**MEDIA STATEMENT**

**COMMITTEE FOR SECTION 194 TO RESUME WITH ENQUIRY ON FRIDAY**

**Parliament, Wednesday, 7 June 2023 –** The Committee for Section 194 Enquiry into Public Protector (PP) Adv Busisiwe Mkhwebane’s fitness to hold office, had to postpone its enquiry again after it was informed that Adv Dali Mpofu, SC, had not been briefed as yet by Chaane attorneys and in addition Mr Hope Chaane is in hospital.

The committee was furnished with a sick note today confirming that Mr Chaane has been booked off sick until further notice. In the meantime the Solicitor-General has stepped in and indicated that due to the increased fees requested by the PP’s counsel and the fact that Mr Chaane has taken ill, it has advised the Office of the Public Protector South Africa (PPSA) which has been paying the legal bills for the PP in this hearings - that they should consider utilising the services of the Office of The State Attorney Pretoria instead.

The committee was further informed that the PPSA has agreed to this suggestion and the brief of Chaane attorneys had accordingly been terminated. During the meeting today, some members of the committee highlighted bribery allegations that are currently in the media and attempted to put them on the agenda of the committee. The majority of members that participated in the discussions, however, felt that those allegations do not form part of the mandate of the committee and should be dealt with by the forums they were reported to for investigation.

Committee Chairperson, Mr Qubudile Dyantyi, indicated that he received a letter from Adv Mkhwebane requesting his recusal and indicated that if he fails to do so, she will instruct her attorneys to bring a recusal application based on the latest allegations in the media. Mr Dyantyi told the meeting that at this stage no recusal application served before the meeting.

The committee agreed that it would not consider any oral application and that it will give the necessary attention if a written application is made by Friday at 13:00. Mr Dyantyi further agreed to respond by Monday at 13:00, should such an application be made.

During her input, committee’s legal advisor Ms Fatima Ebrahim assured the committee that it is not uncommon for the State Attorney to act for organs of State that are litigating against each other. She said there is a “Chinese wall” to prevent conflict of interest. According to her, the evidence leaders have been briefed by the State Attorneys in Cape Town, and Adv Mkhwebane's counsel will be briefed by the State Attorneys in Pretoria.

She reiterated that Chaane Attorneys provided a sick note stating that Mr Chaane has been booked off until further notice, but this has been overtaken by events, as the State Attorneys have now taken over the brief.

In conclusion Mr Dyantyi said that the committee now knows that the State Attorney is Adv Mkhwebane's attorney, given "the unfortunate incident" of Mr Chaane being hospitalised. According to him the subject of the resumption will be to conclude with the CR17/ Bosasa and SARS matters. Mr Dyantyi said: “On Friday the evidence leaders will ask questions to the PP, followed by the members”.

The committee was established on 16 March 2021 to conduct a constitutional inquiry into the PP’s fitness to hold office. 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=9867ca0ec9&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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