

KHASHO

JAN 2013



**Punished
for child
pornography**

**Best judicial
system and
policing award**

**Racketeering
gang
convicted**

**Budget
and debt
management
unit profiled**

ENSURING PROSECUTIONS WITHOUT FEAR, FAVOUR OR PREJUDICE



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LETTER FROM THE MANAGING EDITOR

What a year this has turned out to be, so early on! There is truly no dull moment at the NPA. Recent high profile court cases have gripped all sectors of our society, locally and internationally. Media enquiries have reached an all time high and the communication mailbox is full to the brim with unsolicited views from members of the public that have interest in our high profile cases. The level of public interest, especially from international media on the process of bail prompted us to enhance our public education on this issue and we published a Q&A file on frequently asked questions (FAQ's) on bail and the bail hearing process, and clarification on Schedule 5 & 6 offences. This document is available on the NPA website under the 'Media Resource' link. The DPP North Gauteng office were very supportive in ensuring that this resource document addressed all the key issues, some of which were particularly relevant to the extraordinary circumstances of the Oscar Pistorius matter which falls under this jurisdiction.

The use of social media tools in governments around the world has gained acceptance as a direct and 'quick to the mark' communication platform with the public. The NPA has a social media policy, which is aligned to the Government Communication and Information Service (GCIS) guidelines for all government departments that embrace social media tools. As part of exploring this platform, we communicated internally last year about the NPA's Public Relations Facebook page. Since its inception, the page has registered a total of over 2 000 visitors from 38 different countries, and is showing a steady increase in the number of hits due to its interactive nature. A total of 55 public outreach events and colourful outreach pictures are the featured items on the NPA page.

Officials are requested to acquaint themselves with our social media policy that provides guidelines in the usage of this platform.



Bulelwa Makeke
Executive Manager: Communications

The plasma TV in the reception area of the VGM building is working again. We hope to play varied material that captures NPA visitors' interest about the work of the NPA. Currently, we are playing a 'Did you know' loop which plays continuously to keep NPA visitors informed about the NPA in general. We also encourage you to take a peep as you walk through the reception area - you may learn one or two things that you did not know about your organisation. Business units that have educational material in their possession may feel free to share it with us. These loops will form part of a community TV public education and awareness programme that we are in the process of developing along the same themes as the radio campaigns we've done in the past two years. The pilot broadcast will be on Tshwane TV soon, with the view of going to as many other community TV stations as possible. The programme is in its production phase and we will keep you informed when it is due to air.

Our formula has not changed; we still give you, Khasho readers, an opportunity to provide us with interesting and informative content to publish on Khasho. You can send your articles to the following address: Khasho@npa.gov.za. You can also share your inputs with your respective regional communications manager.

Bulelwa Makeke is the Executive Manager: Communications



The New Year started with a bang for most of us but the thought of the holidays already seems distant and many are already looking forward to the long weekends in April.

With the audit in full swing we are all working hard at maintaining the gains made last year. Governance is the focus for this year as we aim to move from an unqualified audit to a clean one. Most of the older policies have been reviewed and updated and other policies developed. You are encouraged to familiarise yourselves with the new provisions, and ensure that you understand them.

Compliance in general has improved but there remains work to be done as regulations and prescripts keep changing. We remain optimistic that we will be in a position to keep abreast of the governance developments and adapt as required. Your support in this matter is crucial and the positive attitude of staff towards this goal has been heartening.

It has been a few weeks since Parliament opened but we are already fielding a lot of Parliamentary Questions that the NPA must respond to. This shows that we do not operate in a vacuum; accountability is a big part of our mandate. A round of applause goes to all those colleagues that we have bothered with arduous Parliamentary Questions.

After long hours of hard work, we are delighted to have submitted the NPA Strategic Plan 2013-2018 and Annual Performance Plan 2013-2014 to Parliament. They will be tabled on 12 March 2013, and a date on which they will be interrogated by the Justice Portfolio Committee is still to be confirmed and will be communicated to you.

You will notice that Corporate Services is making use of Khasho as a platform to raise better awareness about the various service centres, their functions and how they add value to ensure good corporate governance and effective resourcing to support service delivery within the limits of the resources available to the organisation.

Unfortunately the NPA will have to continue implementing cost saving measures even in subsequent years. South Africa is currently feeling the brunt of the world economic depression and we implore staff members to play their role to ensure that the NPA continues to serve its customers so that we all can live in a society free from crime and violence.

I have been encouraged by the positive input and excellent suggestions received from many of you on ways and means to further curb expenditure. The financial position is not expected to improve in the next three years. The compensation of employees' budget is inadequate and forced savings in goods and services are required to ensure that employee benefits are not negatively impacted on. We must all ensure that the NPA gets maximum output and value for money from every rand spent.

I would like to assure all staff members that even though our current financial position is bleak, no jobs will be lost. However, there is no money to appoint further staff even when vacancies arise as the budget for compensation of employees is not sufficient to cover the cost of current employees, including contract appointments.

I would like to also urge all of you to stay true to our core organisational values, for they form the basis of our culture and reflect the standards of acceptable conduct within the NPA.

I would like to thank all of you for the hard work and commitment shown during the current financial year. Remember, service delivery is key to economic growth and social freedom. Together we make a difference.

Karen van Rensburg is the Acting CEO



Acting CEO Karen Van Rensburg

45 YEARS FOR CHILD PORNOGRAPHY

Phaladi Shuping

A former police officer was sentenced to 45 years imprisonment by the Welkom Magistrate's Court after he was found guilty of child pornography offences.

Magistrate Tiloshni Ramdeyal sentenced Andre Botha to 18 years for possession of child pornography, eight years for importation / procuring child pornography, six years for display of pornography, five years for creation or production of child pornography, five years for an attempt to commit a sexual offence and three years for attempt to defeat the ends of justice. Effectively, he will serve 15 years in prison after the magistrate ordered that some of the sentences should run concurrently.

It was revealed in court that Botha started chatting on Mixit to a pre-primary school teacher in Durban. On realising that she was a teacher, he tried to persuade her to take explicit pictures of her learners and send them to him. He offered to pay her anything from R250 to R1000 per photo depending on how good or explicit the picture was. The teacher refused and he threatened her that he would come to Durban and take the pictures himself.

On realising that she had exposed her learners to danger, the teacher spoke to her friend, who happened to be an informer of the Hawks in Welkom, asking for advice. The matter was reported to the police and a warrant was issued to search Botha's residence in Durban. During the search on 16 August 2011, police seized five cellular phones, a laptop and

a desktop computer. 27 pictures of naked children were found in his possession. He appeared in the Pinetown Magistrate's Court the following day and the matter was transferred to Welkom.

Botha wanted to plead guilty but the State Prosecutor, Charmaine Labuschagne requested that further investigations be conducted before his plea could be entertained as she was convinced that they could find more pornographic material than what they had already found.

During further investigation, 780 pornographic pictures and 22 videos were retrieved from his cellular phone, laptop and 3G card. It was also discovered that on the day he was arrested he used another inmate's cellular phone to download pornographic material using his username while in police custody.

Arguing in aggravation of sentence Labuschagne stated that the accused is a paedophile and his behavior could not be changed overnight because he had been downloading pornographic material for over 10 years, even when he was in the police force. She further emphasised that the accused was probably making money out of this material because there was no way that he could be spending at least R8000 on pornographic material every month if he was not getting anything in return. "There is no way that he could be spending such a lot of money if there was no benefit for him. He was probably part of a ring and was making money by downloading this material," she concluded.

COMMENTARY BY ADV CHARMINE LABUSCHAGNE

For this case I had to do extensive research because we do not really have an extensive database on case law on child pornography. We also do not have a consistent trend of sentences that reflect the seriousness of the prolonged suffering by children used for the creation of pornography. It seems to be considered a faceless crime since most of the children's pictures are being downloaded from the internet, and the real victims are often not traced. The fact of the matter is that (in my opinion) it cannot be argued away by any reasoning whatsoever, such as that it is not real children that are being abused and violated. As long as people like the accused are prepared to fixate and spend money on it, this suffering from nameless children will continue.

I have realised that this is an enormous growing industry that puts millions of children at risk. No child is safe under any circumstances whilst these crimes are not being punished according to the prescribed sentences. I have also realised that everything you send into cyber space stays there forever, which makes that child a victim for the rest of her life. It was a challenge to find case laws applicable to my specific offences and circumstances like using social networking sites like mixit to gain access to child porn. It was a huge task to convince the court to give an extensive direct imprisonment.

Frankly, South African courts have been reluctant to follow the examples of courts in the United States where sentences handed down in child pornography cases reflect the seriousness with which offences involving the abuse of children should be treated. Sentencing patterns in South Africa reflect the dangerously erroneous view that possessors and distributors of child pornography are harmless and custodial sentences are rare, except in those cases where such persons were also found guilty of the actual sexual abuse of the child.



Adv Labuschagne

Phaladi Shuping is the Regional Communications Manager for DPP: Free State

LENGTHY JAIL TERM FOR RACKETEERING GANG

Luxolo Tyali

A precedent was set in the Mthatha High Court when four men were sentenced to an effective 25 years imprisonment, after they were convicted of racketeering charges in December 2012.

The four, Mlamli Tshiyo, 28, Thabo Tswina, 27, Phumlani Dumezweni, 26 and Mthobeli Ntlokwenendaba, 28, were found guilty of committing at least nine different robberies in nine districts in the Transkei area, their main target being Pep Stores.

The group were sentenced for conducting an enterprise through a pattern of racketeering activities, which included possession of firearms with intent to commit criminal offences, robbery with aggravating circumstances, murder as well as attempted murder, all of which were committed in the period between 21 January 2010 and 04 April 2010.

They were sentenced to 15 years on the counts of robbery with aggravating circumstances, 10 years for murder, 10 years for attempted murder and five years for illegal possession of firearms and five years for the illegal possession of ammunition.

The murder charge emanated from the death of one of their own, Nkosikhona Dyonase, who was killed during a shootout with the police which ensued when the group was committing one of their many robberies in Idutywa Pep Stores.

The four men, together with the deceased and Bafo Chiliza, who is still at large, formed the organised criminal group which acted in common purpose and conspired together on a continuous basis with the aim of committing the spate of robberies.

They managed to commit at least nine robberies, using firearms to overcome resistance. In all these robberies, committed in the districts of Cofimvaba, Ntabankulu, Libode, Qumbu, Tsolo, Mthatha, Ngqeleni, Ngcobo and Idutywa; they drove in a motor vehicle owned by Tshiyo's employer.



Advocate Calaza



Advocate Mzila

After the robberies the group would share the cash, which varied between R3500 and R40 000, and other proceeds of the robberies, being cell phones in most instances.

The 25-year-sentence handed down to

the group by the Mthatha High Court is one of the heaviest for racketeering in the country, and Tshiyo's gang would have otherwise received lighter sentences had their cases been tried separately at different district courts, where the offences were committed.

COMMENTARY BY ADV CALAZA AND ADV MZILA

In a nutshell, the successful prosecution in this case was a result of teamwork, by both Organised Crime Unit in the Mthatha DPP office and Head Office.

After the Organised Crime Unit in Mthatha received nine dockets originating from different districts, it was identified that the pattern was that of racketeering and the office of the NDPP was advised accordingly. Due to staff shortage within DPP Mthatha, we requested assistance from Head Office for the preparation of memos, seeking authorisation to prosecute all accused persons in terms of the Prevention of Organised Crime Act (POCA) 121 of 1998, with specific reference to racketeering. The NDPP office duly sent the team of Adv B.

Moeketsi and Adv J.J. Kruger to assist and we were granted authorisation.

Adv Calaza took the case and it was set down for a month during which the main challenge was to convince the court to appreciate the concept of racketeering. When Adv Calaza left to assist with other duties at Head Office, Adv Mzila took over the case until completion.

The lesson learnt in this case is that if the offences were dealt with separately, they would have looked less serious and the accused would have escaped with a maximum sentence of 15 years. However, by invoking the provisions of Section 206 of POCA, the chances of ensuring that criminals are convicted and sentenced to long term imprisonment become higher.

Luxolo Tyali is the Regional Communications Manager for DPP: Mthatha

EXPERT WITNESSES SEAL IT FOR THE NPA IN A RAPE AND MURDER CASE

Phindi Louw

Nine year old Banele Khumalo was last seen leaving her home in Phumula Section, Alberton to purchase sweets at a nearby tuckshop on 26 August 2010. The next day her naked body was found in a shallow grave at a dumpsite. She had been handcuffed, stabbed, chopped, disembowelled and burnt.

Norman Makananisa, was convicted of kidnapping, rape and murder by the Johannesburg High Court seating in Palmridge on 30 November 2012. He was sentenced to two life sentences plus an additional three years for kidnapping. The accused fathered two little girls, one of them being a friend of the deceased. He occupied a room at his father's premises, 300m away from the dumping site. The front portion of the property had been occupied by his father's tenants who were Bangladeshi nationals.

The accused was arrested after police rescued him from an angry community that was baying for his blood. Children looking for the deceased identified the blanket that wrapped her body as belonging to the accused. On finding blood and braids in the yard of the accused, the community was convinced they got their man. Incensed by the crime committed by Makananisa, they burnt down the house and therefore no fingerprints could be lifted. Poorly preserved exhibits were retrieved. The murder weapon, an axe, mysteriously disappeared from the scene.

Adding to the challenges in this matter was the fact that tests carried out on the semen found in her private parts and rectum were inconclusive. Blood found inside the accused's room could not be matched to the victim and therefore no profile could be drawn. A wheelbarrow, mop and spade, even though clearly reflecting presumable blood, were also inconclusive. Vital statements taken from the foreign nationals, implicating the accused were missing from the case docket. The foreign nationals who fled the country after losing everything in the fire started by the community refused to return to South Africa to testify, fearing reprisals from the community.



Adv Singh and Adv du Toit

Driven by the call to ensure justice for the victim, the two Advocates from the DPP South Gauteng office worked tirelessly to prepare a formidable case. They went against all odds to secure a conviction in a case that most people believed impossible to prove in court. The state enlisted the assistance of a number of experts including one who matched the braids found in the yard of the accused to that of the victim. These experts found that blood spots found at the back of the accused's room matched that of the deceased. They told the hearing that blood found in his room was found to be human blood. A blood spatter expert testified that the pattern of blood found in the room was consistent with a person lying in a prone position and then being struck with an object like an

axe at the back of the head. The wounds on the fingers of the deceased were also consistent with a person being struck with an axe. The forensic pathologist also testified that the injuries sustained by the deceased were consistent with those of a person attacked with an axe and a screw driver. The absence of the victim's nails was explained as being consistent with her fighting her attacker. Fingernail swabbing underneath the deceased's nails were matched to the deceased. The overwhelming physical evidence coupled with circumstantial evidence and the accused alibi which fell apart during cross examination was enough to convince Judge Francis that Makananisi was guilty.

COMMENTARY BY ADV DU TOIT AND ADV SINGH

This case was the worst we ever dealt with. Over and above the fact that the investigation had its challenges, vital witnesses had also left the country. The murder weapon along with certain witness statements disappeared. The community burnt down important evidence. We reconciled ourselves to the fact that we had very little to work with hence we engaged the assistance of some of the best forensic, medical experts and analysts in the country. The concern

from the community was overwhelming. Winning their trust was also vital. Driven by our commitment and passion to see justice prevail, witnesses came forward and their evidence sealed the fate of the accused. We have learnt that there is no such thing as a "bad case". One just needs to "think out of the box" and win the support of the community who see and hear things on our behalf and thereafter everything falls into place.

Phindi Louw is the Regional Communications Manager for DPP: South Gauteng

MISSING PERSONS TASK TEAM DOES IT AGAIN

Natasha Ramkisson

In early January the NPA together with the Office of the Premier in KZN held a ceremony to handover the remains of two Umkhonto we Sizwe (MK) soldiers, Nicholas Sihle Luthuli and David Bhekithemba Luthuli who were killed in 1987.

The men, who were cousins, lived in Maphumulo in the Stanger area. In 1983 they left South Africa and went to Lesotho to join the ANC in exile where they underwent military training. They were 21 years old at the time.

Four years later, they returned to Durban on an ANC mission and sought shelter with a NUMSA activist, Mlungisi Gumede in Umlazi. One night when they were at Gumede's home with his relatives, the house was ambushed and gunshots rang out. Grenades were also thrown in and the house caught fire. Two children who were in the house at the time were allowed out of the house and detained by the police while the men died from shrapnel and gunshot injuries. Even though the bodies of the cousins were identified by their families the

parents were not allowed to bury their children. The State, instead buried them as unknown paupers in December 1987.

The handing over ceremony was graced by many dignitaries including Dr S Dhlomo, MEC for Health; J Nxumalo, EThekweni Mayor; Adv Moipone Noko, Acting Director of Public Prosecutions: KZN; and Dr Khotso De Wee, Chief Executive Officer Department of Justice.

In his opening remarks, Mayor Nxumalo deemed the ceremony and the subsequent re-burial as a 'chapter finally being closed' for the bereaved families.

Dr De Wee, who represented the Minister of Justice, said that the government owes the family an apology for the time taken to find and exhume the bodies. He explained that the process of exhumation is a difficult and time consuming one given that the aim of the murderers was to ensure that the bodies were never found. He made a commitment on behalf of Government to ensure that the recommendations of the Truth and Reconciliation Committee (TRC) are

implemented.

The role of the NPA in the exhumation and identification process was outlined by Adv Noko. She explained how the Priority Crimes and Litigation Unit (PCLU) and the Missing Persons Task Team worked together to find people that went missing during apartheid.

The keynote speaker for the day was Dr Dhlomo, who commended the Office of the Premier for the choice of the venue, Zinto Cele Park in Umlazi. Zinto Cele was also a MK soldier and his remains were exhumed and re-buried in 2010. He said that the choice of the venue was very symbolic. Dr Dhlomo reminded the families of the deceased as well as the others attending that Sihle and Bheki did not die in vain. They fought and died for the South Africa that we have today.

The re-burial of Sihle and Bheki Luthuli took place in Stanger on 13 January 2013 with approximately 3000 guests.



Exhumation of Nicholas Sihle Luthuli and David Bhekithemba Luthuli

Natasha Ramkisson is the Regional Communications Manager for DPP: KZN



ACTION PLAN IN THE FIGHT AGAINST RHINO POACHING

By Phindi Louw



Rhino poaching has become the most prominent topic amongst South Africans who are angered by syndicates that come to steal and destroy South African heritage. The Department of Environmental Affairs (DEA) released the latest rhino poaching statistics that show that 668 rhinos were killed in 2012.

In joining forces with the DEA, which must be commended for signing a memorandum of understanding in 2012 with Vietnam, employees of the NPA in the South Gauteng region underwent environmental training as part of a strategy to curb the scourge of environmental crime. Attendees were equipped with skills and information to present formidable cases against rhino poachers, ivory, bird and reptile dealers. Acts and charges that can be used to formulate charges were discussed during this interactive and informative session.

and sport hunting that resumed in 1968. 96% of the world's rhino population is in South Africa, hence the dire need for a range of strategies on several fronts to implement plans of action to reduce environmental crime.

Most rhinos are shot by so called "trophy hunters" who are mainly Vietnamese, claiming that they are solely interested in the horn for selling into the Asian market. The Convention on International Trade in Endangered Species (CITES), to which South Africa is party, allows

and growing rhino numbers plus paying for their security.

The most interesting part of the session was the sharing of information on how to investigate rhino poaching. The facilitator touched on the modus operandi of poachers - they basically wait for a dark moon, move with the animal until they reach a spot out of sight and far enough for rangers not to hear the gunshots and then do their dirty job. The place where they hide and spend the night is where most evidence is collected,

since they eat, drink and smoke there. Fingerprints are retrieved from water bottles, cigarette butts, etc.

Environmental Affairs inspectors and the SAPS lead these investigations with the involvement of the Forensic Science Laboratory performing chemical, biological and ballistics tests on collected evidence. Samples are also taken from animals with the assistance of the Veterinary Genetics Laboratory and the University of Pretoria who also keep a database that is utilised to check and link them to a particular crime. It was mentioned that the biggest challenge in the fight against environmental crimes is the airport which is understaffed and thus lacks enough personnel to conduct searching.



Facilitators Lt Col Vermeulen and Adv van Heerden

The workshop was facilitated by Advocate Marilie van Heerden who is an expert in environmental crimes, joined by Lieutenant Colonel Gerhard Vermeulen from the SAPS Investigation unit. The first session comprised of a brief background on the existence of rhinos

trophy hunting. Truth is, most of these horns are no longer for hanging on the wall but for trade as one kilo of horn costs an estimated 100 000. Farmers opposed the closure of these Vietnamese hunts by the DEA saying it is a source of revenue they depend on to keep breeding

This results in most horn, bird and reptile dealers leaving the country unnoticed, it was alleged. Attendees were concerned that there was a free flow of people in and out South Africa and that there are no strict measures applied as in countries like

Thailand where there are strict operations and searching tools, scans, customs declaration forms and so on.

The issuing of hunting permits was another concern that Government needs to revisit as most of these crimes are committed by syndicates utilising permits under false pretence as seen in the case of Chumlong Lengthomthai who during trial said “the people on whose behalf the application was made were not bona fide hunters and their passports were merely used to fraudulently obtain hunting permits in their names”.

In closing Marilie said “the wildlife is dependent on all South Africans to take responsibility to protect and preserve its heritage”. Conversation needs to be prioritised and people’s perceptions that environmental crimes are petty crimes need to be changed, she said. “How many of us buy jewellery, bags, and bangles from flea markets made out of animal skin and never question how the material is sourced? Let us all be dedicated to changing this situation”.



Lt Col Vermeulen



Facilitators interacting with attendees

Phindi Louw is the Regional Communications Manager for DPP: South Gauteng



KNOW YOUR CORPORATE MANAGERS: OTHERWISE KNOWN AS DIRECTORS OF ADMINISTRATION

Khasho spoke to some of them in order to enlighten readers about this important corporate services function.

Natasha Ramkisson

Mluleki Chagi - DPP: KZN

How long have you been working for the NPA?

I have been with the National Prosecuting Authority for the past eight years.

How long have you been working at DPP KZN (if you were at another NPA office prior to this)?

After the disbandment of the DSO in 2009, I was with effect from January 2010 reassigned to the National Prosecution Service, DPP KZN

What are your main duties?

Apart from the job description attached to the post of a Director: Administration, there is also a performance agreement which must be aligned to the Annual Performance Plan of the province.

My main duties can be summarised as follows:

- Strategic Management of Corporate Services within the province including general administrative support functions to the Director of Public Prosecutions: KZN.
- Operations Management e.g. overseeing and controlling all work processes within Corporate Services.
- Overall management of the Human Resources Management and Development component at provincial level.
- Provision of continuous feedback on all matters investigated to the relevant authorities as and when required.
- Consolidation of the monthly Corporate Services report.

What are some of the challenges that you face in your job?

- Shortage of staff as a result of budgetary constraints.
- Very high S&T claims particularly by Relief Prosecutors as they must frequently travel to various clusters with vacant posts to provide relief duties.

- Understaffing of the DPP KZN particularly on administrative posts.
- Late submission of leave forms from the clusters, something which could result to audit qualifications.

What administration advice do you have for the readers?

- Regular meetings mainly with those who report to you are very, very important as it helps managers and supervisors better understand your management style and the extent to which they are accountable. Therefore the principle of giving managers responsibility increases their performance as they know responsibility comes with accountability.
- Excessive employee dedication and commitment to perform their duties coupled with excellent management style increases performance.
- Management commitment to support staff when necessary and acknowledgement and praise for a job well done while encouraging those performing below the target

- also increases staff performance.
- Accessibility to all staff members is very, very important as it makes the manager understand individual employees very well including understanding their skills, competencies and capabilities.
- Although managers have a responsibility to also apply disciplinary measures, it is advisable that the use of the word discipline should be avoided as much as possible until such time that it becomes necessary to use it.

What is your message for the DPP KZN office and even for the NPA at large?

We must be like the army generals and stop complaining; instead we should vigorously increase our performance and ensure that our performance and achievement of targets for this year, 2013 is much better than the highest performance ever reached during the previous years for the benefit of the people of South Africa.



Mluleki Chagi

Zolekile Pafa DDPP: Bhisho

Tsepo Ndwalaza

Who is Zolekile Pafa?

I am the Senior Corporate Manager attached to Bhisho DDPP office which includes East London cluster. I am blessed with three kids, who I nurture to always uphold truth and not to sell their souls to the highest bidder.

What is your work background/ qualifications.

My work background is what I call a “mixed bag”. I started my work life as a security guard at the mines where I worked for three and a half years. I then joined the public service as a traffic officer for almost eleven years. From there I became a work study officer, then an Assistant Director: Job Evaluation and later I became a Corporate Manager for NPA. Regarding my educational qualifications, I think it is important to mention that I failed Standard Ten two times and passed on the third attempt. Coming back to your question, I have a Bachelor of Social Science (cum laude, Master of Public Administration (cum laude). In May this year, I will be graduating in Doctor of Administration. I have two Diplomas in Organisational Development and Business Management; and various developmental certificates. The message I am trying to send about my academic achievement to others out there is that there is nothing impossible in life if one believes and commits.

What were your other ambitions?

I also wanted to be a radio announcer, a teacher and a traffic officer. At least, I am glad that I achieved one of my earlier dreams by becoming a traffic officer. I have since resigned myself to the fact that I am an administrator, and have to use the space to have an impact.

How long have you been with the NPA?

I joined the NPA five years ago on 01/01/2008.

What is your role as a corporate manager in the NPA?

My role is to manage and co-ordinate

finance, supply chain; human resources; information management; security and risk; and strategic management advice and support to the region. Importantly, I have to ensure that there is adherence to policies and be always exemplary on matters of compliance as a leader.

What are the challenges of your work?

There are many challenges which might differ from office to office or from person to person. In my view, the challenge is with regard to the quality of decisions one has to make, which in certain instances might not be popular; but one has to decide nonetheless. Secondly, lack of resources in Bhisho makes my life difficult because its either I stretch people to the limit or myself to the limit by doing work which was supposed to be done by another unit. Having said that, our DPP, Adv Mahlathi helps us overcome these challenges by giving us space to explore avenues to address all our challenges. In a way this is what develops us further.

How do you see the NPA overcoming these challenges?

My honest view is that to overcome the organisational challenges the organisation needs a clear change programme which will not only focus on people but on systems and processes. Most, if not all, of these problems are systemic. Systemic problems will always need systemic solutions, as much as mechanical problems will always need mechanical solutions. The SMS Summit which was held last year was a good foundation, but that thinking needs to be incorporated into our systems. Also, the involvement of officials at lower levels remains a challenge. These issues need to be addressed.

Do you believe that corporate managers are making their presence felt?

Given space, they do. Issues that hamper their contribution in my opinion are systemic; and once again needing systemic solutions.

How do you see yourself as contributing in the government's five key priorities?

When I took a decision to be an

administrator, I told myself that as a matter of principle I will always support the government of the day as long as such government is based on the will of the people. I have contributed and still contribute in my own little way by ensuring that I perform to the best of my ability in my work area, to advise those in leadership positions.

In your interactions with the members of the public, do you feel that they know the NPA?

Yes, but still not to the level the NPA is supposed to be known; something more needs to be done. The radio programme which the NPA had about prosecution and the rights of victims improved the image of the NPA a great deal as people from rural areas would ask me some questions about the NPA emanating from the interview on Umhlobo Wenene radio station.



Zolekile Pafa

Where do you see the NPA in the next ten years?

The position of the NPA in the next ten years would depend on how the NPA responds to the challenges of managing change, especially the synergy amongst various organisational units.

What book/s are you reading?

I am reading the book titled, Why Despair? and the Bible which I have been forced to read by my wife. This is where I get my strength and hope.



Ashley Rampersadh DPP: Western Cape

Eric Ntabazalila

What is your work background ?

I have worked in various organs of state within the public service (government departments, commissions and constitutional institutions).

How long have you been with the NPA?

I have been with this organisation since 2006.

What does your job / role entail as a Corporate Manager?

My role is to provide the required operational and strategic management support to the DPP, his management and

staff. The role of the corporate manager is diverse because of the various job functions that must be performed. These will include inter alia; managing budgets, resourcing and most importantly, ensure that the NPA adheres to and complies with the legislative prescripts, policies and procedures.

How many staff members are under your supervision?

I have a staff compliment of 35 people.

What are the challenges of your work?

Capacity and budgetary constraints are the major challenges and as such inevitably impact on resourcing and service delivery.

What challenges have you experienced recently?

Not being able to fill critical vacant posts and the budget constraints.

How did you overcome them/ how do you see the NPA overcoming them?

As management we focus on prioritising available resources to ensure effective and efficient utilisation thereof.

How do you see yourself as contributing in the government's five key priorities? In particular priority four – Fight Against Crime and Corruption.

My role is to ensure that prosecutors are equipped with the basic resources in order to prosecute.

In your interaction with members of the public, do you feel that they know about the NPA?

Yes.

Where do you see the NPA in the next ten years?

I see it continuing to render critical services in the justice environment.

What's in your bucket list workwise?

To see all prosecutors especially at lower courts having access to basic resources and improving the working conditions of prosecutors at some lower courts. That the NPA is optimally resourced with all required resources..

What book/s are you reading?

The 8 Pillars of Excellence by John C Maxwell.

Do you have a message for your NPA colleagues?

I wish everyone could offer their support in managing and working within the current challenging environment that the NPA is faced with.



Ashley Rampesamd

INTERNATIONAL ACCOLADE FOR FREE STATE PROSECUTOR

Phaladi Shuping

Last year on 29 November, Adv Antoinette Ferreira, a prosecutor in the Free State, was awarded the Best Judicial System and Policing award for her outstanding work in the fight against rhino poaching in South Africa.

This happened at the Rhino Conservation Award ceremony that was held at Lombardy Boutique Hotel in Pretoria.

The award ceremony was attended by a cross section of stakeholders with conservation, media and judicial backgrounds. Awardees were acknowledged in the following

five categories: Best Conservation Practitioner, Best Judicial System and Policing, Best Media and Journalism, Best NGO and Best Technology Invention.

Amongst the guests was the Minister of Water and Environmental Affairs, Edna Molewa. During her speech she welcomed the initiatives taken by all the stakeholders to partner with and support government in the fight against rhino poaching. She acknowledged that government alone cannot overcome this threat to conservation.

The goal of the Rhino Conservation Award is to create awareness and recognise exceptional individuals and organisations for their efforts in preventing the poaching of rhinos and in driving a reduction of demand in regions where poached rhino horns are destined.

Adv Ferreira oversees the prosecutions of environmental cases in the Free State, which includes rhino poaching cases. She is well known amongst all role players in conservation as being a champion for the environment.

She gets invited countrywide as a speaker on the subject of organised environmental crimes and has raised awareness extensively amongst both government and private sectors of the plight of the rhino in South Africa.

She is the first prosecutor in the country to use Prevention of the Organised Crime Act to charge rhino poaching syndicates and has numerous successes in the prosecution of syndicate members, resulting in imprisonment and recovery of funds.

Adv Ferreira said that this award was a motivation for her to do her work outstandingly because it showed that there are people who recognise hard work.

“The fact that other foreign countries like China and America support us in the fight against the scourge of rhino poaching gives us courage to deal harshly with the poachers in ensuring that we reduce this high rate of rhino poaching”, she concluded.



Advocate Antoinette Ferreira

Phaladi Shuping is the Regional Communications Manager for DPP: Free State

THE BUDGETS, REPORTING AND DEBT MANAGEMENT UNIT

Sibongile Mogale

The unit is headed by Mrs Hanika van Zyl, who joined the NPA in April 2006 as Senior Manager: Budgets. In April 2012, after the restructuring of the Finance and Procurement Unit, Reporting and Debt Management services were added to the Budget unit.

As the head of the Budgets, Reporting and Debt Management unit, Mrs van Zyl's main duties entail:

- management/facilitation of budget planning and monitoring, debt management and production of accurate reports;
- compilation of financial and management accounting reports in accordance to the PFMA and National Treasury circulars.
- Alignment of the NPA strategy and business unit's Annual Plans with the availability of funds.

There are a number of challenges that she faces on a daily basis, namely:

- Insufficient budget allocations and reprioritisation of funds against key objectives;
- Availability and response time of BAS;
- Specialised Standard Charts Of Accounts;
- Lack of a staff debt management system (e-mail system for the regular sending of debtor statements and confirmations of correct contact details);
- Unresolved disputes in respect of staff debt – feedback from debtors and the implementation of debt recovery (lack of consent);
- Submission of complete and accurate information for the interim and annual financial statements;
- No filling of vacancies due to insufficient budget allocations.



Hanika van Zyl

To ensure compliance with the PFM Act Mrs Van Zyl must do the following:

- Comply with Annual circulars on estimates and adjusted estimates of revenue and expenditure as issued by National Treasury;
- Ensure that the approved budget for a particular financial year is captured on the financial system before the commencement of the financial year;
- Ensure that the cash flow projections, virement and roll over of funds are done and approved by the relevant treasury;
- The financial statements of NPA are prepared on modified cash basis of accounting.
- Interpretation of accounting policies.
- Reporting on debt owing to NPA
- Writing off debt owing to NPA and the reporting thereof
- Recovery of debt in instalments
- Implementation of cost saving measures

The Budgets, Reporting and Debt Management Unit consist of sub-units with the following managers:



Peter Manamela

Peter Manamela, Finance Manager.

Manages/facilitates budget planning and monitoring in terms of the PFMA with a focus on National Prosecution Services (NPS) including all the regional offices.

Budget Management:

- planning includes:
 - Alignment and monitoring of the budget;
 - Monthly expenditure according to business unit annual plans;
 - Reviewing of the costing plans of the business units.
- budgeting includes:
 - Timely compilation and submission of all required budget inputs;
 - Annual Adjustment estimates;
 - Annual Estimates or Revenue and Expenditure.
- reporting:
 - timely reporting on all budget inputs (MTEF, ENE, AENE, Cash flow, Virements, Roll-overs and appropriation statement).
- monthly reporting to various role-players.

Challenges:

- Conflict situations due to the non allocations of funds and the lack of understanding of the budgetary process.



Roseline Modiri

Roseline Modiri, Finance Manager.

Manages/facilitates budget planning and monitoring in terms of the PFMA with the focus on National Specialised Services Division (NSSD) which includes PCLU, MPTT, SOCA, SCCU, OWP, Office of the NDPP, AFU and Corporate Services.

Responsible for the management of entity capturing on BAS and Safetynet systems.

BAS System Controller for the NPA.

Budget Management (same as Peter's):

- Monthly reporting to various role-players.
 - Management of the Basic Accounting System (BAS) and the Safetynet system.
 - Management of the NPA Code Structure and SCOA classifications

Challenges:

- Conflict situations due to the non allocations of funds and the lack of understanding of the budgetary process.
- Availability and response time of BAS.

Jan Olie, Finance Manager.

Manages an effective debtors system within the NPA and to prepare and produce accurate, complete and timely annual and quarterly financial statements for the organisation.



Jan Olie

Compiles accurate, complete and timely financial and management accounting reports on a quarterly and annual basis:

- Planning for preparation of annual financial statements
- Compilation of Interim and Annual financial statements
- Annual financial statements

Debt Management - ensures debt process is followed (create, notify and recover):

- Recovery of debts in instalments;
- Writing off of debts owing to the institution;
- Interest payable on debts to the institution;
- Annual financial statements.

Challenges:

- Lack of effective communication systems and the slow recovery of outstanding debt.
- Long hours during the preparations of the financial statements and the non compliance to due dates.
- Late changes to the Annual financial statements
- Discussions with Auditor General and National Treasury regarding various interpretations of the Financial Statements
- Meeting and complying with various deadlines
- Completeness of auditable inputs.



LEGAL MINDS TYING THE KNOT IN A GLITTERING WEDDING

Frank Lesenyego

In a most glittering wedding of 2012, Boitumelo Chulu tied the knot with Baitse Lekoma just outside Mafikeng City in a village called Tlhabologo. Chulu is currently working at the Itsoseng Magistrate Court as the Magistrate and Baitse Lekoma is working at the NPA North West offices in Mmabatho as State Prosecutor. The revellers mingling in the huge white marquee tent with red carpet came from all walks of life. High profile people in government especially in the Justice cluster, elders of Lekoma's family from Botswana as guests of honour joined the festivities to celebrate the holy matrimony of Baitse Lekoma. Khasho paid a visit to Adv Baitse Chulu nee Lekoma to find out about this interesting matrimony.

Where did you meet?

We met at the corridors of the Itsoseng Magistrate Court, where Boitumelo Chulu was stationed as a Magistrate and I was doing periodical court.

Any conflict of interest in as far as administration of justice is concerned in the North West Province?

We are a very professional couple; we spend most of the time focussing on our lives rather than discussing work-related matters. We believe in confidentiality and will always make sure that we don't put our organisation into disrepute. In a case where my husband has to preside on a matter in which I am the prosecutor in terms of the law, I would have to recuse myself.

Would you advise your children to take up law, like mom and dad?

We would advise our children to take up any career of interest. Our responsibility as parents is to encourage them to be the best that they can be. If they decide to follow on our footsteps and take up law they would have our full support.



Baitse and Boitumelo Chulu

Frank Lesenyego is the Regional Communications Manager for DPP: North West

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