

Khasho



News for NPA staff, friends and stakeholders

March 2009



Lessons learnt

from the new democracy



*Advocate Mokotedi Mpshe:
Acting NDPP*

As you are aware, on Monday 6 April I had to make one of the most difficult decisions of my life. I made the decision to discontinue prosecution against Mr Zuma and, as could be expected, there has been a barrage of mixed public reaction to my decision. I do not altogether understand and appreciate the outcry that has emerged from many quarters of our society, from people who do not believe that this was the best decision.

I do, however, need to point out, as I outlined in the statement I made on Monday – as the individual versed with the ultimate discretion to prosecute or

not – my sense of justice was extremely offended by the blatant abuse of process that was carried out in the name of the NPA.

Moreover, this abuse of an institution such as ours, which is expected to uphold the law, was carried out by a member of top management, the Head of the Directorate of Special Operations, in association with the former National Director of Public Prosecutions. More importantly, I had such conviction about the state's case that I signed an affidavit under oath that our case was untainted and had not been manipulated in any way, politically or otherwise.

When Judge Nicholson delivered a judgment that made pronouncements about various instances of executive and political interference in this matter, I was outraged. I fully supported the NPA's appeal process. The Supreme Court of Appeal found in our favour and had the judgment set aside.

It was, therefore, with utmost shock that we uncovered all the underhandedness with which Mr Zuma's case had been conducted, which was contained in the representations that I received from Mr Zuma's lawyers. The gist of the information that led to my decision, as contained in the representations, is now in the public domain.

In my statement, I do not refute for a moment the substantive merits of the case that the prosecution team had built so immaculately over the years. I have, therefore, pronounced publicly that my decision to discontinue the prosecution does not amount to an acquittal. I was, however, completely overwhelmed by the extent to which our hands – as the prosecuting authority in this case – were not clean.

In my statement, I further state that our young democracy needs to take serious lessons from this experience. Importantly, as prosecutors and officers of the court, we need to have a renewed appreciation of our crucial role in determining the impartiality of the judicial process. Prosecutors have an inescapable duty to secure fair and just treatment of those who are brought before them. That is a serious responsibility on our shoulders. Let us not abuse it.

The Democratic Alliance has lodged a high court action calling for a judicial review of my decision, as is provisioned in the NPA Act. We will oppose this action as I remain convinced and stand by the decision I took, on the basis of my sense of justice, integrity and propriety.

*Advocate Mokotedi Mpshe
Acting National Director of Public
Prosecutions*

Contents

- | | |
|--|---|
| <p>3 Annual planning produces strategic plan</p> <p>4 Preparing for 2010</p> <p>5 Enhancing corporate service delivery</p> <p>6 Bringing justice to the people</p> <p>7 NPA stakeholder workshop</p> <p>8 Plan to combat human trafficking</p> | <p>9 Regional Court Protocol</p> <p>10 OHS assures a safer workplace</p> <p>11 Celebrating Human Rights Day</p> <p>12 Ancestral home is venue for team-building</p> <p>13 Fighting organised crime</p> <p>16 New appointments</p> |
|--|---|

Annual planning produces strategic plan

The NPA's strategic plan has been reviewed and updated for 2009 to 2012.

Factors that were considered as input to the review process included the political, economic, social, technological and environmental factors and their impact on the NPA, the crime environment, overall performance in the areas of governance, delivery and resourcing, and research findings on customer satisfaction and confidence.

Strategies have been developed to ensure that the NPA achieves its stated objectives. The strategic plan was shared with primary partners during a one-day session and the overall feedback was that they were satisfied with the plan. The interest in the organisation and its plans was very evident and there was a willingness for closer collaboration, which is a critical success factor to achieve the NPA's objectives.



The annual planning process, which is intended to cascade the strategic plan and align performance, is now nearing completion, with a few regional plans outstanding. All annual plans will be moderated to ensure overall alignment and should form the basis of the individual performance contracts in each unit, division or service centre. Strategic plans are implemented by individuals. Individual performance management is, therefore, very important. The values of the organisation should drive organisational performance and underpin its culture.

The newly adopted values, as selected by NPA employees, should become institutionalised in our daily operations and made visible through our actions. In this way, we will be able to live up to the vision of a better life for all South Africans and move closer to achieving our vision of justice in our society.

Editorial



The NPA is in the process of finalising an NPA strategy and business plan, consisting of inputs from the various units of the NPA. The main highlights of this process include the commitment of all units to enhance service delivery and stakeholder relationships. These strategies are also being developed to ensure that the NPA achieves its stated objectives and that overall alignment in the NPA is enhanced.

Another highlight for the NPA in March was the launch of the Tsireledzani Project, a programme by government and other partners that includes research, capacity-building and awareness-raising to prevent and react to human trafficking in South Africa. It is vital that attention be paid to human trafficking and its related challenges, especially as world events such as the 2009 FIFA Confederations Cup and the 2010 FIFA World Cup become a feature on the South African horizon. In light of these events, coupled with the national election and our commitment to service delivery, the following financial year promises to be challenging and exhilarating.

I once more take this opportunity to thank the enthusiastic staff members who provide us with stories and share their work and information on their events with us. *Khasho* belongs to the people of the NPA, and reflects the outstanding work being done. Remember that the regional communication managers are available in Durban (Pietermaritzburg), Bloemfontein, Pretoria, Port Elizabeth, Mmabatho, Kimberley and Cape Town to assist you with your communication activities. I call upon all staff to send their news or contributions to our dedicated e-mail: khasho@npa.gov.za.

Keep up the good work!

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.

Preparing for 2010

On 9 July 2003, the former Minister of Justice and Constitutional Development (DoJ&CD), Dr Penuel Maduna, signed a guarantee to FIFA committing the Administration of Justice to ensure that all requirements would be provided for hosting the 2009 FIFA Confederations Cup and the 2010 FIFA World Cup events.

The Safety and Security Project (Project 15) was initiated as a subproject to the overall 2009/10 FIFA events. The Administration of Justice Project was allocated to Project 15 with the view to adopting an integrated approach to safety and security. This process was implemented to ensure alignment of plans and to prevent duplication of activities and efforts. The justice partners – the DoJ&CD, the NPA, the judiciary and the Legal Aid Board – are all part and parcel of this project.

The primary requirement for the Administration of Justice Project for the 2009 Confederation Cup and the 2010 World Cup is that they must be able to deal with all criminal matters emanating from the FIFA events in a fast and efficient way, especially where foreigners are involved, either as a victim, a witness or an accused. This will be achieved by developing an Administration of Justice Operational Plan and implementing it during the 2010 World Cup events.

Courts have been dedicated to handle all criminal cases emanating from both the 2009 and 2010 events. In terms of guidelines provided, these courts will be operational two weeks before, during and two weeks after the events. These courts will be available from 07:45 until 23:00 for the entire period.

The 2010 Administration of Justice Project has dedicated 15 courts in the 2009 Confederation Cup host cities, and 54 courts in the 2010 World Cup host cities. The identified dedicated courts are in the process of being upgraded to the required minimum standards.

In support of these dedicated courts, the Project Office, together with the regional teams, have dedicated 186 experienced court officials for the 2009 Confederation Cup and 1 013 experienced court officials for the 2010 World Cup.

The approach and decision that was approved by the 2010 Administration of Justice National Steering Committee was to utilise the permanently employed, experienced court officials for 2009/10 cases in the dedicated courts.

Provision has to be made for the gaps that will be left by these officials regarding the day-to-day running of the 'normal' courts. These gaps will be filled by contract and temporary appointments.

The Deputy President, Ms Baleka Mbete, and the Chair of the Organising Committee, Dr Danny Jordaan, recently visited the Mbombela Host City in Mpumalanga. They emphasised the following:

- ❑ The event is prioritised as 'business unusual'.
- ❑ Failure to deliver on guarantees to host the event successfully is not an option.
- ❑ It is critical to have senior management buy-in from all stakeholders. This should not be an issue at this stage of preparing for the 2010 World Cup.
- ❑ All project capacity should be strengthened. This includes budget and human resources.
- ❑ FIFA will have no sympathy for anyone who cannot deliver. Target dates cannot be further extended.
- ❑ The projects must be micromanaged.

Although the priority is on the 2009 Confederation Cup, the 2010 World Cup preparations are equally important and focus must not be lost.

The 2010 Administration of Justice Project Office will provide a monthly article in this newsletter and provide all readers with interesting information on the progress and status of the project. Readers will be introduced to project teams from all the provinces, with the focus on NPA representatives.

You are invited to submit any questions, comments or concerns on preparations for the 2010 FIFA World Cup. The Project Office will welcome your input and will either respond in the newsletter or personally, depending on the space available.

This article is brought to you by the 2010 FIFA World Cup Administration of Justice Project Office.



Striving to enhance corporate service delivery

The Office of the Chief Executive Officer, headed by the Acting CEO, Dr Khotso De Wee, has embarked on a consultative process with all the NPA's business units and the Office of the National Director of Public Prosecutions to strengthen relationships with Corporate Services customers. The purpose of the visits was, among others, to determine how best to improve Corporate Services and service delivery in the whole organisation.

The visits focused mainly on the following:

- To know customer needs and expectations.
- To create a working partnership with the divisions and regions.
- To assist Corporate Services to plan, prioritise and deliver better service.
- To determine how the divisions can play a role to ensure an improved audit opinion.
- To determine functions and areas that can be decentralised and delegated.
- To understand the circumstances of customers in the regions and divisions.
- To determine the best reporting lines for corporate managers.

During the visits, divisions and regions were requested to raise service delivery concerns/challenges with a focus on Human Resources Management and Development, Finance, Supply Chain Management, Facilities and Security. When raising these concerns, it came out that there were also concerns on the Information

Management Service Centre, Communications and how Corporate Services as a whole conducts its business with its customers.

Concerns of similarities that seem persistent were raised by all the divisions and regions. Ongoing mechanisms that are necessary to address these challenges are being put in place. In this regard, Corporate Services held a planning session on 24 March 2009 that focused on the key areas to be addressed to improve service delivery and excellence. Each Corporate Services area delivered presentations on their own business planning inputs and activities.

Three models were presented for the divisions and regions to give inputs on the reporting lines for corporate managers. The inputs were, where there was agreement, presented before the National Management Meeting for the leadership to decide on the best model to improve service delivery to all Corporate Services customers. The outcome will be communicated to all the divisions.

Continuous consultation and interaction with Corporate Services customers are vital to improve the quality of service delivery. The engagements will contribute towards the spirit of *Batho Pele*.

Regional visits are already being planned for 2009/10 and the year plan will be communicated to all the divisions and regions very soon. The Acting CEO is also planning to have such meetings in the lower courts in consultation with the Directors of Public Prosecutions.



Corporate Services Planning participants.

Bringing justice to the people

The fourth provincial visit of the directors-general of the Justice, Crime Prevention and Security (JCPS) Cluster was held in Komatipoort, Mpumalanga.

On 3 March 2009, the directors-general (DGs) of the Justice, Crime Prevention and Security (JCPS) Cluster visited Komatipoort, Mpumalanga, on a fact-finding mission. The delegation included Advocate Menzi Simelane, Justice and Constitutional Development (DoJ&CD), Commissioner Xoliswa Sibeko, Correctional Services, Mr Silumko Sokupa, National Intelligence Coordinating Committee (NICOC), General Matanzima, South African National Defence Force (SANDF), Deputy National Police Commissioner André Puis, South African Police Service (SAPS), and Dr Gamede, Defence.

This was the fourth provincial visit of this nature. During these visits, reports are received from provincial structures, first-hand experience is obtained of challenges faced by provinces in implementing government programmes, and successes are noted. These issues are then elevated to the executive at national level. The DGs were briefed on the crime situation and Acting Provincial Commissioner Machabi highlighted the prevalence of ‘trio crimes’ in the 16 high-contact crime stations: “While most other crime categories have decreased, there has been an increase in trio crimes, which include car and truck hijackings, business and house robbery.”

Some of the measures being implemented to combat these crimes include the following:

- Involvement of state prosecutors in the provincial Joint Operational and Intelligence Structure (JOINTS).
- The permanent appointment of a senior SAPS legal services member.
- The appointment of the case flow forum to fast-track the finalisation of cases.
- Project training by prosecutors or detectives deployed at ports of entry.
- The optimum utilisation of reservists to maximise visibility.
- Conducting special investigations to address police involvement in crime.
- The mobilisation of community policing forums (CPFs) to ensure community support.
- The establishment of the war room concept and regional coordination of arrested suspects through suspect profiling.

Commissioner Machabi highlighted the following challenges:

- Postponement of court cases.
- DNA and ballistic reports that are long outstanding.
- Suspects that change legal representation.
- Inquest documents that are not finalised in time.
- The non-appointment of a Director of Public Prosecutions.
- Road and infrastructure, particularly in the rural areas, which is poor and inaccessible.

As a way forward in addressing these challenges, the meeting agreed that the core departments should return to the province for more intensive discussions on how to address some of the pressing matters raised by the Acting Commissioner.



JCPS Cluster officials on a site visit in Komatipoort

NPA stakeholder workshop

The NPA hosted a stakeholder workshop with its primary partners in March 2009. The purpose of the session was to share the strategic direction that the NPA has decided on for the next three years and invite input and discussion. The process was not the same as the previous year where many NPA employees and general stakeholders were invited. The decision was that there should be less NPA voice and more stakeholder voice in the discussions. Round table discussions that are more intimate were selected for the discussion and NPA officials were requested to act as hosts and facilitators, as well as scribes. About 65 people were invited and 58 attended the session. The Minister was also invited to the session, but was unable to attend due to other commitments. The NDPP welcomed the guests and gave a statement of commitment to the process and the need to engage stakeholders. The CEO presented the NPA Strategic Plan 2009-2012 at a high level. Attendees were forwarded copies of the strategic plan before the event and it was evident from the discussions that followed that they had engaged with the documents. A number of questions were agreed on for discussion and these were the same for every table. The attendees were strategically seated at the tables to ensure lively debate with some commonality. The discussions were very fruitful and attendees were generally satisfied with the content of the strategic plan. The stakeholders welcomed the opportunity to engage, but requested that this should take place earlier in the cycle. The NPA has taken the input to heart and will use this as the basis for future stakeholder engagement and the planning in respect of stakeholder engagement. There is a clear need to collaborate more closely with the SAPS, the

Legal Aid Board and the DoJ&CD in the planning process and ensure greater integration across the criminal justice sector. For the NPA officials who selflessly participated in the process, the Communications Unit, Research and Policy Information Service Centre and Security and Risk Management, who all contributed to the success of the event, we want to once again say thank you. The NPA is full of dedicated, passionate individuals that do and want to make a difference.



NPA and stakeholder interactions

SOCA unit makes justice accessible

On Thursday, 26 March 2009, the Eastern Cape Sexual Offences and Community Affairs (SOCA) Unit took part in the Access to Justice Campaign in Fort Beaufort.

Advocate Mkhwane, together with Tsepo Ndwalaza, the Regional Communications Manager: Port Elizabeth and Grahamstown Cluster, travelled to the event and made the presence of the NPA felt. They assisted members of the public with information relating to programmes that the NPA provides and dealt with issues relating to maintenance and domestic violence. They also gave more information on understanding the criminal justice system.

Information on the different business units of the NPA and their mandate was distributed. Brochures, speakout booklets for children, T-shirts and educational items were distributed.

Members of the public voiced their appreciation for this effort. Members of the SOCA Unit were very pleased to have been able to participate in this event.



Advocate Mkhwane with staff members from the Fort Beaufort Magistrate's Court during the Access to Justice Campaign.

National and Integrated Action Plan to combat human trafficking



The Tsireledzani Project is part of a wider programme of activities, which includes research, capacity-building and awareness-raising to prevent and react to human trafficking in South Africa.

The objective of the programme is to ensure full compliance with the Palermo Protocol, including the development of comprehensive legislation that is underpinned by a victim-centred empowerment approach.

In support of the Tsireledzani Project, government and the NPA hosted a conference, *Towards an Integrated Human Trafficking National Action Plan*, in Durban from 25 to 27 March 2009. Durban is one of the notorious entry, transit and destination points in the country. KwaZulu-Natal has already formulated an action plan to counter human trafficking, pornography, prostitution and brothels. It will form a model and reference point for the other provinces.

The address by Dr Manto Tshabalala-Msimang, Minister in The Presidency, stated that "human trafficking is a crime against humanity. It involves acts of recruiting, transporting, transferring, harbouring or receiving people through the use of force, coercion or other means, for the purpose of exploiting them."

The conference brought together stakeholders from government departments,

non-governmental organisations, faith-based organisations and traditional leaders to develop a national action plan for South Africa, as required by the Palermo Protocol, which supplements the United Nations Convention against Transnational Organised Crime.

South Africa is at an advanced stage in translating its international commitments into national policies, legislation and implementation strategies. The South African Law Reform Commission submitted a report into the investigation on human trafficking and the draft Prevention and Combating of Trafficking in Persons Bill to the Minister of Justice and Constitutional Development on 25 November 2008 for commencement of the parliamentary review process.

The counter-trafficking strategy designed by the Trafficking in Persons Intersectoral Task Team, under the chairpersonship of the NPA, aims to ensure cohesion among government departments, civil society and international organisations, as well as the alignment of individual efforts. Its implementation is supported by the European Union Commission.



Safety and Security Deputy Minister, Susan Shabangu, Advocate Mokotedi Mpshe, and Advocate Thoko Majokweni, NPA Special Director of Public Prosecutions: Sexual Offences and Community Affairs (SOCA).

Beyond the facilitation of the development of the national action plan, the conference also aimed to lay a basis for regional interactions on the African continent.

Enquiries can be directed to: tip-pcu@npa.gov.za



Tsireledzani role-players



Dr Manto Tshabalala-Msimang, Minister in The Presidency, and Astrid Coyne-Jensen examining trafficking-related documentation



Regional court protocol in the North West

On 12 February 2009, the senior management of the Director of Public Prosecutions: Mmabatho Region held a workshop at Buffalo Lodge in Mafikeng to discuss the Regional Court Protocol.

The Protocol is the brainchild of Advocate Johnny de Lange, Deputy Minister of Justice and Constitutional Development, and is an initiative for the enhancement and improvement of case flow management and the criminal justice system. Although at the time of writing this article, the Protocol had not been signed by the relevant stakeholders, such as the NPA, the SAPS and the Legal Aid Board, this office decided to start implementing it.

The management of the Director of Public Prosecutions: Mmabatho Region, who fully supports the Protocol, decided to deliberate on this important subject in North West. The objectives of the Protocol are as follows:

- To facilitate the restructuring of the investigation and court processes to ensure that courts are focused on trials, rather than administrative matters such as postponements.
- To ensure that criminal complaints are properly investigated and that matters are enrolled only when investigations have been finalised.
- To promote, facilitate and regulate proper cooperation between investigators in the SAPS and prosecutors in the NPA.
- To enhance the ability of regional court magistrates to manage serious criminal cases and matters destined for trial in the regional courts.
- To establish a screening mechanism for the regional courts.
- To establish courts dedicated to hearing legal aid matters.
- To reduce case cycle times and the number of postponements.

The following resolutions were taken at the workshop:

- The regional court is a trial court and not a court of first instance.
- Consequently, all regional court cases will first appear and be transferred to the regional court only once the investigations are complete



The North West Regional Court Protocol Management Team

- and the cases are trial-ready. At each seat of the regional court in this division, a local screening mechanism will be established. This screening mechanism will consist of a screening prosecutor or prosecutors designated by the NPA and a detective court case officer or officers designated by the SAPS.
- It is intended that the members of this screening mechanism must be experienced people who are able to properly screen dockets, take correct decisions and see to it that investigations are done thoroughly and speedily. Therefore, the prosecution will make available the senior prosecutor to deal with cases, but with assistance of the local screening mechanism team.
- For all cases heard in the regional court, the dockets must be submitted to the local screening mechanism of the relevant region or district within three days of first appearance.
- The main purpose of these mechanisms is to ensure a consistent standard of screening throughout the Director of Public Prosecutions: Mmabatho Region. The local screening mechanism is responsible for the management of the investigation of all cases referred to it and must ensure that clear instructions for further

investigation are entered in the docket, and that the date on which the investigation must be finalised by the investigating officer and on which the docket must be returned is indicated. Registers must be kept to ensure proper management and control of dockets.

- The provincial screening mechanism will consist of a deputy director of public prosecutions and a chief prosecutor designated by the NPA and a senior investigating officer designated by the SAPS, just below the rank of Provincial Commissioner.
- The provincial screening mechanism is subject to the supervision, direction, instruction and guidance of the Director of Public Prosecutions. The senior investigating officer will be responsible and accountable to the provincial commissioner. If the provincial screening mechanism receives cases that are not trial-ready, they must be referred back to the local screening mechanism, with the necessary instructions. It is also the responsibility of the provincial screening mechanism to submit quarterly reports on trial-awaiting cases to the Director of Public Prosecutions and the Regional Court President.

Occupational Health and Safety assures a safer workplace

The Occupational Health and Safety (OHS) programme developed out of the Occupation and Safety Act (Act 85 of 1993). All the occupational health and safety responsibilities vest in the programme.



The NPA's Occupational Health and Safety representatives

According to Mr Lukas Pieterse, deputy chairperson of the programme, Occupational Health and Safety entails employing relevant health and safety strategies in order for employees to feel safer during working hours. "The committee views the issue of occupational health and safety very seriously, hence we invited employees to come forward to serve in the committee," said Mr Pieterse. "The committee consists of 40 members who were appointed by letters from the CEO. They are divided into three categories: trained and certificated firefighters, first aid officers and evacuation team members. These categories are tasked with different mandates of health and safety. The firefighters will help in putting out fires, the first aid team will help in case of injuries, and the evacuation team will issue directions to escape routes during hazardous situations," explained Mr Pieterse.

Mr Ndabezihle Nyembe, the OHS coordinator, advised employees at the VGM Building to make use of the first aid room situated in the basement of Block A, while the provisions of the first aid kit will be in place in various individual blocks. The Corporate Facilities Management help desk may be contacted for any first aid help.

The firefighters are tasked with ensuring that fire extinguishers are in working order, and ensuring that fire safety measures are in place. Each corridor has a telephone that is connected to the control room and requires no airtime and needs no numbers to be dialled. It only has to be picked up and the information conveyed to the control room. The control room will communicate with the section affected by fire via the public address system in the corridor of the building and there will be no panic," said Mr Nyembe.

The healing power of music

The National Offender Choir Competition is an annual competition hosted by the Department of Correctional Services. It was officially launched in 1998. Partners to the event include the SABC, the Department of Sport and the Department of Arts and Culture.

The competition aims to play an important role in enhancing and preparing offenders for sustainable social reintegration using the healing and rehabilitating effects of music. Some 763 offenders (552 male and 211 female) from around the country participated in the competition. Choirs from all the provinces compete in four categories: male, female, youth and mixed.

The National Offender Choir Competition offers opportunities and platforms for offenders to showcase their talent and to creatively express their uniqueness and diversity.

At a press briefing held at the Rooigrond Centre on 6 March 2009, the newly appointed National Commissioner of Correctional Services, Ms Xoliswa Sibeko, stated that the Department of Correctional Services is joining the rest of the country in celebrating 15 years of independence and freedom and that part of the transformation of the justice system is the ideal of turning prisons into correctional centres. "It is about the transformation of offenders in the form of music, appreciated by society."

Ms Sibeko outlined the process of the offender rehabilitation path document and said that it not only gives impetus to the objectives of the White Paper on Corrections of 2005, but is also embedded in the constitutional imperatives of treating offenders in a humane manner, contributing to their rehabilitation and building a caring South African nation.

She said that the Department of Correctional Services wants to equip every correctional official to make use of the opportunities to meet the needs of offenders and to promote corrections as a societal responsibility.

At the end of the programme, she requested the media to mobilise stakeholders and produce comprehensive articles that will inform and educate members of the public about the key roles they can play in achieving restorative justice.

Celebrating Human Rights Day

The Bill of Rights contained in the Constitution is the cornerstone of democracy in South Africa.

The Constitution further provides for the establishment of the South African Human Rights Commission (SAHRC), whose aim is to promote respect for human rights, promote the protection, development and attainment of human rights, and monitor and assess the observance of human rights in South Africa. The SAHRC was launched on 21 March 1996, 36 years after the fateful events of 21 March 1960 when demonstrators were gunned down by police.

The Native Laws Amendment Act of 1952 extended government control over the movement of Africans to urban areas and abolished the use of the pass book (a document that Africans were required to carry on them to 'prove' that they were allowed to enter a 'white area') in favour of a reference book, which had to be carried at all times by all Africans.

Failure to produce the reference book on demand by the police was a punishable offence. The Pan Africanist Congress (PAC) proposed an anti-pass campaign to start on



Pupils from surrounding schools also came in large numbers to the event



President Kgalema Motlanthe speaking at the Human Rights Day celebration held at the Galeshewe Stadium in Kimberley

21 March 1960. All African men were to take part in the campaign without their passes and present themselves for arrest. Campaigners gathered at police stations in townships near Johannesburg where they were dispersed by police. At the Sharpeville police station, a scuffle broke out. Part of a wire fence was trampled, allowing the crowd to move forward. The police opened fire, apparently without

having been given a prior order to do so. Sixty-nine people were killed and 180 wounded.

In apartheid South Africa, this day became known as Sharpeville Day and, although not part of the official calendar of public holidays, the event was commemorated by anti-apartheid movements.



St Albans Correctional Services Choir entertained the crowd.

Ancestral home

is venue for strategic workshop and team-building

From 16 to 18 March 2009, Maropeng – Cradle of Humankind in Krugersdorp was ‘invaded’ by the NPA’s Communications Unit for its strategic workshop and team-building. The first day started well. Communicators went through their strategic session with commitment and energy. Participation by ‘all members of the family’ was encouraging.

Estelle Coetzee, the facilitator, inspired the team throughout all the strategic and teambuilding activities. Communications being fairly new as a team, and some members being in regions around the country, supported the requests and suggestions that more opportunity be created for similar quality interactions. It is also expected that the Communications team will most likely evolve in the next few months. Confidence in each other and the work of the team can only grow and improve Communications in the NPA.

The expectations of the Communications team included:

- Creating better understandings of each other
- Ensuring a common direction
- Identifying strengths and weaknesses
- Understanding differing personalities
- Increasing faith and trust
- Creating understanding of what to do differently
- Increasing levels of respect

The team also identified how Communications can increase its support base. Aspects identified included the following:

- Increased networking
- Being well informed and acting on information
- Better use of modern technology
- Being more knowledgeable of the needs of the public
- Living out the organisational values
- Marketing services, both internally and externally
- Sharpening knowledge and skills

Overall for Communications, the success of the team-building lay in the implementation of the agreed upon decisions. To ensure that all communicators implement their actions as prioritised. Ms Bulelwa Makeke closed the session with a vote of thanks to the attendees and extended her gratitude to Ms Lean Ragoonath for having organised a successful session.



The Communications team’s quad biking adventure



Basetsane Malete, Bryce Makuse, Mona Moerane, Tlali Tlali and Medupe Simasiku supporting Sibongile Mogale in her quad biking endeavours



Bulelwa Makeke, Medupe Simasiku, Bryce Makuse and the team learning the value of teamwork

Fighting organised crime

The Organised Crime Component of the Director of Public Prosecutions (DPP), KwaZulu-Natal office, regularly meets with the various organised crime investigating units of the South African Police Service (SAPS) and the KwaZulu-Natal Asset Forfeiture Unit (AFU). They meet to discuss organised crime issues in the province, as part of the joint NPA/SAPS initiative to combat organised crime.

These three role-players started working together in January 2008. Their meeting in mid-February this year was to discuss the group's experiences and successes thus far. Among the many attendees were Director Johan Booysen, provincial head of the Organised Crime Unit (SAPS), Advocate Mohambry Moodley, head of the AFU, and Advocate Gert Nel, Deputy Director of Public Prosecutions, KwaZulu-Natal, and head of the Organised Crime Component of the DPP.

The Organised Crime Component (OCC) was created in response to a request from the SAPS (at national level) to have a section that would effectively address organised syndicated crimes and money-laundering prosecutions. The national organised crime initiative has been implemented in all the provinces.



Some members of the Organised Crime Component. Back row: Advocate M Naidu, Advocate Gert Nel, Advocate M Gangai and Advocate ASH Walters. Front row: Advocate E Khuzwayo, Advocate N Moosa, Advocate ST Jacobs and Advocate Val Lotan.

The SAPS Organised Crime Investigating Unit (OCIU) and the NPA's Organised Crime Component continually work together to ensure that cases are fully investigated and prosecuted, while the AFU deals with whatever proceeds may result from these crimes. This organised crime initiative focuses on project-driven investigations and the development of teams to address the threat. The focus is on specific types of crime that are committed in an organised fashion by organised criminal groupings.

Some of the crimes are bank robberies, ATM bombings, car and truck hijackings, international trafficking in persons, drug trafficking, organised corruption, racketeering and money-laundering.

The Organised Crime Component is tasked with a number of cases, including the following:

- ❑ Organised Crime Component advocates oversee all ATM bombings. The first ATM bombing conviction in South Africa was obtained by Advocate Walters. The accused was convicted of murder, attempted murder and contravention of the Explosives Act, attempted theft and possession of a firearm. At present, there are three other ATM matters enrolled in the High Court and one in the Regional Court.
- ❑ The first major conviction on corruption at the Department of Home Affairs was secured by Advocates Naidu and Gangai. The matter involved Home Affairs employees at its national office with international links.
- ❑ Five racketeering matters have been taken to court, while several are still being investigated. Of the five matters, two pertain to trafficking in persons and/or keeping brothels (referred to as the 'Thai cases'), one pertains to fraud and corruption, one is for hijacking and one is for murder and fraud. The Thai cases are significant, as they are the first ones in KwaZulu-Natal and possibly South Africa where racketeering and money-laundering pleas have been taken for the offences (trafficking in persons and/or keeping a brothel). The accused who pleaded guilty were Thai nationals who were recruited for the exclusive purpose of working as prostitutes.

They have been given the opportunity to go back home and be rehabilitated. It is hoped that the sentences will be a deterrent not only for the accused but also for other potential offenders, managers of brothels and human traffickers. The advocate in charge of these cases is Advocate Val Lotan.

The meeting was concluded with the group identifying their achievements thus far and making suggestions and plans for more and improved successes in 2009. According to Advocate Nel, they are planning a session jointly with the SAPS and AFU to develop and improve their financial investigation capacity. He said that the members need to be more skilled, as financial investigation training is relevant to money-laundering and prosecutions.

Shooting star!

Riana Leyds is leaving the NPA. Riana has worked for the NPA since 1998. She started off as a personnel officer, and has been personal assistant to Advocate Mokotedi Mpshe, Acting National Director of Public Prosecutions, and to Advocate Sibongile Mzinyathi for the last few years.



Riana Leyds (Ree)

Have you enjoyed working for the NPA?

I have enjoyed it very much! It is a good organisation with a good reputation.

Which unit in the NPA do you think is the most organised?

The National Prosecutions Service.

Which unit would you also like to work for?

The Communications Unit, as they promote the face of the organisation and their work is varied and covers extensive areas of the organisation.

Do you have a message to your NPA co-workers?

During the trying times in our country and the negativity we have been experiencing lately, please remember that the NPA is a good organisation to work for. The public respects and still holds it in high regard. I have very good memories of my time at the NPA and will treasure it forever. Wherever I go, I shall have the satisfaction that I am a good product of the NPA. Sometimes we get so busy planning for tomorrow that we forget about today. Actually, today is the only time we really have at our disposal, because none of us knows what tomorrow holds for us. Lastly, be sure to make a difference in the lives

of everyone you encounter during the coming year by living a life that reflects God for everyone around you to see.

Where do you see yourself in three years time?

At a more mature personal and career middle management level.

What hobbies do you have?

I love reading, travelling and spending time with friends and family.

Do you have a message for Advocate Mpshe?

Thank you! Sir, no amount of words can describe how I feel. You are my hero. As I look back, I thank God for giving me the opportunity to work with you. May the Good Lord be with you.

Do you have a farewell message?

Thank you everyone for all your support and friendship. I will miss you all.

Advocate Lizette Williams made us proud

Advocate Lizette Williams appeared on behalf of the state and worked tirelessly in a matter involving the killing of an on-duty traffic officer in New Brighton, Port Elizabeth.



Advocate Lizette Williams in her office at the DPP in Port Elizabeth.

Mr Tebogo Molaudi Molaudi was shot three times by his assailant while on duty because his killer, Nyameko Oscar Matikinca, thought he had a firearm.

Colleagues, family and friends of the slain traffic officer praised the Port Elizabeth High Court Judge when he sentenced the killer to life plus 31 years' imprisonment. It was also revealed during the trial that another traffic officer, Pamela Buwa, who happened to drive past just minutes after the shooting, escaped with her life.

Nyameko was convicted on charges of murder, attempted robbery with aggravating circumstances and unlawful possession of a firearm and ammunition. During sentencing, Judge Jeremy Pickering described the killer's conduct as cold-blooded, brutal and callous.

The judge also said that Nyameko showed disregard for the law when he shot the deceased, who was going about his official business in a marked traffic vehicle and in full uniform.

Continued on p15

Determined, driven and a force to be reckoned with

Advocate Wimpie Els shares his experience of the Cape Argus Pick n Pay Cycle Tour



Advocate Wimpie Els

Cape Town was abuzz on the first weekend of March with some 35 000 cyclists arriving in droves from all over the country to take to the roads around the Cape Peninsula as they battled the hills and slopes of the 109-kilometre route of the 32nd Cape Argus Pick n Pay Cycle Tour.

Our very own senior state advocate, Wimpie Els from the Western Cape Specialist Tax Component, participated in this race. This is the fourth consecutive year that he has taken part in this race. He enjoys sport in general and believes that a healthy body houses a healthy mind. "Neglect your body now and you are guaranteed to pay a severe price later," he says with a smile. He loves the outdoors and the healthy competition.

He has parted with the idea to scare South African professional cyclist Robbie Hunter and believes that with cycling it's about himself, his abilities and the sheer pleasure of cycling. The more he trains, the more enjoyable it becomes. Living a balanced life is obviously something that everybody should strive for. That is certainly his motto. He tries to manage his time in such a way that all aspects of his life are maintained. This applies as much to his career as it does to his religion.

He started training for this year's Argus three months prior to the race and takes to the road two to three times a week at 04:45. Over weekends, he does longer distances. He says any cyclist will tell you that there is no substitute for proper training other than getting into the saddle and taking to the open road.

A few days prior to this race, temperatures soared to almost 40 degrees Celsius across the city. Despite this, it seemed that not even the blistering heat wave could stop Els's zeal to train and prepare for this race. However, on the day of the race the weather conditions weren't that great as the Cape of Storms lived up to its reputation. "It was certainly not a day to focus on personal best times, but rather to redefine safe cycling. The south-easterly winds certainly made the medal a well-deserved achievement."

His message to all the colleagues who would like to take this challenge next year is that life is all about choices, all decisions have consequences. Besides living a healthy life, he noted the positive effect it had on his family as well. Even if you only take up hikes, it is fun-filled, healthy and gives you more reason to love life.

Continued from p14

It is also alleged that Nyameko confronted Buwa and demanded a firearm. Buwa was very traumatised by the incident. The judge also said that the deceased was an innocent person who was doing his job and lost his life because the accused wanted a gun.

Pickering added that he was sick and tired of violent crimes being committed by 'thugs' like Nyameko. He praised the state for its hard work during this trial, as well as the investigating officer, Inspector Craig le Roux, who he described as an 'excellent' witness who went about his

duties in a thorough and professional manner. This case attracted a lot of interest from the public as the trial was well attended by members of the community, media and colleagues, family and friends of the deceased.

After the sentencing, *Khasho* paid Advocate Williams a visit in her office at the Directorate of Public Prosecutions in Port Elizabeth, where she was busy preparing for yet another case. *Khasho* asked her how she felt about the outcome of this case and she said, "I feel very happy that the killer was given such a heavy sentence as the

impact of what he did will remain with the family of the deceased forever."

Speaking on behalf of traffic officers who attended the trial, Mbulelo Ngwenze said Molaudi's murder had angered the department and a lot of people in the community and they were happy that justice had been done. Molaudi's brother, Michael Somniso, said Pickering's judgement had restored their faith in the criminal justice system as a family and as part of the community at large.

"To Advocate Williams and her team, well done and keep up the good work!"

New appointments and promotions

Permanent appointments

- Assistant Manager: Finance: SB Burger
- Administrative Assistant: General: KM Mosweu, PC Pienaar

Contract appointments:

Chief Public Prosecutor

- Principal Administrative Assistant: T Naick (Ladysmith)
- Relief Prosecutor: M Marion (Pietermaritzburg)
- Regional Court Prosecutor: CS Botha (Ladysmith), BG Magosa,

SH Zindela (Port Shepstone), P Stuurman (Mitchell's Plain),
 • Advanced District Court Prosecutor: Z Mdivasi (Mitchell's Plain), MN Sass (Bellville), T Subrayen (Pinetown)

- Advanced Regional Court Prosecutor: AW Booie (Mitchell's Plain), ED Coetzee (Bellville)
- Translator: XW Best (Prosecutor)

Human Resources Management

- Chief Administrative Assistant: MN Dlamini, T Pataka

Aspirant prosecutors

- LP Shokane
- KT Block
- TH Mashego
- LV Mokalake
- AD Vermaas
- BM Sengakana
- S Brough
- LM Cole
- IM Ramoadi
- GJ Ehlers
- S Kaka
- L Naidoo
- TA Kotsedi
- ME Modise
- NM Setsedi
- HD Shiburi
- T Makwakwa
- AK Mathebula
- IM Magoma
- BG Dias
- NC Zulu

- NJ Xaba
- MP Mashele
- MM Setlhako
- MA Heliza
- AK Wilson
- JS Phelane
- NP Mbonani
- CL Burke
- R Phungo
- MR Legodi
- V Baloyi
- B Letaoana
- BJ Modzusi
- ER Motala
- VE Mbaduli
- ND Nhlathathi
- MA Pheeha
- GT Rikhotso
- TJ Mthombeni
- NC Ngcongco
- MP Sithebe
- KS Novele

Promotions

Chief Public Prosecutor

- Advanced Regional Court Prosecutor: MS Mmamabolo (Nelspruit)
- Regional Court Prosecutor: R Sewpersad (Ladysmith)
- Principal Administrative Assistant: HR: ME Makhopa (Mmabatho)
- District Court Control Prosecutor: L Nzuso (Butterworth)

AFU

- Special Investigator L3: N Mradla (Johannesburg)

The library catalogue: iLink

The implementation of the library system started in 2007. After two years of hard work, 37 305 item records were loaded by the library staff at the head office and all regional libraries.

In order to monitor the movement of library material and improve the asset control of library books, the books are now formally issued on the library system for a loan period of two weeks for normal loans or for a period of one year for permanent loans. A requirement is the registration of users. The registration is done by the library staff and Persal numbers (already known by the NPA) are used as your registration number. A pin number will be issued to you and with this pin number, books can be renewed from your office via the intranet. The second option of renewal is to visit your local library. Overdue notices are issued automatically from the system if books are overdue.

To find out more, contact your local library or the head office library where you can talk to Lesego Selomo at 012 845 6650 or e-mail libraryPTA@npa.gov.za.

INFORMATION SECURITY WORKSHOPS

3 March 2009 – 29 May 2009

Security and Risk Management will be conducting Information Security Workshops at all NPA offices. Your attendance is highly appreciated and vital.

Security starts with YOU!



For more information, contact Mr Ian Edwards at 012 845 6861, Mr David Rampulla at 012 845 6560 or Mr Sam Mothoane at 012 845 6996.

iedwards@npa.gov / mrumpulla@npa.gov.za / smothoane@npa.gov.za



Send your news (serious and funny) and letters to khasho@npa.gov.za. Alternatively, fax your stories and information to 012 843 2120.

Publishing Editor: Janet de Jager, NPA Communications Unit
 Publication management, sub-editing, layout and design: Janine Smit Editorial Services: www.jses.co.za.

