



PUBLIC PROTECTOR
SOUTH AFRICA

Address by Public Protector Adv. Busisiwe Mkhwebane during a Stakeholder Roadshow meeting at North West University in Potchefstroom, North West on Thursday, August 23, 2018

**Programme Director;
Executive Mayor of JB Marks Local Municipality, Cllr Kgotso Khumalo;
Prof. Marilyn Setlalentoa, Deputy Vice-Chancellor: Community Engagement and Mafikeng Campus Operations;
Prof Robert Balfour, Deputy Vice-Chancellor: Teaching and Learning;
Mr Vussy Mahlangu, PPSA Chief Executive Officer;
North West University Management Team;
North West University Students;
Public Protector Team;
Members of the media;
Ladies and gentlemen;**

Good afternoon!

I would like to thank the North West University for opening its doors to us and the warm welcome. My team and I indeed feel at home.

Perhaps it would be appropriate for us to introduce ourselves first and then tell you what we are doing here. We are from an institution called the Public Protector. This is an independent constitutional institution established in terms of section 181(1) of the Constitution alongside five other bodies, collectively entrusted with the mammoth task of strengthening constitutional democracy.

Each of these bodies has its own unique way of contributing to these shared responsibility. We do our bit through investigation, reporting on and remedying alleged or suspected improper conduct in state affairs, in the public administration and in any spheres of government.

This means we watch over, and can hold accountable more than 1000 organs of state including 47 national departments, over 100 provincial departments, in excess of 250 municipalities and hundreds of other public bodies such as state-owned

enterprises, statutory bodies, institutions performing public functions and universities such as yours.

Over and above the powers conferred on my institution by the constitution, I rely on several pieces of legislation to perform my functions. These include the Public Protector Act, through which we investigate alleged maladministration such as abuse of power, abuse of state resources, discourteous and capricious conduct, and improper enrichment by state functionaries, among other things.

We also have powers in terms of the Prevention and Combatting of Corrupt Activities Act to investigate alleged corruption. There is also the Protected Disclosures Act in terms of which we protect whistleblowers and the Executive Members Ethics Act through which we investigate alleged breaches of the Executive Ethics Code by Presidents, Deputy President, Ministers, Premiers and MECs.

Anyone with grievances against any organ of state or a public official can approach my office for help. As the Constitutional Court once said, my office is there to fight for the member of the public in a David versus Goliath type of conflict, where David represents the member of the public while Goliath is the mighty state.

We deal with a wide range of matters. They include undue delays in the processing of applications for RDP houses, Identity Documents, birth certificates, social grants, Unemployed Insurance Fund benefits, public sector pension benefits, workmen's compensation and so forth.

So, why are we here? We are on a tour of the country. The name of our tour is the Public Protector Stakeholder Roadshow 2018. Our journey started last month in Kwaggafontein, Mpumalanga. We made a brief stopover in Burgersfort, Limpopo. This week it is the turn of the people of Potchefstroom, North West province.

At the heart of the Roadshow is what we call the Public Protector Vision 2023, an ambitious plan, the essence of which, is to take the services of this institution to the grassroots. It is underpinned by eight pillars, namely enhancing access to the services of the Public Protector; using vernacular to improve our communication with the targeted audience; and expanding our footprint to be closer to the targeted communities; and leveraging stakeholder relations and formalizing those relationships in signed agreements.

Other pillars cover areas such as empowering people to understand their rights and entitlements, projecting an image of a safe haven for the poor and destitute, encouraging organs of state to establish effective internal complaints resolution units and ultimately turning communities into being their own liberators.

Central to this Roadshow is Pillar 7, which focuses on the need for organs of state to establish effective internal complaints resolution units. We are encouraging organs of state to establish effective complaints resolution units, customer service units or sectoral ombudsman institutions in the mould of the Health, Tax and Military Ombudsman.

This applies to universities too. We know, for example that, institutions of higher learning such as the University of South Africa have an Ombudsman, who mediates in disputes between the university and its community.

We are also encouraging organs of state to develop Service Standards and Customer Service charters so that people can hold officials in those institutions to those standards, using remedies such as internal complaints units or sectoral ombudsman institutions. In that setting, individual cases that would ordinarily clog our system would be handled by such units and institutions, allowing us to be the complaints body of last resort.

Linked to Pillar 7 and perhaps more relevant for you is the need for the public to also make an effort to know and understand different organs of state's Service Standards and Customer Service charters in order to hold them to account on the delivery of services.

Since the beginning of the tour, I have been taking this message to two groups of people in each province. That is decision makers at the levels of provincial and local government, and young people, particularly at high school or university levels such as you.

Why is it important to bring this message to you as young people? I subscribe to the notion that young people are the leaders of tomorrow. You are the eyes and ears of your respective families and communities. You are the light of the world.

Accordingly, equipping you with important information such as this is equivalent to empowering the nation with the knowledge through which they can vindicate its rights and exact accountability on its leaders.

Often the older folks in our communities suffer to extended periods of time without knowing where to go for help. Sometimes they make endless trips to South African Social Security Agency (SASSA) offices to claim their old age grant, only to return empty-handed over and over. Nobody takes time to explain to them why they are not getting what they are entitled to.

Sometimes those of our older folks who were government employees in their past lives, are given a run-around when it is time to claim their pension benefits and they sit at home helpless without an income. Sometimes they suffer as a result of undue delays to process their applications for benefits such as workmen's pension.

We find that by the time they get to hear about us and bring their grievances to our attention, they have already been subjected to untold suffering. Had the matters been brought to our attention much earlier, we would have minimised their struggles.

But with knowledgeable young people in these older folk's households, neighbourhoods and communities, knowledge will be within reach to ensure that we limit their suffering and they too can enjoy the fruits of our democracy and freedom.

I want to stress the need to always use available and peaceful avenues to exact accountability on public functionaries and institutions. I am emphasising this point because we know that the Mafikeng campus of this university recently went up in flames due to a dispute between authorities and students. We see that a lot even out there in communities, where young people lead violent service delivery protests that only serve to destroy the little infrastructure we have.

I am sure you will agree that, with all the available remedies in our legal framework, we should no longer see violent protests that keep taking us back as a country in terms of development. Other people in this province already make use of my office's services.

Our current caseload in this province is 367. Forty-three (43) of the matters are labour matters such as Unemployment Insurance Fund applications and basic conditions of employment issues. Thirty-seven (37) are Home Affairs matters such as undue delays in the processing of applications for Identity Documents, late registration of birth and residence permits. About 31 matters have to do with police services, 32 concern service delivery at municipal level and the rest are about education and sport development.

I have a team of officials here who will share with you information pamphlets and newsletters that you can read in your spare time to understand better what my office can do to help you and your community. In the newsletter, you will see real stories of the people we have helped.

Although we have only three offices in this province in Mahikeng, Matlosana and Rustenburg, we are accessible through the internet on www.pprotect.org. Those of you who are on social media can access us on Twitter, Facebook and YouTube. We also run a mobile service through the Public Protector Outreach Clinics.

Make use of these but always remember to exhaust all other available remedies first and escalate to us a complaints body of last resort. This will free our hands to deal with more systemic issues and also take up issues on own-initiative.

You are the leaders of tomorrow. The eyes and ears of your neighbourhoods and communities. The light of the world. Join hands with us towards redress and a public sector that puts people first!

Thank you.

Adv. Busisiwe Mkhwebane
Public Protector of South Africa