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THE Section 194 Committee yesterday pushed through the independent legal opinion it obtained on the recusal of chairperson Qubudile Dyantyi and DA MP Kevin Mileham despite protestations from some opposition parties.

Yesterday's meeting was meant for Dyantyi and Mileham to state whether they would recuse themselves after Public Protector Busisiwe Mkhwebane made a recusal application last month.

However, UDM leader Bantu Holomisa raised concern that the legal opinion obtained from Advocate Ismail Jamie, who was representing the DA in former president Jacob Zuma's matter in the Supreme Court of Appeal.

"How can the public believe that they can get independent opinion from someone representing the DA in a high profile matter?"

"We are informed that this senior counsel previously represented the DA when it fired (former Cape Town City mayor Patricia) De Lille," he said.

EFF MP Omphile Maotwe said they had not given a mandate to seek legal opinion but were merely expressing their views.

"It is very wrong. You went to seek legal opinion from the same person who is a DA lawyer," Maotwe said.

Jamie and Advocate Adiel Nacerodien concluded the recusal application had not demonstrated conduct on the part of Dyantyi and Mileham which indicated bias. Nor would it give rise to reasonable apprehension.

"Neither member is, accordingly,

required to recuse themselves," they said.

A presentation was made on the legal opinion shortly after Dyantyi and Mileham refused to recuse themselves.

Dyantyi said: "Taking the facts into account and having taken time to carefully consider the PP's application, I have decided not to recuse myself.

"I do so in the belief that the PP has failed to establish any grounds upon which it can be said that I am biased or that my conduct may give rise to an apprehension of bias."

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