



REPORT OF THE JOINT COMMITTEE ON ETHICS AND MEMBERS' INTERESTS ON THE CONTRAVENTION OF THE CODE OF ETHICAL CONDUCT AND DISCLOSURE OF MEMBERS' INTERESTS: THE MINISTER OF PUBLIC WORKS AND INFRASTRUCTURE: THE HONOURABLE DEAN MACPHERSON, MP

The Joint Committee on Ethics and Members' Interests having considered the complaint against the Minister of Public Works and Infrastructure, the Honourable Dean Macpherson, MP reports as follows:

INTRODUCTION

Mr Alan Beesley, MP, (the Complainant¹), lodged a complaint against the Minister of Public Works and Infrastructure, the Honourable Dean MacPherson, MP ("the Member"). The Office of the Registrar of Members' Interests received the complaint on 30 July 2025 for an alleged breach of the Code on Ethical Conduct and Members' Interests ("the Code").

SUMMARY OF THE COMPLAINT

The Complainant states that during an address delivered by the member outside the Pietermaritzburg High Court on July 24, 2025, which was captured in a widely circulated video, the Member referred to ActionSA supporters as "amaphara." The complainant states that the term "amaphara" is commonly used to describe drug addicts, criminals, and societal parasites.

The complainant also said that on a separate occasion, during an interview with an IOL journalist, the member again referred to the same group of ActionSA supporters as "hobos." This statement was published in an article titled "*DA and ActionSA face off in court over eThekweni Sewage Crisis*". The complainant said that the derogatory remarks were directed at a group of predominantly Black South Africans who support ActionSA. The complainant added that such remarks are deeply offensive, racially charged, and dehumanizing in nature.

On July 28, 2025, a letter was sent to the Member by Mr Zwakele Mncwango, ActionSA KwaZulu-Natal Provincial Chairperson, calling on the Minister to issue an apology to those he had insulted and to the nation, but no apology was received, and the member showed no sign of remorse.

The Complainant states that the member's conduct undermines the spirit of our Constitution and the oath of office he swore to uphold.

SUMMARY OF RESPONSE BY THE MEMBER

The Member was given an opportunity to respond and did so on 22 August 2025.

The member states that he did not use the word "hobo" and that nowhere in the article or in the evidence provided did he call the ActionSA supporters "hobos". He referred to the IOL article written by that journalist that said, "*During an interview with this reporter, Macpherson said Mncwango was sick and denied calling police to disperse "hobos", which he said ActionSA recruited to come to the court to pose as its members and were picketing.*" The member stated that the use of the word 'hobo' was clearly an adjective chosen by the Journalist when he reported on the matter.

The member also explained that the term "amaphara" was used to describe an incident he witnessed outside the court on July 24, 2025, when a taxi arrived at 8:30 am, and one individual, so intoxicated, fell out of the taxi and started rolling along the pavement, screaming and shouting. He said that when he went to ask what was happening, he was told they were promised R50.00 and a meal if they attended the ActionSA protest, and they would receive T-shirts. It was in this context that he referred to the ActionSA "protesters" as 'amaphara.' The statement was not aimed at a racial group or because of their race but was a comment directed at ActionSA's rent-a-crowd. The member added that there is nothing inherently offensive about calling someone an 'amaphara' in that political context.

The member stated that in terms of Item 17(2) of the Code, "*the Committee acting on its own may consider any breach or alleged breach of the Code*". The member thus requests the Committee to invoke this provision and investigate the complainant, Mr Beesley's conduct of effectively lying under oath to this committee in pursuit of political retribution against him. The facts he deposed to were neither within his own personal knowledge nor true and correct, as the complaint refers to a letter dated 28 July 2025, written by Mr Mncwango. The complainant made no effort to ascertain facts or confirm if they were true. As a member of the National Assembly, he deserves censure for misleading and effectively lying under oath for his own political gain.

The member states that his comment did not in any way offend or undermine the spirit of the Constitution, his oath of office, or any item of the Code. He said that his speech was core political speech protected by section 16 of the Constitution.

That attacking political opponents does not undermine public confidence in the integrity of Parliament. It is a natural part of democracy that political parties will attack each other's conduct. He added that this is what ActionSA is doing in this complaint - seeking political points, and it was what he was doing when he gave the speech. That is politics. He requests to be afforded an opportunity to address the Committee orally, (and if necessary, with the assistance of a legal representative). Paragraph 43

The Member requests that the complaint be rejected on the basis that it is frivolous, vexatious, and /or without merit.

TRANSCRIPT OF THE VIDEO FOOTAGE

The transcript of the video footage shows that the Member said the following:

“They will blame everything for them not being able to their jobs. But you know what? They don't want to do their jobs because they want to see our people suffer. They have a sickness and mental illness that they love seeing the people of Ethekeweni suffer and that's why we are here today, we are doing the jobs Government should've done.

We are simply saying to the municipality two things.

1. You must implement the directives that you were given by national and provincial government in 2023 to fix the system
Just do it you don't need an excuse.

2. The second thing that we are telling them, if you don't want to do it, we will get the Court to make you to do it and if you don't follow the instructions of the court we will then get a contempt of court order and we will make sure the officials, the City Manager, the Mayor and every single person that is responsible for this will go to jail. They don't belong in City Hall; they belong in Westville prison for what they have inflicted.

Now let's be clear, here is another smaller inyana party, that wants to come. In fact, there was...they just brought up some people, we don't even know who they are, I think they amaphara's. The've just been given some green-shirts now. You ask them which party they say angazi, we just her for one meal and one drink, we not sure but they will just come, they will sing and dance.

If it wasn't for the DA taking the leadership on this issues, if there wasn't he DA holding the city to account, we haven't come here with emotions, we haven't come with stories, We've come her with facts, because the DA wins on facts, we win on facts and we will win this case and the people.....”

THE PROVISIONS OF THE CODE

Item 5(1) of the Code provides as follows:

- “(1) A Member must-
- (a) abide by the principles, rules and obligations of this Code;
 - (b) uphold the oath or affirmation take by the Member in terms of Schedule 2, item 4 of the Constitution;
 - (c) act on all occasions in accordance with the public trust placed in her or him;
 - (d) place the public interests above her or his own interests when discharging her or his obligations in terms of the Constitution, to Parliament and the public at large;
 - (e) maintain public confidence and trust in the integrity of Parliament and thereby engender respect and confidence that society needs to have in Parliament as a representative institution; and
 - (f) in the performance of her or his duties and responsibilities, be committed to the eradication of all forms of discrimination.”

COMMITTEE DELIBERATIONS

Outside the High Court

1. The Committee noted that the video footage shows that the Member said that another political party brought in some people, we do not know who they are, that they are “amaphara” and they have just been given green t-shirts now. The video footage show that the Member used the word “amphara”.

2. The Committee also noted that the Member in his response to the complaint does not deny that he used the word “amaphara”. However, he states that he used it in the context of seeing an intoxicated individual fall out of a taxi about 08:30am and when he asked what they were doing there, the man said that they would receive R50.00 to attend outside the High Court.

3. The Committee noted that the Member said that he referred the Action SA supporters as “amaphara” and that the statement was not directed to a racial group. In the video he says that they are getting their T-shirts now.

This shows that he was not referring to one person. The Member was referring to the Action SA supporters as “amapharas”.

4. The Member states that the word “amaphara” is not derogatory.

5. The Committee noted that research of the word “amaphara” shows that it is used to refer to people who are impoverished and drug users. It is a word used to depict societal ills, criminals and societal parasites. The word is derogatory and discriminatory in that it creates a social stigma toward the person(s) being referred to as “amaphara” and labels the person as an outcast from society. The Committee rejected the Member’s contention that the word “amaphara” is not discriminatory.

6. The Committee found that the Member’s usage of the word “amaphara” is contrary to item 5(1)(e) of the Code, in that it the Member failed to maintain public confidence and trust in the integrity of Parliament and thereby engender the respect and confidence that society needs to have in Parliament as a representative institution. The Committee also found that the usage of the word “amaphara” is contrary to item 5(1)(f) of the Code in that the Member in the performance of his or her duties and responsibilities was not committed to eradication of all forms of discrimination.

IOL article

7. The Committee noted that the IOL article does not reflect that the Member used the word “hobo”. The reference in the article shows that the journalist is asking the Member if he denies using the word “hobo” and he states that he denies using the word.

8. The word “hobo” is a word used by the journalist and not the Member. There can therefore be no breach attributed to the Member in this regard.

FINDING

The Committee found that the Member breached item 51(e) and 5(f) of the Code as contemplated in item 16(1)(c) of the Code, for the using the word “amaphara” to refer to ActionSA supporters.

PENALTY PROCESS

The Member was informed of the breach and was invited to provide written representations of the penalty to be imposed. The Member requested as extension of time to respond to the Committee, but the Committee rejected the request. The Member did not provide any written representations on the penalty to be imposed.

RECOMMENDATION ON PENALTY

The Committee recommends to the House to impose the following penalty in line with item 20(4) of the Code:

1. Item 20(4)(a)- a reprimand in the House; and
2. Item 20(4)(b)- that the member enters an apology in the House, for referring to ActionSA supporters as "*amaphara*"

REPORT TO BE CONSIDERED

MS. N.Q MVANA

MR. J.H.P BRITZ

**THE CO-CHAIRPERSONS OF THE JOINT COMMITTEE ON ETHICS AND MEMBERS'
INTERESTS**