



Address by Public Protector Adv Thuli Madonsela on the occasion of a stakeholder consultative meeting in Bhisho, Eastern Cape

10 March 2010

**Programme Director,
Mayors,
Councilors,
Traditional Leaders,
Government representatives,
Non-governmental organisations,
Members of the media,
Distinguished guests,
Ladies and gentlemen**

Allow me to extend my warmest greeting to you all of you this morning. As the key stakeholders in the Public Protector, your attendance means a lot to me.

This meeting is a continuation of a stakeholder consultation process that I kicked-off in Gauteng about four weeks ago. As a newly-appointed Public Protector, I saw it necessary to embark on this process.

The purpose of this exercise is to introduce myself and engage you on the Public Protector Vision 2020, our proposed vision for the next 10 years. The aim is to solicit comments and inputs before implementation in the new fiscal year, which starts in April. I believe copies of this document have been distributed to all of you. I will take you through it in a short while.

In addition to these, I am 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. I would also like to discuss cooperation for purposes of enhancing the responsiveness of my office to the people of this country.

Programme Director, I must say that I am pleased with the contribution of stakeholders from the five provinces that I have already been to up to so far and I have no doubt in my mind that this meeting will also bear fruit.

I am aware that most if not all the guests this morning know what the Public Protector is and

what role such an institution plays in our democracy. However, I will briefly touch on that for the benefit of a very few in our midst, who may not be aware of our existence.

The Public Protector is established by the Constitution to receive and resolve complaints about the services and conduct of 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 possesses the power to investigate, mediate, negotiate, conciliate and take remedial action to ensure that all components of the state are accountable and responsive to the needs of all.

I conduct investigations and resolve complaints in terms of the Public Protector Act. In addition to that, my responsibility includes enforcing the Executive Members Ethics Act and playing a role in enforcing 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.

Programme Director;

From this province my office receives complaints that predominantly include applications for social grants, birth registrations, Unemployment Insurance Fund benefits, payment of leave gratuity and general complaints about basic service delivery, particularly in the former Transkei.

This morning I had an opportunity to meet and hold brief talks with Premier Noxolo Kiviet and the Provincial Executive Committee. I would have loved to have them here but circumstances could not allow. Nevertheless I am happy I managed to exchange a few words with them.

Like in other provinces, the biggest stumbling block in the execution of our mandate in the Eastern Cape is lack of cooperation from some government departments and other state institutions. Some state organs here either drag their feet in responding to complaints or they don't respond at all.

Upon closer inspection, we realised this trend is a result of lack of proper understanding of the role and constitutional mandate of the Public Protector. We then organised information sessions as part of our outreach activities but the very same institutions are reluctant to attend. These challenges pose a serious threat to our promise to resolve complaints within the shortest time possible.

I am, however, hopeful that my brief engagement with the executive will lead to a desired outcome.

I must also commend fellow Chapter 9 institutions for their effort. Collaboration with these institutions over the past eight years on awareness campaigns has been amazing. I urge you to please keep it up as we still have a long way to go.

Our relations with other institutions such as the Public Service Commission, the Special Investigations Unit continue to prove critical. Together we have made visible progress towards addressing a lot of service delivery matters.

Ladies and gentlemen, the Vision 2020 I referred to earlier includes 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 principles 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.

Programme Director, 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 an 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 malfunctions that lead to poor service delivery.

Lastly, I trust that our deliberations will yielded a lot of positive outcomes to put on track our realisation of the ideal of an accountable and responsive public sector that puts the needs of the public first.

Thank you

Adv TN Madonsela