**MEDIA STATEMENT**

**FORMER CHIEF EXECUTIVE OFFICER IN PUBLIC PROTECTOR’S OFFICE APPEARS BEFORE COMMITTEE FOR SECTION 194 ENQUIRY**

**Parliament, Tuesday, 2 August 2022 –** The Committee for Section 194 Enquiry into the Public Protector (PP) Adv Busisiwe Mkhwebane’s fitness to hold office today heard from the former Chief Executive Officer (CEO) in the Office of the PP, Mr Vussy Mahlangu.

The committee heard that Mr Mahlangu defended many disciplinary cases that took place since he took office as the CEO in the Office of the PP. He denied a claim that he harassed, victimised and intimidated employees in the Office of the PP. He said all the correct processes were followed. He also denied that the increase of disciplinary matters in the Office of the PP was an indication of removal of senior officials in the Office of the PP.

He said throughout his 19 months tenure as the CEO in the Office of the PP, he used facts on disciplinary hearings and investigations. He denied that the disciplinary actions he undertook were at the behest of, or in consultation with Adv Mkhwebane as he was in charge of the administration where Ad Mkhwebane did not interfere. Mr Mahlangu earlier testified that he started working as the CEO in the Office of the PP in May 2018 and resigned in January 2020.
Mr Mahlangu didn’t disclose the reasons behind his resignation as the CEO in the Office of the PP. When he was asked to mention the reasons behind his resignation, he said they are personal.
The committee heard that during his tenure as the CEO he did not have security clearance even though this was a requirement for the position he held. He said the State Security Agency indicated that he could not get top secret security clearance due to charges he faced at the Department of Rural Development and Land Reform which resulted in him leaving the department. This related to breach of the Public Finance Management Act that was according to him still pending in the Labour Court. He denied a claim that he abused his power as he was accused of that in his previous employment.

Mr Mahlangu said Adv Mkhwebane made the Office of the PP known and accessible to the people and did so also by the court cases she handled. He denied that he ever abused his authority. He declined to comment on whether Adv Mkhwebane conducted herself properly in the CIEX (South African Reserve Bank) matter and in any other investigation.

Regarding increasing litigation costs, he said that was due to the Nkandla judgement which stated that the PP remedial action is binding and that led to people taking her to court when there was an adverse finding. He told the committee that Adv Mkhwebane was a hard worker and that he learnt a lot from her.
Committee Chairperson, Mr Qududile Dyantyi asked Mr Mahlangu to confirm his earlier testimony that he had nothing to do with the investigations nor made any enquiries about investigations. Mr Mahlangu said his job entailed the administration of the Office of the PP. One of the evidence leaders, Adv Ncumisa Mayosi, opened and flighted an email in which Mr Mahlangu enquired about an investigation. Adv Mayosi also produced emails that indicated that the PP was enquiring and involved in disciplinary matters even though Mr Mahlangu earlier denied the PP’s involvement in disciplinary matters.

Mr Dyantyi further wanted to know from Mr Mahlangu if it could not be regarded as “reckless” when the PP decided to use two senior counsels regarding the Vrede Dairy Farm matter. Mr Mahlangu said the PP will have to respond on that. He said Adv Mkhwebane was likely advised by the legal department in the Office of the PP.
The committee was established by the National Assembly (NA) on 16 March 2021 to conduct a constitutional inquiry into the Public Protector’s fitness to hold office. The enquiry is hybrid and can be followed live on Parliament’s media platforms. Committee documents can be found on its page on [Committee for Section 194 Enquiry - Parliament of South Africa](https://parliament.us15.list-manage.com/track/click?u=174940c63c5e06b60f5650bea&id=e2fa8ef257&e=da105e4f6a)

**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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