



Speech for farewell function of former Minister of Justice and Constitutional Development, Honourable Minister Jeff Radebe, MP and welcome for the Minister of Justice and Correctional Services Honourable Michael Masutha ,MP

**Guests of honour, Honourable Ministers Jeff Radebe, Michael Masutha;
Deputy of Minister of Justice, Hon John Jeffery;
Deputy Minister of Correctional Services, Hon Thabang Makwetla;
Ministers and Deputy Ministers here present,
Members of Parliament here present
The Director-General of the Department of Justice and Constitutional Development Ms Nonkululeko Sindane;
The leadership and staff of both the Departments of Justice and Correctional Services;
Ladies and gentlemen**

Good day, first and foremost on behalf of the Public Protector South Africa team, I wish to thank you for the invitation to this important occasion of bidding farewell to the former Minister of Justice and Constitutional Development, Minister Jeff Radebe. I also convey the best wishes of the Public Protector, Adv T Madonsela.

I would like to start by associating myself with the warm words of gratitude and respect for the Honourable Minister Radebe for the work that he performed as Executive Authority of the Department of Justice and Constitutional Development, and spearheading the Justice Cluster.

While the Public Protector is an independent Constitutional Institution, it has a close relationship with the Department of Justice (and Correctional Services) for operational reasons. Because of the funding model, the budget for the Public Protector is allocated through the Justice vote.

The Minister has on many a public forum expressed his support for the Institution of the Public Protector as one of the key agencies established in terms of our Constitution to strengthen our democratic dispensation. In a public statement released to the media on 7 July 2011 he stated as follows:

“The office of the Public Protector ... together with other democracy supporting institutions, must always be supported and protected by all of us and not be attacked or undermined through the employment of tactics of whatever manner.

The office of the Public Protector must enjoy confidence of all South Africans. For this to be safeguarded, all of us must work towards strengthening and supporting it as opposed to attacking and weakening it in the process”

This commitment towards strengthening the institutions supporting our constitutional democracy have also been echoed in the Annual Reports of the Department. It was reiterated in the 2012/13 Annual report of the department that the institutions aimed at promoting and upholding the rule of law, including the Public Protector and the South African Human Rights Commission (SAHRC),

“... are of great value to our society,(and) have continued to perform important tasks through which they hold government accountable for its programmes and actions.”

In addition, the Department is also administering legislation providing for support to Chapter 9 institutions (the Human Rights Commission Act, Act No. 54 of 1994, and the Public Protector Act, Act No. 23 of 1994..

During his time at the helm of the Justice cluster the Minister has sought to establish an unreserved commitment by himself, the Executive Leadership and the resources of his Department to upholding and protecting the Constitution and the rule of law as a basis *“for the construction of a democratic, non-racial, non-sexist, united and prosperous society based on justice, equality, the rule of law and the inalienable human rights of all.”*

I wish to extend our sincere gratitude for his wisdom and leadership that we have benefited from as an Independent Institution in our relationship with Government. We wish him all the best in his new portfolio where he will soon enough assert his authority and leadership to continue on his journey to work towards the fulfillment of our constitutional promise of a better life for all South Africans.

I think I speak for all when I say this must be a bitter sweet moment for the Department as while you are losing an inspirational leader you are getting another.Many say(and I agree) Minister Radebe is a gentleman I can confirm from my personal knowledge of him that Minister Masutha is also a gentleman.I plead with Minister Masutha to remain as approachable as he as always been over the years.You are inheriting a massive Department which works hard. Unfortunately because of its size and other dynamics we continue to receive numerous complaints that concern a number of areas such as;

- Undue delay in appointments for estates
- Undue delay in investigation of child maintenance cases
- Undue delay in finalizing applications for appeals
- Lack of response in regard to criminal records etc
- Humiliation and insults by court officials
- Undue delay with regard to petition applications
- Abuse of power by officials
- Refusal to prosecute.
- Complaints against the Department against its own officials
- Complaints of undue delay or decisions of Parole Boards

The list goes on and on. As someone who has worked for the Department as well I think it is unfortunate that these things give the Department a bad name. I know hardworking people like Adv JB Skosana who at times leave their offices at midnight to meet deadlines so this blight can be quite unfair but has to be addressed. I am happy to report that we continue to resolve many of these amicably and in an efficient, pleasant way. For a while our MOU with the Master was yielding positive results but things seem to be slowing down. We ask you Minister Masutha and Deputy Minister Jeffery and Makwetla to help us help you as many complaints help identify systemic deficiencies and challenges within the Department. I therefore ask staff to give them all the necessary support and not headaches. Its our job to give them headaches

On a lighter note I am told that the outgoing Minister is a Chiefs supporter and that Minister Masutha supports Pirates or Sundowns. So do not wear the wrong team scarf to the office when the Minister's team has lost. It can be career limiting. I know that both Ministers Masutha and Radebe like to dance at events so does the President , so the protocol is set. That said let me wish both Ministers, Deputy Ministers the DG and the entire Justice and Correctional services team well as they continue to serve the people of South Africa with passion..

Siyabonga

Thank you.

Adv. Thuli Madonsela

Public Protector of South Africa