



**Address by Public Protector Adv Thuli Madonsela on the occasion of
the stakeholder consultative meeting in Mafikeng, North West**

1 March 2010

**Programme Director,
MEC of Education Rev O.J. Tselapedi,
Executive Mayor of Mafikeng Local Municipality Cllr M.D. Jabanyane,
Kgosi ya Barolong Boo Ratshidi Jeff Montshioa,
Other Traditional Leaders present,
Deputy Public Protector Adv Mamiki Shai,
Distinguished guests,
Ladies and gentlemen;**

My warmest greetings go out to all of you this afternoon. I am very humbled by your response to our call for an engagement of this nature. Your attendance goes a long way to show that indeed you take the Public Protector seriously and for that I would like to thank you.

As you may have learnt through recent media reports, I have been visiting provinces since early last month to engage stakeholders on meetings such as this one.

And I must say, in all the provinces I've been to thus far, the response and feedback from your counterparts has been nothing but positive. This is the fourth province I am visiting and I am hopeful that we will have a fruitful meeting too.

The purpose of these meetings is to firstly introduce myself to you as the newly-appointed Public Protector and engage you on the Public Protector Vision 2020, which is our proposed vision for the next 10 years. The aim is to obtain your comments and inputs before implementation. I will elaborate on this later.

I am also here to establish what your expectations are regarding the services of the Public Protector, obtain your views regarding the legislative and constitutional mandate of the Public Protector and also to discuss co-operation for purposes of enhancing the responsiveness of the Public Protector.

But before I go deep into the issues that have brought me here, I would like to briefly explain what is the Public Protector and the role this institution plays in a democracy for the benefit of those in our midst, who may not be aware.

The Public Protector is established in terms of Chapter 9 of the Constitution of the Republic of South Africa to receive and resolve complaints from members of the public about the services and conduct by organs of state. Alleged and suspected corruption and other forms of maladministration in the public sector can also be investigated by the Public Protector. The Public Protector is empowered to investigate, mediate, negotiate, conciliate and take remedial action to ensure that all state components are accountable and responsive to the needs of all. In addition to conducting investigations and resolving complaints in terms of the Public Protector Act, my responsibility include enforcing the Executive Members Ethics Act and playing a role in the enforcing of the anti corruption legislation and a few other laws that regulate the conduct of public authorities.

As the Public Protector, I am independent of government and political parties and therefore carry out my responsibilities impartially without fear, favour or prejudice.

It is important to note that even though I receive complaints from the public, I am not really their attorney. I am more like a referee, who scrutinises both sides of the problem to ensure accountable and fair governance by the state.

Programme Director;

On average, we receive approximately 1 700 complaints per annum from the people of North West. These complaints are lodged at our office here in Mafikeng and the regional offices in Vryburg, Rustenburg and Kuruman.

Like in other provinces, the complaints relate to appeals, delays and terminations of foster care, old age and child support grants, GEPE, delivery of low cost housing and general maladministration, among other things.

Resolving these and many other matters in the shortest time possible as per our resolve is a challenge because of non-cooperation from some government departments and institutions.

In some departments the response is delayed while in others there is no response at all. This trend impacts negatively on our effort to serve the public effectively and responsively.

However, we have started a process of approaching heads of these institutions to try and iron out the issues and sign memorandums of understanding to ensure that this practice becomes a thing of the past.

Let me also highlight that, among the powers bestowed upon me in terms of the law, is to subpoena people to appear before me to provide information in order to help us expedite our investigations. If need be I will exercise those powers and that will be as a last resort.

Ladies and gentlemen, I would really appreciate your feedback on the Public Protector Vision 2020 I referred to earlier. The contents include the following:

Vision

A trusted, effective and accessible Public Protector that rights wrongs and consistently acts with integrity to ensure fair, accountable and responsive decision-making, service and good governance in all state affairs and public administration in any sphere of government.

Mission

We serve the public in accordance with our constitutional mandate by rectifying and redressing any improper or prejudicial conduct in state affairs and resolving related disputes through investigation, mediation, conciliation, negotiation and other measures to ensure fair, responsive and accountable public sector decision-making and service delivery.

Values

- Independence and impartiality;
- Human Dignity;
- Equality;
- Ubuntu and Empathy;
- Redress;
- Accountability;
- Integrity;
- Responsiveness;
- Transparency; and
- Justice and Fairness.

In addition, we are guided by three main pillars namely accountability, integrity and responsiveness. We have also proposed strategic objectives for the next three years as the mechanism for ensuring, among other things, that there is prompt remedial action for all wrongs committed by public authorities and that good governance generally is achieved in the conduct of all state affairs.

At an operational level, we are also making several improvements with the aim of serving complainants more effectively and responsively. The key improvements include improving turnaround times primarily through the early resolution mechanism we have just created.

We have also shifted our operational emphasis from focusing on investigations to resolving complaints against public authorities. We resolve the complaints through using various powers I am given by the Constitution, which include investigations, mediation, conciliation, negotiation and any other competent action as I have already indicated.

I'm also in the process of implementing measures to strengthen our capacity especially on the areas of rigour and forensic investigation. These are critical for investigating corruption and other forms of maladministration.

Another area of focus is that of systemic interventions to identify and address the system malfunction that leads to poor service delivery.

As I conclude, Programme Director, let me express my gratitude again for your response. I trust that through our discussions, a lot of positives will be yielded so that we realise the ideal of an accountable and responsive state that operates with integrity.

Lastly, today marks 100 days before the first ball is kicked-off at Soccer City to signify the beginning of the 2010 FIFA World Cup. I would therefore like to take this opportunity to urge fellow South Africans to support this historic event. We are very privileged that it will take place in our life time.

Thank you.

Adv TN Madonsela