

## NDPP MEDIA BRIEFING 24 MAY 2019

Good morning. It's been almost 4 months since I briefed the media on 1 February, the day I took office, and I thank you for your patience. I had intended to brief the media sooner, but I didn't appreciate the depth and extent of the challenges, both internal and external, that I'd be facing in revitalising the NPA.

I am the seventh NDPP (including Acting NDPPs) over the last decade. Over this period the NPA has experienced, as has been publically revealed, politically-motivated changes in leadership, allegations of impropriety against some of its leadership, an exodus of skilled staff, a hiring freeze, a virtual end to its professional development and training programmes, and a fiscally-induced vacancy rate that's brought the NPA's operations close to collapse in some centres.

I have in the past 4 months been listening, understanding, engaging at various levels, and attending to various priorities that were identified. These include:

1. **Addressing the NPA leadership crisis.** This is critical to restoring the credibility of the NPA, which needs a fresh new, dynamic leadership. I made important changes that were widely reported on, but more needs to be done. However, for various reasons, this has not been as quick or easy but important progress will be made shortly.
2. **Conduct of reviews of high-profile cases relating to decisions to prosecute or not to prosecute.** This will also assist in restoring credibility. In this regard, we have identified a number of cases (including those investigated by IPID), which we are reviewing.
3. **A Review of the structure of the NPA** – To improve effectiveness I have decided on a de-centralised model, with small, specialised, highly skilled capacities at the National Office to actively support prosecutors in the regions. This will build more capacity in the regions, maintaining specialisation for example with regard to the Specialised Commercial Crimes, terrorism, and other crime types that may be identified e.g. cyber-crime.

4. **Obtaining more budget for the NPA.** This is a very serious problem for the NPA. There has been no recruitment since 2016. The impact on the delivery of justice and moral of prosecutors working in extremely challenging conditions, is huge. We will not be able to deliver the service that the people deserve, or effectively deal with holding persons accountable for crimes (outside of the Investigating Directorate) if this situation persists. This is one of the key issues to be discussed with the new Minister of Justice.
5. **Managing cases relating to State Capture, including the creation of the Investigating Directorate has been a priority** – which I will deal with later.

The challenges we face have provided opportunities to begin the complex process of revitalising and repairing the NPA.

Together with the leadership of the NPA, I have also been working on a number of other important issues:

- *Partnership engagement:* To achieve our vision, the NPA must collaborate with its governmental partners, including the police and the courts. I have made it one of my priorities to reach out to our partners and candidly discuss challenges, which have impeded effective cooperation. I have met with the Police Commissioner, Lt Gen Sithole and I have had several meetings with the Head of the Hawks, General Lebeya. We recognise that there are huge challenges in law enforcement – lack of skills, lack of discipline, corruption, etc. However, we have been working together very closely to address various priority cases. We have also been working with the Financial Intelligence Centre (FIC), the Special Investigating Unit (SIU) and the South African Revenue Service (SARS), amongst others.
- *Stakeholder engagement:* I have sought to reach out to the business sector and civil society groups, which represent important constituencies in South Africa. My outreach efforts include South Africa’s development partners, including the foreign diplomatic community, who are watching carefully whether we can reverse the effects of years of state capture in order to place SA back on a positive development and economic trajectory, to restore the rule of law, and build confidence in our institutions.
- *Strengthening morale and empowering NPA staff:* On my first day in office, I requested that a staff survey be undertaken. New in my position

- as NDPP, I wanted to hear from everyone in the NPA. The NPA succeeds or fails on the ability, skills and knowledge of its people. Our people are the NPA's greatest asset. To succeed, the NPA must nurture and empower all its people. To this end, I'm undertaking numerous visits to our regional and local offices across the country, to meet with, and listen to, prosecutors and staff working at the coalface of the criminal justice system. I've asked for a review of the NPA's professional development and training capacity to ensure we have the human resources and skills to be a cutting-edge prosecution service that all can be proud of, ready to meet the challenges it faces.
- *Create a Strategic support & innovation capacity in the Office of the NDPP:* My office will draw in skills and resources – including the private sector and international experts – to provide capacity to the NDPP's Office to focus on longer-term strategic issues, trends and challenges facing the NPA, and criminal justice. Also to serve as an innovation hub for new and creative solutions to intractable operational and institutional challenges facing the NPA.

### **Ambitious developmental vision**

- My vision for the NPA is ambitious, but it is something that the majority of the prosecutors support, according to the staff survey. It is to rebuild and lead a trusted and effective prosecution service that pursues justice for all South Africans through independent, professional and victim-centred service delivery. This vision depends on 4 key pillars: credibility, independence, professionalism and accountability.
- An important role the NPA has to fulfil, is to undertake effective prosecutions. The country is crying out for this – but the NPA is about much more than only prosecuting cases in court long after a crime has been committed. The work of the NPA must – and will – make an effective contribution to the country's socio-economic development.

### **Hunger for progress**

In addition to all the other crime types that the NPA has to focus on, including sexual and gender-based crimes, corruption has become endemic in our society. There is, understandably, tremendous hunger and impatience for justice, and that expectations for immediate arrests are high. The proclamation of an Investigating Directorate is an important step to restoring the rule of law in South Africa. The

SAPS and the NPA are working closely to ensure that we are able to address the scourge of corruption in our country at the different levels. The National Commissioner has committed the full support of the SAPS to the work of the Investigating Directorate, and as you can see both he and Gen Lebeya are here to take your questions.

I am pleased to introduce Adv Hermione Cronje to you today. While many of you will have seen from other media reports that her academic and professional qualifications and past work experience more than qualify her for the position of Investigating Director, I want to assure you that, having worked with her in the past when we were both in the NPA in the early 2000s, and again over the last two months, I have absolute confidence that she has the temperament, the resolve and the commitment to make a success of this challenging assignment. She is passionate, astute and will fiercely defend the rule of law. If anyone can do this job she can.

As you know she has been working closely with Andrea Johnson over the past few months in getting to grips with what progress is being made within the NPA to hold accountable those implicated in corruption. They will continue to work through which of these cases will be referred to the ID and which cases will remain with the prosecutors in the Specialised Commercial Crime Unit.

It is therefore also vital that, outside of the Investigating Directorate, other cases of serious corruption which the NPA will need to deal with – which are destroying our communities and have eroded public trust in state officials – also receive the necessary attention and resources.

The establishment of the Directorate will immensely strengthen the capacity to address corruption. However, I want to caution that complex cases take a while to investigate properly, and as we know, many cases have been neglected for many years. But I am confident that those responsible will be held accountable. We will relentlessly pursue the course of justice and respect for the rule of law will prevail.

It gives me pleasure to hand you over to Adv Cronje who will give you more detail about the Investigating Directorate.