

Director of Public Prosecutions
JOHANNESBURG

18 June 2026

E-MAIL: [REDACTED]

Dear Adv Ryan,

RE: DECISION TO PROSECUTE: JULIUS SELLO MALEMA

SOPHIATOWN CAS: 137/06/2025

**CHARGES: CRIMINAL DEFAMATION / CRIMEN INIURIA / CONTRAVENTION OF CYBER
CRIMES ACT**

COMPLAINANT: JACO PIETERSE

1. We yet again confirm advocates G Nel and P Vorster's brief to act on behalf of the complainant, Mr. Jaco Pieterse.
2. We refer to a message received via WhatsApp from the investigating officer on 15 June 2026 and a telephonic discussion between you and Phyllis Vorster on 17 June 2026.
3. We commend the investigating officer for her efforts in investigating the matter and Adv Ryan for her detailed knowledge of the facts and allegations.
4. Mr Pieterse opened three cases against three different politicians who abused their public profiles to publicly violate his dignity and privacy.
5. It is an undisputed fact that Pieterse was never and could never have been a suspect in the rape of the 7-year-old "victim". The NPA publicly confirmed that no evidence of rape could be found. To set it out clearly, the "victim", according to the police investigation, was never raped.

May 2024

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Member Affairs – Email: ledesake@afriforum.co.za • **Directors:** Ms A. Bailey, Mr P.J.W. Buys, Ms H.K. Coetzee, Mr P.L. Dekker, Mr F.J.D. de Klerk, Mr G.R. de Vries,
Dr D.J. Hermann, Mr W.G. Human, Mr C.M. Kriel, Prof. J.J. Malan and Dr R. Pretorius. • **Company Secretary:** Mr W.A. Vogel.
Registration number: 2005/042861/08 • **NGO number:** 054 - 590

6. The SAPS stated publicly that Pieterse was never a suspect. Mr. Senzo Mchunu, the Minister of Police, even apologised for erroneously having referred to Pieterse as a suspect. However, in this matter, Mr Malema referred to Pieterse as a serial child rapist and included a threat, made in front of thousands of party faithful, that they, the EFF, will arrest him.
7. Before we deal with the request by the NPA, we feel duty-bound to indicate that Pieterse was not only a family man with a wife and children but also a career teacher and a principal of a school. There could be no bigger infringement of his dignity and privacy as to be branded a rapist of a seven-year-old girl.
8. We have followed the social media storm, as well as the parallel official investigation, and noted the impact that various uninformed and slanderous posts have had on Pieterse, his family, and his friends. However, the impact of a public statement made in front of thousands of supporters and shared on an official EFF YouTube and other social media pages far outweighs the harm caused by faceless social media commentators.
9. Pieterse, in consultation with members of this office, made an informed decision not to open a criminal case against the mother of the “victim”. While the mother participated in numerous media interviews and made many dubious pronouncements on her social media accounts, which remain publicly available, our focus at this stage is on those who exploited the situation for their gain.
10. Notably, Malema, in his own words, has demonstrated a full appreciation of the profound impact false allegations of criminal impropriety have on the dignity of a person – because he has experienced it himself and has asked the courts to intervene. Malema understands that being falsely branded a criminal violates the fundamental human right to dignity and argues that such a right is worthy of protection.

11. This is evident in the civil case Malema filed in the High Court in Johannesburg against Patriotic Alliance leader Kenny Kunene after Kunene made comments at a widely broadcast political rally in 2024 alleging that Malema was involved in drug dealing and other unlawful activity, which Malema says violated his right to dignity. The matter is still before the courts.
12. Kunene's impugned public statements that "*Malema works for Mazzotti*", that he "*sells illegal cigarettes for Mazzotti*", and that "*the Nigerians give him cocaine*" must be viewed against Malema's statements that Pieterse was "*the principal that raped CweCwe*" and that "*it is not the first time he is doing what he did to this little girl*".
13. In his founding affidavit, Malema states under oath that Kunene's comments "*violate my right to dignity*", that he felt "*degraded and humiliated*", more so that he is "*also a husband and a father of minor children*".
14. Malema adds that "*my dignity has been seriously impaired by the false, defamatory allegations made about me*" by Kunene and that "*any suggestion that I am a criminal, am dishonest or immoral impacts negatively on the EFF, my family and me.*"
15. It is worth mentioning the steps Malema took to protect his dignity in the matter against so-called celebrity-blogger Musa Khawula, who publicly claimed that Malema and his wife were experiencing marital strife and were on the verge of divorce. Malema's lawyers said Kawula's claims subjected his children to "*emotional harm and public scrutiny*", adding that Malema has been exposed to "*ridicule, speculation, humiliation and reputational harm on a mass scale*". The court agreed with Malema and ordered Khawula to apologise and retract the statements.

16. Significantly, in this matter when Malema served a letter of demand on Khawula, he also threatened to file a criminal complaint of *crimen iniuria* with the SAPS. Thus, well-informed of his right to dignity and privacy, he, without cause and on a public platform, called Pieterse a “rapist”.
17. We understand the necessity to consider every matter carefully but submit that Mr Malema individually should be prosecuted on charges of Crimen Iniuria and others related to the Cyber Crimes and Intimidation acts accordingly. We further submit that the case is an uncomplicated matter that demands prosecution, should the NPA be true to its stated principle of acting without fear, favour, or prejudice.
18. Your decision is awaited in anticipation.

Yours sincerely



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