



**Address by Public Protector Adv Thuli Madonsela on the occasion of a stakeholder consultation meeting in Johannesburg, Gauteng**

*19 March 2010*

**Programme Director,  
Executive Mayor of Sedibeng District Municipality; Cllr M Mofokeng,  
Executive Mayor of Metsweding Municipality; Cllr A Mlondobozi ,  
Chairperson of the General Council Bar; Adv PM Mtshaulana SC,  
Commissioner of the Public Service Commission; Commissioner JJ Matsumela,  
Commissioner of the Commission on Gender Equality; Commissioner T Matsie,  
Deputy Director General of the Department of Local Government and Development; Ms Pricilla Peterson,  
Head of the Infrastructure and Development department; Mr G Martins,  
Acting CEO of the Health Professions Council of South Africa; Ms MM O'Reilly,  
Representatives of various government departments,  
Representatives of Chapter 9 and other state institutions,  
Political Parties present,  
Members of the media,  
Ladies and Gentlemen;**

Allow me to start by extending my warmest greetings to all of you this morning and also thank you for your positive response to our invitation.

You could have been anywhere today but you chose to be here with us because you realise the importance of the Public Protector in a constitutional democracy like ours. I truly appreciate that.

On 10 February 2010, I began a seven-week stakeholder consultative process, during which I visit provinces, spending two days in each of them to meet key stakeholders and interface with ordinary people.

This consultative process began here in Gauteng with a meeting with the community of Alexandra. Today I am back in this province to engage you, the decision makers from various quarters, including public, political and civic sectors. While my meeting with the Alexandra community focused on raising awareness about the existence of the Public Protector and the role of this institution, our engagement today will take a slightly different direction.

The purpose of our meeting is to introduce myself and engage you on the Public Protector Vision 2020, our proposed vision for the next 10 years, with the aim of sourcing comments and inputs so that we can jointly path the direction this institution will follow during my term of office.

I am also 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.

Our expectation is that at the end of these meetings, together, we must have come up with suggestions on how we can have and maintain an accountable public administration, which is responsive to needs of communities and acts with integrity.

Programme Director;

Before I go deep into, let me indicate that I am aware that most if not all the people gathered here, this morning, are fully knowledgeable about the existence of the Public Protector and its role.

However, for the benefit of those in our midst, who may not be aware, I am going to briefly discuss what the Public Protector is and what role this institution plays in our country.

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 is empowered 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.

I must indicate that my independence from the state and politicians does not make me an attorney for the public. I am therefore more like a referee who looks at both sides of the problem, make findings and take remedial action that is fair and just.

This means should my investigations against any government department or agency find no wrong doing on the part of the state; I will say so in my reports just like I do when the opposite is the case.

Programme Director;

My office in this province, located at Women's Jail, Constitutional Hill, opened its doors to communities in December 2004. During the 2009/10 fiscal year, we received up to 1 578 complaints from this province alone.

We all know that even though it is, geographically, the tiniest province in the country, Gauteng

has the largest population in the country, with more than 10.5 million people.

The number of complaints received from the people of this province is therefore not enough. Even if we were to add this number to the 2 130 complaints received, during the same period, by our Head Office, which also in Gauteng, it will still be low.

This calls for an intensive public education and outreach programme. However, on our own and with the little resources at our disposal, it is difficult to raise awareness about the services of the Public Protector in such a way that the number of complaints we receive can mirror the population of this province.

It is for this reason that we are appealing for cooperation and where possible, partnerships with you to ensure that Public Protector services are accessible to all persons and communities as required by the Constitutions.

The types of complaints we get from this province mainly relate to delays in the provision of low cost housing, SASSA's alleged refusal to grant disability grants and delays in considering appeals and the Department of Home Affairs' delays in processing ID applications and late registration of births. Other complaints relating to Home Affairs include lack of public awareness on processes and procedures that are applicable to the provision of its services.

We also receive a lot of complaints against the City of Joburg regarding allegations of excessive billing for services.

One of the biggest challenges we come across when executing our mandate is a general lack of cooperation from government departments. This has got a negative impact on our turnaround times.

I do hope that after our discussion today, we would have tried to address these challenges.

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.

In conclusion, Programme Director, I trust that we will have fruitful discussions this morning so that we can realise the ideal of an accountable and responsive public sector that puts the needs of the public first.

**Thank you.**

**Adv TN Madonsela**