

Media Statement



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TO: ALL MEDIA

DATE: 19 OCTOBER 2018

RE: 10 YEARS FOR INHERITANCE FRAUDSTER

The Port Elizabeth Commercial Crimes Court sentenced Mary Madaka to 10 years for misappropriating more than R1 million that was meant to secure the future of Daniel Jackson Vanqa. She was also sentenced to five years in prison for contravening sections of the Prevention of Organised Crime Act. Both the sentences are due to run concurrently.

Mary (accused 1), an accountant at the Nelson Mandela Metropolitan Municipality together with Accused 2, Mbuyiselo Madaka accepted an appointment to be legal guardians of Vanqa in 2007 following the death of the complainant's father. The case against accused number two was later withdrawn.

The complainant's father had created a testamentary trust to the sole benefit of the complainant and appointed Sentinal International Trust Company (Pty) Ltd as both executor of his estate and trustee. The trustee made maintenance payments on behalf of the accused in order to provide for the needs of the complainant.

The pension benefit of the deceased did not form part of the deceased's estate and was therefore not included in the assets of the trust. After the death of the deceased, the complainant handed the bankcard with a pin number to the accused because he had no reason to utilize the account anymore.

The complainant turned 18 years on 29 January 2010 and was therefore a major. On 6 April 2010, an amount of R1 137 626, 52 from the pension benefit of the deceased was deposited into the bank account of the complainant.

During the period of April to May 2010, the accused unlawfully used the complainant's bank account to withdraw money to pay many of their creditors. In doing so,

misappropriated the whole of the pension benefit for themselves without the knowledge or consent of the complainant.

The NPA welcomes the sentence and commends Advocate Ulrike De Klerk for her tireless efforts in making sure that the accused pays for her conduct.

Kind Regards,

Tsepo Ndwalaza
NPA Regional Spokesperson
DPP: Grahamstown