



COUNCIL
FOR THE ADVANCEMENT OF THE
SOUTH AFRICAN
CONSTITUTION

Media Statement

State Capture Investigation must go on

07 October 2016

CASAC notes the statement issued by the Office of the Public Protector yesterday following the meeting between Adv Madonsela and President Zuma. Adv Madonsela was seeking information from the President in respect of the investigation into 'state capture' that her office is conducting.

Despite being well aware of this highly publicised investigation, the particular issues on which his responses were required, and being accompanied by his legal advisors, the President was not able to respond adequately to the Public Protector.

CASAC Executive Secretary, Lawson Naidoo said,

“Having been found by the Constitutional Court earlier this year to have undermined the office of the Public Protector and in so doing violated his constitutional responsibilities, South Africans would have expected the President to now demonstrate his respect for this office and assist it with this very important investigation. Instead the President has prevaricated and obfuscated, suggesting that because Adv Madonsela will not be able to complete the investigation before her term of office ends next week, it should be handled afresh by her successor, Ms Busisiwe Mkhwebane. The President’s suggestion that this investigation should not be prioritised is tantamount to improper interference in the functioning of an independent institution.”

It must be emphasised that it is the office of the Public Protector that conduct the investigations. The Public Protector is the head of that office established under Chapter nine of the Constitution. A change in the incumbent Public Protector should not hinder, impede or otherwise affect on-going investigations. That would be highly irregular and in conflict with the constitutional mandate of that office.

Council for the Advancement of South African Constitution

Telephone: [+27 21] 685 8809 • Facsimile: [+27 21] 685 8819

info@casac.org.za

www.casac.org.za

CASAC calls on Adv Madonsela, the office of the Public Protector and Ms Mkhwebane to pursue the investigation into state capture without fear, favour or prejudice, and in doing so to protect the people of South Africa from attempts to undermine the very fabric of our constitutional democracy.

We also call on the President to respond promptly to the questions that will be sent to him by the Public Protector in respect of this investigation.

Further enquiries

Lawson Naidoo
073 158 5736