



10 September 2014

Maphatsoe must be fired, Mr President

Following allegations levelled at the public protector, Thuli Madonsela, by the deputy minister of defence and military veterans Kebby Maphatsoe, and the release of his so-called apology yesterday, Corruption Watch calls for President Jacob Zuma to demonstrate clearly where government stands by immediately firing Maphatsoe.

CW's executive director David Lewis comments: "Government purports to 'distance itself' from Maphatsoe's reckless utterances. The appropriate way of establishing 'distance' is to sack Maphatsoe. Anything less will signal government tolerance and condoning of his thuggish behaviour."

The constant attacks on the public protector and her office, and the consistently weak or non-existent response from government to take action against these allegations cultivates a culture of intolerance and lawlessness.

Lewis notes: "The intemperate attacks on the public protector by no less than the ANC secretary general, and the persistent rejection of her findings by cabinet ministers from the president downwards, lead lower ranking officials like Maphatsoe to believe that it is open season on the public protector."

In terms of sections nine and eleven of the Public Protector Act, insulting the public protector constitutes contempt, an offence which could result in either a fine or imprisonment. Maphatsoe should clearly be held accountable for his actions and CW strongly urges the public protector to pursue contempt proceedings against him and to seek both penalties provided for in the Public Protector Act.

The apology released yesterday is no vindication for his reckless statements, but instead reveals an unwillingness to take personal responsibility, pointing instead to a misunderstanding and misinterpretation of his comments. This conditional 'apology' stands for nothing.

His disregard of one of the most significant chapter nine institutions not only undermines the Constitution, but sets a dangerous precedent where patently false information is used to discredit independent institutions and public officials. The likely repercussions of this are serious, not only for our constitutional democracy but for the personal safety of the public protector.

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