



JOINT POLITICAL PARTY STATEMENT ON THE SECTION 194 COMMITTEE ADOPTION OF FINAL REPORT ON THE PUBLIC PROTECTOR

Thursday, 24 August 2023

The Economic Freedom Fighters (EFF), African Transformation Movement (ATM), and United Democratic Movement (UDM) vehemently reject the Section 194 Enquiry's final report adopted on Tuesday. The report unjustly recommends the removal of Advocate Busisiwe Mkhwebane from office, citing incompetence and misconduct.

This final report is the outcome of a process we deem flawed, irrational, and influenced by undue manipulations, beginning with a pre-determined objective. It is evident that the intent was not to conduct a sincere, transparent, and impartial enquiry into Advocate Mkhwebane's competence. Instead, it appeared orchestrated by those who, from the outset, sought a specific conclusion, seemingly disregarding contrary evidence.

Throughout the enquiry, we consistently asserted that both the administrative and procedural aspects of the process were deficient. We recognize and understand Parliament's resource constraints. However, we cautioned against hastily moving through the process, as this only serves to compromise the results.

This is the maiden attempt by the National Assembly to initiate an impeachment process of a head of a Chapter 9 institution based on allegations of incompetence and misconduct. Instead of upholding principles of justice, fairness, and dedicating sufficient resources to ensure a comprehensive process, the approach taken was lacking.

Compounding the issues, the enquiry was plagued with non-credible witnesses and perceived biases from the Chairperson, who faced numerous justified calls for recusal and legal challenges. Some witnesses exhibited overt animosity towards Advocate Mkhwebane, unfairly placing the blame on her for their grievances. Yet, their testimonies were embraced and deemed credible.

It's distressing that Advocate Mkhwebane was pressured into participating in the enquiry without adequate legal representation. This disregard came in the face of a court judgement

that upheld her right to competent and sufficient legal counsel. Notably, even as the Committee sought to wrap up its proceedings, Advocate Mkhwebane was left without legal representation.

We have unequivocally stated our objection to the final report, primarily due to the perceived unfairness, irrationality, and procedural oversights exhibited by the committee. Furthermore, we reserve our right to subject this report to a legal review.

It's striking to observe that the DA, FF Plus and ANC alliance seems eager to expediently push for the impeachment of Heads of Institutions that diligently fulfil their Constitutional mandates. Yet, they appear to fall short in advancing crucial programs aimed at combating rampant unemployment, landlessness, and crime. It raises questions about their priorities and their genuine commitment to the betterment of lives of our people who are suffering from disasters economy.

ISSUED BY OPPOSITION POLITICAL PARTIES REPRESENTED IN SOUTH AFRICA'S PARLIAMENT:

- EFF
- UDM
- ATM

