

Corruption Watch (RF) NPC
Reg. No. K2011/118829/08
8th Floor South Point Corner, 87 De Korte Street
Braamfontein 2001 Johannesburg
P O Box 30630 Braamfontein 2017
T +27 (0)11 242 3900 F (0)11 403 2392
info@corruptionwatch.org.za www.corruptionwatch.org.za



30 June 2020

Honourable NG Tolashe

Chairperson of the Ad Hoc Committee on the Appointment of the Auditor General

Per email: ntolashe@parliament.gov.za

And to: Members of the Ad Hoc Committee on the Appointment of the Auditor-General

Appointment of the Auditor-General

1. Corruption Watch is a civil society organisation launched in January 2012¹. We promote anti-corruption initiatives such as research, policy advocacy, public mobilisation campaigns, strategic litigation, mass communications, and select investigations. We encourage the public to report incidents of corruption as part of this approach and use these reports to inform the fight against corruption through the various interventions.
2. Since 2016, Corruption Watch has actively focused on campaigning around leadership appointment processes to institutions that comprise our criminal justice system, the South African Reserve Bank, the board of directors for State Owned Enterprises, as well as institutions established under Chapter 9 of the Constitution of the Republic of South Africa. We advocate for the appointment of candidates in a transparent manner, and to ensure that they are assessed against clear, merit-based, and objective criteria.
3. Corruption Watch also calls for avenues to be established that allow for public participation in appointment proceedings. Independent and robust institutions that act in the public interest, and who operate without fear, favour or prejudice, are imperative to safeguarding South Africa's constitutional democracy. We have seen in the recent era of state capture how so-called independent institutions have been subject to compromised and captured leadership. The collapse

¹ Corruption Watch is registered as a non-profit company in terms of the Companies Act 71 of 2008.

of these institutions following the crisis of leadership gave rise to a state where there was no accountability, rampant corruption, lack of independence and impunity where the public is made vulnerable to abuse of our constitutional rights.

4. With the incumbent Auditor-General's term of office coming to an end on 30 November 2020, Corruption Watch will conduct an awareness and public participation campaign around the proposed parliamentary appointment process.
5. In this regard, we would like to congratulate the Members of Parliament who have been selected to serve on the Ad Hoc Committee on the Appointment of the Auditor-General ("Committee"), as well as the Honourable Ms. Tolashe for being appointed as the chair of this Committee. We trust that MPs will ensure that the appointment process is fair, rigorous and transparent in selecting the best possible candidate to serve as South Africa's next Auditor-General.

Programme for appointment

6. Corruption Watch notes the [committee programme](#) that was adopted by MPs on 24 June 2020 and requests that the Committee take the following points into consideration and make the necessary adjustments in order to ensure that the selection process is fair, transparent and includes public participation.
7. Transparency: In the 2016 selection proceedings to appoint the new Public Protector, Corruption Watch and members of civil society successfully persuaded Parliament to publish the [names and CVs](#) of all candidates who applied for the position. This established an important precedent and subsequently led to MPs and parliamentary committees who were tasked with the appointments of leadership positions to Chapter 9 institutions², as well as the selection of the board of directors for state-owned entities³, to institute similar processes. To this end, **Corruption Watch recommends that the Committee publish the CVs of ALL candidates who applied for the position of Auditor-General on Parliament's website.** Furthermore, we request that information relating to candidates (contact details and sensitive information should be redacted) which is pertinent to the appointment and in the public interest, also be made available on Parliament's website.

² The [selection process](#) to appoint the chairperson and commissioners of the South African Human Rights Commission (2016),

The [selection process](#) to appoint commissioners to the Commission for Gender (2019),

The [selection process](#) to appoint the Deputy Public Protector (2019)

³ The [selection process](#) to appoint the board of directors for the South African Broadcasting Corporation (2017)

8. Public participation: Section 59(1) of the Constitution of the Republic of South Africa notes that the National Assembly must facilitate public involvement in the legislative and other processes of the Assembly and its committees. In this regard, and following similar public participatory processes that were instituted in the abovementioned appointment proceedings, **Corruption Watch recommends that the Committee allocate a sufficient period of time, no less than 7 days, for the public to comment and provide objections to candidates that have applied for the position of Auditor-General.** The Committee should also allow for a second phase of public comment / objections on candidates who have been shortlisted for the position.
9. Fair and objective assessments of candidates: Section 193(3) of the Constitution⁴ sets out the broad requirements for candidates who wish to occupy the position of Auditor-General. Corruption Watch understands that Section 193(3) must be used as the base criteria for shortlisting candidates and **recommends that the Committee develop further shortlisting guidelines that will ensure that only the strongest candidates are identified for the interviewing process.**
10. Additionally, we recommend that the Committee conduct a similar process as undertaken by the selection panel responsible⁵ for the appointment of the Commissioner of the South African Revenue Services, and consider classifying candidates as:
- *Ineligible* – candidates who do not meet the criteria stated in the advertisement;
 - *Irrelevant or insufficient experience* – candidates who would not have gained adequate experience or developed requisite competencies, given the nature or level of their work experience, as well as candidates whose experience would not have prepared them for the complexity or size of operations at the Auditor-General;
 - *Good potential* – candidates where there is no technical criteria for elimination, but are subject to the discretion of the panel; and
 - *Initial shortlist* – applicants whose credentials indicate that they have the requisite skills and expertise relative to the advertisement.
11. Once the shortlisting process is completed, **Corruption Watch recommends that the Committee develop a questionnaire for candidates which will further assess their skills, expertise,**

⁴ The Auditor-General must be a woman or a man who is a South African citizen and a fit and proper person to hold that office. Specialised knowledge of, or experience in, auditing, state finances and public administration must be given due regard in appointing the Auditor-General.

⁵ Click [here](#) to access the Report to the Minister of Finance: Appointment of the Commissioner of SARS

knowledge and ethics. This will allow for an objective and standardised comparison of candidates. A similar process was used in the 2016 appointment of the Public Protector and in the 2019 appointment of the Deputy Public Protector. Corruption Watch provided input into the structuring of the questionnaires, which included questions relating to:

- Personal and professional information;
- Knowledge and understanding of the law and the institution;
- Conflict management and resolution; and
- Values and ethics.

12. Lastly, in the [previous appointment](#) of the Auditor-General in 2013, the Ad Hoc Committee tasked with this selection process developed a scorecard with which to evaluate candidates. The scorecard weighted the importance of technical skills⁶, leadership⁷, and behaviour⁸. **Corruption Watch recommends that a similar scorecard is developed and utilised when deliberating on candidates.**

13. We thank you for considering our recommendations and are available to respond to any questions or concerns that may arise. We look forward to your favourable response.

Yours Sincerely,

The Corruption Watch team

⁶ Weighted at 40% and focused on education, work experience, number of years working with finances, capabilities of compiling budgets, ability to advise on funding, and the relevance of experience / education for the position.

⁷ Weighted at 30% and included the candidate's ability to guide on planning and maintaining global standards, impartiality and independence

⁸ Weighted at 30% and focused on the candidate's integrity, interpersonal skills and teamwork.

