

Office of the National Director of Public Prosecutions



The National Prosecuting Authority of South Africa
Igunya Jikelele Labetshutshisi boMzantsi Afrika
Die Nasionale Vervolgingsgesag van Suid-Afrika

TO: MEDIA

DATE: 18 JANUARY 2008

RE: GERRIE NEL NEVER RIOT SQUAD

Tel: +27 12 845 6000
Fax: +27 12 845 7291

Victoria & Griffiths
Mxenge Building
123 Westlake
Avenue
Weavind Park
Silverton
Pretoria

P/Bag X752
Pretoria
0001
South Africa

www.npa.gov.za

The NPA notes with concern allegations of impropriety about the decision of the Chief Prosecutor of Pretoria who decided to withdraw the charges against Advocate Gerrie Nel. The NPA wishes to stress that it has full confidence in the decision of the Chief Prosecutor.

There can never be a departure from the normal mechanisms through which we process dockets. Advocate Nel was a suspect in the Police investigation. A docket on the investigation carried out was presented to a Chief Prosecutor who had to evaluate evidence contained therein. Once evaluated, the matter was brought before court where charges were withdrawn due to lack of evidence. This is neither an anomaly nor a special treatment. Information contained in the docket speaks for itself and the case was considered on the basis of its merits.

The NPA played no role whatsoever regarding the speed with which this matter was enrolled. We wish to point out that this is a process brokered between counsel for the SA Police Service and an independent counsel for Advocate Nel emanating from an urgent High Court application.

The NPA is also concerned about the statements made about Advocate Nel in media. These statements are clearly based on incorrect information. To the extent the NPA is aware Advocate Nel has never had any association with the apartheid police riot squad and has never prosecuted any of the 'riot cases' as may have been suggested. The only politically related matter in which he appeared was as a junior prosecutor in the prosecution of Waluz and Derby Lewis for the Chris Hani murder case.

Advocate Nel is a career prosecutor and has been a prosecutor since he received a bursary to study law from the then Department of Co-Operation and Development (1981). He has been in court as a prosecutor since 1984. Advocate Nel has never been a member of the Broederbond or any secret organization.



Justice in our society, so that people can live in freedom and security

The NPA will not allow forces hostile to democratic order to operate within its ranks and in the process misdirect the course of justice. We will never harbor criminals or shield them from prosecution. We have never hesitated to act and have acted against our own staff before. The Police have expressed an intention to continue with investigations against advocate Nel. The NPA is prepared to reconsider the docket once the investigation is concluded. This is what ordinarily happens in a life span of an investigation.

ENQUIRIES: TLALI TLALI 082 3333 880