**MEDIA STATEMENT**

**JUSTICE AND CORRECTIONAL SERVICES COMMITTEE DOES NOT SUPPORT PROCESS TO REMOVE PP**

**Parliament, Tuesday, 26 February 2019 –** The Portfolio Committee on Justice and Correctional Services today resolved to recommend to the National Assembly (NA) not to support the request to expedite proceeding to remove the Public Protector (PP), Adv Busisiwe Mkhwebane, from office.

Committee Chairperson Ms Madipoane Mothapo said the committee’s decision comes after extensive engagements with all the relevant parties. “The committee received the request from the Democratic Alliance to expedite proceeding to remove Adv Mkhwebane. We engaged with Mr John Steenhuisen on his request and the PP responded in writing to the reasons Mr Steenhuisen put forward for her removal.”

The Speaker of the NA received the request in February last year in terms of section 194 of the Constitution. It was referred to the committee in March. In June, Mr Steenhuisen was given an opportunity by the committee to motivate his request. In July 2018, the committee received a response from the PP.

The committee deliberated on this matter in December 2018. The committee is of the view that section 194 of the Constitution and section 2(1)(c) of the Public Protector Act of 1994 envisage a factual inquiry into the fitness of the PP. It is the NA that must determine that the PP’s conduct renders her unfit to hold office. This discretion cannot be replaced by the court’s view, however pertinent, reads the report.

“The committee noted that legal proceedings related to the judgement are ongoing. As such, we believe that it would be premature for removal proceedings to be instituted against the PP. After careful consideration, the committee has concluded not to support the request,” said Ms Mothapo.

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON JUSTICE AND CORRECTIONAL SERVICES, MS MADIPOANE MOTHAPO**