

# Media Statement



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**TO: ALL MEDIA**

**DATE: 20 OCTOBER 2014**

**RE: NPA PUSHING FOR HARSHER SENTENCES AGAINST WHITE COLLAR  
CRIME**

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Victor Kwenda (34) and Tshepo Diutlwileng (33) pleaded guilty to 26 counts of fraud to the value of R4 898 158.21 and were sentenced to an effective 20 years imprisonment by the Johannesburg Specialised Commercial Crimes Court on Thursday, 16 October 2014.

The NPA strives to deliver on its mandate to prosecute white collar crime and must commend Adv Sithembiso James Bhengu who during aggravating for sentence presented in court that white collar crime such as theft and fraud committed by people in positions of trust and authority has reached alarming proportions, therefore the interests of the society and the requirement of deterrence in sentencing such offences require that effective imprisonment be imposed to stamp out white collar crime.

Kwenda was employed by MERSETA, which is a SETA established by the Minister of Higher Education in terms of section 9 (1) of the Skills Development Act 97 of 1998. He was employed as a grants and levies administrator from 17 March 2008 until he resigned on 30 July 2010. Merseta occasionally pays grants to qualifying employers who are registered for skills development. His duties included amongst others, the uploading of bank details and the payment of grants to qualifying employers.

Diutlwileng was a sole member of a company called BIU Trading and the two were business associates and held co-directorship in a company called Mesistyle.

Kwenda, acting in furtherance of a common purpose with Diutlwileng, changed the bank account details of employers who qualified for grant payments and substituted them with the bank account details of the company belonging to Diutlwileng, with the result that the grant payments were diverted into the bank account of Accused 2's company. The

offences surfaced on or about 20 January 2011 when one of the employers, Kaefer - Thermal Contracting Services queried non-payments of grants due to it.

The NPA welcomes the sentence as it is common law that when deciding on an appropriate sentence, a court should take into account the severity and prevalence of the crime, the offender and the interests of the community. The sentence strikes a judicious counter balance between these competing factors and re-emphasises the NPA stance in fighting organised crime.

Kind Regards,

**Issued by:**

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