

Khasho



News for NPA staff, friends and stakeholders

July 2009





*Advocate Mokotedi Mpshe
Acting NDPP*

I take pride in the NPA, especially in our prosecutors who diligently perform their duties in courts every day, acting on behalf of people in criminal trials, ensuring that the interest of justice is served.

Prosecutors work under tremendous stress, dealing with challenging and often horrific cases involving child and adult victims. It is in support of these efforts that the NPA is embarking on a recruitment project to fill vacant positions in the NPA, especially in the courts. More prosecutors in our courts and more support staff will ensure that the NPA will manage its work and deal with cases in courts even more promptly and vigorously, thus also expanding on the NPA's work in the rural areas and in the communities.

The acting CEO's regional road shows to create awareness and disseminate information on issues affecting Corporate Services also identifies and helps with the service delivery areas in the NPA that need support and improvement around the

Saluting our prosecutors and advocates

country. This is an encouraging endeavour by Corporate Services to make sure that there is consistent interaction with and feedback to and from our prosecutors on the ground, and I believe that there have already been some immediate wins in some areas as a result of this communication drive. I expect that the Acting CEO and his team will share these with us in *Khasho* soon.

I am pleased that most of the former staff members of the Directorate of Special Operations (DSO) have been incorporated into the various units of the NPA. I wish them all the best and would like to encourage them to keep up their good work, even as they face new experiences, people and challenges. I must also share my appreciation for the efforts of the deployment team, under the leadership of Messrs Willie Hofmeyr and Nick Johnson. They worked tirelessly to ensure the successful deployment of all staff. It certainly has not been easy.

I have also been privileged to interact with some of our aspirant prosecutors. These young and energetic people do us proud, and need to be encouraged, developed and supported, as they represent the future of prosecutions in our country. I am confident that, given the opportunity, these special prosecutors will do a great job in our courts.

I am also taking this opportunity to congratulate both the Asset Forfeiture Unit (AFU) and the Specialised Commercial Crime Unit (SCCU) on their ten-year celebrations. Over the last decade, both these units have done exceptional work in the fight against commercial and organised crime to ensure that people do not profit from crime.

In celebration of Women's Month, I would like to salute all women in the NPA. Special mention must be made of the NPA Sexual Offences and Community Affairs (SOCA) Unit, which does extensive work in the areas of human trafficking and violence against women and children. Various regional, national and international workshops and conferences are being held on these issues, and our Thuthuzela Care Centres ensure that women, in particular, have places where they can be helped with respect and dignity. As stated in the National Action Plan Against Gender Violence, "South Africa needs to move towards creating a society free from gender-based violence where women, men, girls and boys can realise their full potential."

I commend all the women in the NPA for their dedication, hard work and their commitment to the NPA and their families.

*Advocate Mokotedi Mpshe
Acting National Director of Public
Prosecutions*

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Conference addresses human trafficking

The Sexual Offences and Community Affairs (SOCA) Unit of the NPA hosted the regional conference on human trafficking at the Rosebank Hotel, Johannesburg, from 13 to 15 July 2009. The conference was attended by 14 Southern African Development Community (SADC) countries.

The objectives of the conference included identifying targeted regional interventions and mechanisms to combat trafficking in persons, engaging in deliberations on strategies around human trafficking during international events, including the FIFA 2010 Soccer World Cup, reaching consensus on the framework for a regional action plan, and looking at monitoring and evaluation strategies for the implementation of continental action plans.

South Africa, as a signatory of the Parlemo convention, is under an international obligation to effectively combat human trafficking in the country. Existing case material has established that South Africa is a source, transit and destination country for trafficking in persons. The Minister for Women, Children and Disabled People, Noluthando Mayende-Sibiya, addressed the conference and indicated that the SADC region strategic plan of action will address the following priority areas: legislation and

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Ms Maggie Tserere, SOCA Deputy Director for the Eastern Cape, Dr Khotso de Wee, Acting CEO for the NPA, and Ms Pumeza Mafani, National Coordinator for the Thuthuzela Care Centres, at the conference.

Editorial



The NPA's Communications Department endeavours to promote the work of the NPA all over the country through its publication efforts. In support of this endeavour, articles are published in *Khasho* from across the country. Not only does the NPA have an excellent mandate to provide justice for the people of South Africa through the National Prosecutions Service (NPS) in courts and NPS-related community outreach activities, it also covers extraordinary and interesting work such as asset forfeiture, specialised commercial crimes, witness protection and priority crimes litigation.

This month, we focus on a day in the NPA's Research and Policy Unit. Members of the NPA should be proud to know that they are part of the only criminal justice department that does its research internally, as this function is outsourced by most other departments. It is vital for all members of staff to ensure that everyone in the NPA learns more about the different areas of work being done in the NPA and by the wonderful and dedicated specialists that excel in their different fields, in support of the overall mandate of the NPA.

In August, the NPA also celebrates Women's Month and Women's Day all over the country. The work of the Sexual Offences and Community Affairs (SOCA) Unit encompasses the importance of women in our society. In their work, the importance of women's rights are highlighted through anti-abuse, anti-trafficking and maintenance campaigns. The CEO's regional visits with executive managers are winding down, and *Khasho* will bring you a full update. *Khasho* endeavours to keep readers updated on the experiences and the issues examined as the regions are covered.

I again remind you of the dedicated e-mail address available for contributions to *Khasho* at khasho@npa.gov.za.

Bulelwa Makeke
Executive Manager: Communications

THE NPA HOTLINE – 0800 212 580

Building a culture of reporting unethical and unlawful practices, promoting and enabling whistle-blowing.

NPA celebrates Youth Day

The NPA hosted Youth Day activities on 26 June 2009 at the VGM sportsgrounds in Pretoria. As June was Youth Month, the NPA, together with various other organisations and departments, invited about 200 youths from schools in Johannesburg and Pretoria to join in activities on the day and to join the fight against crime in an effort to reclaim peace, security and comfort.



Youth watching the Correctional Services anti-crime play.

Objectives of this year's Youth Day included the dissemination of information about the NPA that is relevant to South Africa's youth, enhancing their understanding of the NPA's services that are relevant to them, and providing the youth with access to information about issues of importance around safety

and security, crime awareness and higher education. Each school was provided with art material to paint banners with the theme *Youth against crime*.

The Minister of Justice and Constitutional Development, Mr Jeff Radebe, spoke to the youth. He indicated that he is happy that young people have been at the forefront of the country's social, economic and political transformation since the dawn of democracy. He also indicated that much has been said about young people's involvement in politics since 1994, with June 16 often being used in the media to argue that today's youth fall far short of the zeal and determination of the 1976 generation. However, he disagreed with that viewpoint. He sees today's youth as cooperative with their democratic government to ensure comprehensive transformation.

Minister Radebe urged the youth to work hard to develop their skills in order to follow careers in information technology, engineering, health, sport, and arts and culture, as well as other career paths that characterise South Africa's diverse economy. He indicated that government will continue to work hard to ensure a relevant, enabling environment for youth development. He said that "working together, we can do more to make reality the practical dreams of all our people".

Minster Radebe took time to visit the activities of the various exhibitors. These included the South African Police Service and its specialised dog unit, the Department of Correctional Services



Correctional Services stand at the Youth Day event.



Minister Radebe visiting the SAPS stand, at the Youth Day event.



NPA Youth Day banner.

and its jazz band and drama group, and the Department of Justice and Constitutional Development. The youth also took part in netball, soccer and trampoline bungee jumping.



The Lotus Gardens Secondary School learners and their banner.

Overall, it was agreed that young people should play a leading role in various partnerships to work with government and the communities in rebuilding families and ensuring a safer and caring environment for all.



The Hans Kekana High School learners and their banner.

Graduate Recruitment Programme is well received at the University of Fort Hare

In March, the NPA attended the University of Pretoria Law Careers Day and on 20 and 21 July 2009, it visited the University of Fort Hare's campus for a recruitment drive that started at the Alice Main Campus. The purpose of these career days is to give students exposure to understanding how law institutions such as the NPA operate, and how they recruit their legal staff. Prosecutors from the Pretoria Magistrate's Court manned the University of Pretoria stand diligently, answering all questions by students.



Participating in the recruitment programme at the University of Fort Hare were (from left): Mr Robert Mampana and Advocate Jannie Coltman, together with Ms Wotshela from the student counselling department and her team of students.

At Fort Hare, the NPA made a presentation at the Senate Chambers. Mr Robert Mampana from Human Resources and Advocate Coltman from the Bisho office were included

in the NPA team. The NPA distributed career opportunity brochures, as well as brochures on the Aspirant Prosecutor Internship Programme. The following morning, the NPA group set off for the East London Campus, where its presentation was well attended, with many students asking questions and showing a lot of interest in the NPA.

The members of the universities' student counselling department were very good hosts at both campuses. NPA banners were prominently displayed at both venues and the NPA attracted a lot of attention from both students and lecturers. Questions mostly asked by students included the following:

- How does the NPA function?
- Does the NPA only deal with criminal cases?
- How does one join the NPA as a prosecutor?
- As part of the NPA, will they only be exposed to criminal work in the courts?
- Do graduates need to serve articles first to be accepted as prosecutors in the NPA?

All these university events sessions were very successful.

The NPA's official performance

at the Grahamstown National Arts Festival

The NPA did it again! Yes, the National Prosecuting Authority had an exhibition stand at the Grahamstown Arts Festival from 2 to 11 July 2009 (cover story). The NPA stand was located at the Village Green Fair information centre at Rhodes University where NPA staff had an opportunity to interact with the public. NPA prosecutors manned the stall for the duration of the festival and assisted the public with information related to domestic violence, maintenance issues, understanding court processes, understanding the criminal justice system and where the NPA fits in.

Information about the NPA and the various business units in the organisation was also distributed, as well as the NPA's role in the criminal justice system. The stand was stocked with information brochures about careers in the NPA, the Aspirant Prosecutor Internship Programme, children's rights, and *Speak Out* mini booklets for children to encourage them to speak out when they are being abused. The NPA had the pleasure of having prosecutors from the Sexual Offences and Community Affairs Unit and the Asset Forfeiture Unit present at the stand. Advocate Willie Kinsley, Head of the Asset Forfeiture Unit in the Eastern Cape, actually manned the NPA's stand on Saturday, 4 July 2009.

The NPA would like to thank all the volunteers at the Directorate of Public Prosecutions' Grahamstown office, who made themselves available for the duration of the festival and worked tirelessly to enlighten the public about the work of the NPA. The stand was officially opened on 2 July 2009 by Advocate Lungisile Mahlati, who encouraged staff to do their work with integrity, so that members of the public can benefit from the presence of the NPA at the festival.

The mood at the festival was jubilant from the very beginning. This mood intensified as the festival progressed. It was a pleasure to see head office communication management visit the stall, working together with the Grahamstown officials, assisting the public during the festival.

At the festival, the NPA gave out some branded water bottles, lanyards and shopping bags. The youngsters enjoyed the drawing competition and those who took part had the chance to win a hamper with NPA goodies if their drawings were selected as winning entries. The festival provided a great opportunity for the NPA to interact with the public.



Senior State Advocate Mdolomba visited the stall with his family.



Staff members held the name of the NPA high at the exhibition.



Bulelwa Makeke visited the stall with her mother.



Senior State Advocate Buyi Nkala with the drawing competition winners



This lovely elderly couple wished staff all of the best in their quest to educate the public about the NPA.

Asset Forfeiture Unit

celebrates 10 years in style

The NPA's Asset Forfeiture Unit (AFU) celebrated its tenth year of toil and sweat at Kopanong Hotel and Conference Centre in Benoni from 7 to 9 July 2009. The AFU started in May 1999 with just three people. The head of the Unit, Mr Willie Hofmeyr, was one the three. Today it has grown to become one of the most formidable forces that communicate the message that crime does not pay.



Head of the Asset Forfeiture Unit, Mr Willie Hofmeyr (far left), Minister of Justice and Constitutional Development, Jeff Radebe, and Acting National Director of Public Prosecutions, Advocate Mokotedi Mpshe, at the AFU event.

The Asset Forfeiture Unit focuses on freezing and forfeiting the proceeds of crime, or property to commit crime. "Traditionally, law enforcement has focused on putting criminals behind bars, and too often it was true that they remained rich while they were behind bars," said Mr Hofmeyr.

Thus, the AFU is still a relatively new concept. While it creates many opportunities to deal more effectively with crime, it also comes with challenges that arise from new legislation and jurisdiction. Mr Hofmeyr said that drug houses, in particular, also cause the NPA and the AFU sleepless nights due to the drug lords' use of 'foot soldiers'. "Most of the time, dealers are immune from dealing as they claim not to know that their properties have been used for criminal activities," said Hofmeyr. "Illegal abalone fishing and distribution is also becoming one of the major problems facing the unit, as criminals are moving from dealing in drugs only." Another problem is drunk driving. "Our courts are not being fair to us when it comes to confiscating cars taken from drunk drivers, because it is regarded as a minor offence," said Mr Hofmeyr. He added that they have engaged the Department of Transport concerning the matter and it is receiving attention as many people are dying on our roads due to drunk drivers.

The AFU owes much of its success to its close cooperation with its partners, especially the South African Police Service. Mr Hofmeyr mentioned that more than 40 detectives work for the AFU full-

time. "Close relationships have been built with prosecutors in the NPA and the South African Revenue Service, the Financial Intelligence Centre, the South African Reserve Bank and international law enforcement agencies."

When money is forfeited, it is either paid to identified victims of crimes or into the Criminal Assets Recovery Account (CARA). This fund was created to fight crime or assist victims of crime.

In the past 10 years, the AFU, working with its partners, has made a significant impact on crime. It has frozen assets to the value of more than R3.35 billion in more than 1 700 cases, forfeited assets to the value of more than R950 million in more than 1 400 cases, deposited more

than R230 million into CARA, maintained a success rate of over 85% in all cases, and clarified the law by obtaining 243 judgments, including six judgments in the Constitutional Court and 23 in the Supreme Court of Appeal.

The occasion was also attended by the Acting National Director of Public Prosecutions, Advocate Mokotedi Mpshe, who alluded that the AFU is one of the "most successful units in the NPA". He went on to mention that, "working with local and international stakeholders helped a lot in the fight against crime".

The Minister of Justice and Constitutional Development, Jeff Radebe, thanked everybody who made the AFU work. He further mentioned that institutions that fight crime must have "better cooperation, especially with the new Directorate for Priority Crimes Investigations, in combating crime". The Minister promised to work tirelessly to make sure that there is harmony and trust between the justice departments. He went further to reassure the NPA of his undivided support in its endeavour to fight crime.

"Overall, through its work, the AFU sends out a strong message that crime does not pay. This contributes to the NPA's general strategic objectives to enhance the freedom and security of communities, to reduce crime, to build a culture of civic morality and to increase public confidence in the criminal justice system," concluded Mr Hofmeyr.

Aliwal North prosecutors

combine youth and enviromental matters

When Rhona Scheun, senior public prosecutor in the Aliwal North office, which falls under the Queenstown Cluster, gave Tsepo Nwalaza, Eastern Cape communication manager based in Port Elizabeth, a call to be part of the clean-up campaign they had arranged with local schools in the Malitswayi Municipality, he thought she was joking. He returned her call just to make sure, as Aliwal North is roughly 480 km from Port Elizabeth.



Youngsters ready to get their hands dirty on the day.

Tsepo jumped at the opportunity to be part of this event, also showing his commitment to serve even the furthest corners of the Eastern Cape. With the assistance of Mr Anthony Bean, Corporate Manager, DPP: Grahamstown and Port Elizabeth, he set off for Aliwal North on 10 June 2009, armed with NPA banners, promotional material and goodies for the children.

According to Rhona, this formed part of the Youth Month celebrations as the NPA, together with other stakeholders, such as the Legal Aid Board, the Department of Economic Development and Environmental Affairs, came together to get the youth involved in a clean-up campaign.



Pupils with one of the Legal Aid Board members.

This event was well attended, as representatives from the municipality also took part.

The South African Police Service made sure that everything proceeded smoothly. Their members also collected plastic, paper and litter. Within an hour's time, about 261 black bags were filled. The communities were curious as to what was going on, so Rhona did not miss the opportunity to educate the community about the NPA and the importance of a clean environment. The kids had a great time. To all those men and women who continue to make a difference out there, keep up the good work and fly the NPA flag even higher.



Queenstown Cluster SPP, Mr Damarah, got his hands dirty too.



Rhona Scheun (centre), Aliwal North Head Control Prosecutor, with SAPS members, pupils, SPP of the Queenstown Cluster, Mr Damarah, and members of the Legal Aid Board.

SCCU takes on Johannesburg

After intense preparation, the prosecution team of the Specialised Commercial Crime Unit (SCCU) in Johannesburg took to the streets of the bustling CBD in a bus parade.

The special open-decked bus was adorned with NPA paraphernalia, banners and information placards from the South African Banking and Risk Information Centre (SABRIC) and the South African Federation against Copyright Theft (SAFACT), as major stakeholders of the SCCU.

The occupants of the bus consisted of SCCU prosecutors and administrative staff, as well as personnel and volunteers from both SABRIC and SAFACT. The aim of the campaign was to educate the community and other stakeholders on commercial crimes, as well as on the work and functioning of the SCCU, together with its courts and policing unit. The event was a great success.

The prosecutors and SABRIC and SAFACT staff literally took to the streets, handing out brochures, engaging and informing members of the public about the work of the NPA and handing out DVDs, whistles and other material. This was met with much curiosity. It was visibly noticeable that people were immediately opening up and reading the brochures.

The bus stopped at intervals, where the prosecutors hopped on and off the bus, walking in the streets and entering shops and businesses to hand out material. The crowds that gathered on hearing the whistling and loud catchy speaker announcements were delighted as DVDs supplied by SAFACT and other material were thrown to them. The prosecutors and SAFACT and SABRIC staff passed a loud hailer around and delivered messages like “Protect your pin” and “Crime does not pay” on the streets of Johannesburg, catching the attention of the Friday lunch-time crowds. The open-deck bus moved slowly through the traffic like a float procession, which definitely caught the eye of the public and gave the campaign much exposure.

A bright orange NPA gazebo was also set up as a help desk right outside the entrance of the court building, where queries were handled and information was given by prosecutors and bank officials. The procession started and ended at the site of the help desk.

The SCCU considered it opportune to embark on a campaign of this nature due to the global economic downturn and rising levels of debt that have given rise to a marked increase in incidents of fraud and other commercial crimes such as the possession, sale and distribution of counterfeit goods. In view of the 2010 World Cup fast approaching and the NPA’s strategy in this regard, this event also shows the SCCU’s commitment to dealing with fraud and fraud-related matters during the 2010 World Cup.

A special word of thanks goes to the Communication Unit for their generous assistance. The event was so successful that the stakeholders have requested the NPA to make it an annual event.



The NPA stand at the Specialised Commercial Crime Court.



The Specialised Commercial Crime Unit (SCCU) Johannesburg CBD bus parade.

American students

hosted by chief prosecutor in Pretoria

For the second year in a row, the chief prosecutor of the Pretoria Cluster, Advocate Matric Luphondo, and his prosecutorial staff hosted and supervised the internship of five American students from Clayton State University, Atlanta, Georgia, from 6 to 23 July 2009.



Front row (from left): Kas Sami-Kistnan, Essence Beal, Petra Evens, and Yvonne Phoshoko. Back row (from left): Hillary Cram, Terrell Dark, Advocate Matric Luphondo and Gary Heisterkamp.

The interns were exposed to the South African criminal justice system, with specific reference to the South African Constitution, the functioning of the court system and the organisational framework of the NPA.

Prosecutors in this cluster devoted time and shared their knowledge, passion and expertise with the interns.

In the words of one of the interns, Hillary M Cram, “My experience was extremely rewarding... your leadership... helped me in the further development of my understanding of the criminal justice system... Nowhere in the United States would we have been able to find such an in-depth internship.”

The students were unanimous that the high moral character, the valour and professional aptitude of the staff in the NPA’s Pretoria Cluster significantly influenced their perception of the NPA as an organisation and South Africa as a country.

Pretoria prosecutors care

for their communities

On Friday, 24 July 2009, NPA prosecutors braved freezing weather at Hatfield Square to make a difference by giving to the needy. The event, called Winter Project and Youth Celebration, has been held every year since 2006. It is headed by Ms Henriëtte Vorster, Relations Manager for the Hatfield City Improvement District (CID).

The Pretoria Magistrate’s Court prosecutors, led by Christine Mosidi, used the opportunity to show their giving skills. They contributed money and bought blankets that they donated to this charity. According to Christine Mosidi, “Hatfield Court is a community court. It is important for us to reach out to the community. Our contribution to this event was to collect soft toys for police dogs, to donate

blankets and to talk to communities about our services. Community prosecution is all about reaching out to the community, understanding their needs and helping out where we can.” Christine further explained that prosecutors in the Pretoria cluster have been involved with different charities for a long time, mainly around the area covered by the Hatfield Community Court, and especially with events

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Acting NDPP visits Soweto

Prosecutors at the Protea Magistrate's Court in Soweto were surprised and delighted by a visit from the Acting National Director of Public Prosecutions (NDPP), Advocate Mokotedi Mpshe, on Wednesday, 8 May 2009. The visit had a multitude of purposes, but, most importantly, Advocate Mpshe came to welcome a special delegation from Benin.

Advocate Mpshe welcomed aspirant prosecutors to the National Prosecution Service and said that "they made a wise choice by joining the NPA". He reminisced about his time as a full-time prosecutor and highlighted a few events that stood out in his career.

He briefly talked to the aspirant prosecutors before joining his guests, which included a special delegation from the Republic of Benin and officials from the Sexual Offences and Community Affairs (SOCA) Unit, for a small tour around Protea Court. The primary focus of the delegation was to view the structure of the court system and see the work that is performed by the SOCA Unit in general, to learn more about how South Africans manage gender-related violence and to look at the Thuthuzela Care Centre model and the possible replication and adoption of the model.

South Africa, Benin, Kenya and Zambia are the recipients of the Women's Justice and Empowerment Initiative (WJEI) funding, which is a United States-funded programme. The programme also examines the constant sharing of good practices in these countries. Benin, as the first country to visit South Africa, is displaying a willingness to learn and share their experiences.

Mr Innocent Sourou Avognon, President of the First Instance Court in Cotonou, Benin, gave a short speech to acknowledge the reception he and his colleagues had received from the NPA, the SOCA Unit and the National Prosecution Service (NPS) respectively. He said he was truly amazed at the advanced judicial structures in South Africa. A wonderful phrase was coined at the Africa Prosecutors' Association conference by Advocate Mpshe: 'justice without borders'.



Acting NDPP, Advocate Mokotedi Mpshe, and some of our Johannesburg aspirant prosecutors.



Acting NDPP, Advocate Mokotedi Mpshe, and the special Benin delegation.

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relating to universities and schools. Miss Hatfield, Bianca Verlinden, and her princesses, Tany Tosen and Slaye Rainier, were also present.

When asked why this event was initiated, Bianca said that it was "to make Hatfield a better and safer place to live in, especially for the students of the University of Pretoria".

The *Khasho* crew also interviewed Ms Vorster, public relations officer for the Hatfield CID. She explained that she had initiated this project four years ago. Her motivation for starting

the project was the realisation that Hatfield is a very densely populated area, and thus needs to be a very safe place to live in. Ms Vorster worked closely with Collette Viber, spokesperson for the SAPS. The SAPS identified a building in Pretoria West, the inhabitants of which had nothing. They dedicated this event to them.

Donations for the events, which included blankets, soft toys and animal food, came from the Rotary International Club, old age homes, which donated blankets knitted by their residents, the Pretoria Magistrate's Court prosecutors, and different people from the community.

170 years for ‘horrific’ double murder

Lindikhaya Sigidi (22) and Siyabonga Cosa (23) from Transkei in the Eastern Cape were sentenced to 170 years’ imprisonment by Judge Dennis van Reenen at the Western Cape High Court on 13 May 2009. The pair murdered an elderly couple related to international model Minki van der Westhuizen. The deceased couple had been holding a party for the wife, who had been celebrating her 73rd birthday on 3 August 2008, the day they were killed.

Deputy Director of Public Prosecutions, Advocate Bonnie Currie Gamwo, who personally guided the investigations, said the murderers had forced their way into the couple’s home and brutally murdered the two with a hammer. Several items were stolen from the couple’s home in 9th Avenue, Kleinmond, Western Cape. “One can still see her birthday cake and things on the photographs of the scene,” added Currie Gamwo.

This matter enjoyed media coverage and as a result the docket was called from the onset. Sigidi and Cosa each received 85 years. They were sentenced to 35 years each for the murder of Schalk van der Westhuizen, who was 78 years old. They were also sentenced to 35 years each for the murder of Marie van der Westhuizen, who turned 73 on the day of her killing. Upon conclusion of the plea and sentence

agreement in court, the presiding officer, Judge Van Reenen, one of the most senior judges on the Cape Bench, commended the team for their diligence and excellent investigative work.

Advocate Currie Gamwo said the accused had indicated that they wished to plead guilty. The office was contacted with the view of entering into a plea and sentence agreement with the state. Currie Gamwo arranged for legal representation for the accused and, once appointed, she negotiated the plea and sentence agreement with them. The matter was finalised within months of the incident. The family of the deceased were very happy with the speedy conclusion of the case and especially with the outcome.

Advocate Currie Gamwo had the pleasure of working with Captain Morris from the

South African Police Service’s Organised Crime Unit who, according to her, never fails to impress. “He is held in the highest regard, not only by me, but by many of my colleagues,” she added. Captain Morris also worked very closely with Advocate Shareen Riley in the Najwa Petersen matter. Sigidi and Cosa showed no remorse and emotion as they were led to their cells by police court orderlies.

While no resolution or justice, however harsh, can undo the tragedy caused by the cold and calculated murder perpetrated by the pair, this successful prosecution is a compelling testament to the dedication, commitment, and professionalism of the members of the police who investigated this matter, and the fine veteran prosecutors of the NPA who brought this matter to a successful conclusion.

Successful conviction in illegal arms case

Nineteen people suspected of possessing illegal arms and ammunition intended for a possible supermarket robbery in Kliptown were sentenced on Tuesday, 19 May, to thirteen years at the Protea Magistrate’s Court in a trial that lasted almost a year.

The accused were charged with three counts, which ranged from the possession of prohibited firearms (seven AK 47s), the unlawful possession of firearms (ten 9 mm pistols and one .38 special revolver), and the unlawful possession of a large quantity of ammunition.

The police had acted on a tip-off from a community member, which they had at first disregarded as a false alarm. However, they reacted to the second tip-off, which led them to a three-roomed house in White City, Soweto. The house, which belonged to the eldest member of the group and a sangoma by the name of Ace, was filled with herbs and guns.

The trial, which started a year after the incident, lasted almost a year. On the date of sentencing, the prosecution argued that the minimum sentence legislature be invoked in respect of the three counts. In total, all the accused would have been sentenced to 50 years’ imprisonment. Instead they were given 13 years in prison, hence all counts were taken as one for the sentence.

The ages of the convicts ranged between 23 and 50 years. “I feel they got away with light sentences after what was recovered from them,” said Regional Court Prosecutor Mervin Booyesen, whose birthday was on the same day as the incident, and the main reason the case was given to him. “We can only hope that they have learnt their lesson,” he said.

Western Cape kick-starts

Stay healthy campaign

The Western Cape Directorate of Public Prosecutions office has launched its wellness programme, with the theme *Stay healthy*. This campaign was officially launched together with the NPA values last year and is going strong.



Enjoying Wellness Day (from left): Babalwa Sijila, Rowena Rickets, Sandy Godlwana, Runell Hannibal, Neelfah Davids and Emilia Davids, winners of the Stay Healthy hampers.

Close to 200 staff members attended the *Stay healthy* programme on Friday, 12 June 2009. A healthy organisation needs a healthy workforce. Corporate wellness brings health to the workplace through a range of tools and activities, which help identify problem areas, apply corrective action and monitor results against relevant benchmarks.

This project is intended to raise awareness of employees to take responsibility in caring for their wellness. Dieticians from the Heart Foundation gave nutritional advice and also offered screenings for cholesterol, blood pressure, blood glucose and

body mass index (BMI). Staff members, who had values out of the norm, were referred to the dietician for counselling.

Many other organisations participated and turned the auditorium foyer into a wellness centre. These included Zone Fitness Gym, Virgin Active Gym, Nu Sight Optometrists, Men's Health and the CANSA Association. These organisations were there for the duration of the day, advising staff of the importance of keeping fit and living a healthy lifestyle.

"We appreciate such programmes, especially now, because it is winter and people tend to eat a lot of junk food. It is also cold and people get lazy, eat more and get sick. I'm motivated to exercise for a few minutes in the morning and evening," said Ms Yandiswa Mantyi.

Sandy Godlwana, Western Cape Regional Communications Manager, who was the organiser of this event, said such programmes contribute to improved staff performance, retention of staff and staff motivation. After the first event of this kind, there has been a 50% increase in attendance of wellness programmes, and people can't wait to see and attend the next one each time. Prior to this session a number of colleagues sent e-mails suggesting that for the next programme GEMS comes on board. "It is satisfying that GEMS did far more than we expected. GEMS was so supportive and generous that, in addition to answering questions and marketing the medical aid, they also managed to fly in four nurses and three massage therapists from Pretoria, at no cost to the organisation, to do screenings and perform massages for all staff members who attended.

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policy measures to combat trafficking in persons and training for skills enhancement and capacity-building for law enforcement personnel, customs and immigration officials, social workers, investigators and prosecutors in the prevention and prosecution of this crime. She further said that in South Africa, the Combating and Prevention of Trafficking in Persons Bill was published for comment. Her unit is in the process of consolidating the inputs received.

It was revealed that only Mozambique and Zambia have specific legislation to deal with human trafficking, while

presentations showed that traffickers in South Africa are prosecuted under alternative laws such as the Sexual Offences Act if the victims were forced into prosecution, or the Children's Act if they were minors.

SADC member states recommitted themselves to ensure the achievement of the objectives of the ten-year Regional Strategic Plan of Action, which was adopted during a conference in Mozambique earlier this year. It is hoped that this cross-border partnership and strategies will prevent or even combat trafficking in persons, which is viewed as another form of slavery.

Kata boxing at VGM with Vie

When I had previously passed the VGM gym area, it had never occurred to me that one day I would be part of the gym. Passing by, all one hears is loud music, huffing, kicking and punching.

- Sibongile Mogale

One morning, rushing to catch the bus, I was huffing as if I was dying. I realised there and then that it was time to hit a gym, so I joined the VGM aerobics class. Following an interview with Violet (Vie), *Khasho* readers can learn all about the club.

When was this club established?

When I first came to the NPA, Dikeledi Moganyaka and Refilwe Vena asked me to give them an aerobics class. According to them, exercising is not all about losing weight, but to have a healthy body and mind, so I honoured their request.

Who is the leader of the club?

At the moment I am. I specialise mostly in Kata-boxing, step workouts and body conditioning. I used to work with Mabel (nicknamed Dog Mother), but since joining the DSO, she is so busy that we hardly ever see her.

How many members does this club cater for?

As it is a day-to-day club, people come and go. There is not an exact number of people who come daily. Sometimes, people come in large numbers, and then the gym is too small to accommodate everybody. Most days there are about 20 people, especially on Mondays and Fridays.

Are men allowed to join the club?

Yes, it caters for everyone, Kata-boxing involves karate punching and kicking, real macho stuff. For me, it is important that each individual (guys and girls) can look at themselves in the mirror and say: "I love myself because of the effort I have put in."

Is there a fee payable to be a member?

No fees are paid at the gym. It is absolutely free. Anyone who is willing to join is welcome.

What advice can you give to managers who don't see the need to join the club?

Managers need gym training even more than other people. They are always stressed out about work. They need to exercise their bodies and minds, and to get out of their offices, even if it is only for 30 minutes. I invite managers to come and try my class. As they say: "Seeing is believing."

Is there any chance that members of the club can compete professionally or at a higher level?

Yes, given the chance.



Staff members take a break from their daily tasks to focus on their health and wellness.

Do you think members are getting what they expected when they joined?

Yes, more than what they expected.

What does one need to be part of this club?

You only need to bring yourself and your gym kit (tracksuit, towel, takkies/sneakers). Don't forget your toiletries for when you take a shower after class.

Besides aerobics, do you see yourself doing any other sport?

I love aerobics. I have a passion for it. I don't see myself doing any other sport at this time. Aerobics is not only for losing weight, it also helps to prevent chronic illnesses such as high blood pressure, sugar diabetes and asthma.

If you were given a chance to request a sponsorship, what kind of sponsorship would you need, and what would you do with it?

Our gym lacks equipment such as mats and balls for stomach exercises, dumb-bells for body toning, steps for exercising the entire body, and of course, music.

Do you have any message you would like to give all NPA members?

As all of you know, we work in a very stressful environment. The NPA has the facilities to address this. I know that lunchtime is for eating and relaxing your minds, but I promise you, if you give yourself 30 minutes now and then, come to my gym. You will then go back to the office refreshed and smiling.



A day in the life of Marthi du Plessis

Marthi du Plessis is Head of Research and Policy Information. Khasho gets to know her a bit better.

What are the challenges you face daily as the Head of Research?

At the moment, everything is smooth sailing. The challenges I experience relate to the red tape that goes with government administration. The other disturbing thing is the disclaimer, but I have learnt to become accustomed to them and know how to deal with them.

What exactly does Research and Policy involve?

Research and Policy is responsible for research, as well as monitoring and evaluation in the organisation. The department concentrates mostly on research activities. Since this department does not have the luxury of an academic institution to do the research for us, we have to do it ourselves. The first thing we examine are the business plans of the various business units, which we have to examine by scanning and checking them. We have worked with big projects such as the Criminal Justice Survey. We manage the project that runs in courts today. This year, we will concentrate on prosecutors and stakeholders. We also assist with policy development. As far as monitoring and evaluation is concerned, we have established new capability in the organisation. We started with this some four years ago, when a need was identified to monitor and evaluate projects to see if they add value in reaching the organisation's outcomes. We started off with projects for the Project Management Office (PMO), and have completed most of the units, including the Sexual Offences and Community Affairs (SOCA) Unit. We do this by supporting the strategy and function of the organisation. We also do a lot of writing and editing of reports.

Why is research important for the NPA?

Monitoring was identified as an important need. We should be proud to know that we are the only criminal justice department that does its research internally. Most of the other departments in the sector have outsourced this function. The advantage of doing research ourselves is that things are done quicker and decisions are taken sooner.

What qualifications are needed to be a researcher?

There is a shortage of researchers in the country. Most people are able to conduct research. They are just not aware of their capabilities. People who have worked around the criminal justice system have an advantage over other people.

Why research?

I have a passion for research.

How organised are you?

I am relatively well organised. I don't like routines, and like to do things differently. I like challenges. I also like it when people come and ask me questions, because I learn a lot from them, especially when it comes to research.

What are your leadership traits?

As a leader, I have learnt that there will always be people who do not like what you do. Always try to monitor what you do, and always remember that you are the role model. I don't always get it right, but I always try to be fair.

If you could choose between a male or female NDPP, what would you choose?

I will choose a woman NDPP. Women can do so many things at the same time. They are gatherers, not hunters. Women keep their eyes on the bigger picture

How do you empower people?

When I am at home, I see that my helper can't read or write, and that saddens me a lot. As leaders, we should make sure that everybody gets an education. As role models, we have opportunities that others don't have. We should always be aware of what we do. We so often forget about social development and uplifting those who are still suffering because of poverty. I really become emotional when I talk about these issues.

Since August is Women's Month, do you think the NPA empowers its women enough?

My concern is that managers are not developed more, especially prosecutors. We should ensure that we uplift women via career-pathing. We should visit schools and universities and groom our women managers from school. At the NPA, there are so many things that side-track management from focusing on employees, like the occupational-specific dispensation and the Pikoli saga. We have so many fires to put out that we forget the people who are fighting the fires down there. One example of this is addressing the conditions under which our prosecutors work.

What is your vision for the NPA?

If I can go home and leave the NPA running as a well-oiled machine. Prosecutors get the support they deserve from Corporate Services and head office staff. If we can manage not to get any disclaimers, I will sleep peacefully.

What message would you like to give your fellow colleagues?

We should be positive about the world in which we function, from the office, to our organisation, to our homes. Try to remain positive and focused. Focus on the things you have, rather than things you don't, and take one day at a time.

Library matters

Loose-leaf updating is still in progress.

Training has been conducted with more than five clusters for updating their loose-leaf material, with more emphasis on the Commentary on Criminal Procedure Act.

To arrange a training session for your unit or cluster, kindly contact Nozuko Mdingi at 012 845 6868 or email on nmdingi@npa.gov.za.

In memoriam:



Daniel Leshope

Matheadira Daniel Leshope was born on 19 April 1961 in the small southern Free State town of Petrusburg. After matriculating, he worked on a diamond mine in Koffiefontein to save money to pay for studies. He obtained a BJuris degree at the University of

Zululand, but it was difficult during those years to find a job in the legal field. He therefore started to work as a teacher at a small school in Postmasburg in the Northern Cape. After his exposure to teaching, he went back to the mining industry.

He was appointed as a prosecutor in Secunda, Mpumalanga. After a short stint in Mpumalanga, he was transferred to Boshof in the southwestern Free State. He was the only prosecutor in Boshof and he handled the criminal courts of Boshof and Dealesville. Dan was appointed as tutor for Bloemfontein and he never looked back. At the beginning of this year, when a training centre was established in Welkom, Dan was asked to train and guide the new tutor there. He also regularly assisted in Kimberley where the tutor post was vacant. We all loved Dan and will surely miss him.

Advocate CA van der Merwe, CPP, Bloemfontein

Who's new?

Permanent appointments

- Advanced district court prosecutors: AZ Njakazi, MG Ntaba (CPP Empangeni), GT Appolus (CPP Mmabatho), MJ Mokoena (CPP Vaal Triangle)
- Principal administrative assistant: MP Matlotlo (DPP Kimberley)
- Senior administrative assistant (Contract Management Finance): TDD Mokhele
- Senior specialist (Enterprise Risk Management): SE Sefara
- District court prosecutor: J Vorster (CPP George)

Promotions

- Senior Supply Chain Practitioner: T Nkambule-Zwane
- Regional Manager (Communications): M Moerane
- Administrator (CEO's Office): A Sibanyoni
- Assistant Manager (Finance Operation): M Taueatsoala
- Principal administrative assistant: KM Taukobong (Procurement), HL Mshudulu (DPP Kimberley)
- Manager (Compliance and Policy): GS Naidoo
- Regional court prosecutor: TR Chabalala (CPP Vaal Triangle), RJ Ramothepane (CPP Upington), M Meyers (CPP Empangeni), GC Schult (CPP Witbank)
- Senior state advocate: NG Munyai (DPP Mmabatho), HM Zulu, N Moosa (DPP Pietermaritzburg)
- Advanced district court prosecutor: VN Witbooi (CPP Mmabatho), ML Mokoro, RB Letsholo (CPP Klerksdorp)
- District court prosecutor: NJ Eiman (CPP Klerksdorp)
- Senior prosecutor: LA Ngwevela (CPP Upington)
- Regional court control prosecutor: NS Nothnagel (CPP Mmabatho)
- District court control prosecutor: NA Phakubye (CPP Nylstroom), S Mathebula (CPP Ladysmith)
- Head control prosecutor 2: MA Mamaregane (CPP Thohoyandou)
- Advanced regional court prosecutor: W Steyn (CPP Cape Town)

Transfers

- Junior state advocate: J Tagane (Asset Forfeiture Unit Johannesburg)
- Regional court prosecutor: CV Mkhulise (CPP Polokwane)



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