



**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA

**NATIONAL ASSEMBLY**  
**OFFICE OF THE CHIEF WHIP OF THE**  
**OPPOSITION**

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**Date: 5 May 2020**

Hon T R Modise MP  
Speaker of the National Assembly  
Parliament of the Republic of South Africa

Honourable Speaker Modise,

#### **UPDATE ON APPOINTMENT OF PANEL TO EXAMINE REMOVAL OF PUBLIC PROTECTOR**

The matter of the Democratic Alliance's motion for the initiation of removal proceedings against the Public Protector refers. As the DA we are requesting an update on the appointment of the panel of experts which will determine whether there is a *prima facie* case for Parliament to continue with its removal process against the Public Protector.

On 26 February 2020 you accepted our fresh motion for the initiation of removal proceedings and set 6 March as a deadline for nominations for experts to sit on the said panel. Prior to the deadline we have put forward the names of some of the brightest legal minds in South Africa.

It is now two months later and despite the challenges of COVID-19, Parliament is, for the most part, continuing with business as usual. We therefore request an update on a.) the appointment process of the panel, b.) when the process will be finalised, c.) who the chosen experts are, and d.) when the panel will meet for the first time.

We furthermore request an update on the reasons for the delay in the appointment of the panel and whether the Public Protector's pending legal action against the removal proceedings have played any part in the decision. If so, will you please provide Parliament's legal opinion on the matter?

We understand that recently Parliament has focused on monitoring government's COVID-19's response, however committees are sitting on a variety of non-COVID-19 issues this week and we believe it is the opportune time to resume the issue of deliberating on the removal of the Public Protector.

The DA believes that it is of the utmost importance and in the interests of justice and the rule of law that the position of Public Protector is filled by a person who is indisputably fit and proper. Through extensive evidence in our motion, we have argued that the current occupier of the Office Adv. Busisiwe Mkhwebane is unfit for purpose.

In terms of section 182.1(a) of the Constitution the Public Protector must “investigate any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice”. This is a crucial mandate in our democracy and therefore we urge you to urgently provide feedback on the abovementioned matter.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Mazzone.', written in a cursive style.

Natasha Mazzone MP  
**Chief Whip of the Official Opposition**  
**Parliament of RSA**