**MEDIA STATEMENT**

**COMMITTEE FOR SECTION 194 ENQUIRY HEARS THAT PUBLIC PROTECTOR FAILED TO ACT WITHOUT FEAR OR FAVOUR**

**Parliament, Wednesday, 13 July 2022 –** The Committee for Section 194 Enquiry today heard its first witness, Mr Johann van Loggerenberg, whose evidence relates directly to the claims and charges on Public Protector Adv Busisiwe Mkhwebane’s fitness to hold office.

On Monday, at the start of the hearings, the committee heard opening arguments from the legal teams representing the committee and Adv Mkhwebane. Yesterday, the committee heard from Mr Hassen Ebrahim, a witness experienced in constitutional drafting and related matters, outlining the role of the Office of the Public Protector.

The committee heard that Mr van Loggerenberg previously worked at the South African Revenue Service (SARS) and was accused of being involved in the so-called illegal SARS unit, an intelligence unit that investigated several high-profile people. A complaint was apparently laid with the Office of the Public Protector wherein the complainant claimed that SARS did not have such powers.

Mr van Loggerenberg told the committee that the Public Protector discussed the matter with Intelligence Services after a classified report from them regarding an investigation into the same matter. Adv Mkhwebane apparently later indicated to Mr van Loggerenberg that she was not in procession of the classified report.

Furthermore, he informed the committee that Adv Mkhwebane made a finding on this complaint to her office without requesting any response from him. “The Public Protector makes findings that affects you directly and other people, without ever calling you to give evidence. It is similar to this committee doing an enquiry without giving the Public Protector or her legal representative an opportunity to participate. She had to contact me. She had to conduct an investigation without fear, favour or prejudice and she failed to do this. I was disregarded, as if I did not exist and are irrelevant.

Committee Chairperson Mr Qubudile Dyantyi indicated that Mr van Loggerenberg will continue his evidence tomorrow and undergo cross-examination.

The committee is expected to finalise its work by the end of September 2022. The enquiry will be hybrid and can be followed live on Parliament’s media platforms.

**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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