



**Address by Public Protector Adv Thuli Madonsela on the occasion of the official opening of the Phuthaditjhaba Regional Office, Free State on Friday, 30 April 2010.**

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**Programme Director;  
Speaker of the Free State Provincial Legislature, Mr Khotso Sesele;  
Provincial Chairperson of the House of Traditional Leaders; Morena T Mopeli;  
All Traditional Leaders present;  
Representatives of all Chapter 9 Institutions present;  
Executive Mayor of the Maluti-A-Phofung Local Municipality, Dr B E Mzangwa;  
Deputy Public Protector, Adv Mamiki Shai; CEO of the Public Protector, Themba Mthethwa;  
Representatives of various government departments present;  
Representatives of civil society;  
Ladies and gentlemen**

My warmest greetings to all of you this morning! It is such a joy to finally open this office, which brings my office one step closer to the constitutional injunction requiring that the Public Protector to be accessible to all persons and communities. The fact that we are doing this close to Freedom Day underscores the role of my office, the Public Protector, in strengthening constitutional democracy. This is our Freedom Day gift to the people of Phuthaditjhaba, Maluti-A-Phofung, neighbouring areas and the Thabo Mofutsanyana District Municipality at large.

A few days ago distressed citizens from this area, wishing to register their dissatisfaction about government services or conduct, would have had to make a phone call, write a letter, wait for the next outreach clinic or travel nearly 400km to Bloemfontein in order to lodge a complaint with the Public Protector.

From this day on, people from this part of Free State can just walk-in at our office situated at Shop No 1, Naledi Mall, Mampoi Street, Phuthaditjhaba, where they will find a well-trained, professional and friendly staff that will listen to their complaints and help them accordingly. This is over and above the other options I have just referred to.

The opening of this office is in accordance with section 182 (4) of the Constitution, which requires the Public Protector to be accessible to all persons and communities.

## **Programme Director,**

Before I go any further, I wish to give a brief background into what the Public Protector is and does.

The Public Protector was established in terms of Chapter 9 of the Constitution of the Republic of South Africa to support and strengthen constitutional democracy. It is one of the institutions that are commonly referred to as Constitutional Institutions or Chapter 9 Institutions.

The Public Protector is constitutionally mandated to investigate any conduct in state affairs or the public administration in any sphere of government that is alleged or suspected to be improper or to result in any impropriety or prejudice, to report on that conduct and to take appropriate remedial action. Simply put, the Public Protector receives and resolves complaints about the services and conduct of all organs of state, including state owned enterprises. Alleged and suspected corruption and other forms of maladministration in the public sector can also be investigated by the Public Protector.

The law gives the Public Protector powers to investigate, mediate, negotiate, conciliate and take remedial action to ensure that all components of the state are characterised by integrity and are accountable and responsive to the needs of all.

There are several laws that enable the Public Protector to perform these functions. They include the Public Protector Act, the Executive Members' Ethics Act, the Promotion of Access to Information Act, and the Prevention and Combating of Corrupt Activities Act.

The Public Protector is a senior public officer ranked at the same level as a Judge of the Supreme Court of Appeal and who is independent of government and political parties. She/he is required by the Constitution to carry out her/his responsibilities impartially without fear, favour or prejudice.

## **Programme Director;**

This office, which is the ninth regional office we have across the country over and above the nine provincial offices, opens its doors to locals only three days after our nation came together to commemorate April 27 or Freedom Day.

As we all know, it was on this day that for the first time in the history of our country, a democratic election, in which all South Africans above the age of 18, irrespective of race, gender or class could vote, was held. It is accordingly the date on which the constitutional democracy that must be protected and strengthened by the Public Protector and other institutions, was effectively born.

Renowned and well respected the world over, this Constitution is the supreme law of our Republic and any law or conduct found to be inconsistent with it is invalid.

Chapter 2 of this Constitution enshrines a Bill of Rights, which is the cornerstone of our democracy. Among the many rights listed under this section are rights to have access to adequate housing, health, social security, citizenship, freedom of movement and just administrative action, among others.

## **Ladies and Gentlemen,**

Too often, many South Africans across the country come to my office, complaining that they are not enjoying these rights because some organs of state have failed to live up to their responsibilities. I must make the point that our freedom will be meaningless if these basic rights are disregarded by the state.

Of particular concern to me are rights that impact on a persons participation in our economy. This includes citizenship rights affected by service delivery on IDs and socio-economic rights affected by service delivery on social grants such as child/foster care, disability, old age grants and low cost housing. I'm similarly concerned about the delivery of social security services such as workers compensation, UIF and the Government Employee Pension Fund claims/applications.

Government should also be concerned about service delivery that undermines these and related rights as this has a negative impact on the attainment of government's poverty eradication objectives and the achievement of the country's millennium development goals. You will agree with me that a lot of poverty and underdevelopment are caused or exacerbated by poor service delivery rather than inherited.

You just have to look at the lives of those whose lives have come to a stand still because of poor service delivery on one or more of the above. Poor service delivery in social services relating to skills development, health, education and local government services has equally devastating consequences on human development and the fight against poverty. I know that many people from this area have had their rights disregarded by people within the state whose job is to serve. This is evident from the number of complaints received from this area during our outreach clinics, which rose consistently over the past eight years.

The decision to bring this office closer to your doorstep was therefore heavily influenced by this trend of an increasing number of jurisdictional complaints from this area such as housing, child maintenance, social grants and general service delivery problems. I call on all of you to make use of this office and to inform others about it.

In our strategic plan for the next three to five years, we have prioritised accessibility prompt remedial action, and promoting good governance in the public sector.

In simple terms, this means we will work hard over the next few years to bring our services to you and providing quick resolution of complaints while ensuring an accountable state that acts with integrity and is responsive to the needs of all.

There is a table at the back of this tent, where more information about the Public Protector – written in Sesotho and English- can be found.

In there you will also find information on how you can contact the Public Protector. This includes contact numbers, including the toll-free line; website address, and physical addresses of the various offices across the country.

Please go and spread the word about the Public Protector. You may also contact my office if you have information about corruption or maladministration even if you are not personally affected.

My office counts on you to help it to support and strengthen democracy so that we may all enjoy

the benefits of freedom.

**Thank you.**