



4 August 2020

Via email: PresidentRSA@presidency.gov.za
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His Excellency Cyril Ramaphosa
President of the Republic of South Africa
Union Buildings
Government Avenue
Pretoria
0002

Dear Mr. President,

Re: Abuse of power and authority by the Hawks

We are compelled to write to you and register our total and utter dismay with how a criminal matter against Ms. Norma Gigaba was attended to by the State. It is public knowledge that Ms. Gigaba was arrested on Friday, 31st July 2020. She was only able to secure bail on Saturday the, 1st August 2020 and she has since appeared before the Hatfield magistrate court on 3rd August 2020. She was arrested at the behest of the Hawks, which raised an alarm. We were then forced to approach the Brooklyn Police station in Pretoria where she was held and to our surprise she could not apply for bail because her docket was taken away by the Hawks officer/s who initiated the arrest.

Surely, a crimen injuria and malicious injury to property could not have warranted the involvement of the Hawks and we want to categorically state that it does not. Once charges are laid with the respective police station, it means that the officers at that police station have a duty and an obligation to effect the arrest.

The Hawks confiscated her electronic gadgets without a search warrant, they denied her the right to legal representation. **The conduct of officers of the Hawks clearly illustrate an abuse of power and is anathema to the rule of law.**

We are deeply disturbed by the abuse of due process displayed by Hawks officers who appropriated the docket thereby denying the Ms. Gigaba's right to apply for bail. **That act by the Hawks was calculated, mean and downright unlawful.**

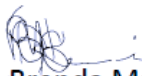
Our civil liberties, including that of Ms. Gigaba matter and cannot be trampled upon with impunity. We insist on the respect for human rights of all South African due process, fairness, and equality for all before the law.

You have Mr. President, announced a “fusion center” comprising of the different law enforcement agencies including the Hawks- how then can you place trust and confidence in an institution led by individuals who have clearly demonstrated contempt and a flagrant disregard for the rule of law. We therefore call on you to demand answers from the Hawks on the following:

- Did the complainant lodge the complaint with the Hawks and when? If so, can thy produce the complaint in writing?
- Produce the search warrant used to confiscate Ms. Gigaba’s electronic gadgets.
- Provide reason(s) the docket was removed from the Brooklyn police station.

We also wish to advise that we have applied for a watching brief on this matter. Further we will be writing to the Speaker of National assembly requesting a speaking intervention the next time the Hawks appear before the Justice Portfolio Committee.

Sincerely,



Brenda Madumise-Pajibo



Onica Nonhlanhla Makwakwa