



**Address by Public Protector Adv Thuli Madonsela during the launch of
the National Stakeholder Consultative Dialogue at the Sun
International Hotel in Pretoria, Gauteng on Thursday, July 12, 2012**

**Programme Moderator, Ms Liepollo Pheko;
Chairperson of Scopa, Mr Themba Godi;
Consumer Commissioner, Ms Mamodupi Mohlala-Mulaudzi;
CEO of the Public Protector SA, Mr Themba Mthethwa;
Director-General of Human Settlements, Mr Thabani Zulu;
Professor Shadrach Gutto of CARS-Unisa
President and Secretary General of Santaco;
Senior government officials;
Representatives of the civil society;
Public Protector team;
Members of the media;
Ladies and gentlemen;**

Welcome to the third Public Protector National Stakeholder Consultative Dialogue. My team and I are delighted to have you on board and look forward to your inputs on the link between collective action, good governance and responsive public service delivery.

The dialogue we are launching today will go on for two months as in the last two years. This year we have themed the dialogue: ***“Joining hands to end maladministration and ensure responsive service delivery: focus on RDP houses and regulatory gaps in the illegal conversion of of panel vans into taxis.”***

We are combining the general stakeholder consultations process with public hearings on two systemic investigations that we are currently conducting, focussing on alleged maladministration or service failure on the part of relevant organs of state.

The first systemic investigation centres on the structural service delivery challenges in the delivery of social housing –also known as RDP housing- across the country.

Problems regarding RDP housing affect the most vulnerable, downtrodden and economically underprivileged members of our society. These are the people we call the *Gogo Dlaminis* of our society, some of whom have been waiting since 1996 for a house.

To these members of our society, such houses don't only serve as shelter but as assets as well.

Over the years, we have received quite a lot of complaints relating to this problem.

Complaints includes, among other things, long waiting lists, poorly constructed RDP houses, failure to award title deeds, maladministration in the allocation of RDP houses and housing contracts that are awarded corruptly. For example, we have a case in North West where it is alleged that a contractor was paid R10 million for one house.

It is important to note that at this stage I have not made any findings. All these are just allegations. Ours will be to look at what happened, what should have happened, was there maladministration and if so what should happen going forward?

The other investigation is quite unique. I am sure that many of you are wondering why the Public Protector wants to regulate the motor industry. As you know my mandate focusses on investigating and redressing improper and prejudicial conduct, maladministration and abuse of power in state affairs. Our interest is, therefore, where the government comes in and again, our focus will be on the important questions of what happened, what should have happened, was there maladministration and if so what should happen going forward?

This investigation focusses on alleged regulatory challenges regarding the conversion of panel vans into taxis used for passenger transport. The main issue covered in the complaint relate to alleged regulatory lapses or failures. We have been told that such failures have resulted in many members of the public being exposed to taxis that are unsafe and that when accidents happen insurances won't pay as they argue that the vehicles did not meet compliance requirements.

In this instance too it is the most vulnerable, downtrodden and economically underprivileged members of our society that are affected. These could be a *Gogo Dlamini* who was in a taxi that got involved the accident or it could have been one of her children.

Ladies and gentlemen;

I do not want to dwell much onto these issues as we have two community representatives that have agreed to outline the issues as they see them on each of the two systemic investigations.

Perhaps I can contextualize the public hearings for you. Let's start with a systemic investigation, what is it? A systemic investigation is an investigation like any other but the difference is that it goes beyond the experience of one person. With this kind of an investigation, we look at and address systemic deficiencies and the underlying problems in order to avoid a recurrence.

We have chose RDP housing problems and the issue of panel vans that are allegedly converted into taxis really because we are of the view that they are important issues that affect many people across the country.

At the end of this process a report will be will be produced and integrated into a broader one, which will take into account inputs that will come out of provincial meetings. We will pull out information from this report to feed into the investigation reports for the two complaints that are the focus of this process.

We require you to join hands with us in this process by spreading the word about it. We also request that you not only provide us with analysis but also give your perspectives on these issues as well to enrich the dialogue.

We believe there is a link between good governance and responsive service delivery in as much as we believe there is a link between bad governance and poor service delivery. If we join hands to ensure good governance, we will see a pattern of a responsive service delivery.

We do all these in a bid to give effect to our mandate of strengthening and supporting constitutional democracy. As I indicated earlier, we do this 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 to result in any impropriety or prejudice; report on that conduct and take appropriate remedial action.

To achieve this, we employ various pieces of legislation including the Public Protector Act, Executive Members Ethics Act, Promotion of Access to Information Act, Protected Disclosures Act, Prevention and Combating of Corrupt Activities Act and Housing Protection Measures Act.

As I conclude, Programme Moderator, let me borrow from former President Nelson Mandela when during his acceptance of the Nobel Peace Prize in 1993. He said the following:

“We live with the hope that as she battles to remake herself, South Africa will be a microcosm of the new world that is striving to be born. Let it never be said by future generations that indifference, cynicism or selfishness made us fail to live up to the ideals of humanism which the Nobel Peace Prize encapsulates.”

Let us have fruitful deliberations that will add value to the two systemic investigations that I have mentioned. The idea is that, at the end of it all, we must ensure that ours is an accountable state that operates with the highest level of integrity while being responsive to the needs of its entire people.

Thank you.

Adv. TN Madonsela

Public Protector of the Republic of South Africa