

Mbeki handed Zuma report

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Public Protector Lawrence Mushwana has handed a report on Deputy President Jacob Zuma's alleged breach of the executive ethics code to President Thabo Mbeki, his office said on Monday.

It also confirmed that it had received two complaints about an off-the-record briefing that National Director of Public Prosecutions Bulelani Ngcuka had with a number of black editors and senior journalists.

The complainants were *City Press* editor Vusi Mona, who attended the meeting, and mining magnate Brett Kebble.

The Zuma probe followed a complaint from Democratic Alliance chief whip Douglas Gibson.

Mushwana initially refused to investigate the complaint on the grounds that it was too vague, but said on Monday he had changed his mind after Gibson submitted further details.

"We wanted him to direct us, else we would go on a wild goose chase."

According to the draft charge sheet in the criminal case against Zuma's financial adviser, Schabir Shaik, and a number of Shaik's companies, the deputy president received payments totalling more than R1-million over a period of about five years from Shaik and others.

Gibson wanted the protector to investigate whether Zuma had declared those payments as required by the Executive Members' Ethics Act. He also requested an investigation to determine whether Zuma had declared gifts he had received according to documents that the National Directorate of Public Prosecutions handed to Parliament's ethics committee.

Thirdly, Gibson asked the protector to probe whether there was a conflict of interest regarding the relationship between Zuma and Shaik, Mushwana said.

His report containing the findings was handed to Mbeki on Sunday.

Under the Executive Members' Ethics Act, Mbeki must table the report and his comments on it in the National Assembly within 14 days.

The public protector would not make the findings known before that had happened, its statement said.

The complaints made by Mona and Kebble relate to a meeting Ngcuka had with senior black journalists on July 24, reportedly to provide them with in-depth background about the Zuma matter.

About a month later, Ngcuka announced that Zuma would not be prosecuted although there was a prima facie case of corruption against him, because the case was not "winnable".

Commenting about reports of the July meeting, Zuma has accused Ngcuka of imparting "in a very malicious and despicable manner, untruthful information about me".

Zuma claimed the briefing was "clearly designed" to spread rumours and create prejudice and to influence reporting on the cases.

Kebble, CEO of Johannesburg Consolidated Investments Limited (JCI), said last week that Ngcuka had found him guilty without a trial during the meeting with the journalists.

For example, he said, Ngcuka had tried to elevate alleged technical breaches relating to his (Kebble's) business dealings to charges of fraud. Kebble claimed that no loss has been suffered by any party.

The public protector said both Mona's and Kebble's complaints appeared to fall within the extended mandate of the Hefer commission.

The commission, headed by retired judge Joos Hefer, is investigating claims including that Ngcuka was an apartheid government spy.

The allegations against Ngcuka surfaced shortly after it was announced that the Scorpions unit was investigating bribery allegations against Zuma, connected to the country's controversial multibillion-rand arms deal.

<http://www.mg.co.za/Content/l3.asp?ao=21844>