**MEDIA STATEMENT**

**JUSTICE AND CORRECTIONAL SERVICES RESOLVES THAT JIBA AND MRWEBI SHOULD NOT BE RESTORED TO OFFICE**

**Parliament, Wednesday, 27 November 2019 –**The Portfolio Committee on Justice and Correctional Services today recommended that the National Assembly resolve not to restore Adv Nomgcobo Jiba to the office of the Deputy National Director of Prosecutions nor Adv Lawrence Mrwebi to the office of the Special Director of Public Prosecutions.

Committee Chairperson Mr Bulelani Magwanishe said that in respect of Adv Jiba and Adv Mrwebi, the Committee found no reason to restore them to their office. The committee found that the President complied with the provisions of section 12(6)(a) and (b) of the National Prosecuting Authority Act. In addition, the process the President followed in reaching his decision was fair and he applied his mind properly on the matter.

The committee noted that the President’s letter of 25 April 2019, which made it clear that his decision was based on the findings of the Mokgoro Enquiry and that these findings, based on the evidence before the Enquiry, are of an extremely serious nature. Further, the President writes that he considered their advocates’ representations to him, however he did not find that they had raised “any response or reason not to accept the Panel’s conclusion”.

“Furthermore, the committee is of the view that the representations placed before it by Adv Mrwebi do not raise any reason for it to find that the President did not apply his mind properly to the matter before him.”

The committee is also of the view that the documents and representations before it do not present any reason for it to find that the process followed was unfair.

According to the Act, Parliament’s role in this process is that, within 30 days of the message referred to by the President being tabled in Parliament or as soon thereafter as is reasonably possible, it must pass a resolution on whether or not to recommend the restoration to office of the National Director or Deputy National Director so removed. The Act further states that the President shall restore the National Director or Deputy National Director to his or her office if Parliament so resolves.

“The committee has done due diligence in this matter. Both Adv Jiba and Adv Mrwebi were given an opportunity to make representations to the committee. Adv Mrwebi took the opportunity. Adv Jiba turned to the courts to stop our process. After the courts rejected her application, she informed the committee that she will not continue with the process, as she wants to move on with her life,” said Mr Magwanishe.

He said the committee did everything in its power to afford all parties a fair opportunity to state their case. “Based on the process we followed and reports and representations considered, we are of the view that neither should be restored to office.”

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON JUSTICE AND CORRECTIONAL SERVICES, MR BULELANI MAGWANISHE.**