

MEDIA RELEASE **PSA welcomes Supreme Court of Appeal judgement against former Minister of Social Development to repay R2 million to SASSA**

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The Public Servants Association (PSA) welcomes the Supreme Court of Appeal (SCA) judgement against the former Minister of Social Development to repay R2 million for unauthorised personal security expenses in 2013.

The South African Social Security Agency (SASSA) approached the Court to set aside the decision to procure security services in a bid to recoup the money. The Court declared the procurement of private security for Minister Bathabile Dlamini and her then-spokesperson to be illegal, thus nullifying the agreement. Although the High Court ordered that the CEO, Spokesperson and the Minister must collectively repay the money, the SCA upheld appeals by the SASSA CEO and spokesperson on the basis that there was undue influence by the former Minister that led to the said action. SASSA paid a total of R3.499 million, of which R2 008 086 was in respect of protection services for the Minister's children and R1 491 520 for the spokesperson and her children.

The judgement is sending a strong message to politicians that no one is above the law as their actions and decision-making must be within the confinement of the law. Politicians often abuse their power by placing employees under enormous pressure by issuing unlawful instructions contrary to the prevailing legislative framework. Senior managers and heads of governmental institutions are often coerced by political leaders to act against legal prescripts to satisfy their personal and selfish agendas.

The PSA advises political leaders to stop abusing employees and the system to unduly benefit at the expense of organisations and South Africa. Ministers enjoy protection from the South African Police Service VIP protection service hence it defies logic to procure a private security company. If there were dangers and threats, the same should have been reported to the SAPS for their assessment and advice rather than wasting state coffers with the hiring of private security. The PSA previously warned Ministers to stop abusing their powers to unduly enrich themselves and the Union called on the President to act decisively against this behaviour, however, there was no decisive action to address this behaviour. The billions of rands in wasteful and irregular expenditure point to lack of control measures and often, instructions for these expenses are attributed to the instructions of the leadership including the ministers. Decisions of many ministers contribute to wasteful and irregular expenditure, which impact on government's ability to provide services to citizens.

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