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JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE

Media Statement Business Day Article about the Commission is Untrue

On Friday, the 4th October 2019, the Business Day newspaper published an article in its front page with the headline: “Zuma to get preview of nuke-deal questions”. In the article the Business Day said:

“In an attempt to avoid the debacle that ensued at former president Jacob Zuma’s last appearance, the Zondo Commission on state capture has agreed to his demands to see questions in advance of his next appearance.”

The article also said:

“Overall, the commission has sent [Mr Zuma] 11 pages with 80 questions that will guide his next appearance.”

The article went on to say that prior to Mr Zuma’s appearance before the Commission in July 2019, the Commission had refused “to do the same on the grounds that he had access to witness statements which would have given him sufficient information on the issues to be raised.”

The same article was published in the Sowetan of Friday, 4 October 2019. At the top of the front page of the Sowetan, the following headline appeared: “Zondo sends Zuma 80 questions”. The article itself appeared on page 2 of the Sowetan.

It is quite clear that the article portrayed the Commission as having changed its earlier decision not to send Mr Zuma in advance questions that he would be asked once on the witness stand. The article stated that the Commission has agreed to send Mr Zuma questions in advance and has actually sent them.

The Chairperson raised the Commission’s concerns about the article at the hearing on Tuesday, 8 October 2019, and made it clear that the statements in the article that the Commission had sent Mr Zuma questions in advance of his appearance before it is simply factually untrue. It must also be stated that the Commission has never agreed to furnish Mr Zuma with any questions in advance.

The Business Day chose not to have regard to the terms of the agreement that were announced on 19 July 2019 which did not include any agreement by the Commission to send any questions to Mr Zuma in advance of his appearance. That agreement only referred to the Commission's Legal Team having to send a document indicating "areas of interest" in the various affidavits or statements of witnesses from which the questions would arise.

On Tuesday the Chairperson said that there is an 11 page document which has 80 questions that was sent by Mr Paul Pretorius SC, the Head of the Commission's Legal Team, to Mr Zuma's Counsel but that document did not include any questions. He said the document reflected the areas of interest agreed upon on 19 July 2019. The Chairperson undertook to make the document available to the public so that the public could see whether there are any questions in that document. That document is attached to this statement.

Anyone who reads the document will see that there are no questions. It is difficult to understand why a publication such as the Business Day would publish such a false article about the Commission.

Issued by the Acting Secretary at the instance of the Chairperson of the Commission.

Issued by the Commission of State Capture

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