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Zondo Commission – Zondo asks Concourt for two-year jail time for Zuma

Deputy Chief Justice Raymond Zondo has asked that former president Jacob Zuma be given a two-year imprisonment term, should the Constitutional Court find him in contempt of its ruling relating to his appearance before the state capture commission earlier this month.

Zondo chairs the commission, which had set aside the week of 15 to 19 February to hear evidence from Zuma, in terms of a summons issued to him in November last year. Zuma was compelled by an order of the Constitutional Court to appear on the dates, following an application by the commission to this effect, made in December. He did not appear, however, instead sending a letter through his lawyers stating reasons for his no-show.

The former president has declared in two public statements that he stands firm in his position that he will not appear before the commission for both its bias against him and on a technical matter of its November summons being irregular. The latter reason, said Zuma, was because he had applied for a review of Zondo's dismissal of an application to recuse himself, brought forward on 16 November. Zondo has since challenged Zuma on this, saying that if he deemed the summons irregular, he had the opportunity to argue this before the Constitutional Court as grounds for refusing to testify.

"If Mr Zuma and his lawyers were of the view that his summons was irregular, it obliged him, if he wanted not to be obliged to appear, to approach a court and ask that it be set aside on the basis that it was given," said Zondo on Zuma's scheduled first day of appearance on 15 February. "I don't know the law to be that he's entitled to just ignore a summons just because he thinks it's irregular."

In response to Zondo, Zuma said in his second statement in as many weeks, that he did not understand the process followed by the commission to be how contempt matters are handled, but "I have accepted that the Deputy Chief Justice and due process and the law are estranged."

The commission has asked police minister Bheki Cele and national police commissioner Khehla Sitole to effect Zuma's arrest, should the court find him guilty. The commission's secretariat has also asked that the court make a costs order against Zuma for the cost of the application.

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