



**Address by Public Protector Adv. Thuli Madonsela during the Stakeholder Consultative Dialogue outreach meeting in Klerksdorp, North West on Thursday, August 02, 2012**

**Programme Director, Adv Johann Raubenheimer;  
Executive Mayor of Dr. Kenneth Kaunda District Municipality, Cllr B.M. Moloi;  
Executive Mayor of the City of Matlosana; Cllr M.K. Khauoe;  
Speaker of the City of Matlosana, Cllr L. M. Kortjas;  
Deputy Public Protector, Adv Mamiki Shai;  
The Public Protector team;  
The community of Matlosana;  
Members of the media;  
Ladies and gentlemen;**

Thank you, Executive Mayor, for the warm welcome. Indeed, as the Public Protector team, we feel at home in Matlosana.

I wish to also extend our warm greetings to the people of the entire North West province, particularly those from here in Matlosana, Tlokwe, Stilfontein, Orkney and neighbouring areas.

We would like to thank you very much for responding to our call to meet here this morning. Clearly you deem this meeting important and from our side, we are happy that you are eager to join hands with us in pursuit of a maladministration-free state that is defined by a responsive service delivery and good governance.

You may be aware that we have been visiting provinces as part of the third annual Public Protector National Stakeholder Consultative Dialogue since kicking-off this process in Pretoria on 12 July.

Theme of this Dialogue is ***“Joining hands to end maladministration and ensure responsive service delivery: Focus on RDP houses and regulatory gaps on the illegal conversion of panel vans into taxis.”***

We have chosen theme because we believe maladministration is a key factor behind bad service delivery. We also believe that if we all join hands to root out maladministration, service delivery by government, including in the area of RDP housing, will improve significantly.

Since the launch, we have been to three provinces, namely Eastern Cape, KwaZulu-Natal and

most recently the Free State. Today it is the turn of the people of the North West to share with us their experiences and challenges with regard to the delivery of RDP housing. We also want to hear your stories if you have something to say about taxis that are said to be panel vans that were illegally converted.

If you have no problems regarding RDP houses and panel van conversions, we are keen to hear about any other public service delivery complaint you have that affects the whole community or a group.

This process creates a platform for my team and I to gather information as part of two systemic investigations. The one is on RDP houses in response to a flood of complaints we receive on a regular basis, on RDP houses. The other is on panel vans conversions into taxis following one complaint, which suggested that the issue may be affecting large groups and communities.

But what exactly is a systemic investigation and how does it differ from other investigations? A systemic investigation is a complex investigation that goes beyond addressing individual complaints and targets the root causes or systemic deficiencies that give rise to the complaints. It is based on a systems approach to recurring problems. The outcome of a systemic investigation includes redress for individual complaints and remedies for the root causes of the complaints. This ensures that no one else suffers the same fate in future.

We conduct these systemic investigations as part of my office's oversight role, which is to strengthen constitutional democracy by exacting accountability in the exercise of state power and control over state resources.

Section 182 of the Constitution gives the Public Protector powers to investigate any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice; report on that conduct and take appropriate remedial action.

The Public Protector has additional powers that derive from several laws. For example, the Public Protector Act, which gives me powers to resolve maladministration matters, including abuse of power and state resources. The PPA also powers to resolve public grievances through conciliation, mediation and negotiation. Under the Executive Members' Ethics Act, my office oversees the ethical conduct of all members of the Executive. The office is also one of the institutions protecting whistle-blowers under the Protected Disclosures Act and has an anti-corruption mandate under the Prevention and Combating of Corrupt Activities Act. The office has the power to review the decisions of the Home Builders Registration Council under the Housing Measures Act and is one of the information regulators under the Promotion of Access to Information Act.

In this province, we received 2 305 complaints from residents in the last financial year. Some of these related to the plight of RDP housing beneficiaries. One of the cases that originate from this area of Matlosana involves allegations that homes with faulty foundations were given a go-ahead and a Municipal Manager, who tried to exact accountability by taking action against the contractor responsible for the shoddy work was allegedly booted out of the way through political meddling. We will be conducting an inspection-in-loco at the site immediately after this hearing to see for ourselves some of these houses that are alleged to have defective foundations.

In another RDP case that also emanates from here, one Mr M. applied for an RDP house in 2004 and a house in Kanana township outside Orkney, was built for him. However, his house

was allegedly allocated to a certain Ms. M, without any explanation or consultation whatsoever. We are working with the municipality to provide redress from Mr M.

Ladies and gentlemen;

Tomorrow, we will be meeting with government leaders, political parties, traditional authorities and so forth at the Provincial Legislature in Mahikeng as part of this process. We will make sure that all the issues brought to our attention today reach them for their immediate action, while we also try to find the truth for purposes of bringing relief to communities where needed.

We are aware that there are people in this community, who would have loved to join us and due to other commitments, they could not make it. On that note, I hereby make a plea to you to share with them all important information that you will gather from this session. To get in touch with us for purposes of lodging service or conduct failure complaints against the state, take note that we have 20 walk-in offices across the country, three of which are in Mahikeng, Rustenburg and Vryburg. We are also reachable through our toll-free line (0800 11 20 40), online through our website ([www.publicprotector.org](http://www.publicprotector.org)) and on email ([registration2@pprotect.org](mailto:registration2@pprotect.org)).

Further details on how to get hold of us including addresses and phone numbers are on the marketing material distributed to you this morning. Also important to note is the fact that our services are free and we strive to resolve complaints as promptly as possible in order to deliver swift justice. Beyond your service delivery complaints, you may also report suspected corrupt practices and other forms of maladministration.

Tell us your side of the story. What have been your experiences on RDP housing? Do you have anything to share on the illegal conversion of panel vans into taxis? We also want to hear about other community wide problems regarding public service delivery.

By sharing your views in this process, you are joining hands with us in pursuit of an accountable state that operates with integrity and is responsive to the needs of its citizens and residents. Ultimately this will ensure that the rights promised to all people of South Africa by the Constitution are enjoyed by all.

Thank you.

**Adv TN Madonsela**

**Public Protector of the Republic of South Africa**