



**Address by Public Protector Adv Thuli Madonsela during the launch of
the inaugural Public Protector Good Governance Week in Mamelodi
East, Pretoria on Monday, 11 October 2010.**

11 October 2010

**Programme Director, Mr Themba Mthethwa;
Speaker of the Gauteng Provincial Legislature, Hon Lindiwe Maseko;
MMC for Community Safety at the City of Tshwane, Cllr Dikeledi Lehobye;
Deputy Public Protector, Adv Mamiki Shai
Public Protector staff;
Ladies and gentlemen**

Let me first express my gratitude to the Speaker Maseko and the Premier of Gauteng in absentia for the messages of support. It is this very support by organs of state that is needed to help the Public Protector execute its duties optimally. I would also like to thank Cllr Lehobye for the warm welcome.

It is an honour to address this historic event. The campaign we are launching here today marks the first Public Protector Good Governance Week, a focus week on the Public Protector that we plan to host annually.

Through this campaign, **we aim to enhance public awareness of the Public Protector's mandate, role and services. This is in pursuit of the constitutional mandate to be accessible to all persons and communities.** The messages will also promote the idea of good governance as the opposite of the maladministration and improper conduct in state affairs that the Public Protector is mandated by the Constitution and the law to correct.

Some in our midst may be wondering who and what this Public Protector is and why should it be their business to know the Public Protector?

The Public Protector is an independent officer and institution established by Chapter 9 of the Constitution to support and strengthen constitutional democracy by holding government accountable for service and conduct. This is done by investigating any conduct in state affairs or in the public administration in any sphere of government that is alleged or suspected to be improper or result in any impropriety or prejudice, reporting on that conduct and taking appropriate remedial action.

In simple terms my role is to right administrative wrongs of the state by resolving complaints

regarding service failure and other forms of improper conduct by the state.

Several laws enable and give the Public Protector specific powers and responsibilities regarding correcting service failure, maladministration and abuse of state power and resources. These include the Public Protector Act of 1994 (PPA), the Executive Members Ethics Act of 1998, the Protection and Promotion of Access to Information Act of 2000 (PAIA), the Protected Disclosures Act of 2000 (PDA) and the Prevention and Combating of Corrupt Activities Act of 2004 (PCCA).

Anyone can complain to the Public Protector about government services or conduct. The Public Protector will resolve the complaint through various means, which include investigating, mediation, conciliation, negotiation and remedial action where appropriate. The services come free of charge.

I would also like to assure you that in dealing with complaints, as the Public Protector I am independent, impartial and my actions are subject only to the Constitution and the law. I exercise my powers and functions without fear, favour or prejudice. All this is spelt out in the Constitution.

Programme Director;

As an institution, we've spent the past year analyzing the Public Protector's constitutional mandate and improving the alignment of our vision and operations with the Constitution.

The outcome is a vision that sees the Public Protector's main role as righting administrative wrongs of the state by resolving each complaint and where appropriate ensuring remedial action while facilitating long term systemic change in the state with a view to promoting good governance.

The new vision, accordingly, is:

"to be a trusted, effective and accessible Public Protector that rights administrative 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 all spheres of government".

Flowing from this vision, we have made the following three specific promises to the people of South Africa:

- To be accessible to and trusted by all persons and communities;
- To deliver prompt remedial action
- To promote good governance.

My office has every intention of living up to these promises and the public is encouraged to monitor progress and provide feed-back. Already we have made changes in the organizational structure and organization of work with a view to delivering service efficiently, effectively and responsively while using our limited resources in a smarter way.

Ladies and gentlemen;

When I assumed office a year ago I promised to give priority to bread and butter matters that impact on poverty and people's enjoyment of the constitutionally guaranteed socio-economic

rights. Part of the reorganization of our work and structures was to ensure that these matters are dealt with through an early resolution mechanism. This takes from a couple of hours to three months.

I am pleased to report that my office has speedily unlocked a lot of social grants such as pension, child and disability grants; government employee pension pay-outs; UIF pay-outs; Workers Compensation pay-outs; IDs; municipal service failures; and unpaid contract fees for small businesses contracting with the state. The joy of complainants each time remedial action takes place is priceless for the teams in my office.

Just the other day we were celebrating the recovery of a child grant for a complainant in Mthatha that had been lost through corruption and fraud involving health, Home Affairs and SASSA officials. We also recently had a community in Cape Town that was so grateful for a collaborative intervention with the Department of Home Affairs that saw many residents documented for the first time in their lives.

It still causes me a lot of pain to observe that most of our people do not know about the services of the Public Protector. Many only approach my office after years have lapsed, even after 5-10 years. This presents problems regarding information and remedial action. One of the objectives under the new vision is to ensure that people know about all about the help they can get from the Public Protector and seek its services immediately when they reach a dead end with organs of state.

We also want people to trust my office with confidential information about corrupt activities as envisaged in the Prevention and Combating of Corrupt Activities Act and the Protected Disclosures Act. The Public Protector's role regarding good governance is not only to correct maladministration and service failure but also to promote integrity in all state affairs. This mandate comes from a combination of the Public Protector Act and the Prevention and Combating of Corrupt Activities Act.

Unfortunately, due to our limited human resources, we are still struggling to balance the speed and thoroughness of investigations. It is our aim and commitment that no administrative wrong or improper conduct in any organ of state should take place with impunity just because my office was not able to dig deep enough. To address this we've asked for more resources from government while reorganizing ourselves and work to achieve specialization and enhance our investigation skills.

We are also appealing to organs of state to respond expeditiously when my office asks questions. Without cooperation by organs of state the Public Protector cannot fulfill its constitutional mandate and commitments. We are currently busy finalizing Public Protector Rules similar to but more informal than rules of court, to strengthen cooperation by organs of state and witnesses while enhancing the transparency of our processes.

Another commitment we have made is to be accessible to and trusted by all persons and communities. This is ordered by the Constitution. The Public Protector Good Governance Week forms part of our efforts to give effect to this commitment and constitutional injunction. During this week we hope to reach all those among the 48 million people in this country that need to know about the Public Protector and its services.

The Public Protector Focus Week commences today 11 October with launches in all provinces and runs until Friday 15 October 2010. The activities include various community visits and

related outreach exercises in all the provinces. We also have a Good Governance Conference taking place at the Sheraton Hotel in Pretoria. Organised in collaboration with other oversight agencies and the Commonwealth, the conference will be held under the theme: *“Understanding the Roles of Democratic and Oversight Institutions in Promoting Good Governance in South Africa”*.

I urge members of the public to participate in all the activities that form part of the Public Protector Good Governance Week. This is an opportunity to know more about the Public Protector and to give feed back about its work in the last 15 years. We will also be taking complaints in many of the outreach activities, including today.

I also urge community members who have complaints about government services or conduct to make use of our services by taking advantage of any of the avenues we have made available for lodging a complaint or reporting on conduct. These include our Toll Free line: 0800 11 20 40; visiting the nearest Public Protector office; Attending one of our clinics or outreach activities or lodging a complaint or reporting improper conduct using our website at www.publicprotector.org.

In the same vein, I appeal to organs of state to cooperate during investigations and implement my findings so that we respond promptly to distressed members of the public.

May I also take this opportunity to thank all stakeholders for playing their part in facilitating the work we do to correct service failure and other forms of maladministration while promoting good governance and state accountability.

I particularly wish to single out the media for relentless reporting on the activities of my office. The regular reporting not only contributes to the accessibility of our services but also promotes dialogue on the role and operations of the Public Protector as an institution supporting constitutional democracy. The media is also an important source of leads on some of our investigations.

I thank all of you once more for your support of this event and continued support of my office. Please help us to reach as many as possible of the 48 million in the country during the Public Protector Good Governance Week and beyond..

At the end of the programme, I encourage those with complaints to approach our tables at the back of this hall. Investigators are there to help with the filling of complaint forms.

Pamphlets can also be collected at the same tables to learn more about the Public Protector and share that information with others.

Let us continue to work together to promote good governance with a specific focus on achieving a state that is accountable, operates with integrity and is responsive to all its people..

Thank you.

**Adv Thuli N Madonsela
Public Protector South Africa**