on three specific questions to answer the above. The questions were: 1. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended, 2. How did you attend and participate in the meeting/s mentioned above, 3. How would you describe your experience of the meeting as a participant?

Early on during the pandemic, the WCPP leadership established an online platform for legislative activities. This enabled the continuation of key legislative work by providing a platform for virtual house proceedings and meetings (WCPP COVID Response Report, 2021, p.18). In addressing the critical demand for an online communication platform to continue public participation, the WCPP used MS-Teams as the chosen online communication platform. This was due to the easy integration with the existing Microsoft IT architecture. The ICT team

also played an important role in enabling the streaming of House sittings and committee hearings on YouTube, which increased transparency and accessibility. (WCPP Secretary's Report, 2020, pg. 4). During the Covid-19 pandemic the WCPP aimed at continuing public participation as per their constitutional mandate through various programmes. The first programme was in August 2020 in conjunction with the South African Institute of International Affairs (SAIIA). SAIIA proposed bringing together various stakeholders to debate sustainable development and the ramifications of climate change to the Western Cape province (WCPP Secretary's Report, 2020). One of the participants is a government official, who worked for SAIIA at the time, stated that the WCPP collaborated with them on a youth colloquium on public participation.

The WCPP made more efforts to continue public participation by holding a virtual youth dialogue. The WCPP identified and discussed the severe disruption created by Covid-19 on young people and that the youth was greatly affected by the pandemic. They held a virtual dialogue to engage with young people on the effect the pandemic had on them (WCPP Secretary's Report, 2020). One of the participants indicated that they attended this youth engagement. The participants indicated having attended various meetings during the Covid-19 pandemic. This indicates that the WCPP made a good effort to continue public participation and engagement during the COVID-19 pandemic. The number of participants that indicated that they attended meetings offered by the WCPP, outweighs the number of participants who indicated not knowing or not attending any public participation meetings. It can therefore be argued that despite the challenges that the COVID-19 pandemic brought upon the WCPP and the effect it had on their normal operations (face-to-face meetings), the WCPP came up with innovative ways, such as finding and relying on virtual platforms to engage the public. However, the number of engagements and meetings is not too clear and whether these were as effective as they should be cannot be determined without a comparative study.

5.4. Themes 3 and 4: The use of media for meeting awareness and Invitations to meetings

Themes 3 and 4 focused on the use of media to raise awareness of public meetings by the WCPP and also focused on how participants were invited to meetings and how media was used to invite them to meetings. Questions included how participants were made aware of the meetings (which platform was used), what participants thought was the most effective platform to raise awareness about meetings, and in what capacity participants attended the meetings (e.g. member of parliament, NGO among others). The questionnaire also included questions on how satisfied participants were with how they were made aware of meetings and invited to meetings and whether they were given preparation documents to prepare for meetings. These questions allowed the researcher to get a clear understanding of how the WCPP kept the public engaged in important meetings and what measures were taken to make sure that public participation did not take a backseat amidst the COVID-19 pandemic and the challenges brought forth.

According to the WCPP Secretary's Report (2020, p.45) during the lockdown phase at WCPP, social media became the "star of the show". COVID-19-related messages and regulation updates considerably increased the use of social media platforms. There was however no clear distinction between committee activities conducted during the lockdown or Covid-19 period and prior to the pandemic. The implementation of virtual meeting protocols however ensured that 223 committee activities, 67 public hearings and 28 oversight visits were completed in 2020 (WCPP Secretary's Report, 2020, p.20). The social media presence of the WCPP grew dramatically over the Covid-19 period, with Twitter postings increasing by 27%, Facebook posts by 38%, Instagram posts by 501% and YouTube streams increasing by 304% (WCPP Secretary's Report, 2020, p.46). The WhatsApp platform served as a primary message point, keeping members and employees up to date on all pandemic-related information and institutional updates. In addition to the use of virtual platforms for holding meetings, the WCPP relied on social media platforms (YouTube, Twitter, and Facebook) to distribute information on upcoming public participation initiatives. This appears to have been successful with 56% of the participants responding that they came to know about various public participation initiatives through social media. Considering the data findings, it can be argued

that the initiative of the WCPP to increase their social media use to raise awareness on public participation initiatives was successful. Social media is often accessible to many people and by using this platform successfully the WCPP maintained their constitutional mandate of holding public participation meetings or engagements despite the Covid-19 pandemic.

According to the WCPP Secretary's Report (2020, pg.33) during Covid-19 in 2020, the Ad-hoc committee was established and met with provincial departments and ministries to outline the challenges of the pandemic and the steps that were taken to mitigate the impact of the pandemic. The Ad-hoc committee held engagements with stakeholders as part of its three-pronged public participation process between 22 July and 14 October. Members of umbrella bodies, federations and other organizations were invited to give their inputs via oral submission made virtually via Microsoft Teams. There was also a public hearing with civil society and members of the public which was followed by a committee report on the committee's oversight and public participation activities (WCPP Secretary's Report 2020, pg.34).

Given the foregoing rationale, it may be argued that the WCPP made significant efforts to invite members of diverse organisations and civil society to participate in online public engagements during the COVID-19 pandemic. To encourage members and the public to participate in these public engagements, communication was sent via social media platforms, and as one participant from the NGO sector stated, members in the WCPP database would have received emails about engagements and meetings that were available or were scheduled to be held. A reoccurring consensus among participants about invitations is that, while they received communication about any public meetings or engagements, they did not receive appropriate information about the content of those engagements. Two participants, one a government official and the other a member of parliament, indicated that they had received meeting minutes and notices. On the other hand, an NGO participant stated that there was no prior information for meetings. It can therefore be argued that members and civil society received notices and invitations to meetings and therefore, to some extent, the WCPP tried to ensure continued public participation despite the challenges brought about by Covid-19.

5.5. Themes 5 and 6: Agenda of the meetings and Accessibility and Language

Theme 5 and 6 of the research or questionnaires focused on whether there were clear agendas and points of discussion in the meeting that were held by the WCPP during the Covid-19 pandemic whether these were accessible to everyone and whether language factors were taken into consideration. What the researcher wanted to understand was whether WCPP tried or whether they were successful in discussing important matters and engaging the public and whether they made these accessible to people taking into consideration the different dominant languages of the province including Afrikaans, Xhosa and English. The questions were as follows: 1. What were the main policy issues or issues being discussed at the meetings that participants attended, 2. Was the agenda closed when participants were called for participation, 3. To what extent did participants find the public participation modes implemented by the WCPP accessible to all members of the public 4. Does communication in WCPP meetings cover the three main languages of the Western Cape?

Some participants reported receiving agendas for various public involvement activities or meetings in advance or at the sessions themselves (34%). Other attendees, however, stated that they did not receive any agendas and that if agendas were provided, they were only available to those with internet or data connections (70%). As previously stated, the WCPP relied on social media as its primary means of communication, and during the COVID-19 pandemic, the WCPP's social media involvement increased tremendously (WCPP Secretary's Report, 2020). As stated by one of the attendees above, only those with an internet or data connection could access agendas, implying that other participants could not. This suggests that some participants in these discussions were better prepared than others, which the researcher believes may have influenced the quality of the engagements.

When looking at the distribution, the researcher also considers the accessibility and language of the agendas provided and the accessibility and language of the meetings themselves. As stated in the previous chapter, the three official languages of the Western Cape are Afrikaans, IsiXhosa and English. Participants responded to the accessibility and language in a variety of ways, with some indicating the accessibility and language was sufficient and others stating

that accessibility and language were not sufficient. According to the pie chart presented about 55% of participants reported that the three main languages of the province were covered in the agendas and only 9% reported that the three main languages were not used. As stated in the preceding chapter, while the WCPP made significant efforts to ensure that the facilitator of various initiatives is fluent in the predominant language of a specific area, this is not always possible due to limited human resources or the diversity of participant groups, necessitating that facilitators and WCPP officials conduct meetings in English to accommodate the greatest number of people. While this is understandable, it is not ideal. Using English as the automatic mode of communication is not ideal as the WCPP failed to consider that not all participants or members in these meetings might be fluent in English. Therefore, accessibility and understanding of agendas and meetings themselves could have been difficult for some participants.

5.6. Theme 7: Type and quality of participation (Arnstein's Ladder).

The questions in this section of the questionnaire sought to understand the respondents' experience of participation and the nature or type of participation that took place in the light of the various levels of participation identified in Arnstein's Ladder of Participation (Arnstein, S. 1969). As a recap, the levels include 1. non-participation in which citizens are not enabled to participate effectively or in any way at all; 2. Tokenism in which citizens are offered an opportunity to participate but in which they do not have the power to ensure that those in positions of power will heed the views expressed; and 3. Citizen power is in which citizens have increasing degrees of decision-making leverage and in which they are able, in some instances, to negotiate with those in positions of power. The responses from the participants indicated that for the most part, public participation initiatives within the WCPP fall within the second rung of tokenism where citizens are provided with opportunities to make their voices heard but there is no true participation or involvement within the decision-making process.

Early in the epidemic, the WCPP leadership set up an internet forum for legislative actions. As previously stated, this supported the continuation of critical legislative activity by providing a platform for virtual house proceedings and meetings (WCPP COVID Response Report, 2021, p. 18). In addition to using virtual platforms for meetings, the WCPP used social media

platforms (YouTube, Twitter, and Facebook) to share information about planned public participation projects (WCPP Secretary's Report, 2020). The WCPP gave the public a good opportunity to participate in public involvement programmes or engagements. Members of the public and civil society organisations received communication about the meetings via the WCPP's online and social media platforms during the Covid-19 epidemic.

This continued public participation provided numerous opportunities for the people to engage with parliament on problems that affected them, but it is unclear whether the public's thoughts and concerns were considered. According to participant responses, the WCPP falls into the second rung of tokenism, in which citizens are given opportunities to attend meetings and have their voices heard but there is no true participation or involvement in the decision-making process. During the pandemic, many things had to alter, and as noted in the WCPP Secretary's Report (2021), the PEO Section of parliament, which is responsible for public education on the work of the WCPP, had to suspend their daily operations.

The section had to transition to online platforms, as did the rest of the Western Cape's institutions. The researcher may argue that because of this change, the effectiveness of the contact between parliament and the public was harmed, and so the participants thought that their involvement or participation in the online meetings had no influence on the decision-making process. Normally, the PEO section would go into communities and have in-person engagements with community members to ensure that they felt heard, but due to the shift to online, many of these community members were unable to access social media or online platforms due to internet costs and a lack of technology in these communities.

The researcher can thus conclude that the WCPP has taken steps to ensure that public engagement continued despite the problems posed by Covid-19, but the effectiveness of this participation is questionable. There is also no clear research on how public engagement was fully assured prior to Covid-19, making comparisons with Covid-19 unclear.

5.7. Theme 8: Inclusion in Decision-Making and Implementation

The questions in this theme concerned the respondents' involvement in the implementation or review of the WCPP's programmes. The questions were as follows: 1. Have you participated in the implementation or assessment of WCPP programmes, and can you recommend a formal platform for the WCPP to involve communities in planning and execution? The theme was concerned with whether participants were actively involved in the implementation of programmes by the WCPP and whether participants could recommend a formal platform on which the WCPP can involve and keep communities involved in the planning and execution of programmes.

Regarding question one, 82% of participants stated that they had not been involved in implementation or reviews. In response to question two, respondents primarily mentioned proposals that required direct public participation through channels such as community hall visits with community members, interaction at the local council level, and repeated meetings during the legislative process. As stated in the preceding question, participants responded that they were given the option to attend meetings and have their thoughts heard, but that they had no participation or influence in decision-making. As previously stated by the researcher, the WCPP's PEO division is in charge of educating the public about the organization's activities and how the public can participate in parliament's legislative procedures (WCPP Secretary's Report, 2021). Prior to Covid-19, the PEO division had to stop holding in-person workshops with the public, and during Covid-19, they had to move all of their operations online.

This limited the public's ability to engage with parliament, and as a result, members of the public felt powerless to influence the decisions made by parliament throughout the pandemic. As previously stated, the WCPP continued to encourage public participation during the epidemic, but it was not available to everyone, and as a result, participants felt they had little influence over decision-making. The participants' replies highlighted two main concerns and a fight that exists in the public engagement space throughout the public sector. First and foremost, citizen education is an essential component of effective public engagement. Individuals cannot meaningfully participate in any legislative or other procedures unless they

have a thorough understanding of what they are dealing with, and Covid-19 had a significant impact on how people interacted with parliament and understood its legislative processes. Second, some of the suggested measures by participants refer to a function of local government (community meetings, council meetings, and integration into local economic development offices), which may indicate a need for participants to have a clear understanding of legislative processes.

5.8. Theme 9: Participation Strategy

This section examined the respondents' familiarity with the WCPP's public participation approach. Questions to unpack this theme included: 1. Does the WCPP have a public participation strategy, 2. Are participants familiar with the strategy 3. Do participants think that the participation strategy of the WCPP is effective and communicated well to stakeholders? 46% of respondents said they understood the WCPP's public involvement plan, while 36% didn't. The remaining 18% said they were unsure of the strategy. The responses indicated that the current understanding of the WCPP's public participation strategy is limited, raising the question of whether sufficient effort has been made to effectively communicate the institution's overall public participation strategy, assisting participants in understanding the 'why' of the initiatives in which they are participating.

The WCPP's Draft Public Participation Framework (2022) outlines its goals, objectives, and tactics for public participation, but the researcher can question if participants and the public are aware of this. As previously stated in a previous question, one of the participants stated that during Covid-19, only participants with internet access could access information about WCPP meetings or engagements, which were difficult to obtain, particularly for marginalised communities. Although a high majority of participants are aware of the plan, 36% are unaware of the WCPP's public participation strategy.

As a result, the researcher can question the effectiveness of the WCPP's public education campaigns regarding their policies and legislative processes. The participants in the study are stakeholders who have worked with the WCPP on some level, thus the researcher is

concerned that 36% do not comprehend the strategy and 18% are doubtful of their understanding. The responses indicated that the current understanding of the WCPP's public participation strategy is limited, raising the question of whether sufficient effort has been made to effectively communicate the institution's overall public participation strategy, assisting participants in understanding the 'why' of the initiatives in which they are participating.

5.9. Limitations and Recommendations

One of the study's main weaknesses is that the sample size is too small and does not represent a larger population. The study's population included members of the Provincial Parliament, non-governmental organisations (NGOs), and representatives from faith-based organisations. This restriction must be addressed in future research by increasing the sample size and including more participants who are 'ordinary citizens'. Obtaining the perspectives of a much wider pool of interested and affected stakeholders in the Western Cape can provide a new dimension to the existing studies on the WCPP and public involvement.

Another significant disadvantage of the current study, despite it being a questionnaire is that the participants did not engage in thorough conversations about the questions, they were abrupt and often concluded by simply responding to questions within the prescribed form. For example, participants could have been invited to elaborate on certain portions of their responses on the questionnaires. In future research, further questions may be asked of participants to expand on this so that the researcher may gain a complete knowledge of whether individuals were able to participate in public participation activities outside the prescribed period and relate their experiences of cause.

Furthermore, the researcher suggests that in the future, the WCPP should adopt enhanced public engagement initiatives, diversify communication channels, and promote an inclusive and accountable culture. Furthermore, there is a need to rethink their strategies in light of ever-changing social needs and technological developments, ensuring that democratic principles are upheld in our ability to adopt agile approaches in a world of volatility, uncertainty, complexities, and ambiguity.

Lastly, despite my positionality as the researcher being a former speaker and executive authority of the Western Cape Provincial Parliament, this did not in any way affect the quality and integrity of the research because this limitation was disclosed at all material times during the research itself and participants voluntarily participated under no duress.

Chapter 6: Conclusion

The research has given me valuable insight into the current landscape of public participation at the Western Cape Provincial Parliament (WCPP). Through examining the experiences, perceptions, and suggestions of the respondents, I was able to highlight the strengths, weaknesses, and areas of improvement within the current public engagement mechanisms used by the WCPP.

Firstly, the analysis revealed that most of the respondents held a commendable level of understanding regarding the mandate and role of the WCPP as a legislative body overseeing the provincial government as the executive arm of the state. However, there were notable gaps in knowledge regarding the specific avenues for public participation, bringing to the fore that what is still needed is enhanced public education and awareness initiatives by parliament itself as the legislative arm of the state.

The study further uncovered and highlighted the critical role of effective communication in facilitating public participation and citizen engagement activities of the WCPP. While the introduction of social media as a communications channel for disseminating information about the WCPP and its initiatives was heralded, several concerns were raised about the accessibility of virtual platforms, especially in consideration of the makeup of the citizenry of the Western Cape, most significantly the already marginalised and far-flung rural communities, who often feel excluded and disengaged in government programmes. The objective deduction from all the contributions by participants could only reveal that there is a need for a more refined approach to communication which ought to ensure that all information leaving the WCPP reaches all of society, as intended, leaving no one behind.

COVID-19 and the resultant lockdown and social gathering restrictions in South Africa tangibly shaped the dynamics of public participation during 2020 and in the subsequent years, as it continues to do so hitherto. Virtual, and later hybrid, programmes were introduced in response to the lockdown and while celebrated for their innovation, their effectiveness in creating an opportunity for meaningful engagement was questioned especially regarding the bridging of the digital divide as well as in accommodating the linguistic needs of the communities of the Western Cape.

Most importantly, this study shed light on the need for increased inclusion and transparency in WCPP decision-making. Despite efforts made to receive submissions from the public, the respondents within the study had concerns about the tokenism within the kind of participation garnered from them, requesting, and imploring the WCPP for a more empowering and genuine approach to public participation.

Going forward, this research has identified actionable recommendations for ways in which the WCPP can enhance public participation in its legislative processes. Among these are enhanced public education initiatives, diversifying communication channels and fostering a culture of inclusivity and accountability. Moreover, there is a need to take a secondary look at their strategies considering ever-changing social needs and technological developments making sure that the principles of democracy stay upheld in our ability to adopt agile approaches in the world of volatility, uncertainty, complexities, and ambiguity.

Overall, the study confirms the significance of robust public participation frameworks in nurturing a vibrant and responsive democracy. By amplifying the voices of ordinary citizens and fostering genuine dialogue between government and society, the WCPP can aspire to fulfil its mandate as a beacon of democratic governance in the Western Cape province. As we chart a course forward, let us remain steadfast in our hearts and minds to the commitment of building a more inclusive, just, and fair participatory democracy a future we so desperately need for all people of the world.

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Section 1: The Effectiveness of Public Participation Mechanisms of The Western Cape Provincial Parliament during the Covid-19 Pandemic

Section A: Biographical Information

1. Gender:

- Female
- Male

2. Age:

- 20-30
- 40-50
- 60-70

3. Sector:

- Member of Parliament
- Government Official/Expert
- Ratepayers Association
- Business
- NGO or Faith-Based
- Not affiliated to any of the above

Section B: Various Themes

Theme One: Knowledge of the Western Cape Provincial Parliament (WCPP)

4. What is your understanding of the WCPP's mandate?

5. How can the public participate in the WCPP's legislative and other processes?

6. In your view, has the WCPP enabled continued public involvement in its legislative and other processes during the COVID-19 pandemic?

7. Do you know who the leader of the WCPP is?

- Yes, please state.

Theme Two: Attending Meetings

8. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended?

(If no meetings, what was the reason for not attending? Please explain.)

9. How did you attend and participate in the meeting/s mentioned above?

10. How would you describe your experience of the meeting as a participant?

Theme Three: The Use of Media for Meeting Awareness

11. How did you come to know about the meeting?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)

12. What would you suggest is the most effective platform for creating awareness of WCPP's public participation meetings?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)

Theme Four: Invitation to Meetings

13. How and in what capacity were you invited to attend a public participation meeting of the WCPP?

14. How satisfied are you with the mechanism used to invite you to attend the meeting?

15. How and what preparatory documentation were you provided to adequately prepare for the meeting?

Theme Five: Agenda of the Meeting

16. What were the main policy issues or issues being discussed at the meeting you attended?

17. Was the meeting agenda disclosed in the call for participation?

(If you have attended a meeting by the WCPP, are meeting venues suitable for attendees, including those with impairments?)

Theme Six: Accessibility and Language

18. To what extent do you find the public participation modes implemented by the WCPP during the pandemic accessible to all members of the public?

19. Does communication in WCPP meetings cover the three main languages of the Western Cape?

- Yes
- No
- Partially

Theme Seven: Using Arnstein's Ladder of Participation as a Guide

20. Are the meetings an open agenda for all communities to present their needs?
(Please support your answer.)

21. Are the meetings related to community development?
(Please support your answer.)

22. Does the WCPP incorporate community input from the meetings in the final decisions taken?

- Yes
- No
- Partially

(Are WCPP meetings participatory and inclusive?)

23. To what degree do you think the meetings are inclusive and participatory?

Theme Eight: Inclusion in Decision-Making and Implementation

22. Have you been part of the implementation or review of the WCPP programs?

- Yes
- No

(if yes, how did you participate in the review or implementation of the WCPP program?)

23. Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation?

Theme Nine: Participation Strategy

24. Does the WCPP have a public participation strategy?

- Yes
- No

25. Are you familiar with the strategy?

- Yes
- No
- Partially

26. Do you think the participation strategy is effective and communicated well to stakeholders?

(Support your answer.)

Section 1

The effectiveness of public participation Mechanisms of the Western Cape Provincial Parliament during Covid 19 Pandemic.

Section A: Biographical Information

1. Gender

- Female

2. Age

- 40-50

3. Sector

- NGO

Theme One: Knowledge of the Western Cape Provincial Parliament

4. What is your understanding of the WCPP mandate. Makes laws just for the Western Cape. Plays an important role in overseeing the Provincial Govt. and hold Government Accountable.

5. How can the public participate in the WCPP legislative and other processes. By making a submission to parliament, petitions. By attending Public Hearings.

6. In your view has the WCPP enabled continued public involvement in its legislative and other processes during the covid 19 Pandemic?

There was virtual engagements when it was hectic restrictions for gatherings and there was

workshops and engagements when restrictions were eased.

7. Do you know who the leader of the WCPP is

Speaker: Daylin Mitchell DA

Premier: Allan Winde DA

The leader of WCPP Premier Allan Winde

Theme 2: Two.

Attending Meetings

8. What Public participation meeting/s convened by the WCPP during the Covid 19 pandemic have you attended. The Expropriation Bill [Baz-2020] in the West Coast Cathy Johnson Comm. Hall Cedarburg Municipality

9. How did you attend and participate in the meetings/mentioned above. By own transport.

Written Submission were submitted

10. How would you describe your experience of the meeting as a participant. It was okay.

Theme Three: The use of Media for meeting Awareness.

11. How did you come to know about the meeting. New Media (Social Media)

Was contacted by the WCPP education office via Email.

12. What would you suggest is the most effective platform for creating awareness of WCPP's public

participating meetings

Radio

New Media (social media)

NCPP education office email, whatsapp, Telephone

Theme four inhibitors to Meetings

13 How and in what capacity were you invited to attend a public participation meeting of the NCPP.

I was invited as a managing Director of the National Agri-Schools Comm foundation

14 How satisfied are you with the mechanism used to invite you to attend the meeting?
I am satisfied with the mechanism used.

Municipalities don't engage with communities regarding these meetings.

15 How and what preparatory documentation were you provided to adequately prepare for the meeting.

We do receive the Bills via Email in different languages. To prepare for the meetings

You get ordinary Bills that affect the Provinces (Section 75 of the constitution)

Bills amending the constitution (Section 74 of the constitution)

Money Bills (Section 77 of the constitution)

Theme Five Agenda of the Meeting

What were the main policy issues or issues being discussed at the meeting you attended?

What Parliament Does. About Parliament

Public participation the importance of it.

17 Was the meeting agenda disclosed in the call for participation?

(If you have attended a meeting by the WCPP are meeting venues suitable for attendees including those with impairments)

Yes it is suitable for attendees the Agenda was disclosed and the committee members of the Bill was also given with Agenda

Theme Six Accessibility and Language

18 To what extent do you find the public participation modes implemented by the WCPP during the Pandemic accessible to all members of the public. During the Pandemic the public were afraid to attend but most written submissions were submitted via email and then

a time during Covid 19 came no one attended meetings

19. Does communication in WCPP meetings cover the three languages of the Western Cape?

Yes

Theme Seven Using Arnstein's Ladder of Participation as a Guide

20 Are the meetings open agenda for all communities present their needs All meetings have a strict agenda followed by the Chair of the meeting which is prepare before the meeting. And should be followed strictly.

21 Are the meetings related to community development
No. Bills are being discussed at hearings people dont have a clear understanding of the Bill in their hand but must say Reject and Accept. People must be educated.

22 Does the WCPP incorporate input from the meetings in the final decision taken. Yes. But as I say answer previous question in 2 hours at a hearing people cannot say Accept or Reject. They must be known to ^{the} Bill.

23 To what degree do you think the meetings are inclusive and participatory.

Theme eight: Inclusion in decision making and implementation

24 Have you been part of the implementation or reviews of the WCPP? programs?

Yes By recruiting community members to attend the different Bill hearings. And also by xplaining what the Bill is all about.

23 Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation? Yes A before workshop for communities attending so that they understand the Bill that is discussed. Then a final bill hearing. To Accept/Reject

Theme Nine

24 Does the WCPP have a public participation

Strategy? This policy signals the provincial governments intention to not only fulfil its constitutional obligation to facilitate public participation in its decision making processes to exceed public participation is one of the fundamental principles of our constitutional democracy.

25 Are you familiar with the Strategy?

Yes. I am.

26 Do you think the participation Strategy is effective and communicated well to stakeholders.

Yes to the stakeholders. And stakeholders must use own airtime to mobilize communities to attend meetings. Councillors do nothing. Stakeholders just get a thank you but we are the people on the ground doing all the hard work seeing those meetings successful. We must see that all on the bus get home safely.

Section 1: The Effectiveness of Public Participation Mechanisms of The Western Cape Provincial Parliament during the Covid-19 Pandemic

Section A: Biographical Information

1. Gender:

- Male

2. Age:

- 20-30

3. Sector:

- NGO or Faith-Based

Section B: Various Themes

Theme One: Knowledge of the Western Cape Provincial Parliament (WCPP)

4. What is your understanding of the WCPP's mandate?

- The WCPP is a legislature that passing laws, do oversight, and hold the government accountable through regulated processes such as debates and litigations.

5. How can the public participate in the WCPP's legislative and other processes?

- Through public hearings and voting for trustworthy leaders that will represent them.

6. In your view, has the WCPP enabled continued public involvement in its legislative and other processes during the COVID-19 pandemic?

- The lack of technology in remote villages and other neglected areas limited fair and accessible public participation during the COVID-19 health restrictions, which prohibited public gatherings

7. Do you know who the leader of the WCPP is?

- No.

Theme Two: Attending Meetings

8. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended?

- None, because I never heard of any in my nearby or in my area.

9. How did you attend and participate in the meeting/s mentioned above?

- N/A

10. How would you describe your experience of the meeting as a participant?

- N/A

Theme Three: The Use of Media for Meeting Awareness

11. How did you come to know about the meeting?

-N/A

12. What would you suggest is the most effective platform for creating awareness of WCPP's public participation meetings?

- New media (social media)

Theme Four: Invitation to Meetings

13. How and in what capacity were you invited to attend a public participation meeting of the WCPP?

-N/A

14. How satisfied are you with the mechanism used to invite you to attend the meeting?

- The power marketing tool now is social media because via it an announcement can reach a lot of people in short period of time.

15. How and what preparatory documentation were you provided to adequately prepare for the meeting?

-N/A

Theme Five: Agenda of the Meeting

16. What were the main policy issues or issues being discussed at the meeting you attended?

-N/A

17. Was the meeting agenda disclosed in the call for participation?

-N/A

Theme Six: Accessibility and Language

18. To what extent do you find the public participation modes implemented by the WCPP during the pandemic accessible to all members of the public?

-N/A

19. Does communication in WCPP meetings cover the three main languages of the Western Cape?

- Partially

Theme Seven: Using Arnstein's Ladder of Participation as a Guide

20. Are the meetings an open agenda for all communities to present their needs?

-No, the agenda is controlled to manipulate how the public react to it.

21. Are the meetings related to community development?

- No, these meetings become more political driven than community development because you will find that most of the agendas do not resonate with an ordinary citizen due to parliament failing to educate the public about these hearing and its agendas.

22. Does the WCPP incorporate community input from the meetings in the final decisions taken?

- Partially

23. To what degree do you think the meetings are inclusive and participatory?

-These meetings do not provide multiple channels for participation. Accessibility is not ensured, especially when it comes to encouraging active participation from all attendees, regardless of their background or perspective, and creating a supportive environment where everyone feels comfortable expressing their opinions and contributing to the discussion.

Theme Eight: Inclusion in Decision-Making and Implementation

22. Have you been part of the implementation or review of the WCPP programs?

- No

23. Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation?

-By implementing a comprehensive community engagement portal, the WCPP can provide a transparent and accessible platform for meaningful participation in the planning and implementation of policies and initiatives affecting the Western Cape Province.

Theme Nine: Participation Strategy

24. Does the WCPP have a public participation strategy?

- No

25. Are you familiar with the strategy?

- No

26. Do you think the participation strategy is effective and communicated well to stakeholders?

- No, the strategy does not promote inclusivity since you will find that the announcements target certain locations and groups in venues that does not accommodate for every person.

Section 1: The Effectiveness of Public Participation Mechanisms of The Western Cape Provincial Parliament during the Covid-19 Pandemic

Section A: Biographical Information

1. Gender:

- Female
- Male

2. Age:

- 20-30 (39)
- 40-50
- 60-70

3. Sector:

- Member of Parliament
- Government Official/Expert
- Ratepayers Association
- Business
- NGO or Faith-Based
- Not affiliated to any of the above

Section B: Various Themes

Theme One: Knowledge of the Western Cape Provincial Parliament (WCPP)

4. What is your understanding of the WCPP's mandate?

To ensure that the legislature holds the Executive accountable and thereby drive service delivery

5. How can the public participate in the WCPP's legislative and other processes?

Through public hearings, written submissions, and MPLs engagements with them through their constituencies and various other platforms

6. In your view, has the WCPP enabled continued public involvement in its legislative and other processes during the COVID-19 pandemic?

To an extent yes, but many a time the virtual platform was used to silence public voices

7. Do you know who the leader of the WCPP is?

- Yes, please state – Speaker Daylin Mitchel

Theme Two: Attending Meetings

8. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended?

Meetings on budgets and annual reports

(If no meetings, what was the reason for not attending? Please explain.)

9. How did you attend and participate in the meeting/s mentioned above?

Online and via hybrid

10. How would you describe your experience of the meeting as a participant?

Okay

Theme Three: The Use of Media for Meeting Awareness

11. What would you suggest is the most effective platform for creating awareness of WCPP's public participation meetings?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)

Theme Four: Invitation to Meetings

12. How and in what capacity were you invited to attend a public participation meeting of the WCPP?

I am an MPL

13. How satisfied are you with the mechanism used to invite you to attend the meeting?

NA

14. How and what preparatory documentation were you provided to adequately prepare for the meeting?

NA

Theme Five: Agenda of the Meeting

15. What were the main policy issues or issues being discussed at the meeting you attended? NA

16. Was the meeting agenda disclosed in the call for participation?

(If you have attended a meeting by the WCPP, are meeting venues suitable for attendees, including those with impairments?) – Not always

Theme Six: Accessibility and Language

17. To what extent do you find the public participation modes implemented by the WCPP during the pandemic accessible to all members of the public?

Translation services seems to have reduces since covid

18. Does communication in WCPP meetings cover the three main languages of the Western Cape?

- Yes
- No
- Partially

Theme Seven: Using Arnstein's Ladder of Participation as a Guide

19. Are the meetings an open agenda for all communities to present their needs?

(Please support your answer.) No, many times chairs of committees supress these voices so ad to impress the Premier

20. Are the meetings related to community development?

(Please support your answer.) Not always

21. Does the WCPP incorporate community input from the meetings in the final decisions taken?

- Yes
- No
- Partially

(Are WCPP meetings participatory and inclusive?)

22. To what degree do you think the meetings are inclusive and participatory?

No

Theme Eight: Inclusion in Decision-Making and Implementation

23. Have you been part of the implementation or review of the WCPP programs?

- Yes
- No

(if yes, how did you participate in the review or implementation of the WCPP program?)

24. Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation?

Theme Nine: Participation Strategy

25. Does the WCPP have a public participation strategy?

- No

26. Are you familiar with the strategy?

- Yes

27. Do you think the participation strategy is effective and communicated well to stakeholders?

(Support your answer.)

Section 1: The Effectiveness of Public Participation Mechanisms of The Western Cape Provincial Parliament during the Covid-19 Pandemic

Section A: Biographical Information

1. Gender:

- Female
- Male X

2. Age:

- 20-30
- 40-50 X
- 60-70

3. Sector:

- Member of Parliament X
- Government Official/Expert
- Ratepayers Association
- Business
- NGO or Faith-Based
- Not affiliated to any of the above

Section B: Various Themes

Theme One: Knowledge of the Western Cape Provincial Parliament (WCPP)

Upholding the Constitution and policies of the Province. To create an open opportunity for all so that people can live lives that

4. What is your understanding of the WCPP's mandate? A mandate to pass and enforce laws.

5. How can the public participate in the WCPP's legislative and other processes? Through Public Hearings and participation on social media platforms

6. In your view, has the WCPP enabled continued public involvement in its legislative and other processes during the COVID-19 pandemic? Not at all times.

7. Do you know who the leader of the WCPP is?

- Yes, please state. Premier Alan Winde

Theme Two: Attending Meetings

8. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended? Meeting on Covid

(If no meetings, what was the reason for not attending? Please explain.)

9. How did you attend and participate in the meeting/s mentioned above? Virtual

10. How would you describe your experience of the meeting as a participant? Standard

Theme Three: The Use of Media for Meeting Awareness

11. How did you come to know about the meeting?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media) X

12. What would you suggest is the most effective platform for creating awareness of WCPP's public participation meetings?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media) X

Theme Four: Invitation to Meetings

13. How and in what capacity were you invited to attend a public participation meeting of the WCPP? As a Member and via email

14. How satisfied are you with the mechanism used to invite you to attend the meeting? Fairly satisfied

15. How and what preparatory documentation were you provided to adequately prepare for the meeting? Minutes and Informative documents

Theme Five: Agenda of the Meeting

16. What were the main policy issues or issues being discussed at the meeting you attended? Covid

17. Was the meeting agenda disclosed in the call for participation? Yes

(If you have attended a meeting by the WCPP, are meeting venues suitable for attendees, including those with impairments?) Yes

Theme Six: Accessibility and Language

18. To what extent do you find the public participation modes implemented by the WCPP during the pandemic accessible to all members of the public? Not accessible to all.

19. Does communication in WCPP meetings cover the three main languages of the Western Cape?

- Yes
- No X
- Partially

Theme Seven: Using Arnstein's Ladder of Participation as a Guide

20. Are the meetings an open agenda for all communities to present their needs?

(Please support your answer.) No. People in informal settlements do not have access

21. Are the meetings related to community development?

(Please support your answer.) Partially. The core issues are not discussed

22. Does the WCPP incorporate community input from the meetings in the final decisions taken?

- Yes
- No
- Partially X

(Are WCPP meetings participatory and inclusive?) No

23. To what degree do you think the meetings are inclusive and participatory?

Theme Eight: Inclusion in Decision-Making and Implementation

22. Have you been part of the implementation or review of the WCPP programs?

- Yes
- No X

(if yes, how did you participate in the review or implementation of the WCPP program?)

23. Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation? Oversight visits at community halls inviting community members

Theme Nine: Participation Strategy

24. Does the WCPP have a public participation strategy?

- Yes X
- No

25. Are you familiar with the strategy?

- Yes
- No
- Partially X

26. Do you think the participation strategy is effective and communicated well to stakeholders? No

Not all stakeholders are included in these communications.

(Support your answer.)

Section 1: The Effectiveness of Public Participation Mechanisms of The Western Cape Provincial Parliament during the Covid-19 Pandemic

Section A: Biographical Information

1. Gender:

- Female
- Male

2. Age:

- 20-30
- 31 - 39
- 40-50
- 60-70

3. Sector:

- Member of Parliament
- Government Official/Expert
- Ratepayers Association
- Business
- NGO or Faith-Based
- Unemployed (freelancer)

Section B: Various Themes

Theme One: Knowledge of the Western Cape Provincial Parliament (WCPP)

4. What is your understanding of the WCPP's mandate?

To ensure public participation in governance and legislative matters. Initiate and oversee constitutional changes and other (parliamentary) activities and processes across the province.

5. How can the public participate in the WCPP's legislative and other processes?

In my experience WCPP continuously publishes communication for public participation in cases such as these mentioned above. If you're in their database you get an email otherwise I believe they publish on the parliamentary website.

However, this doesn't necessarily mean that everyone CAN participate as there is not enough education or awareness around these processes and what it means to participate. Participation also requires extensive research on the topic at hand, which includes basic meaning of terms (jargon) used, origin of policies, proposed changes and the reasonability etc. It's almost another job.

To be honest I received so many emails to participate in, my day job could have been to just participate in public legislative processes.

At one youth parliament (online) I had been invited to there was going to be a follow-up of workshop series by Parliament, which would have helped (even encourage on site participation) rather than aimlessly going through documents that you partially understand.

6. In your view, has the WCPP enabled continued public involvement in its legislative and other processes during the COVID-19 pandemic?

From the Overstrand perspective where I resided at the time, there was communication with community leaders. Disaster management acted swiftly in supporting communities.

I also think during that time it was really a national crisis and I would say we were more focused on what national government was doing.

7. Do you know who the leader of the WCPP is?

- Yes, please state. Alan Winde is the Premier and Daylin Mitchel is the Speaker

Theme Two: Attending Meetings

8. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended?

(If no meetings, what was the reason for not attending? Please explain.)

I believe the Youth Parliament was in that time.

9. How did you attend and participate in the meeting/s mentioned above? Via Teams

10. How would you describe your experience of the meeting as a participant?

Online meetings give one time to process new information and do quick research on the spot which allows you to frame questions better or better understand fellow participants – something which in person meetings don't really allow. I found the meeting efficient, travel time saved, saved money and discussed the necessary issues. I.t.o carbon footprint: electronic copies of agendas instead of hardcopy printouts and no carbon emissions from transportation

Theme Three: The Use of Media for Meeting Awareness

11. How did you come to know about the meeting?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)
- Phone call Invitation

12. What would you suggest is the most effective platform for creating awareness of WCPP's public participation meetings?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)

Theme Four: Invitation to Meetings

13. How and in what capacity were you invited to attend a public participation meeting of the WCPP? Overstrand Youth representative

14. How satisfied are you with the mechanism used to invite you to attend the meeting? It reached me and I participated - so I'm satisfied

15. How and what preparatory documentation were you provided to adequately prepare for the meeting? I can't recall that there was any preparatory documentation. There might have been a brief.

Theme Five: Agenda of the Meeting

16. What were the main policy issues or issues being discussed at the meeting you attended?

Youth employment

Education and training (primary to tertiary)

Mental wellness (linked to drug abuse and domestic issues)

Early childhood development (in shaping adults)

Youth participation in legislation (how and why)

17. Was the meeting agenda disclosed in the call for participation?

I'm sure it was as it was a formal youth gathering. Though I cannot recall much detail around the agenda.

(If you have attended a meeting by the WCPP, are meeting venues suitable for attendees, including those with impairments?)

Theme Six: Accessibility and Language

18. To what extent do you find the public participation modes implemented by the WCPP during the pandemic accessible to all members of the public?

It required internet access. Therefore participants would have to afford wifi, data, have a certain level of literacy and be computer literate. Also, I would be interested in seeing the (demographic) stats on how much of the public actually knows there's a participation process and understands how it works.

19. Does communication in WCPP meetings cover the three main languages of the Western Cape?

- Yes
- No
- Partially

Theme Seven: Using Arnstein's Ladder of Participation as a Guide

20. Are the meetings an open agenda for all communities to present their needs?

Yes, representatives are welcome to present area specific issues and needs. However I still think that in accordance with Arnstein's Ladder that places the particular meeting at a degree of tokenism. There is no follow-up of action in terms of education to empower effective participation. So therefore in a sense one could be left with the sense that it's a tick box task for WCPP. There is no partnership developed after that discussion.

21. Are the meetings related to community development?

They are. At least with the parliamentary meeting I was part of it was an informative discussion. The particular youth representatives invited were active citizens of the public with a keen interest in community development. There was no political agendas in mind to influence the public against certain parties or in favor of certain parties – it was purely unpacking issues that may be hindering youth progress. At least important conversations are sparked.

22. Does the WCPP incorporate community input from the meetings in the final decisions taken?

- Yes
- No
- Partially

I cannot give a definite answer here, though I do know this is the case at municipal council level. (Are WCPP meetings participatory and inclusive?)

23. To what degree do you think the meetings are inclusive and participatory? I can only speak for municipal council level where degrees of citizen power are definitely visible.

When it comes to parliament we see officials and executives busy doing work, but we don't necessarily understand because we are merely informed and consulted and then outcomes are communicated. This is wonderful that there are results, but it remains at degrees of tokenism. Few individuals try to use their social media platforms to inform, be transparent and educate. What is necessary is that education must translate to active citizens who are able to identify and make informed inputs in policies and by-laws etc. as is the case in the municipal council structure

Theme Eight: Inclusion in Decision-Making and Implementation

22. Have you been part of the implementation or review of the WCPP programs?

- Yes
- No though I would be interested in sitting in on a review of the Western Cape housing policy.

(if yes, how did you participate in the review or implementation of the WCPP program?)

23. Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation?

At municipal council level (in partnership with the municipal council committee and Local Economic Development offices). This is where the actual public is. They attend regular meetings and actively participate in community progress.

Theme Nine: Participation Strategy

24. Does the WCPP have a public participation strategy?

- Yes
- No

25. Are you familiar with the strategy?

- Yes
- No
- Partially

26. Do you think the participation strategy is effective and communicated well to stakeholders?

(Support your answer.)

On paper, their objectives are ideal. However in practice it is not particularly visible. There is a disconnect between public and parliament.

Section 1: The Effectiveness of Public Participation Mechanisms of The Western Cape Provincial Parliament during the Covid-19 Pandemic

Section A: Biographical Information

1. Gender:

- Female
- Male

2. Age:

- 20-30
- 30 - 40
- 40-50
- 60-70

3. Sector:

- Member of Parliament
- Government Official/Expert
- Ratepayers Association
- Business
- NGO or Faith-Based
- Not affiliated to any of the above

Section B: Various Themes

Theme One: Knowledge of the Western Cape Provincial Parliament (WCPP)

4. What is your understanding of the WCPP's mandate?

The primary mandate is to pass, amend or repeal laws, facilitate public involvement and oversee the provincial executive.

5. How can the public participate in the WCPP's legislative and other processes?

By making submissions, petitions, imbizo and public participation programs and events. Through written or oral submissions

6. In your view, has the WCPP enabled continued public involvement in its legislative and other processes during the COVID-19 pandemic?

Yes, to certain extent it did through using virtual platforms. Whether if those mechanism where accessible to everyone is debatable.

7. Do you know who the leader of the WCPP is?

- Yes, the Speaker is the executive authority in parliament

Theme Two: Attending Meetings

8. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended?

Ah hoc committee meeting on covid was interesting.

9. How did you attend and participate in the meeting/s mentioned above?

Virtually.

10. How would you describe your experience of the meeting as a participant?

It was interesting and I had to adapt to the world of virtual platforms. Except for being able to see people face-to-face it was relatively the same as physical meetings.

Theme Three: The Use of Media for Meeting Awareness

11. How did you come to know about the meeting?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)

12. What would you suggest is the most effective platform for creating awareness of WCPP's public participation meetings?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)

Theme Four: Invitation to Meetings

13. How and in what capacity were you invited to attend a public participation meeting of the WCPP?

In my capacity as government official responsible for public participation.

14. How satisfied are you with the mechanism used to invite you to attend the meeting?

Very satisfied

15. How and what preparatory documentation were you provided to adequately prepare for the meeting?

Minutes and notices of the meeting

Theme Five: Agenda of the Meeting

16. What were the main policy issues or issues being discussed at the meeting you attended?

Impact of covid-19 on communities

17. Was the meeting agenda disclosed in the call for participation?

Yes.

(If you have attended a meeting by the WCPP, are meeting venues suitable for attendees, including those with impairments?)

Theme Six: Accessibility and Language

18. To what extent do you find the public participation modes implemented by the WCPP during the pandemic accessible to all members of the public?

They were accessible to the public, specifically to the tech-serve audience.

19. Does communication in WCPP meetings cover the three main languages of the Western Cape?

- Yes
- No
- Partially

Theme Seven: Using Arnstein's Ladder of Participation as a Guide

20. Are the meetings an open agenda for all communities to present their needs?

(Please support your answer.)

Yes. In the meetings participant were given an opportunity to raise their view or comment on the discussion.

21. Are the meetings related to community development?

(Please support your answer.)

Yes.

22. Does the WCPP incorporate community input from the meetings in the final decisions taken?

- Yes
- No
- Partially

I am not sure of this.

(Are WCPP meetings participatory and inclusive?) Yes.

23. To what degree do you think the meetings are inclusive and participatory?

To a large extent, yes because there was simultaneous translation however did not cater for deaf people

Theme Eight: Inclusion in Decision-Making and Implementation

22. Have you been part of the implementation or review of the WCPP programs?

- Yes
- No

(if yes, how did you participate in the review or implementation of the WCPP program?)

23. Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation?

Both new media and traditional methods must be adopted to ensure that no one will be left out.

Theme Nine: Participation Strategy

24. Does the WCPP have a public participation strategy?

- Yes

- No

I am not sure.

25. Are you familiar with the strategy?

- Yes

- No

- Partially

26. Do you think the participation strategy is effective and communicated well to stakeholders?

(Support your answer.)

Yes. The biggest impediment that government in South Africa has in general is its inability to effectively communicate to stakeholders and citizens.

Section 1: The Effectiveness of Public Participation Mechanisms of The Western Cape Provincial Parliament during the Covid-19 Pandemic

Section A: Biographical Information

1. Gender:

- Female
- ✓ Male

2. Age:

- 20-30
- ✓ 40-50
- 60-70

3. Sector:

- Member of Parliament
- Government Official/Expert
- Ratepayers Association
- Business
- ✓ NGO or Faith-Based
- Not affiliated to any of the above

Section B: Various Themes

Theme One: Knowledge of the Western Cape Provincial Parliament (WCPP)

4. What is your understanding of the WCPP's mandate?

- WCPP is a parliament to put together laws that improves the social conditions of the people
- Any parliament for it to be successful it must consult the people on the law-making
- Another role of parliament is to make sure that the government executive accounts on their business.

5. How can the public participate in the WCPP's legislative and other processes?

- Attend public hearings
- Make submissions on budgets

6. In your view, has the WCPP enabled continued public involvement in its legislative and other processes during the COVID-19 pandemic?

- Not really, I think it is 6 out of 10

7. Do you know who the leader of the WCPP is?

- Yes, the DA MPLS Daylin Mitchell he is the Speaker.

Theme Two: Attending Meetings

8. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended?

(If no meetings, what was the reason for not attending? Please explain.)

- During Covid I attended SOPA in Genadendal because I live in the Overberg and it was nice. I also attended a meeting in Swellendam it was called Thetha Nathi.

9. How did you attend and participate in the meeting/s mentioned above?

- I was offered a transport opportunity to get there and there was lunch made available at the event

10. How would you describe your experience of the meeting as a participant?

- It was good and they tried to accommodate community and online links too.

Theme Three: The Use of Media for Meeting Awareness

11. What would you suggest is the most effective platform for creating awareness of WCPP's public participation meetings?

- ✓ Radio
- ✓ Local newspaper
- ✓ Word of mouth
- ✓ Advertisement
- ✓ Loud hailing
- ✓ New media (social media)

Theme Four: Invitation to Meetings

12. How and in what capacity were you invited to attend a public participation meeting of the WCPP?

- I run a GBV programme for young males and I am also a traditional healer

13. How satisfied are you with the mechanism used to invite you to attend the meeting?

- I was satisfied

14. How and what preparatory documentation were you provided to adequately prepare for the meeting?

- They emailed the documents of invitation, I also attended another meeting of the education committee via the link.

Theme Five: Agenda of the Meeting

15. What were the main policy issues or issues being discussed at the meeting you attended?

- Opening of parliament, the Speaker told us that it's our parliament and invited us on both days we appreciated it because it was my first time.

16. Was the meeting agenda disclosed in the call for participation?

(If you have attended a meeting by the WCPP, are meeting venues suitable for attendees, including those with impairments?)

- One meeting was online and agenda was given to us on the invite, but they didn't think about us without data especially the unemployed
- The agenda was given and they sent people to talk to community.

Theme Six: Accessibility and Language

17. To what extent do you find the public participation models implemented by the WCPP during the pandemic accessible to all members of the public?

- I give them a 6 out of 10, they tried their best but inequality and unemployment makes it difficult to join a meeting with your airtime

18. Does communication in WCPP meetings cover the three main languages of the Western Cape?

- ✓ Yes
- No
- Partially

Theme Seven: Using Arnstein's Ladder of Participation as a Guide

19. Are the meetings an open agenda for all communities to present their needs?

(Please support your answer.)

- My own experience when we arrived it was a meeting of Members of Parliament because it was SOPA. The other one was Thetha Nathi our guest was Speaker Masizole Mngasela. Others I just receive notification of agenda so it is not up to communities it is according to the agenda we receive from parliament via email and whatsapp sometimes.

20. Are the meetings related to community development?

(Please support your answer.)

- No, it is always about some law that they are busy with or whatever they want to share with us.

21. Does the WCPP incorporate community input from the meetings in the final decisions taken?

- Yes

- No
- ✓ Partially

(Are WCPP meetings participatory and inclusive?)

22. To what degree do you think the meetings are inclusive and participatory?

Theme Eight: Inclusion in Decision-Making and Implementation

23. Have you been part of the implementation or review of the WCPP programs?

- Yes
- ✓ No

(if yes, how did you participate in the review or implementation of the WCPP program?)

24. Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation?

- The same way they use to invite us via emails and whatsapp, even facebook can work. They can also invite us to venues to plan for the upcoming programmes if they want to involve the ideas from us.

Theme Nine: Participation Strategy

25. Does the WCPP have a public participation strategy?

- Yes
- No

(I don't know, I think so because they can't just work without a plan).

26. Are you familiar with the strategy?

- Yes
- ✓ No
- Partially

27. Do you think the participation strategy is effective and communicated well to stakeholders?

(Support your answer.)

- I don't think so, because I have no idea what it is but I work with people on the ground.

Section 1: The Effectiveness of Public Participation Mechanisms of The Western Cape Provincial Parliament during the Covid-19 Pandemic

Section A: Biographical Information

1. Gender:

- Female

2. Age:

-30-40

3. Sector:

- NGO or Faith-Based

Section B: Various Themes

Theme One: Knowledge of the Western Cape Provincial Parliament (WCPP)

4. What is your understanding of the WCPP's mandate?

To promote and enhance policies and procedures that speak to the constitution.

5. How can the public participate in the WCPP's legislative and other processes?

I am not quite sure, I think public participation is quite limited in terms of what we have access to and how much of it actually gets implemented and maintained.

6. In your view, has the WCPP enabled continued public involvement in its legislative and other processes during the COVID-19 pandemic?

I think there was an attempt to do so.

7. Do you know who the leader of the WCPP is?

- Yes, Dylan Mitchell (not 100% sure).

Theme Two: Attending Meetings

8. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended?

None, I was not informed about the meetings and neither was the director of the organisation.

9. How did you attend and participate in the meeting/s mentioned above?

N/A

10. How would you describe your experience of the meeting as a participant?

N/A

Theme Three: The Use of Media for Meeting Awareness

11. How did you come to know about the meeting?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)

12. What would you suggest is the most effective platform for creating awareness of WCPP's public participation meetings?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)

Theme Four: Invitation to Meetings

13. How and in what capacity were you invited to attend a public participation meeting of the WCPP?

I have attended a virtual meeting post covid, however there was no follow through with regards to it.

14. How satisfied are you with the mechanism used to invite you to attend the meeting?

We got that from our email listing.

15. How and what preparatory documentation were you provided to adequately prepare for the meeting?

There was none.

Theme Five: Agenda of the Meeting

16. What were the main policy issues or issues being discussed at the meeting you attended?

It was a meeting where we deliberated on general issues and the way forward.

17. Was the meeting agenda disclosed in the call for participation?

The meeting was a generalised type of meeting where people were given the platform to share (however it was a Zoom meeting) so it was limited in time.

Theme Six: Accessibility and Language

18. To what extent do you find the public participation modes implemented by the WCPP during the pandemic accessible to all members of the public?

I think online meetings are great, but with ongoing loadshedding it becomes difficult to access.

19. Does communication in WCPP meetings cover the three main languages of the Western Cape?

- Yes
- No
- Partially

Theme Seven: Using Arnstein's Ladder of Participation as a Guide

20. Are the meetings an open agenda for all communities to present their needs?

(Please support your answer.)

I think it depends on the context of the meeting. The person chairing the meeting will direct or steer the meeting in the appropriate directions.

21. Are the meetings related to community development?

(Please support your answer.)

Yes, at times. Again it is dependent on the context of the meeting.

22. Does the WCPP incorporate community input from the meetings in the final decisions taken?

- Yes
- No
- Partially

(Are WCPP meetings participatory and inclusive?)

Not that I am aware of...

23. To what degree do you think the meetings are inclusive and participatory?

There is definitely room for inclusivity.

Theme Eight: Inclusion in Decision-Making and Implementation

22. Have you been part of the implementation or review of the WCPP programs?

- Yes
- No

(if yes, how did you participate in the review or implementation of the WCPP program?)

23. Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation?

Any social media platform.

Theme Nine: Participation Strategy

24. Does the WCPP have a public participation strategy?

- Yes

- No

25. Are you familiar with the strategy?

- Yes

- No

- Partially

26. Do you think the participation strategy is effective and communicated well to stakeholders?

(Support your answer.)

Section 1: The Effectiveness of Public Participation Mechanisms of The Western Cape Provincial Parliament during the Covid-19 Pandemic

Section A: Biographical Information

1. Gender:

- Female
- **Male**

2. Age:

- 20-30
- **30-50**
- 60-70

3. Sector:

- Member of Parliament
- Government Official/Expert
- Ratepayers Association
- Business
- **NGO or Faith-Based**
- Not affiliated to any of the above

Section B: Various Themes

Theme One: Knowledge of the Western Cape Provincial Parliament (WCPP)

4. What is your understanding of the WCPP's mandate?

WCPP-I believe it to address, issues that affects the communities around Western Cape, to serve and encourage communities to be involved in the processes of passing certain laws. Also to hold accountable the leaders within the public sector.

5. How can the public participate in the WCPP's legislative and other processes?

- It should be easy for people to access the parliament, and parliament should not be treated as the building, members of parliament must go to the communities and build strong relationships, Imbizo can for part of Parliament in the communities.

6. In your view, has the WCPP enabled continued public involvement in its legislative and other processes during the COVID-19 pandemic?

- It tried but that was mainly for certain individuals who belongs to certain political parties, but an ordinary people from the society did not know about those public engagements/interactions.

7. Do you know who the leader of the WCPP is?

- No I do not.

Theme Two: Attending Meetings

8. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended?

I attended one, and the other sessions I never attended because it felt like these were talk shows, where we talk but there are not follow ups. Also I was not informed about other following sessions also contributed but I was referred by someone into those dialogues even the one I attended.

9. How did you attend and participate in the meeting/s mentioned above?

Virtually using my own data, which I believe not everyone in the public have access to data and information about WCPP.

10. How would you describe your experience of the meeting as a participant?

Well facilitated by the speaker, by I never heard about action taken after those sessions.

Theme Three: The Use of Media for Meeting Awareness

11. How did you come to know about the meeting?

- Radio
- Local newspaper
- **Word of mouth**
- Advertisement
- Loud hailing
- New media (social media)

12. What would you suggest is the most effective platform for creating awareness of WCPP's public participation meetings?

- **Radio**
- Local newspaper
- **Word of mouth**
- **Advertisement**
- Loud hailing
- **New media (social media)**

Theme Four: Invitation to Meetings

13. How and in what capacity were you invited to attend a public participation meeting of the WCPP?

Youth representation for Boland region.

14. How satisfied are you with the mechanism used to invite you to attend the meeting?

Not happy at all as that excluded so many people, who can also represent youth.

15. How and what preparatory documentation were you provided to adequately prepare for the meeting? **None, was just told about the meeting.**

Theme Five: Agenda of the Meeting

16. What were the main policy issues or issues being discussed at the meeting you attended? **Youth engagement with WWCP**

17. Was the meeting agenda disclosed in the call for participation?

Yes, Online, but for people who cannot afford data, they are automatically excluded.

(If you have attended a meeting by the WCPP, are meeting venues suitable for attendees, including those with impairments?)

Theme Six: Accessibility and Language

18. To what extent do you find the public participation modes implemented by the WCPP during the pandemic accessible to all members of the public?

They were great, and easy to understand and follow through.

19. Does communication in WCPP meetings cover the three main languages of the Western Cape?

- Yes

- No

- **Partially**

Theme Seven: Using Arnstein's Ladder of Participation as a Guide

20. Are the meetings an open agenda for all communities to present their needs?

(Please support your answer.) No, because they are mainly represented by people who are politically involved and excludes those who are not affiliated with any political party.

21. Are the meetings related to community development?

(Please support your answer.) **Yes they are definitely community development related but sometimes they are used as political platform**

22. Does the WCPP incorporate community input from the meetings in the final decisions taken?

- Yes

- **No**

- Partially

(Are WCPP meetings participatory and inclusive?) **Yes**

23. To what degree do you think the meetings are inclusive and participatory?

Theme Eight: Inclusion in Decision-Making and Implementation

22. Have you been part of the implementation or review of the WCPP programs?

- Yes

- **No**

(if yes, how did you participate in the review or implementation of the WCPP program?)

23. Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation?

Regional in-person dialogues and include different stakeholders that are part of community development.

Theme Nine: Participation Strategy

24. Does the WCPP have a public participation strategy?

- Yes
- No

I do not know.

25. Are you familiar with the strategy?

- Yes
- **No**
- Partially

26. Do you think the participation strategy is effective and communicated well to stakeholders?

(Support your answer.)

- **No, as the people who receive this communication only share information to their networks only. For me different stakeholders which includes those who are not political influenced in their decisions should be invited, WCPP must be taken to people as it easy difficult for other people to access it.**

Section 1: The Effectiveness of Public Participation Mechanisms of The Western Cape Provincial Parliament during the Covid-19 Pandemic

Section A: Biographical Information

1. Gender:

- Female
- Male

2. Age:

- 20-30
- 40-50
- 60-70

3. Sector:

- Member of Parliament
- Government Official/Expert
- Ratepayers Association
- Business
- NGO or Faith-Based
- Not affiliated to any of the above

Section B: Various Themes

Theme One: Knowledge of the Western Cape Provincial Parliament (WCPP)

4. What is your understanding of the WCPP's mandate?

Law making, public participation and overseeing the administration of Western Cape's government.

5. How can the public participate in the WCPP's legislative and other processes?

By making submissions, petitions, imbizo and public participation programs and events.

6. In your view, has the WCPP enabled continued public involvement in its legislative and other processes during the COVID-19 pandemic?

Yes. During COVID 19, I worked for SAIIA and the WCPP collaborated with us on a youth colloquium on public participation. This happened online and showed how the WCPP was committed to public participation.

Before COVID, we hosted Model Legislature Programmes in the chambers of WCPP. Young people were given the chance to write a formal submission to WCPP during the Model Legislature.

7. Do you know who the leader of the WCPP is?

- Yes, please state. Speaker of Parliament.

Theme Two: Attending Meetings

8. What public participation meeting/s convened by the WCPP during the COVID-19 pandemic have you attended?

I am not a Western Cape citizen, however when I worked for SALLA and the WCPP collaborated with us on a youth colloquium on public participation.

(If no meetings, what was the reason for not attending? Please explain.)

9. How did you attend and participate in the meeting/s mentioned above?

It took place online.

10. How would you describe your experience of the meeting as a participant?

I was part of the planning team but my overall experience with working with WCPP has been positive. The Speaker really values youth and public participation.

Theme Three: The Use of Media for Meeting Awareness

11. How did you come to know about the meeting?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)

12. What would you suggest is the most effective platform for creating awareness of WCPP's public participation meetings?

- Radio
- Local newspaper
- Word of mouth
- Advertisement
- Loud hailing
- New media (social media)

Theme Four: Invitation to Meetings

13. How and in what capacity were you invited to attend a public participation meeting of the WCPP?

My interaction with WCPP was from a civil society standpoint.

14. How satisfied are you with the mechanism used to invite you to attend the meeting?

15. How and what preparatory documentation were you provided to adequately prepare for the meeting?

Theme Five: Agenda of the Meeting

16. What were the main policy issues or issues being discussed at the meeting you attended?

Climate change

17. Was the meeting agenda disclosed in the call for participation?

Yes.

(If you have attended a meeting by the WCPP, are meeting venues suitable for attendees, including those with impairments?)

Theme Six: Accessibility and Language

18. To what extent do you find the public participation modes implemented by the WCPP during the pandemic accessible to all members of the public?

19. Does communication in WCPP meetings cover the three main languages of the Western Cape?

- Yes
- **No**
- Partially

Theme Seven: Using Arnstein's Ladder of Participation as a Guide

20. Are the meetings an open agenda for all communities to present their needs?

(Please support your answer.)

Yes. In the meetings we hosted with WCPP, the youth were given an opportunity to express their views and their views were translated into a formal submission to WCPP.

21. Are the meetings related to community development?

(Please support your answer.)

Yes, particularly youth development and climate change.

22. Does the WCPP incorporate community input from the meetings in the final decisions taken?

- Yes
- No
- Partially

I am not sure of this.

(Are WCPP meetings participatory and inclusive?) Yes.

23. To what degree do you think the meetings are inclusive and participatory?

Theme Eight: Inclusion in Decision-Making and Implementation

22. Have you been part of the implementation or review of the WCPP programs?

- Yes
- **No**

(if yes, how did you participate in the review or implementation of the WCPP program?)

23. Can you suggest a formal platform that the WCPP can use to include communities in planning and implementation?

Theme Nine: Participation Strategy

24. Does the WCPP have a public participation strategy?

- Yes
- No

I am not sure.

25. Are you familiar with the strategy?

- Yes
- No
- Partially

26. Do you think the participation strategy is effective and communicated well to stakeholders?

(Support your answer.)

Yes. The biggest impediment that government in South Africa has in general is its inability to effectively communicate to stakeholders and citizens.