

KOMMISSIE VAN ONDERSOEK IN  
DIE VOORKOMING VAN OPENBARE  
GEWELD EN INTIMIDASIE



COMMISSION OF INQUIRY re  
THE PREVENTION OF PUBLIC  
VIOLENCE AND INTIMIDATION

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13 March 1992

Mr P. Gordhan  
CODESA  
FAX (031) 3092278

Dear Mr Gordhan

I refer to the invitation to discuss the work of the Commission with Working Group 1 of Codesa. As I informed you telephonically, after careful consideration I have come to the firm conclusion that I have no option but to decline the invitation. My reasons are the following.

- 1 The Commission is a judicial one.
2. Its principal function is to hold enquiries into the phenomenon of violence. It does that in the main by means of public hearings. After completion of an enquiry a report is submitted by the Commission to the State-President who decides whether and when to make public the findings and recommendations of the Commission.
3. It is inappropriate for a Judge or member of a judicial commission to comment on an enquiry held by him or them save by way of an official written report. To comment in any other way can lead to misunderstandings and misperceptions. To do so, whether publicly or privately, to another body or organisation can lead to incorrect and unfortunate perceptions concerning the independence of the Commission. Furthermore, questions might well be raised at such a meeting which it would be inappropriate to answer, especially on matters concerning current or future enquiries. Indeed, a refusal to answer such questions or to discuss such matters might also lead to incorrect assumptions being made concerning the Commission.
4. All of the reports already submitted to the State-President have been made public by him. It would obviously not be possible for me to discuss the evidence thus far given at enquiries which are still incomplete.

It is with regret that I do decline the invitation and my doing so should in no way be seen as a slight to Codesa or a lack of appreciation of the important role being played by it.

In order to be of assistance to Codesa I am sending to it copies of the reports which have been submitted thus far by the Commission to the State-President as well as all press statements which I have issued on behalf of the Commission.

I would also invite Codesa to submit to the Commission any ideas or suggestions concerning matters which fall within the terms of reference of the Commission.

The Commission will in future send to Codesa copies of its reports when made public and of press statements issued on its behalf.

Yours sincerely



R J GOLDSTONE  
CHAIRMAN