

MANGAUNG

METRO MUNICIPALITY
METRO MUNISIPALITEIT
LEKGOTLA LA MOTSE

OFFICE OF THE
SPEAKER

PO Box 3704, Bloemfontein, 9300
7th Floor, Bram Fischer Building, De Villiers Street, Bloemfontein
Tel: +27(0)51 405 8667/8642, Fax: +27(0)51 405 8676

Our Ref:

Your Ref:

Room 701, Bram Fischer Building

Date: 25 July 2018

THE SPEAKER COUNCIL ITEM

PRELIMINARY INVESTIGATION: REQUEST FROM THE EXECUTIVE MAYOR

1. PURPOSE

The purpose of this memo is to appraise the Municipal Council on the preliminary investigation conducted by the Speaker on the allegations made by councillor M Motlounge.

2. BACKGROUND

During the Municipal Council meeting held on Thursday, May 31st 2018, the Executive Mayor, councillor SM Mlamleli, requested the Speaker to investigate allegations made by Councillor MV Motlounge at the funeral of Mr. M Rantabo in ward 38 in Botshabelo. Following the Municipal Council held on the 31st May 2018, the Executive Mayor submitted a letter to the Speaker requesting Speaker to investigation Councillor MV Motlounge. Thus implying that, the letter written by the Executive Mayor and is attached in this report as annexure "A".

3. DELIBERATIONS

Preliminary investigation. Once a written complaint or allegation has come to the attention of the Speaker, a **preliminary investigation** is initiated. The object is to find out who can be suspected of the allegation and whether or not there is sufficient evidence or burden of proof to initiate an action.

- **Five** steps undertaken in this preliminary investigation;
- Speaker wanted to **understand** the **problem** or allegations made;
- **Define** the nature of the allegation;
- Perform fact-finding or listen to both sides;
- **Analyze** and evaluate the information provided;
- **Evaluate** and provide next cause of action.

In the spirit of Administrative Justice and to test the veracity of the allegations made. The Speaker convened a meeting with councillor MV Motlounq to hear her side of her story and the meeting was held on Friday, June 20, 2018 at 10:00 in room 701, office of the Speaker.

The Speaker informed councillor MV Motlounq about the obligations and expectation of the Speaker, in that the Speaker is required to do a preliminary investigation of this matter in line with the provisions of the Standing Rules and Orders of the Municipal Council, also in line with the schedule 1 of the Municipal Systems Act, which relate to the Code of Conduct for Councillors.

The following is the structure and format of the discussions between the Speaker and Councillor MV Motlounq, namely

The Speaker, explained the purpose and the reasons of the enquiry; and afterwards posed the following question to councillor Motlounq, namely;

Firstly, informed councillor Motlounq that a written communication was received from the Executive Mayor, secondly what she knew about allegations made;

Oral response from councillor Motlounq;

During a memorial service organised for Mister Motsamai Rantabo in Botshabelo, at that memorial service she made a speech, and part of her speech; she spoke about a number of issues, that although she admitted that she spoke about Macufe cultural festival, she had never said the Executive Mayor squandered money. That she had no intention of belittling the Executive Mayor in her speech or creating a perception that money was squandered.

Speaker assessment

Based on the written letter received from the Executive Mayor and further based on the oral response received from councillor MV Motlounq.

The difficulty established during the preliminary investigation is that, there is no hard evidence received to corroborate allegations made, further councillor MV Motlounq speech was off the cuff, there is no written speech or text, making it more difficult for the Speaker to evaluate the contents of her speech made. Therefore the ideal situation is to track and trace people who were at the memorial service and primarily those who heard her speech, to make submissions on what was actually said. Even such might create limitation with regards to tangible proof, although admissible, but rather remain a circumstantial evidence in a court of law because it is regarded as hearsay.

It is incumbent upon all councillors to project positive image of the Municipality and any disparaging and negative comments in open forums, especially about the mismanagement of finances of the city has the potential of diluting the integrity and credibility of the leadership of the city. Councillors should always remember that they are required in line with the Standing Rules and Orders to be exemplary and lead positive lifestyle.

4. RECOMMENDATIONS

It is hereby recommended that;

- (a) the Council note the preliminary report by the Speaker;
- (b) that the Speaker be mandated to further investigate the allegations, if required by the Council; or
- (c) councillor MV Motloun, should formally apologize to the Executive Mayor and once done, this be matter considered as final and concluded;



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COUNCILLOR MA SIYONZANA
SPEAKER

Hon. M. Siyonzana
Speaker
Mangaung Metropolitan
Bloemfontein
9301

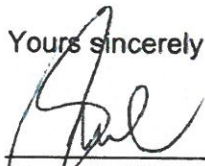
Dear Speaker

SUBJECT: Request for Investigation

I hereby refer Honourable Speaker to the request I made to you in Council on the 31st May 2018 to investigate the allegations made by Cllr Mampe Motloun (EFF) at the funeral of Motsamai Rantabo in Ward 38, where she alleged that I have squandered R4 millions of MACUFE (Mangaung Cultural Festival) which is held annually in Bloemfontein.

I therefore confirm with Speaker that I have not squandered R4 millions of MACUFE. I see these allegations as untrue and putting serious dent on my image.

Yours sincerely



Cllr S.M Mlamleli

Executive Mayor: Mangaung Metropolitan Municipality

