**MEDIA STATEMENT**

**COMMITTEE FOR SECTION 194 TO CONTINUE ITS WORK ON MONDAY**

**Parliament, Tuesday, 13 September 2022 –** The Committee for Section 194 Enquiry into Public Protector (PP) Adv Busisiwe Mkhwebane’s fitness to hold office today accepted PP’s legal team request to resume its work on Monday after the PP’s legal team requested a postponement as they were not ready to begin cross-examination and due to ill health of the PP.

Committee Chairperson Mr Qubudile Dyantyi initially declined the request for all this week’s hearings to stand until next week. However, he made an exception for the cross examination of Ms Nelisiwe Thejane, Executive Manager: Provincial Investigation and Integration: Inland at the Public Protector, which will stand till next Wednesday to allow Adv Mpofu, SC the time requested to prepare.

Mr Dyantyi initially ruled that in order for the hearings not to be delayed any further, the committee will continue today by allowing Members to pose questions to Ms Thejane. He further ruled that the evidence of a new witness, Mr Cornelius van der Merwe will be heard tomorrow. Mr Dyantyi said the decision was made in order for the committee not to miss any further days of the hearings.

He said the previous request in July not to sit on specific days of court hearings was entered into before the hearings started and the committee had been made aware of that. After the meeting, Mr Dyantyi, indicated later that having considered all the facts put to the committee again, including the medical certificate submitted on behalf of the PP after the meeting, he is allowing a postponement until Monday.

Earlier in the day, Adv Dali Mpofu, SC, indicated that the PP was not in the meeting as she is unwell. He said that was not an apology on her behalf. Later, he insisted on showing the medical certificate on the screen, but Mr Dyantyi said it should be sent by email to the secretariat and be dealt with then, as Members were at that stage already busy posing questions to Ms Thejane.

Adv Mpofu, SC said this, coupled with the court hearings that his team is preparing for on Friday, meant he could not prepare for cross examination of the witness. He further stated it was important for Adv Mkwhebane to be present during the cross examination of this witness and the testimony of the next witness, so that it enables him to consult with her during this time.

During the to-and-from of objections, interjections and points of order were raised, Adv Mpofu made comments that were perceived by some Members of the committee as a threat to Mr Dyantyi. He said, among other things, that Mr Dyantyi would “regret” his stance and “your day will come”. In response, Mr Dyantyi asked: “Are you threatening me?”, to which Adv Mpofu responded: “It’s not a threat; it’s a promise.”

Some Members of the committee requested that an investigation in terms of the Powers and Privileges Act should be considered with regarding the perceived threat, arguing that no Member of Parliament may be threatened while conducting their duties. Committee members said there is no need for intimidation or insults; the work of the committee must continue without fear or favour.

Mr Dyantyi said the committee will continue with the hearings on Monday. 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 will be virtual tomorrow and can be followed live on Parliament’s media platforms. Committee documents can be found at: [Committee for Section 194 Enquiry - Parliament of South Africa](https://parliament.us15.list-manage.com/track/click?u=174940c63c5e06b60f5650bea&id=06e5d05d80&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**