



**14 January 2020**

### **Zondo Commission – Zuma too sick to be summonsed**

The application to have the commission of inquiry into state capture issue a summons on former president Jacob Zuma to appear at the end of this month was adjourned on Tuesday for procedural reasons. This is to give the commission's legal team some time to prepare an answering affidavit to one submitted by Zuma on Monday, citing his unavailability for medical reasons.

Advocate Paul Pretorius SC, the commission's head of legal, said his team only received Zuma's affidavit around 16h00 on Monday, which did not give them enough time to prepare an argument for why the application should proceed. The commission released a media statement on Friday last week noting that an application would be made before commission chairperson Deputy Chief Justice Raymond Zondo to have Zuma summonsed to appear from 27 to 32 January.

The need for the summons was that the former president had failed to make two appearances in October and November last year, citing ill health. The affidavit his legal team submitted appears to highlight the issue of his medical condition and its current status. Zuma's lawyer Advocate Thabani Masuku offered Zondo an opportunity to meet with the head of Zuma's medical team, who would give clarity on the former president's condition. Following a short meeting in Zondo's chambers after the two presentations from the legal teams, the chairperson announced, once back in proceedings, that he had granted Masuku permission to arrange for the doctor, who has not been named at this stage, to meet with him.

Masuku noted in his argument that the public announcement, through the media statement, creates an unfortunate impression that Zuma is dodging the process and not cooperating with the commission, despite his numerous confirmations that he does indeed wish to. He called on Zondo's legal team "to extend Mr Zuma a presumption of integrity".

"They must try, difficult as it is... they must try to," said Masuku. "There is a deep-seeded antipathy towards our client."

Pretorius's team has until 24 January to submit an answering affidavit to Zuma's, while the hearing of the application will be heard on a date currently not yet determined.

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