



## Committee for Section 194 Enquiry

**Chairperson: Mr QR Dyantyi, MP**

Committee Secretary

Mr Thembinkosi Ngoma

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Executive Secretary

Mr Khaya Vellem

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6 May 2023

Ms Gcwalisile Makhathini

RMT Attorneys

Copy: Adv B Mkhwebane

Public Protector of South Africa

By email: [gcwali@rmtattorneys.africa](mailto:gcwali@rmtattorneys.africa); [busiwe.m.t@gmail.com](mailto:busiwe.m.t@gmail.com)

Dear Ms Makhathini

### **YOUR LETTER OF 5 MAY 2023 IN RESPECT OF THE RESUMPTION OF THE S 194 ENQUIRY**

1. I write to you on the instruction of the Chairperson of the Committee on s194 Enquiry who has been provided with a copy of the above-mentioned letter.
2. Kindly indicate whether you have in fact substituted Seanego Inc. to act on behalf of the Public Protector in the section 194 enquiry currently before the Committee.
3. The litigation matters, whilst related to the Enquiry, are distinct from the Committee process and it would be remiss of the Chairperson to simply assume that you are the new attorneys of record for purposes of the Enquiry merely because of your role in the litigation matters.
4. Whilst the Chair acknowledges that you are the attorneys on record in the two most recent litigation matters to have been launched by the Public Protector, and in respect of which the State Attorney

will communicate with you, according to the records of the Committee, the Public Protector is represented by Seanego Inc. for purposes of the Enquiry itself.

5. it is therefore not clear from your correspondence whether the Public Protector has replaced Seanego Inc. with your good self as her new attorney of record in the section 194 Enquiry.
6. Unfortunately, your letter of yesterday does not clarify whether the Public Protector has taken any steps to ascertain from Mr Seanego as to his availability and further the availability of the counsel on brief as per the request in the letter under reply, given that further funding has been secured, irrespective whether the later was done by the Public Protector or Mr Seanego.
7. The clarification sought included the briefing attorney and I have been requested to repeat the request – has the Public Protector ascertained from Mr Seanego and counsel (be it through Mr Seanego) as to the availability of the legal team who has represented her to date. This is apart from the details of the mechanics of how payment is to ensue.
8. Given the nature of the request and as it is now after hours, the Public Protector is also being copied herein.
9. Urgent clarity from the Public Protector is sought in anticipation of the proceedings scheduled for Monday, 8 May 2023.

Yours faithfully

***Signed electronically***

**Mr Thembinkosi Ngoma**

**Secretary: Committee for Section 194 Enquiry**