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Media statement
20 June 2005

At the beginning of this month the Durban High Court, presided over by Justice Hilary Squires, passed judgment on the matter of the State vs Schabir Shaik and others.

In his judgment Justice Squires, assisted by two assessors, convicted Mr Shaik and some of his companies on all three counts, namely two counts of corruption and one of fraud.

Furthermore, Justice Squires made adverse remarks on the nature of the relationship between Mr Shaik and the then Deputy President of the Republic, Mr Jacob Gedleyihlekisa Zuma.

After judgment was passed we informed the nation that the National Director of Public Prosecutions and Head of the National Prosecuting Authority of South Africa (NPA), Advocate Vusi Pikoli, would study the judgment of Justice Squires and where necessary make certain pronouncements.

Adv. Pikoli has concluded his study of the judgment and taken into consideration aspects of it that relate to former Deputy President Zuma. An application for leave to appeal by Mr Shaik and others, and its likely impact on the merits of the case against Mr Zuma, were also taken into consideration.

Adv. Pikoli also took into account evidence at the NPA's disposal, allegedly linking former Deputy President Zuma to specified crimes. Such evidence was reviewed in order to determine whether there was a reasonable prospect of a successful prosecution.

Some time last week Adv. Pikoli invited the team that investigated and prosecuted Mr Shaik and others to his offices in Pretoria. During the meeting Adv. Pikoli was apprised of the facts of the case, from the perspective of the team, and also canvassed their own views on the matter.

Over the past weekend Adv. Pikoli applied his mind to this matter, taking into account the interest of the public, the interest of former Deputy President Zuma, the interest of justice and the integrity of our criminal justice system. Consequently, he arrived at a decision that he felt positively addressed all these considerations.

This afternoon Adv. Pikoli has informed former Deputy President Zuma that he has decided to bring criminal charges against his person. Such charges will be constituted by, amongst others, two counts of Corruption.

Mr Zuma will in due course be informed of the date, time and place where he will have to avail himself at court to face these charges.

Due to the unprecedented public and, by extension, media interest in this matter, we

shall deviate from normal practice and make the following remarks:

This matter will now be before court and therefore subject to the sub judice rule. This means that, as Spokesperson for the NPA, I will not be able to comment on it any further.

We have also noted with regret speculation in the media in the past few weeks, which we thought undermined the integrity of the NPA. We were especially disturbed by statements attributed to faceless people within our organisation. As we indicated several days ago, Adv. Pikoli has ordered that an internal probe be widened to include the issue of recent confidential or incorrect information being leaked to the media without his permission.

Adv. Pikoli views these leaks in a very serious light as they not only undermine public confidence in the NPA, but also contravene certain sections of the NPA Act.

We urge the media to resist the temptation of sensationalist headlines at the expense of the integrity of the NPA and its work. As NPA Spokesperson I remain available at all times to assist the media on matters relating to the NPA.

We will always share with the public through the media all information that is appropriate for public consumption. However, we shall always guard with jealousy the integrity of our work.

The NPA will continue to enforce the laws of the Republic without fear, favour or prejudice. We shall also work with integrity and respect for human rights, respecting also the rights of those who may be in conflict with the law.

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