**MEDIA STATEMENT**

**COMMITTEE FOR SECTION 194 HEARS PUBLIC PROTECTOR’S SECURITY HEAD WAS ACCUSED OF NOT PROVIDING ADEQUATE SUPPORT**

**Parliament, Thursday, 4 August 2022 –** The Committee for Section 194 Enquiry into the Public Protector’s (PP), Ad Busisiwe Mkhwebane’s fitness to hold office heard that the former Head of the State Security Agency (SSA) Mr Arthur Fraser informed the former head of security in the Office of the PP, Mr Baldwin Neshunzhi, that he was not providing the support he was employed to provide to the Office of the PP.

According to Mr Neshunzhi evidence, Mr Fraser indicated that Adv Mkhwebane complained about the lack of support. Mr Neshunzhi said Adv Mkhwebane made this complaint at the end of 2019. “At the time I did not know how precisely I failed in my job as that was not said to me by the Public Protector. I did not know how I failed to support the Public Protector. As far as I was aware, there was no security issues and when the Public Protector went on roadshows, I ensured that all the arrangements were made and I fulfilled my responsibilities,” said Mr Neshunzhi.

Committee Chairperson Mr Qubudile Dyantyi sought clarity from Mr Neshunzi as Mr
Fraser was not with SSA in 2019, but a Commissioner of Correctional Services. The witness said he will have to check the date.

Mr Neshunzi told the committee that there was an expectation that he would be the eyes and the ears of the Office, and he was letting the PP down. Mr Neshunzi said he was informed by Adv Mkhwebane that there was an atmosphere of resistance against her in the Office and he was asked to see how to overcome it. He said he told Adv Mkhwebane that perhaps she was not adequately accessible to the people and suggested that she must spend one afternoon going around in the Office mingling and greeting people.

The committee also heard that in 2018 Mr Neshunzi was tasked to investigate whether there was something wrong with the Office’s leave system. But nothing wrong with the leave system was found after the investigation. He said he was informed that there was a training workshop that was arranged for him at the SSA.

Mr Neshunzhi said he was given a sealed letter by Adv Mkhwebane to deliver it to Mr Fraser. He was then told that he had failed to properly investigate an alleged IT security breach. He said he was subjected to what to him appeared to be a suspension. He said he was put on a “garden leave” for four months at some stage and told by the PP that he needed to stay at home until his training was confirmed.

Mr Neshunzi also received a letter in 2018 requesting him to undergo further training at the SSA. He said the letter indicated that the training would focus on the following areas: information security, communication and IT security, knowledge of principles of security investigations, monitoring and evaluation of security and principles related thereto, and vetting process. He said it was also indicated in the same letter that the training was not limited to the highlighted areas.

Mr Neshunzhi denied any suggestion that he was not properly trained in security issues as it was claimed in the letter he received from the Office of the PP’s Human Resources Unit. He said it is standard practice for government security managers to get training from the SSA.  He denied that there was anything unusual about him being asked to arrange his own training with the SSA.

The committee heard that Mr Neshunzhi was asked to investigate whether documents from the President had been leaked. He said he established that the document didn’t leak from the Office of the PP. He said his relationship with the PP subsequently deteriorated.

At the start of the proceedings, Adv Dali Mpofu (SC) on behalf of Adv Mkhwebane, raised an objection on the relevance of the evidence of the witness and said he will provide evidence that will back his objection that the evidence is not in line with the mandate of the committee. He added that it was the view of the PP’s legal team that the evidence led at the committee should focus on the charges identified by the independent panel. Adv Mpofu said that the committee should not be turned into a complaints office.

One of the evidence leaders, Adv Nazreen Bawa (SC), said there were at least three aspects in Mr Neshunzhi’s testimony that are relevant to the inquiry. He said that includes that he personally knew SSA operative Mal Moodley and described him as a "computer expert", rather than an economic expert. She disputed that Mr Neshunzhi is disgruntled.

Chairperson of the committee, Mr Qubudile Dyantyi, disagreed with Adv Mpofu's contention that the enquiry costs a R1million a day. He said: “This throw-away comment has no basis.” Furthermore, Mr Dyantyi said the process is priceless. He stressed that the committee can disregard evidence that is not relevant to its investigation. He said the committee is not going to reject evidence that is presented to it, but Members of the committee can disregard it for engagement and cross-examination purposes.

The hearings will continue tomorrow. 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=a8cdc9483e&e=da105e4f6a)

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

For media enquiries or interviews, please contact the committee’s Media Officer:
**Name: Rajaa Azzakani (Ms)**
**Tel: 021 403 8437**