



## **Press statement 21 April 2023**

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### **Nulane Failure a Blow to Public Confidence About Ability of State to Tackle Corruption**

Defend our Democracy expresses its dismay at the failure of the state as the Nulane Investments trial came to a disastrous end on Friday at the Free State High Court.

The Nulane Investment's matter was the first "state capture" related case to be taken to trial by the National Prosecuting Authority's (NPA) Investigative Directorate.

Five of the accused and two companies successfully applied to be discharged. The sixth accused, who did not apply for a discharge, was acquitted by the Free State High Court.

We are extremely disappointed in the manner in which the case was seemingly handled, given the statements of Acting Judge Nompumelelo Gusha that the "audacious manner in which this matter was investigated is truly to be lamented".

Gusha also said, "To say that the manner in which the case was conducted is comedy, would be the understatement of the millennium."

The judge's comments about the handling of the case, stand in stark contrast to [statements](#) by NPA head Shamila Batohi in 2019, who emphasised the need for watertight cases to rebuild the credibility of the prosecuting authority.

The NPA says that the Nulane case has no bearing on its ability to prosecute state capture related matters in future. It is unfortunate though that it has not recognised that its failure to secure a conviction in the Nulane case, sends a very different message to the South African public about the state's capability to effectively deal with other corruption and capture related cases.

That this comes shortly after United Arab Emirates refused SA's extradition request for the Guptas, adds to the growing loss of confidence by the public about the 'big fish' implicated in state capture and corruption ever being held accountable.

Defend our Democracy will be joining the Ahmed Kathrada Foundation, Corruption Watch, the Organisation Undoing Tax Abuse and members of the public on 27 April 2023 outside the UAE Embassy in Tshwane, expressing outrage at the Guptas being let off the hook.

However, our message to the South African government, the police, and the NPA, is simply: "Buck up and do your work properly. We can no longer afford excuses. Our country cannot lose the fight against corruption and state capture!"