

Mkhwebane tries shame

Public Protector says Bheki Cele ignored her order to protect KZN whistleblowers

PUBLIC Protector Busisiwe Mkhwebane has warned organs of state that her remedial action is binding, not optional, and named ministers who have defied her directives.

She called Police Minister Bheki Cele out at a briefing yesterday for failing to provide protection to the two whistleblowers who exposed the use of public funds in the uMzimkhulu Local Municipality

“As we speak, we have two whistleblowers in KwaZulu-Natal who are on the run, having fled their homes after several threats were made on their lives.

“Their crimes are lifting the lid of the maladministration that took place in uMzimkhulu,” Mkhwebane said.

The Witness recently ran a series of stories on whistleblower Thabiso Zuma, who despite a risk analysis report having shown that he was

in grave danger of being assassinated, has not received any protection by the police.

Mkhwebane’s office wrote several letters to the police ministry requesting that protection be given to Zulu but the request was ignored.

Zulu gave an explosive account of corruption across the KZN’s municipalities and provincial government departments during the Moerane commission, which was established to investigate political killings.

Zulu, who is now the ANC Harry Gwala regional spokesperson, blew the whistle on a joint community work programme between the national Public Works Department and the Department of Trade and Industry.

Following information provided by Zulu, it was discovered that a councillor, colluding with local NGOs, had been defrauding the programme by using ghost workers to claim funds

from the Public Works Department.

Also named as failing to carry out her directives were Defence Minister Nosiviwe Mapisa-Nqakula and Blade Nzimande in his previous role as minister of higher education and training.

Mkhwebane, speaking at her Tshwane headquarters, said the Constitution states that “no person or organ of state may interfere with the functioning of the [Public Protector]. I do not prefer to name and shame like this.”

Mvithi report

Mkhwebane said Mapisa-Nqakula failed to implement her remedial action in the matter of a former lieutenant-colonel in the South African National Defence Force, Babalo Mvithi.

Mvithi and his family are without a source of income due to maladministration by the Department of Defence and Military Veterans.

“Now and again, Mr Mvithi writes to me, complaining that my office is doing nothing about this plight when in fact we have done all that we could.

“In one of his correspondences, he recounted how he can’t even afford sanitary towels for his teenage daughters as a result of what he sees as a failure to assist from my office,” Mkhwebane said.

Minister of Higher Education

Mkhwebane named Nzimande for failing to implement remedial action in the Tshwane South College report of 2017/18.

The report looked at alleged procurement irregularities, maladministration, nepotism, corruption and victimisation of employees at Tshwane South College.

“In that case too, the minister of Higher Education and Training failed to implement re-

medial action,” she added.

These three cases form part of a long list of approximately 38 reports where Mkhwebane’s remedial action was ignored or taken on judicial review.

While the public protector recognises the organs of state’s right to take her reports on judicial review, her remedial action still stands until a court rules otherwise.

As a result, Mkhwebane has turned to moral suasion to get the implicated public office-bearers to “do the right thing”.

“This is an act of appealing to the conscience and morality of the culprits by publishing details of their misdeeds.

“It is indeed a tragedy that, with all these powers we possess, we have had to resort to this way of doing things,” she said.

— News24, Witness Reporter.