**MEDIA STATEMENT**

**COMMITTEE FOR SECTION 194 HEARS FURTHER EVIDENCE FROM RODNEY MATABOGE, CHIEF INVESTIGATOR PPSA**

**Parliament, Thursday, 23 February 2023 –** The Committee for Section 194 Enquiry into Public Protector (PP) Adv Busisiwe Mkhwebane’s fitness to hold office, today continued to hear from Mr Rodney Mataboge, Chief Investigator in the Office of the Public Protector South Africa (PPSA), who had been subpoenaed to appear today before the committee.

Mr Mataboge made it clear at the onset of today’s hearings that he is uncomfortable that the message he perceived as threatening and maligning his character was displayed in the committee yesterday thereby making everyone aware of it. The committee noted this.

During today’s hearings, Adv Nazreen Bawa’s, SC, questions mainly revolved around the investigations regarding Public Enterprises Minister Pravin Gordhan and the Inspector-General of Intelligence (IGI) report.

Adv Bawa produced an email from the PP in which she referred to Minister Gordhan, as a ‘threat to democracy’. In an email sent from Adv Mkhwebane to Mr Mataboge in November 2018, she writes that Minister Gordhan, like any other South African, must face his day in court, to answer to corruption claims.

Adv Mkhwebane goes on to say that Minister Gordhan must be stopped before he causes more harm under the disguise of cleaning up. Adv Bawa followed this up by asking in which way the Minister must be stopped, to which Mr Mataboge responded: “I wouldn’t comment on that as an investigator but what I could say is some of the companies... mentioned here were already part of an investigation by the office, so if an email like this came through, it was just for our noting or attention from the PP and not necessarily for us to act on it”.

He told the committee he was not involved in the litigation between the PPSA and the State Security Minister and IGI on the report. Adv Bawa however displayed an email from Adv Mkhwebane in which she said Mr Mataboge should help to draft the statement for a case the PPSA was to open against the minister and IGI. In response he told the committee he wasn't really involved, he only provided dates of events to the drafter of the affidavit.

Adv Bawa also flighted an affidavit of the messenger who delivered the subpoena to Mr Johann van Loggerenberg, regarding the South African Revenue Services (SARS) investigative unit matter, wherein the messenger stated that the address provided for the subpoena was wrong. Mr Van Loggerenberg, did not reside there anymore so the subpoena could not be delivered. The messenger stated that he didn't receive further instructions to serve the subpoena. Mr Mataboge admitted that nothing further was done to trace Mr Van Loggerenberg. An email was also provided to show that Mr Van Loggerenberg’s attorneys were in contact with the PPSA three weeks before the SARS report was released and Adv Bawa asked whether if there was a will to find Mr Van Loggerenberg, the PPSA could have done so.

Questions were also raised about documents provided to a “SC” who had input in the PPSA report on Bosasa. Mr Mataboge told the committee he does not know who the “SC” is but assumed it was Mr Seanego, the PP’s attorney. He was reminded that Mr Seanego is an attorney and not an advocate. He denied that he did not know the SC referred to was actually Mr Paul Ngobeni, who is not licensed to practice law in South Africa.

At the end of Adv Bawa’s allotted time for questions, she indicated that she has further questions but will provide them to Mr Mataboge in writing. Adv Mpofu then informed the committee that he was not ready and unprepared to commence cross-examination and requested that it be deferred because it is the first time there is a witness who has not made a statement prior to appearing before the committee.

Committee Chairperson, Mr Qubudile Dyantyi, said in terms of committee rules and directives, the request to Adv Mpofu would be granted. Adv Bawa has until tomorrow to send her questions to Mr Mataboge who must respond to it by Monday in order for him to continue testifying next Friday, 3 March 2023.

Mr Dyantyi said the committee already has two confirmed witnesses from Monday to Thursday next week, including former PP Adv Thuli Madonsela. The committee will resume its 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 and is expected to provide the NA with a report by the end of April 2023. 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=8387a1038f&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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