



**Address by Public Protector Adv Thuli Madonsela during the  
Stakeholder Consultative Dialogue outreach event in Cala, Eastern  
Cape on Wednesday, July 18, 2012**

**Programme Director, Adv Mthwakazi Thomas  
Mayor of Sakhisizwe Municipality, Cllr Jentile;  
CEO of the Public Protector SA, Mr Themba Mthethwa;  
The Public Protector team;  
Members of the media;  
Ladies and gentlemen;**

The Public Protector team and I are delighted to be here this morning. Coincidentally, we are here in the province that gave birth to former President Nelson Mandela on the day the whole world has risen to celebrate his 94th birthday.

We would like to wish “Tata” good health on this important day and that he live longer to see the fruits of his and his peers’ labour as our young democracy continues to grow from strength to strength.

We are visiting you, the people of Cala, this morning as part of the third annual Public Protector National Stakeholder Consultative Dialogue, which we launched last week in Pretoria.

This is one of our premier outreach programmes through which we bring the services of my office closer to your doorsteps as I am required by the constitution to be accessible to all persons and communities.

My team and I are therefore very happy to see that you have braved the cold weather conditions that we are experiencing on this part of the world to come and get -first hand- what this visit is all about.

Tomorrow, we will be at the Good News Conference Centre in Bhisho for a formal stakeholder meeting with provincial executives, government officials, political parties, civil society and experts discussing the same issues that have brought us here. We will then proceed to eight other provinces on the same mission.

The theme for this year’s 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.”***

Unlike the past two dialogues, this year's process incorporates public hearings, where you as stakeholders must share your experiences in so far as problems, relating to the state's RDP housing programme and regulatory gaps in the illegal conversion of panel vans to taxis, are concerned.

In focussing on these two issues, the hearings serve as information gathering platform for two systemic investigations that I am currently conducting, focussing on problems plaguing the RDP housing programme and illegally converted taxis.

Let's us look at the RDP programme. The RDP housing programme is South Africa's socio-economic policy framework implemented to give effect to the Section 26 of the Constitution through the fully state-funded housing programme.

This section of the Constitution states that everyone has the right to have access to adequate housing and that the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.

As you would recall, under the apartheid regime, black people were not allowed to own any immovable property. The RDP housing programme, therefore, replaced the apartheid era housing scheme, which was rent-based.

Since 1994, government has built in excess of 2 million RDP housing, ensuring that millions of South Africans who previously had no proper roof over their heads, had a place they could call a home of their own.

While this brought the much needed relief to millions of poverty-stricken communities, there have been problems as well. Such problems include allegations of long waiting periods from the point of application, flouting of procurement procedures, poor quality of homes, and illegal sale of RDP homes.

Over the years my office has been receiving a number of complaints relating to the conduct of government with regard to the RDP housing programme. These complaints come from all corners of the country.

The commonality of RDP complaints from one province to the other was one of the key motivations for us to undertake the huge task of launching a systemic investigation into the matter.

Looking at this province in particular, 995 complaints we received in the previous financial year. Of these, only 62 related to the RDP housing programme. By 25 May this year, this province had received only 615 complaints, 30 of which related to the RDP housing programme.

One of the cases we are dealing with in this province involve a community of 15 households in Waterloo near Verulam. They were built houses by the government on the banks of a nearby river.

Whenever it rains and the river overflows, this community has to be moved temporarily to a local community hall until water levels have subsided. Their water-logged homes result in damaged furniture.

This matter was reported to my office in Durban in February this year. We are currently in discussion with the parties involved to explore a permanent relocation to a safer site.

Then there is the plight of the community of Cato Crest, an informal settlement near Mayville. Three complaints were lodged with my Durban office three weeks back before three more complainants complained about the same matter.

Allegations are that people who had never applied for RDP houses were being allocated houses. These people were moved from their initial dwelling in order to make way for infrastructure development.

They were moved into temporary facilities, called “*Emathinini*”, which were provided by the government. Their understanding was that they would get first preference the moment RDP houses in the area are available for occupation. However, they allege that new people were instead getting preference. We are investigating this matter.

Turning to the issue of illegal conversion of panel vans into taxis, my office was approached by Mr Hennie de Beer. The main issue covered in the complaint relate to alleged regulatory lapses or failures. The allegation is 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.

We have not received a complaint about this in this province, however, we were told in the Eastern Cape last week that taxi owners were opting for cheaper converted panel vans over purpose-built passenger transport minibuses due to the fact that the latter were expensive. So, the issue for us is the state's role in the regulatory framework and accountability for challenges such as safety and passenger insurance.

We would like to hear from you how these problems have affected your livelihoods and if you have any shred of evidence in a form of paper trail that shows your correspondence with relevant organs of state while trying to sort out the problem yourself, please bring it forth.

While I have not received any complaint relating to the conversion of panel vans to passenger transport vehicles in this province, the same cannot be said about RDP housing.

Of the 2 956 complaints received in this province in the last financial year, 118 related to RDP houses. Twenty-four of the 118 cases were finalised that year while 94 were settled this year. Since April this year, we have received only 11 complaints relating to RDP houses, one of which has been finalised.

Those among you, who wish to bring other matters to our attention, are welcome to do so provided that their matters affect a group or community. We will not entertain individual complaints during this session.

Those of you with individual grievances that focus on other aspects of service delivery must use the stall at the back of this venue to lodge their complaints.

I look forward to hearing about your experiences on RDP housing problems and the illegal conversion of panel vans into taxis.

Thank you.

**Adv TN Madonsela**

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