



24 April 2017

Chairperson: Portfolio Committee - Police
Mr. F. Beukman MP
Parliament of the Republic of South Africa
CAPE TOWN
8000

Electronic message to: bmbengo@da.org.za

Dear Sir,

**IN RE: FORMER HEAD: DIRECTORATE OF PRIORITY CRIMES INVESTIGATION, LT GEN
BERNING M. NTLEMEZA**

With reference to the above-mentioned matter.

I write to you in order to implore you to act with the utmost urgency to prevent the former Head of the Directorate for Priority Crimes Investigation (the "Hawks"), Lt-Gen Berning Ntlemeza ("General Ntlemeza") from derailing crucial attempts to provide much-needed stability in the ranks of our country's elite crime-fighting unit.

As you are aware, the North Gauteng High Court in March this year ordered that the appointment of General Ntlemeza as Head of the Hawks be set aside. His application for leave to appeal this order was denied by the High Court in April 2017, at which time the court also ordered that the setting aside has immediate effect despite further appeals. However, in terms of section 18(4) of the *Superior Courts Act*, Act 10 of 2013, General Ntlemeza has an automatic right of appeal against this last order, and has according to reports lodged this appeal on Friday. The effect thereof is that this order is now suspended pending the urgent hearing of the appeal, and I have been reliably informed that Ntlemeza has returned to work this morning.

It is my belief that Parliament is in fact empowered to ensure that stability and legal certainty is restored within the Hawks. This can be done through exercising our powers in terms of section 17DA(3) of the *South African Police Service Act*, 68 of 1995.

It is therefore my request that the committee be urgently convened to consider General Ntlemeza's misconduct, incapacity or incompetence. It should be common cause that General Ntlemeza, described by the courts as biased and lacking integrity, is not a fit person to head up the Hawks, and

Parliament should act swiftly to contain the damage that is being caused by the instability currently wracking this body.

We cannot allow the crucial mission of fighting crime and protecting the lives and property of South African citizens to be derailed in this fashion.

I trust that you will find the above in order and look forward to your most urgent reply.

Regards



Zakhele Mbhele MP

DA Shadow Minister of Police