**MEDIA STATEMENT**

**CORRECTION: COMMITTEE FOR SECTION 194 ENQUIRY RESOLVES TO AUTHORISE  CHAIRPERSON TO SUMMON WITNESSES**

**Parliament, Friday, 10 June 2022 –**The Committee for Section 194 Enquiry into the Public Protector, Adv Busisiwe Mkhwebane’s fitness to hold office, today resolved to grant the committee Chairperson the authorisation to summon witnesses to assist the committee in its task.

The resolution was taken in terms of section 14 of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act. The committee resolved that the Chairperson may, subject to this Act, summons any person recommended by the evidence leaders or identified by the committee in the course of gathering evidence to appear before it and/or to provide a sworn written statement and/or produce documents where the presence of such a witness or the furnishing of such documents or sworn statement is material to the assessment of the motion.

The Chairperson will follow the procedure as set out in the Act which includes obtaining the concurrence of the Speaker before instructing the Secretary to Parliament to issue the summons.

Committee Chairperson Mr Qubudile Dyantyi said the above resolution will apply where such a person is invited to provide oral evidence before the committee and/or produce documents requested and/or to provide a sworn written statement relating to the subject matter of the enquiry and does not voluntarily agree to do so. The committee agreed that summoning would be the last resort, as assistance would first be sought voluntarily.

The committee today also received updates on its work thus far and a brief update on litigation against it and Parliament. The committee noted the Western Cape High Court’s dismissal today of Adv Mkhwebane’s application for urgent interim relief, which sought to interdict the Speaker of the NA, Ms Nosiviwe Mapisa-Nqakula, and the committee from taking any further steps in the enquiry process into her removal. Adv Mkhwebane simultaneously sought to interdict the President from suspending her.

The committee further noted President Cyril Ramaphosa’s suspension from office yesterday of Adv Mkhwebane. “These matters, especially the latter one, do not have any direct bearing on the work or mandate of the committee. It is the President’s prerogative. The committee agreed that we will not be distracted from our work by matters outside of our mandate,” Mr Dyantyi said.

The committee heard today that on the closing date for the public to place evidence before the committee to assist it in assessing the motion, the committee had received 24 written responses. The evidence leaders together with the legal team are assessing the content to determine if any submissions deal materially with the matters raised in the motion and whether it is necessary to call such persons to furnish further evidence or give oral testimony.

Furthermore, the committee is in receipt of a referral from the Speaker of a Protected Disclosure made in December 2019 by a former employee in the Office of the Public Protector, which will be added to the bundle of submissions that are currently being prepared for members and Adv Mkhwebane.

Mr Dyantyi called on all committee members to act in an impartial manner and to be cautious of public utterances that could impact negatively on this process. “This process is a twin task. We made it clear that people can provide evidence to either exonerate the Public Protector or evidence that can add to the motion that she is unfit to hold office. It is an exercise in accountability to look into the Public Protector’s fitness to hold office. We will work only with the evidence before us.”

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE COMMITTEE FOR SECTION 194 ENQUIRY, MR QUBUDILE DYANTYI**

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