



2<sup>nd</sup> floor, Hillside House  
17 Empire Road,  
Parktown  
Johannesburg  
2193  
Tel: (010) 214-0651  
Email:  
[inquiries@sastatecapture.org.za](mailto:inquiries@sastatecapture.org.za)  
Website: [www.sastatecapture.org.za](http://www.sastatecapture.org.za)

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

16 November 2018

---

**Media statement issued by the Secretary of the Commission at the instance of the  
Chairperson, Deputy Chief Justice Zondo.**

---

1. Last week the Chairperson of the Commission, Deputy Chief Justice Zondo, issued a media statement expressing his concern about leaks to, and, publication by, the media of witnesses' statements submitted to the Commission in connection with the inquiry of the Commission before the witnesses give evidence in the Commission.
2. The Chairperson has noted that last weekend that one of the Sunday newspapers published an article in which it was alleged that the person responsible for the leaks was the Commission's Head of Investigations, Mr Terrence Nombembe. It was said that Mr Nombembe had leaked Minister Gordhan's statement because he is close to Minister Gordhan and he wanted Minister Gordhan to support him for appointment as Head of the National Prosecuting Authority. This occurred some days after Minister Gordhan had contacted the Commission's Chairperson to register his concern or complaint about the fact that his statement had been leaked. The Chairperson informed Minister Gordhan that an investigation was to

be undertaken to establish how the leaks had occurred and who was responsible for them. The Chairperson subsequently issued the media statement that he issued last week.

3. The Chairperson wishes to invite those who have made the allegation that Mr Terrence Nombembe is responsible for the leaks to come forward and furnish the Secretary of the Commission with evidence to support their allegation so that their evidence can be considered.
  
4. It is recorded that in terms of the National Prosecuting Authority Act one of the requirements that a person must meet in order to be eligible for appointment as the Head of the National Prosecuting Authority is that he or she must have a legal qualification that would enable him or her to practise as an attorney or advocate in all the courts in South Africa and Mr Nombembe has no legal qualification whatsoever. He is an Accountant and Auditor and a former Auditor-General of South Africa. Furthermore, at the time that the article was published, there was already a list of candidates to be interviewed for the position of Head of the National Prosecuting Authority and Mr Nombembe was not one of them.

**Issued by Dr K De Wee,  
Secretary of the Commission, at the  
instance of the Chairperson**

Media enquiries:

Rev. Mbuyiselo Stemela  
Spokesperson: Commission  
Email: [MbuyiseloS@statecapture.org.za](mailto:MbuyiseloS@statecapture.org.za)  
Mobile: 060 782 7965