

Media Statement



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TO: ALL MEDIA

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RE: CLERK OF THE COURT SENTENCED TO FIVE YEARS FOR CORRUPTION

A failure to deliver on his promise to make a docket of a theft case disappear sank a Clerk of the Court stationed at the Wynberg Magistrate's Court as he was sentenced to five years direct imprisonment for corruption and defeating the ends of justice yesterday.

The Specialised Commercial Crimes Court in Bellville further sentenced Siyabulela Sono to eight years direct imprisonment wholly suspended for five years on condition that he is not convicted for corruption, fraud, defeating the ends of justice during the period of suspension.

The Business Management graduate who worked as the Clerk of the Court targeted Wendy Nombongo Ndude as she left the Wynberg Magistrate's Court after appearing in December 2017 on a charge of theft. He approached her and told her that "he can assist her if she gave him 10 gran". Ndude asked him what he meant by '10 gran' and the accused told her it was R10 000. Ndude told him that she cannot afford that but has only R5 000. Ndude was told to bring the R5 000 on her next court appearance.

Sono also promised to speak to the Prosecutor of Court 2 at the Wynberg Magistrates Court to make Ndude's fingerprints disappear from the system so that she can be employed without a criminal record. He also advised Ndude to ignore the court date in which her case would be postponed and that the court would issue a warrant of arrest against her. He further promised to give Ndude the warrant of arrest.

Convinced that this might come true, Ndude borrowed the money from her sister as she was unemployed. She brought the money to court together with her sister, Khumbula. The sister insisted that she wanted to see the person to whom the money would be paid. The R 5000 was handed to Sono at the parking area and the two shared contact details.

Ndude was instructed not to attend court as Sono wanted the court to issue a warrant of arrest against her so that he can get the warrant and the police docket and give them to her. Ndude and her sister went home. Two days later, Ndude contacted Sono to enquire about the next court and she was given the dates.

The two made another arrangement to meet at the court building. Sono came out of the building and instructed Ndude to accompany him to the Wynberg CBD. Near a clothing shop in the CBD, Sono gave Ndude some documents which included the original charge sheet and a warrant of arrest. He told her it's everything concerning her case and instructed to look at the documents when she gets home and burn them afterwards. Ndude looked at the documents when she got home but got confused as there was no police docket among them but a warrant. She decided to keep them safely. She then kept on attending court and was later convicted and sentenced in November 2017. Shocked by this failure to deliver, she looked for the accused to get her money back. On 1 December 2017, Ndude attended her correctional supervision sentence and took the documents with. She told her Correctional Supervision Officer of what happened. The officer took her to the Prosecutor of Court 2 where Ndude further explained what happened. Ndude was also taken to the area manager of the Department of Justice and Constitutional Development. She showed the area manager her and Sono's WhatsApp messages where they spoke about the plan.

Later, Ndude received a call from Sono who questioned her on why she reported their plan to his superiors. He threatened her that if he is in trouble he will use Sangomas to make his case disappear. Ndude stood her ground and demanded her money back. The accused promised to pay back the money in March 2018 when he gets his bonus. The allegations against Sono were investigated and he was arrested.

Advocate Simon Leope who facilitated the plea and sentencing agreement said the accused as Clerk of the Court was placed in a position of trust. "The accused used his position to commit the offence of corruption and attempting to defeat the court of justice. White collar crimes such as corruption have reached alarming proportions in South Africa. It results in huge loses to members of public, organisations and the state," he said.

The NPA welcomes this sentence as it once again demonstrates the state's commitment to clean the public service of corruption, criminal elements and bring back the confidence members of the public are supposed to have on state institutions.

Kind Regards,

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Regional Spokesperson: DPP Western Cape

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