

24 December 2014

To: The Honourable Minister of Police
NIP NHLEKO

And to: The National Commissioner of
Police

From: Lt-Gen A Dramat

Honourable Minister/Commissioner

Your letter of 23 December 2014 refers.

IN RE: PRECAUTIONARY SUSPENSION WITH FULL PAY AND BENEFITS

1. I have for several months reflected very carefully on the issues that have unfolded in front of me. I have consulted my legal representatives and I have been advised of my legal remedies.
2. I respectfully point out that the tactical 'back pedalling' from the initial notice and the current stance on the Public Service Act and Public Service Regulations and SMS Handbook is a clear indication to me that no matter what steps I take to defend my position, a decision had already been made, from the outset, to remove me from my position.
3. As you will know Honourable Minister, at a very young age I took an informed decision to do whatever it takes to contribute towards the liberation of our country. I did this because I believe in our country, I believe in what was right

and I wanted there to be a full democracy, as envisaged by our Honourable late President Nelson Mandela. I was young, idealistic and filled with energy.

- 4 Having seen our country enter into a democratic phase, I felt that I could contribute in a meaningful way and continued to develop the principles which I fought and for which I was imprisoned.

- 5 My appointment as the Head of the DPCI, I perceived at the time, was based on my credentials, my level of expertise and the fact that I respectfully believe that I have always acted with integrity in the manner in which I deal with people and investigations.

- 6 No doubtably you are aware that I have recently called for certain case dockets involving very influential persons to be brought or alternatively centralised under one investigating arm and this has clearly caused massive resentment towards me.

- 7 I can unequivocally point out that I am not willing to compromise the principles that I have always believed in. I am not willing to be "agreeable", or "compliant" inssofar as I would then be acting contrary to my own moral principles and, also, contrary to the position in which I was appointed.

- 8 I have been advised, and respectfully believe it to be true that from a purely legal point, I could immediately challenge the precautionary suspension and I would be reinstated. It does, with respect, then beg the question "what is

next? If it is clear that a decision has been made to remove me from office, for reasons that I have recorded but need not ventilate in this letter, then I am left with hard choices.

- 9 The choices that I am left with are whether to fight, continue trying to operate within the system in order to effect meaningful change by investigating and root out corruption which has reached the level of epic proportions. On the contrary, I can take a decision that I have done all that I can for the struggle for my country and that my family's interests are paramount.

10. After much introspection and having considered all the options available to me, I have decided that I will not engage on a level that has nothing to do with a "Zimbabwean revolution" but is pregnant with ulterior motives and hence my approach to this matter is as follows:

10.1 The so-called "Zimbabwean Revolution Investigation" is a smoke-screen. There are no facts whatsoever that indicate that at any given time I have acted illegally or unlawfully. I verily believe that this investigation is already complete and handed to the National Director of Public Prosecutions. It goes without saying that had there been *prima facie* evidence against me, of any nature whatsoever, I would have been charged and prosecuted. I am acutely aware of the fact that this, with respect, allegation that 'I have reason to believe that your presence in the workplace is likely to jeopardize the investigation and deter potential witnesses from coming forward', has absolutely no probative

value. The investigation was clearly badly conducted by the investigator of IPID and the spurious allegations were made to tarnish my reputation. From the facts available to me and given my previous representations, which you have in your possession, it is self-evident that I asked for a transparent process and that the facts be evaluated by a suitably qualified legal practitioner who has no vested interest. Most certainly there has never been any evidence whatsoever that I have, in any way, interfered with any potential witnesses or attempted to jeopardise the investigation against me during the past four years.

10.2: I wish to reserve my rights to fully vindicate myself against all those who have sought to tarnish my name and reputation. I do not wish to engage with those involved in this correspondence, insofar as that is reserved for another forum, if necessary.

11. I therefore deny, with respect that the Notice of Precautionary Suspension is legal, valid or regular. In fact it is totally irregular and constitutionally invalid.

12. I am also aware that in the next two months there will be a drive to remove certain investigations that fall under my "watch", reallocate certain cases and that unfortunately, certain sensitive investigations may even be closed down. This is something that I have to live with.

13. I also wish to point out that I have had to give very careful consideration to the message that I am sending to the other members of my Unit by capitulating or

agreeing to a precautionary suspension without challenging it in a court of law. I do not want there to be a message that there is no hope and that members should just acquiesce or go away when they are targeted. That having been said, I have spent 28 years of my life doing everything I can for the struggle for our country and I have been fully committed. The time has now come for me to consider my options very carefully and, quite clearly take an informed decision as to whether I can sustain my position while my hands are tied behind my back, or there are incremental acts to muzzle me.

14. I note with interest that a two month period has been set to hold an "angquy" (sic). I can honestly say that the investigation into the "Zimbabwean Revolution" case, has run for a very lengthy period of time and it to date there has been no evidence whatsoever. It is clear that I am being pushed out.

15. I do, however, have to reserve all my rights insofar as this is the "last warning shot over the bow" and, if necessary, I would necessarily have to go to the relevant forum to deal with each and every allegation, including the current precautionary suspension.

16. Lastly I would respectfully urge yourself, Honourable Minister, to proceed with extreme caution in making or allowing any persons under your authority to make vexatious, spurious or defamatory allegations against me or orchestrate campaigns to undermine my standing or my reputation. This is because I am prepared to be totally transparent and I am a family man and any hurt which

my children may suffer as a result will necessarily mean that I would be forced into taking a position.

17. It became clear to me during the past year that the intention is to get rid of me. You, as the Minister, with respect, should have engaged with me in terms of Section 17DA(4)(b) of the Amendment Act which I am willing to accept depending on the terms and conditions. After due consideration, with specific reference to the background alluded to above, I am willing to submit a request to vacate office by applying to the National Commissioner to approve my early retirement in terms of Section 35 of the Act. Quite clearly there is a precondition that the unlawful precautionary suspension be lifted without me having to approach the court to do so

18. I therefore require that we should enter into a joint consensus seeking meeting as a matter of urgency to prevent any instability within the DPCL. Under the above circumstances your reply is eagerly anticipated by no later than 5th of January 2015.

Yours sincerely

LT-GENERAL A DRAWAT