

November / December 2013

KHASHO



ENSURING PROSECUTIONS WITHOUT FEAR, FAVOUR OR PREJUDICE



**The NPA
welcomes the
NDPP in style**

**Adv Andre Du Toit
hangs up his robe**

**Man Found Guilty
for raping
another man**

**16 Days of
Activism
Western Cape
reflection**

Contents

Letter from the Managing Editor	2
Letter from the NDPP	3
Letter from the CEO	4
The NPA welcomes the NDPP in style	5
Matthews Moeketsi slapped with three life terms	6
Adv Andre Du Toit hangs up his robe	7
18 th Annual International Association of Prosecutors (IAP) Conference in Moscow	8
President Zuma's visit to Eldorado Park helps tackle drug supply/abuse	9
Operation Clean Audit	10
Man Found Guilty for raping another man	11
United Nations, World Food Programme funds misappropriated	12
Swift justice for Engcobo rape survivors	13
16 Days of Activism – Western Cape reflection	14
A profile of the Strategy and Enterprise Risk Management Unit	16
NPA shines again	17
Three convicted and sentenced for racketeering as a result of plea sentence agreement	18
NPA invited by the Department of Safety and Liaison	19
EShowe service delivery road show	19
Director of Administration Profiling	20



Letter from the Managing Editor

We end the year with a lump in our throats. It is business not as usual in the country; we are a nation in mourning. The former President Nelson Mandela's death dealt us a big blow. Ours is to take the baton and finish the race to ensure that we live in a just and safe society. In this edition of Khasho we bring you an array of articles that highlight the work of the NPA in ensuring that all those that stand in the way of upholding Mr Mandela's ideals and values are put to jail for a long time.

He was particularly interested in the safety of children and vulnerable groups. In keeping with his convictions we feature an article that reflects on the Western Cape, a part of the country where he spent 27 years of his life as a prisoner. This article seeks to highlight the plight of women and children in the hands of criminals. It also enables you to take a sneak preview on the prosecutors behind these cases that shook the country. As we have recently come out of the 16 Days of Activism Campaign, it is also proper to share these stories and how the courts dealt with them.

The NPA feature on Sakina Kamwendo's show on MetroFM came to an end on Monday, 09 December 2013. The NPA involvement on the show was meant to educate the public about the work and performance of the NPA and the Criminal Justice System in general. I am pleased with the robust engagement and dialogue that the show presented. MetroFM listeners gave us deep satisfaction that through these endeavours an impact is made. I can't thank the participants enough. They really did the NPA proud.



Similarly, the "NPA for my justice" series that plays on the Tshwane Community TV has yielded great impact. The educational approach to community television is not a very common phenomenon and after the example set by the NPA I am honoured to learn that there is great interest within government to follow on our steps to harness these platforms. Again, I thank the various participants that represented the NPA well on this series.

We must not end the year as losers, as sad as we are. Let us be reminded of the good things that the NPA achieved this year. I can mention the appointment of the NDPP and the way in which he was welcomed as the highlight of the year. His leadership is really an inspiration. I thank him for the enjoyable interview he agreed to do with the Khasho team on the previous edition of Khasho. Khasho readers thought it was a good, honest and interesting read.

The clean audit status achieved by the NPA can never be overemphasised. It is also a historical highlight of the year. These achievements should therefore be a source of hope that serve as a reminder that beyond the sadness that engulfs us, new dawn awaits the organisation.

Arrive Alive!



Letter from the NDPP

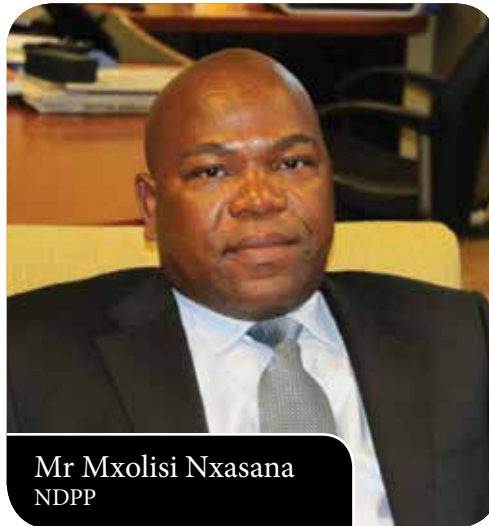
I express my sincere gratitude to all for the warm welcome accorded to me. I was deeply honoured by the Minister of Justice and Constitutional Development, Mr Jeff Radebe who took the time to welcome me on 25 October 2013. The presence of the praise singer was the highlight of the day and the interaction with the staff and NPA choir was invaluable. The whole experience really humbled me. I thank all those who contributed to the success of the NDPP welcoming event.

Although it is only two months since my appointment to this organisation, it feels like I've been here forever, due to the invaluable support from my deputies, special directors and DPP's. I get a sense of commitment to working towards changing the perception and restoration of the public confidence to the organisation.

In expressing my appreciation for the work done by prosecutors, I want to particularly thank the team that prosecuted in the Boeremag trial. This was not an easy trial and the team endured all sorts of threats whilst remaining resolute to their convictions. On behalf of the NPA I want to note that your work does not go unnoticed.

The end of the 16 Days of Activism Campaign against the Abuse of Women and Children this year coincided with the passing of former President Nelson Mandela. As poignant as this is, in honouring his legacy, we should always take note of his concern for the treatment of women and children by society. In keeping with the ideals of our former Statesman, it gives me great pleasure to see prosecutors that are determined to prosecute heinous crimes against women, children and other vulnerable groups. The team that prosecuted in the Anene Booysen and the progress on the Diepsloot murder and rape matters are exemplary cases of the swift operation of the law and their speedy investigation and I applaud the cooperation between the different stakeholders in these successful prosecutions.

As articulated in the 2012/13 Annual Report, performance by prosecutors has increased, although there are areas where targets have not been achieved.



Mr Mxolisi Nxasana
NDPP

I want to encourage those who worked hard despite shortages of resources, to continue with the approach of doing more with less.

I was privileged to attend all Service Excellence Awards of the NPA held in various regions thus far, and promised to attend them all. These events did not only recognise the outstanding contribution to the goals of the organisation, but also created a platform to introduce myself to various DPP employees and to also engage with staff, which I consider very close to my heart. I have to express my gratitude to the teams that are behind these successful events. To the recipients of the awards, I want to encourage you to share your knowledge and experience with others, to ensure that we can all exude excellence.

I did not have the opportunity to attend the Sports Day activities, but was privileged to participate in the opening ceremony of the VGM Sports Day. It was encouraging to see DNDPP's and the NPA's CEO participating in the different sporting codes, which proved that our organisation is a very well oiled machine. Do not wait for the next Sports event, but rather make exercise a part of your daily routine, remembering the old adage, that "a healthy mind in a healthy body".

As the December holidays approach, I wish you a restful festive period filled with joy and happiness. I hope to see you in the new year invigorated and revitalised to continue from where you left off. Do not over-indulge in your celebrations, drive safely, obey the traffic laws and do not drink and drive. Remember that you hold the torch for the nation and therefore you must always lead by example.

The passing of former President Nelson Mandela, the world icon has to be the highlight of the year to all of us. Our thoughts are with the millions of South Africans and our friends around the world who are collectively bereaved.

R.I.P Madiba!





Letter from the CEO



Ms Karen van Rensburg
CEO

The passing of the founding President of our democracy, Nelson Rolihlahla Mandela has gripped South Africans and the world at large with grief and profound sadness. However, his death is also a time for reflection and as public servants we should endeavour to celebrate his legacy by reaffirming ourselves to service excellence that will contribute to improving the quality of life of all South Africans.

We offer our prayers and deepest condolences to the entire Mandela family.

This has been a long and eventful year. We are coming to the end of first ever Service Excellence Awards and I am proud to announce that the endeavour can be hailed as a great success. Many lessons were learnt from each of these events and we intend to learn from these mistakes and to improve on the process in the coming year. We are committed to institutionalising the Service Excellence Award Programme.

Congratulations to all recipients of awards as well those that were recognised for long service. Thanks to the organisers in each region as well as the national coordinating team for your efforts in making this programme a success. . Your efforts do not go unnoticed.

A highlight for the year was the achievement of the first ever clean audit for the NPA. My sincere thanks to every employee for your contribution to this achievement. But you are only as good as your last performance or so the saying goes, we have a huge task on hand to maintain this level. It will require a conscious effort and I wish to thank you in advance for this.

The regional audits start in the second week of January already and the focus will be on asset management, leave management, subsistence and travel payments, the payment of overtime and performance information. The SCCU and AFU regional offices will also be audited. Information on how to sustain the clean audit is available on the posters, articles in Khasho and in bulletins.

To ensure effective and efficient service delivery, a number of vacant post were recently advertised and this will continue until all posts have been filled. Members are urged to avail themselves for interview panels to ensure improved turnaround times in filling the posts.

To those who have written examinations, we wish you success. Your personal development is vital for the success of our organisation and we will support you by awarding bursaries to all successful candidates.

As the season of celebration approaches and we take time off to spend with loved ones, let us also take the time to reflect and give thanks for Madiba's lasting legacy of peace and reconciliation. We wish you well over the festive period, be responsible, drive safe and return to work re-energised and ready to face new beginnings.

*Remember to
Arrive Alive*

The NPA welcomes the NDPP in style

Sibongile Mogale



NPA News November/December 2013

He entered the auditorium with his entourage, led by 'Imbongi', and the ladies ululating. This is how the NPA welcomed its new NDPP.

The ceremony took place on 17 October 2013 in the VGM Buiding auditorium.

The programme director, Adv Mokhatla opened the ceremony, with these words:

'This is the day we have all been waiting for; a day of joy; the day of unveiling of the NDPP'.

Many dignitaries were present during this joyous celebration, including the honourable Minister of Justice, Mr Jeff Radebe (MP), the DPPs, SDPPs, the CEO, the NPA EXCO, the media and the very important assets of the NPA, its staff members.

The auditorium was packed to capacity and the VGM staff members came in droves. This was an indication that they were excited about their NDPP.

Although the auditorium was utilised for the event, a big screen was also viewed by some of the staff at the helipad.

Dr Silas Ramaite, noted that he was pleased that so many had honoured the CEO's invitation to attend this ceremony. To the NDPP, he said: 'if you lead us, we will follow'.

Adv Mahlati, a long-serving DPP, indicated that he had the opportunity to drop-in at the NDPP's office on his second day, 'just to make a quick assessment of the man'.

'Despite all the circumstances, we pledge our support. We need a strong and clear leader to get the organisation back on track. We cherish the combination of values that you hold'.

The event would not have been complete without a few words from the host and CEO, Adv Karen van Rensburg.



DNDPP, Mr Willie Hofmeyr, Minister Jeff Radebe, MP and NDPP, Mr Mxolisi Nxasana

Adv Karen van Rensburg said that she stood there as a mouthpiece of Corporate Services.

She indicated 'this was a memorable occasion of welcoming the NPA's fourth permanent NDPP'.

Addressing the NDPP, she said: 'through you, Sir, the reputation suffered by the NPA will be brought back. We thank the President and the Minister for making this choice'.

Adv Van Rensburg proudly told the NDPP that it was with great pride that he was welcomed into an organisation with a clean audit. 'That's our gift to you,' she proudly told him.

'We pledge our support to you. The staff and management pledge their support in their endeavors. You can count on us during difficult times for our support'.

Introducing the honourable Minister, Mr Jeff Radebe Adv Nomgcobo Jiba said,

'I am pleased that the President made a wise decision in the appointment of Mr Nxasana'.

Mr Radebe indicated that he was satisfied with the NPA's performance and that the performance report remained a source of pride to him. It inspires confidence in criminal justice.

He encouraged the staff to continue to expedite justice as 'justice delayed, is justice denied'.

The Minister was not impressed with those who comment negatively on the NPA and remarked that they are not aware of what they are talking about. "They see one swallow and think it is summer", he said.

The moment finally arrived when the NDPP took the podium. In his opening speech he said 'I was eagerly looking forward to this day'.

'It took longer than I planned to have this occasion. The past few weeks have been very hectic'.

'My sincere gratitude goes to the Minister', he continued.

He also thanked the NPA leadership especially Adv Jiba for her leadership through many challenging situations.

'I am fortunate that I have been able to interact with some members of the organisation while I was in private practice as an attorney in KwaZulu-Natal. The high levels of enthusiasm and dedication to their work was immensely impressive'.

'It is evident from your achievements in this past financial year that the NPA leadership has built a results-driven team that wants to make new history for NPA. We must work even harder to maintain the standard we have set for ourselves', he concluded.

The NDPP said that he noted with pleasure that some of the good business ethics, that he held dear to his heart, are appropriately captured in the NPA values and that integrity and accountability went hand-in-hand.

'I expect you, in execution of your duties, to be mindful of the fact that the abuse of power you have, can lead to undesirable consequences', he reminded the staff.



He further indicated that the citizens of this country have high expectations of the NPA. They expect a prosecuting authority that takes decisions promptly, independently and efficiently and the NPA must not fail them.

'We must work together to deliver a South Africa that we will all be proud to live in', he concluded. The NDPP indicated that he has a ten year tenure in the NPA but hoped he could stay for longer, he concluded, jokingly.



NPA choir with Minister Radebe and the NDPP

Matthews Moeketsi slapped with three life terms

Frank Lesenyego

Goitsemodimo Matthews Moeketsi was given three life terms for murder, rape and robbery with aggravating circumstances at the North West High Court before Judge Maleshwane Kgoele on 17 September 2013. Goitsemodimo Matthews Moeketsi, a 32 year old male from Majakgoro pleaded guilty to all charges.

On 31 December 2011, the deceased and his wife were at their residence in Majakgoro Village and just before midnight the accused arrived home, kicked the door open, demanded money and took the 63 year old woman to another room where he assaulted and raped her. Upon her return to the room, the woman found the old man in pain and unable to talk.

The police arrived on the scene and transported the victims to the clinic and they were later transferred to Taung Hospital. The 85 year old man died on 8 January 2012 and the post mortem report confirmed the cause of death was as a result of a blunt force injury to the head and chest.

In passing the sentence, Judge Maleshwane Annah Kgoele said that the accused went to the comfort of a safe home, where the deceased was disabled, blind and defenceless. He invaded the couple's privacy and not only robbed them but also raped and humiliated the wife and killed a defenceless and vulnerable old man. The Judge further concluded that even though the accused pleaded guilty, he showed no remorse for his actions. The evidence against the accused was overwhelming and included finger print verification, DNA and the accused was found in possession of the old man shoes when he was arrested.

The North West High Court in Vryburg convicted and sentenced Goitsemodimo Matthews Moeketsi

to three life sentences for murder, rape and robbery with aggravating circumstances.

KHASHO asked Adv Wendy Nekhavhambe the following questions about the case.



How do you feel now that this case has been finalised?

I am very happy that this case is finalised. I remember the day I consulted with the complainant, she

was still reeling from the trauma and wept uncontrollably. I comforted her so that she could have mental strength to give an account of the events that occurred on that terrible night. It is very painful to see a 63 year old cry especially when she has to recount painful events that occurred on the night that she lost her husband. On the day of the sentencing, I saw jubilation on the face of the grandma and I was so happy that I had brought relief and smile to her for the first time. This goes a long way to restore trust in our society and the confidence in our criminal justice system.

Any lessons learnt as you move forward to deal with other cases?

Every case is different and one learns something new each time. Court experience is a lesson on its own and therefore learning is an ongoing process. I also learnt that thorough preparation is very important, as well as team work and co-operation between the prosecutors and the police. The fight for justice continues.

Adv Andre Du Toit hangs up his robe after years of excellent service

Phaladi Shuping



NPA News November/December 2013

After almost five decades in the field of law, Adv Andre Du Toit has hung up his robe to enjoy his retirement. In an interview with Khasho, the following questions were posed to Advocate Du Toit regarding his legal journey.

Take us through your prosecutorial journey

After completion of my B.Juris studies in 1968, I commenced employment as a Prosecutor at the Magistrate's Court in Klerksdorp in January 1969. I prosecuted in the district court and was responsible for the branch court in Orkney and in Stilfontein. One of my magistrates in Orkney was the late Mr Ben Engelbrecht. We enjoyed a close friendship and because he was a keen angler. We would first go to the Vaal River, on many occasions, to leave a handline in the water and then attend to court matters. After finalising the court roll we would return to the river to see whether any fish were caught. He was also a rugby referee and allowed me to score three tries during my last match for the second team of Klerksdorp, even though I was in an offside position.

I was subsequently transferred to Messina (now Mussina) on the border of Zimbabwe, on very short notice. I prosecuted for four years, and was later appointed as an Acting Magistrate. Daily, I assisted with general office matters after finalising the court roll. I concluded hundreds of marriages for miners from the local mine who did not qualify to live in the married quarters without a marriage certificate. I always insisted that the couples seal their marriage with a kiss after the civil ceremony. I gained a wealth of experience personally and as a prosecutor, during my four years in Messina. We completed the most wildlife cases in the country, annually, and exceeded by far the target concerning court hours and finalisation of cases. I played rugby and cricket for the town and very often captained these teams. The golf course was behind the Magistrate's Court and we often scaled the fence to play a round of 18 holes before dark.

I was thereafter transferred to Pretoria North as a Senior Public Prosecutor in April 1975. I completed my LLB at the end of 1977 and was subsequently appointed as a Magistrate. Eersterus and Mamelodi were part of the jurisdictional areas of the Pretoria North Court and we worked long hours to up date the roll and decision dockets. I was also the Maintenance Officer and because I was still a bachelor, was

often embarrassed by flocks of complainants greeting me like a hero in the streets of Pretoria. I met my wife in Pretoria and we got married on 30 December 1978.

In October 1979, I assumed duty in the Office of the Attorney General of the Transvaal where I was elected to become a State Advocate, although I was selected to do the Regional court cases after less than two years on the bench. I became a Senior State Advocate in 1980 and SPP of Pretoria in 1984. At that time the SPP of Pretoria was appointed from the echelons of Senior Advocates at the DPP office. I was SPP for three years at a very trying time in the history of our country, where many cases from the political struggle were in court. I still remember Bishop Tutu praying before court commenced and reducing us to tears.

After my return to the DPP office in 1987 I was tasked to prosecute in several prominent matters. One case in particular in Klerksdorp which will remain in my memory was against Andries Terreblanche, the brother of Eugene Terreblanche. The spectators spat on me and tried to trip me as I walked past them.

I was promoted to Deputy Director and assumed duty in the Free State on 1 April 1989. I remained in this position until my retirement, having acted as DPP for a total of seven years. I loved the prosecution part and prosecuted in almost 15 matters which were reported in law reports. State v Mgedezi and others 1989(1) SA 687 (A) is the most popular. The SC status was conferred on me on 9 December 1992 by the then State President, Mr FW de Klerk.

What is your early experience in the profession?

I received no practical training prior to me prosecuting and was subjected to a prosecutor's training course eight months later. Magistrates and other court officials were willing to assist and train prosecutors. I received tips from interpreters, especially from the interpreter in the Messina office, Oriel Manthatha. We worked long hours and I will never forget the matter where I had to prosecute more than 300 strikers at the Messina mine on various charges. We sat through three days and two nights and prosecutors and magistrates relieved each other every four hours during the night.



As a State Advocate in the Pretoria office I went on circuit court with judges like Judge Jaap de Villiers and Judge Curlewis, with up to 18 cases on the roll for two weeks. I remember one specific day sitting in Graskop with Judge Curlewis. At the end of the day we finalised four murder cases with evidence and in two of the four matters, the death sentence was imposed. Both sentences were later confirmed by the SCA as appropriate.

What is the most important advice you would give to young prosecutors in the NPA?

Keep your integrity untouched. Never compromise on your principles of being impartial. The judge, your colleagues and the public must be able to trust and respect you.

What is your biggest professional success to date?

There were so many highlights that it is difficult to name just one. It is not always the high profile matters that stand out, and sometimes just to assist a simple old peasant gave me much satisfaction. My tenure as acting DPP for five years and seven months was a highlight. The Free State remained the number one or two ranked Province for this period. I was not only the acting DPP but also the Governance co-ordinator and continued to attend to criminal matters. It was my dream to be a DPP and this was fulfilled during this period.

What does the future hold for the prosecution profession?

In my view there will always be wonderful opportunities as well as many challenges in the profession. Crime and criminals will always prevail and criminals have the ability to adapt sooner than any other profession to a changing environment. We must see ourselves as servants

of the public but also as professionals that should be participating in shaping a new environment. We should concentrate on establishing a country with integrity, high working ethics and good interpersonal relations being the yardstick.

What do you think are the biggest challenges facing the NPA?

The biggest challenge facing the prosecution is to rid itself from all corruption and perceived political abuse. I have completed a period of more than 47 years in the Department of Justice and the NPA and I am proud that no disciplinary action was ever taken against me. Perhaps I was fortunate not to be prosecuted when I chased a magistrate around his table, after he threw a charge sheet at me. We later became good friends and the incident was never mentioned.

I am retiring from work and not from life. I have a list of plans after retirement and my wife adds to this list on a daily basis. I will miss the staff the most. They were not just colleagues but also friends and an important part of my life.



Advocate Andre Du Toit with his wife

18th Annual International Association of Prosecutors (IAP) Conference in Moscow

Phindi Louw

The International Association of Prosecutors held its 18th Annual Conference from 8-13 September in Moscow under the theme "The Prosecutor and the Rule of Law." Deputy Director of Public Prosecutions from Cape Town, Billy Downer SC, together with the Chairperson of the Society of State Advocates, Advocate Elivera Du Plooy from DPP South Gauteng formed part of the 700 delegates that attended the conference.

These two delegates from the NPA presented at the Conference. Adv Downer, who was also elected as an Executive Committee Member of the IAP, addressed disciplinary breaches in accordance with the rule of law whilst Adv Du

Plooy's presentation was based on "The rule of law and transitional justice in fragile and post conflict States: The rule of law in post-apartheid South Africa." Her presentation focused on the transition, development and changes in the rule of law since 1994, the impact it has on prosecutions, challenges and successes.

"One of the most important aspects that I learnt from the conference was that networking and information sharing (nationally and internationally) are invaluable resources which can assist us to achieve common objectives, in as far as prosecutions are concerned" said Adv Du Plooy.

President Zuma's visit to Eldorado Park helps tackle drug supply/abuse

Phindi Louw



November/December 2013

NPA Performance

On 14 May 2013, President Jacob Zuma, Gauteng Premier Nomvula Mokonyane and Police Minister Nathi Mthethwa visited Eldorado Park in Johannesburg, to discuss the escalating drug supply and abuse amongst the residents of the area.

Prosecutor Zanda Mthimunye, a member of the committee tasked to establish a strategy that seeks to improve the lives of ordinary citizens shares some information with Khasho on the visit and the plans.

The visit by the President was prompted by a letter that was written to his office by one of the parents whose child was addicted to drugs.

A committee was established following the visit by the President and stakeholders involved include the NPA, SAPS, JMPD, Gauteng Traffic Department, Gauteng Department of Education, Johannesburg City Council, Human Settlement, Correctional Services and Social Development.

This committee convenes a meeting every morning at the Eldorado Park SAPS to discuss the strategy, feedback and progress.

The role of the NPA is to guide the investigations and to facilitate the actual prosecution of all the drug cases emanating from this project. This encompasses proper screening of the dockets for first appearances, giving clear instructions for further investigations and ensuring that all the investigations are complete before the matter is set down for trial.

As a result of the increased police visibility in the area and the interventions from various stakeholders, the court rolls increased in both courts (Kliptown and Lenasia). Prior to this project, each court had an outstanding roll of about 100- 150 cases. Two months into the project, each court's roll had increased to more than 600 cases. Because of the high court rolls, measures had to be implemented to alleviate the pressure at these courts. As a result, all new cases were placed on the roll in the Protea Court, resulting in the Protea Court roll also increasing.

Two additional prosecutors were deployed to the Kliptown Court to assist in bringing the court rolls to a manageable level. The Control Prosecutor, Percy Monareng and Zanda Mthimunye had to work overtime, and on two occasions had to go to Kliptown and Eldorado Park SAPS to screen dockets on a Sunday. All the dockets of all the accused who were arrested over the weekend were screened and this helped to ease the pressure on the control prosecutors in the Protea and Lenasia Courts. All they had to do was to place the matters on the roll and not screen them again. Within a month the court rolls in Kliptown were brought down to manageable levels and as a result, all the first appearance cases were taken back to Kliptown.

As a result of the visit by the President the drug cases became a priority. The forensic laboratory is under staffed and there is a backlog of cases awaiting analysis, thus resulting in cases being

provisionally withdrawn/struck off the roll due to outstanding forensic reports. After the President's visit, an undertaking was made by the forensic laboratory that Eldorado Park SAPS drugs dockets would be given preference and that the reports would be available within six weeks. This arrangement helped to speed up the finalisation of the drugs cases and this increased the

conviction rate in the Kliptown Court. Most of the accused persons paid the admission of guilt fine for possession of small quantities of drugs, and other deserving cases for possession of small quantities of drugs were referred for diversion. The cases that involved dealing in drugs and possession of large quantities of drugs were heard in court. This resulted in more than 90% conviction rate in the drugs cases.

General docket inspections were done in the West Rand cluster on the instructions of the Chief Prosecutor. These dockets formed part of this inspection and were all dealt with during the inspection.

"If law enforcement authorities work as a collective, together with communities, we can reclaim citizens' safety and security from criminals."
- Zanda Mthimunye



Feedback was given to the community on the 15 October 2013 by the Gauteng Premier and the SAPS Provincial Commissioner. The community was addressed about the successes of the project and the challenges encountered. The statistics on the arrests and the prosecutions of the matters were shared with the community. The community was urged to continue reporting drug dealers to the police station and to provide no safe haven for drug dealers in Eldorado Park.

The committee agreed that it will monitor the post project impact by means of statistics and

decide whether further intervention will be necessary.

Currently, the local Drug Action Committee is assisting the community with projects designed to help the youth and the community at large to deal with substance abuse. The programmes are aimed at assisting the offenders who attended the diversion programmes and those who are from rehabilitation centres. This is overseen by the Ward Councilor, Mr. Raffeti from Eldorado Park.

“Operation Clean Audit”

Did you know library books are classified as assets?

Since 2011, all books in government libraries are classified as assets. This new status brings along a number of new challenges and the main challenge is that the location of any book must be known at all times.

The smaller NPA libraries do not have a permanent librarian. It often happens that books are being taken from the libraries without the knowledge of the assigned supervisor and the manual register is also not signed as per requirement.

This practice results in audit queries as the books are not on the library shelf as indicated in the library catalogue. The books are then perceived to be missing or lost. This leads to supervisors having to account for the perceived loss. A theft and/or loss investigation commences and replacement of the item or refunding of the value of the book is required.

All NPA officials are requested to adhere to the book usage guidelines, that all books must

be formally discharged through a manual or electronic library system.

Books may be held for the following periods:

- Any book from the shelf: 14 days, being renewable twice
- Permanent loans: 1 year and renewable following the annual stock take

Office asset sheets are being introduced for all books kept in offices. These sheets are to be kept in the offices together with the physical asset sheets. The compiling of these sheets will be done in conjunction with the annual library stock take by library officials.

In order to prevent any unnecessary loss of books, all NPA employees borrowing and using library books are requested to comply with issuing procedures. The head office library or any of the regional libraries can be contacted for further clarity.



Man Found Guilty for raping another man

Mashudu Malabi



Pieter Leeuw, a 42 year old male was sentenced to 20 years in prison at the Galeshewe Regional Court. Leeuw, a third time rape offender was found guilty of yet another offence. Leeuw met a 19 year old male, Ivan Joseph Swartz in front of the Kimberley Hospital in the early hours of the evening on 08 May 2011 and both were on their way home. Leeuw kidnapped Swartz and dragged him into a taxi, which dropped them off at Bloemanda.

Leeuw forced Swartz into his shack and proceeded to sexually assault him until about 10pm that evening. Swartz finally managed to escape and sought the assistance of his aunt and explained his ordeal to her. In the early hours of the morning, Swartz together with his aunt reported the case at the Galeshewe Police Station. The police took immediate action as Swartz was able to identify Leeuw's residence where he was apprehended.

In his statement Swartz reported that he was unable to ward off Leeuw's advances as he was epileptic and was afraid that in trying to resist, he may have an epileptic attack. This was further compounded by the advanced age of the accused.

Although Leeuw denied any sexual intercourse with Swartz, the DNA tests confirmed that the accused was guilty. The court charged Leeuw for kidnapping, raping and sexual assaulting the complainant.

I overcame this challenge by calling the registered nurse who had examined the complainant to testify to the court as to where exactly from the complainant she got the DNA samples. The nurse testified that she got the samples from the complainant's pants and from his rectum. This clearly showed that the complainant was anally penetrated and that the accused had lied. To further prove to the court that the DNA results were correct, I called upon a DNA expert from the Cape Town Laboratory to testify on this aspect.

The expert detailed the entire DNA process and also testified that during his examination of the samples, he found that it was the semen that contained the accused DNA profile and that the semen belonged to the accused. The expert testified that had the sample been of any other material like sweat or blood, they would have used a different testing material.

This again clearly proved that the version of the accused on the STI content was fabrication.

To disclaim the version of the accused that the complainant willingly walked with him, I consulted with Dr Sekamegeng from the Kimberley Hospital on an epileptic's behaviour and what happens when such a person participates in an activity like running or forcefully extricating himself in an emergency or traumatic situation like kidnap and rape.

The doctor confirmed that in such situations, an epileptic must always remain calm as failure to do so, will inevitably trigger an epileptic attack.

I'm indebted to all the experts who testified in this case and pleased that a verdict of guilty as charged was reached by the court. The accused was found guilty of kidnapping and raping but not guilty on the charge of sexual assault. The court reasoned that the act of anal penetration and the fiddling by the accused with the complainant's penis was the same continuing act.

Based on the fact that the accused was a third time rape offender, he was sentenced to 20 years in prison.



**Comment by
Advocate
Dumehleli
Jongilizwe**

"The challenge I had was when the accused denied having kidnapped the

complainant but only alleged that they were just walking together voluntarily as they knew each other." The explanation given by the accused for his DNA profile on the complainant was that his sexually transmitted infections (STIs) were severe that the semen had leaked outside his pants, so he had to take out his T-shirt to cover the mess. The accused further explained that he realised that when the complainant came with the police to his home for an arrest, that she was wearing the t-shirt that he had used to clean up the mess.

November/December 2013

NPA Performance



United Nations, World Food Programme funds misappropriated

Medupe Simasiku

An amount of R60-million was unlawfully misappropriated from the World Food Programme (WFP), a subsidiary organisation of the United Nations (UN). It is the mandate of the WFP's or the mission thereof to provide food aid and transport to poverty and war stricken countries throughout the world.

The accused and the convicted in this matter are Emile Massoudi and Ashwin Barnabas. Both were highly respected accounting officers at the WFP based in Sunninghill, Johannesburg. The charges preferred against the accused were 18 counts of fraud and money laundering.

This was a high profile case, as it involved an international body and was also reported in Parliament to the Justice Portfolio Committee.

The facts of the case basically revealed how the accused misappropriated the funds from the WFP and transferred the money into bank accounts both in South Africa as well as other parts of the world. This was done by clever manipulation of the WFP's accounting system, which was of international standards and recognised as such all over the world. It was graphically shown to the court, in a detailed step by step, as to how the complicated manipulation took place.

The matter was enrolled in October 2005 at the Specialised Commercial Crime Unit (SCCU) in Johannesburg. Both the accused were released on bail and the trial commenced in October 2008 with both the accused being defended by a Senior Counsel. The prosecution team comprised of Advocates Suren Naidoo who is the Deputy Director of Public Prosecutions (DDPP) at the SCCU Johannesburg; Dries van Rensburg, also a DDPP, at the SCCU-Pretoria office and Aphiwe Kutshwa who is a Senior

State Advocate at the SCCU-Pretoria.

The matter was finalised on 30 August 2013 with both the accused being sentenced to an effective direct imprisonment of 25 years each.

It was a long drawn out trial with many hurdles and challenges faced by the prosecution team. The prosecution was delighted to have a very experienced Investigating Officer on board and also had great help from the WFP's attorneys, Norton Rose. The trial proceedings were weighed down with interlocutory applications involving the admissibility of electronic evidence, permanent stay of prosecution and the like.

The State called 25 witnesses to testify, which included a forensic expert, an accounting expert, IT engineer and a disputed document expert. International witnesses were called to testify. An initial problem that the prosecution faced was the unavailability of one of its key witnesses to fly from the United States (US) due to ill-health. However, after careful planning, the prosecution eventually managed to obtain her evidence via a video link-up with the Offices of the Federal Bureau of Investigations (FBI) in the US.

In their defence, the accused argued a legitimate transaction with the WFP and therefore claimed that they were entitled to the payment of R60 million. It is worth noting that the accused had pointed the finger at the complainant for concealing documents that would exonerate them of all charges. Apparently, these documents showed that they did legitimate business with the WFP. The complainant had maintained throughout that there was no such document as alleged. Although, the defence produced these documents to the court to prove their innocence, it was revealed by the document expert that the documents were all fake and manufactured.



Adv Dries van Rensburg, DDPP
at SCCU Pretoria



Adv Suren Naidoo, DDPP
at SCCU Johannesburg



Adv Aphiwe Kutshwa SSA
at SCCU Pretoria

Swift justice for Engcobo rape survivors

Luxolo Tyali



November/December 2013

NPA Performance

In a space of three weeks, the Ngcobo Regional Court in the Eastern Cape sentenced five rapists to life imprisonment.

On 03 October 2013, Thamsanqa "Radio" Mdutyini, 30 was convicted and sentenced to life imprisonment for the rape of a 20-year-old woman.

Mdutyini, of Mmangweni village in Kwasandile Administrative Area in the district of Ngcobo raped the woman on Saturday, 29 September 2013, and it took five days for the court to conclude his sentencing. He attacked his victim when she was on her way home from a local tavern that she left due to the unwelcome advances from Mdutyini. He stabbed his victim with a beer bottle, and also stabbed his friend who was trying to intervene. He took his bleeding victim to his home where he repeatedly raped her until the morning.

The woman reported the matter to the police on Sunday and he was arrested on the following Tuesday when he was spotted by the victim in Ngcobo town, after being on the run from the police since the incident was reported.

On his first court appearance on Thursday, he elected to be represented by a Legal Aid attorney and pleaded not guilty. Through outstanding evidence from witnesses, his fate was sealed on the same day.

On 18 September 2013, Lwandiso Mfama, 21 and Asiphe Madinga, 19, were also sentenced to

life imprisonment for raping a 16-year-old girl. The duo raped their victim in September 2012 after dragging her from her home and taking turns raping her on an open field in their home village of Cobosi.

On 19 September 2013, the same court sentenced Ayanda Nxana and Nonki Ngqola, both 25, of Mdeni village to life imprisonment for the rape of a 20-year-old girl after assaulting her with a hammer and threatening her with a knife in May 2012.

Comment by Prosecutor: Asanda Ngxafana

I believe that these harsh sentences are as a result of cooperation from the communities by providing the police with information. When all the role players in the Criminal Justice System, starting from witnesses play their role, we can help rid our communities of criminals who prey on defenceless women.

As a district prosecutor given a chance to act in the regional court, I have found that in dealing with sexual offences, one has to work very closely with witnesses and investigating officers.

My special gratitude goes to the investigating officer, Constable Sonwabile Sokapase, of the Mthatha Family Violence, Child Protection and Sexual Offences unit, who was the investigator in all these cases.



Prosecutor Asanda Ngxafana and Constable Sonwabile Sokapase



16 Days of Activism

– Western Cape reflection

Eric Ntabazalila

Our commitment in the Western Cape, to create a society which is safe and secure for women and children, addressing issues that adversely affect vulnerable groups such as women, children, lesbians, gays, bisexuals, transgender and intersex persons and persons with disabilities, is reflected most distinctly in the manner in which crimes involving such groups are dealt with. Within the DPP office, the Deputy Director, Adv Bonnie Currie-Gamwo, manages the portfolio created specifically to prioritise all cases involving vulnerable groups. These include, child murders, child pornography, trafficking in persons, sexual violence, femicide and child justice. She ensures that there is early and proper identification of matters which require expert handling by the allocation of these matters to experienced litigators. This has resulted in high profile convictions in the highly publicised matter of Anene Booysen which was prosecuted by Senior State Advocate, Adv Maria Marshall. She secured the conviction of Johannes Kana for Anene's brutal rape and murder within 8 months of the crime. Similarly, Senior Public Prosecutor, Ms Deidre Rossouw, secured the second conviction in the province, for trafficking of persons and the first for "ukuthwala" or forced marriages. The accused, Mvuleni Jezele was convicted of forcing a child to marry him and then raping and sexually assaulting her over an extended period until she managed to escape. In yet another success story, regional court prosecutor, A Meredith successfully prosecuted Andile Ngcoza for the rape of a lesbian. The court found that it was an example of corrective rape

where a lesbian is raped because of her sexual orientation and this is therefore considered "hate crime".

Whilst the above cases highlight the scourge of violence against women and children, gender based violence, where the male partner is killed by the female is also on the increase. One such matter is S v Thandi Maqubela which was prosecuted by Adv Bonnie Currie-Gamwo. The accused was convicted of the murder of her husband, by acting Judge Patrick Ntobeko Maqubela. The accused was also convicted of fraud and forgery which related to a will which was purported to be the last will of the deceased.

We must all play our part in eliminating the scourge of gender based violence by prioritising such matters at all cost.



Adv Bonnie Currie-Gamwo who prosecuted the matter of the State vs Thandi Maqubela.



Alicia Meredith – Prosecutor Wynberg Magistrate's Court on a corrective rape matter

Dealing with a rape charge is not an easy task and my burden was intensified when the media began reporting on the matter.

I must say that it was quite difficult because I had a complainant who had tremendous hatred towards the accused and just wanted to attack him at every chance she got. She was also a very difficult witness to lead, because she was traumatized and enraged. At that stage she had also already been exploited by a lady

in the community who took pictures of her and allegedly sold it to the international media. I therefore had to constantly remind her that I was biased towards her and was representing her best interest. I also had to deal with her supporters who literally assaulted the accused in front of the court. The attorney basked in the negative impression and I was scared that the court would hold it against the state case. The Accused had three previous convictions which were relevant to the current matter and therefore received 22 years direct imprisonment.

It's sad to think that we have to tell men to stop abusing their children, wives, mothers etc. by campaigns every year. I sincerely hope that the sentence handed down on the corrective rape accused will deter potential rapists.



Adv Maria Marshall - led the prosecution on Anene Booysen matter

The deceased, Anene Booysen, a teenager, was brutally raped, disemboweled and murdered by the accused, an acquaintance, after having socialised together in a pub in Bredasdorp. The community of Bredasdorp and the international community were deeply shocked by the brutal nature of this crime. The matter highlights the continued vulnerability of our youth, in particular our girls, how alcohol increases the vulnerability of our youth and the exposed societal prejudice towards girls who frequent pubs. During consultations with

witnesses and interviews with members of the community it was shocking to note that that women alongside men, condemned Anene Booysen, simply because she had frequented a pub and suggested that she deserved what had happened to her. Some even sympathised with the accused, almost suggesting that she had led him on.

The prosecution of the matter was challenging in that it rested on circumstantial evidence and the state witnesses had a certain bias towards the accused as they were friends. The societal prejudice also played a negative role in the case. The conviction of Johannes Kana is a victory for women and children but cases such as this will continue to occur unless society respects the rights of women and children to be equal to that of their male counterparts.



Adv Felicity Treu, co-prosecutor on the Anene Booysen matter

As a woman, a prosecutor and also part of the Bredasdorp community, my experience in dealing with the Anene Booysen's case was that of two potential young lives that were destroyed by this brutal incident. One has to take cognisance of the contributing factors to violence against women and children, which often flourishes in situations of unemployment, poverty, female economic powerlessness and a great lack of social services interventions.

"The 16 Days of Activism Campaign of No Violence against Women and Children," has to create higher awareness against violent incidents and members of the public have to work closely with the police to stop these crimes. Social Services need to be more pro-active in dealing with social problems within the community.

Parents must take a firm stance in educating and bringing up their sons with good values and acceptable norms. The police must work harder to ensure that justice is served to victims like Anene Booysen, and also in a wider variety of rape cases. As a prosecutor I trust that the double life sentence given to Johannes Kana will deter future violence on women and children.



Deidre Rossouw Senior Prosecutor - on the Ukuthwala matter in Wynberg, Cape Town

The complainant was a 14 year old girl from a rural town in the Eastern Cape, who was forced into a marriage with an older man, the accused – Mvumeleni Jezile. The marriage was concluded via the ukuthwala custom, whereby the complainant's grandmother and uncle entered into negotiations with the accused's family. The complainant vehemently objected to the marriage and indicated that she wanted to complete her schooling. The complainant ran away from the marital home in the Eastern Cape but was forced back by her family to the house of Mvumeleni Jezile. The next day she was transported via taxi to Cape Town, where she was expected to live with the accused as his wife. The complainant refused to

fulfil the duties of umakoti and was assaulted with a belt, stick and repeatedly raped by the accused. My experience in prosecuting this case has been extremely enlightening as it would appear that this practice of ukuthwala where the girls are under the age of 18 years, some as young as 12 years old is still practised and considered as acceptable. Fortunately for the complainant in my case, she was savvy enough to escape and enlist the assistance of the police, but we need to consider the hundreds out there who are not as fortunate. The accused was convicted as follows: one count of human trafficking, three counts of rape, one of assault with intent to do grievous bodily harm and one of common assault. Sentencing on this matter will take place on 27 January 2014. This conviction is the second conviction for trafficking of persons in the Western Cape and the first where it relates to the custom of (ukuthwala) customary marriages. It is indeed a victory for many young girls especially those living in the rural areas who have these marriages forced upon them, despite legislation declaring these marriages illegal.



A profile of the Strategy and Enterprise Risk Management Unit

Sibongile Mogale

Strategy and Enterprise Risk Management is a unit that resides within the Office of the CEO, and forms part of the Strategy Management Office.

The Unit is headed by Mrs Salome Baloyi, who joined the NPA in July 2012, as a Senior Manager: Enterprise Risk Management which previously focussed on driving the enterprise wide risk management within the NPA. In September 2013, the Enterprise Risk Management Unit took on the role of Strategic Support, hence the name change to Strategy and Enterprise Risk Management.

The Strategy and Enterprise Risk Management is governed by various regulatory frameworks and policies such as the Government Framework for the Development of Strategic Plans and Annual Performance Plans issued by National Treasury and the Public Finance Management Act, 1999 (Act No 1 of 1999) pertaining to risk management and internal controls.

The Unit is responsible for the development of the strategic and Annual Performance Plans (APPs) of the NPA through facilitation and consultation with key role players (the management) within the organisation. The Unit also identifies and evaluates the risks that might have an impact on the organisation achieving its strategic objectives. The Unit seeks to ensure that these plans are in line with the vision of government, in particular that of the Department of Justice and Constitutional Development (DoJ&CD), as well as the Justice, Crime Prevention and Security Cluster (JCPS), service delivery agreement. It is important that the plans are drafted and submitted on time, as per the National Treasury Strategic Plans Framework. The approved strategic plan and APP of the organisation are ultimately cascaded into the Business Unit and Service Centre APPs.

The role of the Head of the Strategy and Enterprise Risk Management unit is to:

- Manage and facilitate the development of the NPA Strategic Plan and Annual Performance Plan (APP).
- Facilitate, coordinate and assist business units and service centres in the development of annual performance plans.
- Facilitate and coordinate the moderation of the NPA's strategic plan and APPs.
- Assist in the drafting of the NPA's Estimates of National Expenditure (ENE).
- Provide direction, support and guidance to enable the NPA to implement and maintain effective risk management systems.
- Work with senior management in the development of the overall enterprise risk management vision, risk management strategy, risk management policy, as well as risk appetite and tolerance levels.
- Communicate the risk management policy, risk management strategy and risk management implementation plan to all stakeholders in the institution.
- Assist management with risk identification, assessment and the development of response strategies.
- Monitor and evaluate the implementation of the approved NPA top risks, as well as business units, regions and service centres.
- Conduct strategy and enterprise awareness sessions.

The Head of the Unit is supported by senior specialists (Mathebe Mothoagae, Andries Sibanyoni and Sello Sefara) and an intern (Michelle Lottering), who are responsible for the various Business Units and Service Centres within the organisation.

Business Units are allocated to each of the Senior specialists as follows:



Salome Baloyi
Senior Manager



Mathebe Mothoagae
Senior Specialist



Andries Sibanyoni
Senior Specialist



Sello Sefara
Senior Specialist

Mathebe Mothoagae – Senior Specialist

Units allocated:

- National Prosecutions Service
- Asset Forfeiture Unit
- Office for Witness Protection
- Specialised Commercial Crime Unit
- Sexual Offences and Community Affairs
- Priority Crimes and Litigation Unit
- DPP South Gauteng
- DPP Western Cape

Sello Sefara – Senior Specialist

Units allocated:

- Communications
- Security and Risk Management
- DPP Mthatha
- DPP Grahamstown
- DPP North- West
- DPP North Gauteng
- DPP KwaZulu-Natal

Andries Sibanyoni – Senior Specialist

Units allocated:

- Information Management Services
- Finance and Procurement
- Human Resources Management and Development
- Integrity Management Unit
- Strategy Management Office

- DPP Free State
- DPP Northern Cape

In addition their responsibilities include:

- Assist in the development of service centre APP's and the moderations of the plans.
- Support management in the identification, evaluation and managing of risks and risk control strategies.
- Assist the business unit in developing mitigation plans against risks identified.
- Maintain up to date business units' risk register.
- Co-ordinate the collection, analysis, interpretation and presentation of information regarding risk management for the business unit and provide biannual reports to the Business Unit Head, the Senior Manager: Enterprise Risk Management and other relevant stakeholders that may be deemed necessary by the Senior Manager.
- Drive and facilitate the embedding of risk management into the respective Business Unit, business activities, processes and systems,

Some of the challenges faced by the Unit include the lack of understanding of the risk management concept by the organisation; the poor utilisation of the Enterprise Risk Management System (Barn Owl) and the lack of buy-in by management leading to poor attendance of risk management meetings or workshops.



NPA shines again

At a special ceremony held on Friday 29 November 2013, Adv W Vos received the prestigious General Manager's Award of the Airports Company of South Africa (ACSA). She received recognition for her effort and hard work in securing the conviction in the **State v Sithole** matter known as the "Airport heist at

OR Tambo International Airport (ORTIA)" which involved a robbery for millions of USD, Euros and Rands, which was off loaded from the aircraft.

She became a worthy recipient for a successful prosecution on a difficult robbery matter, conducted in the South Gauteng High Court.



Trophy



Adv W Vos



Certificate

Three convicted and sentenced for racketeering as a result of plea sentence agreement

Tsepo Ndwalaza

The owner of a large Port Elizabeth cab company, who is alleged to have used his business as a front to deal in drugs, narrowly avoided a maximum sentence of life imprisonment or a fine of R100 million, after his defence attorney cut a deal with the State. Warren Fick, aged 39, owner of Omega Cabs at the time of the offence, was convicted in the Port Elizabeth Regional Court, together with his drivers, Demitri Da Silver, and Shane Plaatjies for selling drugs to passengers and others.

On 19 March 2013, Warren Fick, Demetrius Da Silva and Shane Plaatjies were convicted and sentenced in the Port Elizabeth Regional Court for racketeering. This was a result of a Plea and Sentence Agreement Section 105A that had been reached and authorised by the NDPP. The three accused were convicted on the following counts, namely, Count 1 for conducting or participating in the enterprise affairs through a pattern of racketeering activities, Count 2 for managing an enterprise conducted through a pattern of racketeering activities and Count 3 for dealing in drugs.

In respect of Accused 1, Warren Fick, all the charges were taken together for the purpose of sentencing and the accused was sentenced to 12 years imprisonment of which four years was suspended for five years, on condition that the accused is not convicted of contravening Section 4 or 5 of Act 140 of 1992 during the period of suspension for which he was sentenced to imprisonment without the option of a fine.

In respect of Accused 2, Demetrius Da Silver, in all the Counts as stated above, the sentencing was as follows: All the charges were taken together for the purpose of sentencing and the accused was sentenced to 10 years imprisonment of which four years was suspended for five years on condition that the accused was not convicted of contravening Section 4 or 5 of the Act 140 of 1992 during the period of suspension for which he was sentenced to imprisonment without the option of a fine.

In respect of Accused 3, Shane Scott Plaatjies in all the Counts as stated above, the sentencing was as follows: All the charges were taken together for the purpose of sentencing and the accused was sentenced to 10 years of which four years was suspended for five years on condition that the accused is not convicted of

contravening Section 4 or 5 of Act 140 of 1992 during the period of suspension and for which he was sentenced to imprisonment without the option of a fine.

The defence reached a plea and a sentence agreement with the State. Fick pleaded guilty to conducting enterprise affairs through a pattern of racketeering, managing an enterprise and through a pattern of racketeering and counts of dealing in drugs. The other two accused followed suite and pleaded guilty.

Fick who is from Newton Park, Port Elizabeth has since sold his business (Omega Cabs). He was sentenced to an effective eight years in prison, while Da Silva and Plaatjies who are both from Glendale, were each sentenced to six years imprisonment. It is alleged that these activities took place between 2009 and March 2010. According to Adv Zelda Swanepoel who represented the State, this is only the third conviction for the Eastern Cape. She also indicated that that this is the first case ever that she is aware of, where there was a 105A plea and sentence agreement reached for a racketeering case.

Commentary by Adv Zelda Swanepoel

I thought that this case could possibly be regarded and prosecuted as a racketeering case in one summary trial where the whole enterprise being managed by Warren Fick could be addressed adequately. The racketeering application was approved. When the trial was about to commence, the defence attorneys informed me that they have instructions to plead guilty but would like to negotiate a proper sentence. As this was the NDPP instruction, the section 105A also had to be approved by the NDPP. I drafted all the documents and believed that this was the first plea and sentence agreement on a racketeering case. All the agreements were approved and the court found that the negotiated plea and sentence agreements were indeed proper and just. All three accused were convicted and sentenced in accordance with these agreements.

NPA invited by the Department of Safety and Liaison

Tsepo Ndwalaza



NPA Road Show at Mphekweni Village in Peddie

On the 27 September 2013, the NPA as part of its strategy to educate the public and communities on the operations of the criminal justice system, used various platforms to engage communities and provide information on the role of the NPA, the criminal justice system and the role of the prosecutor in a court of law. The SAPS, NPA, Correctional Services Department, SASSA, Department of Home Affairs, Liquor Board, Legal Aid Board, Community Based Organisations against crime and abuse of women and children, participated in the programme at Mphekweni in Peddie.

The event was well attended by the community and stakeholders. The DPP accompanied by Senior Public Prosecutors, local Prosecutors, senior officials including Magistrates of Peddie and Amakhosi from Mphekweni area were present. The DPP addressed the community and explained the mandate of the NPA, the role of the prosecutor in a court of law and the criminal justice system.

The SPP from Peddie, Advocate Mlingane Kili, provided a breakdown of cases statistically and people applauded the number of convictions on serious crimes finalised by the courts. He also informed the audience on the number of rape cases on their court roll, those which were finalised and the 6 life sentences imposed in the past three months for rape offences in their courts. The Chief of the area, Chief Thandisizwe Njokweni expressed his appreciation to the NPA for their efforts in reducing crime in the rural areas.



DPP Lungi Mahlati addressing the community during the Road Show at Mphekweni in Peddie

Eshowe service delivery road show

Natasha Ramkisson

The town of Umlalazi on the KwaZulu-Natal north coast was the venue for the recent NPA Service Delivery Road Show. The aim of these road shows is to take services (both Government and NGO's) to impoverished and outlying areas with high crime rates. This area was selected because of the high prevalence of firearm related crimes and sexual offences.

Various stakeholders were invited and the following attended the programme: South Africa Police Services (SAPS), Department of Health, South African Social Services Agency (SASSA), Umlalazi Municipality, Government Communication and Information System (GCIS), Legal Aid South Africa, Department of Social Development and Doctors without Borders.

Participants exhibited their services and distributed information material to engage the community. SASSA assisted the community with information on old age pensions and grants and the Department of Health offered free Voluntary Counseling and Testing (VCT).

The NPA exhibit was manned by Court Preps from the Empangeni Cluster, TCC Stanger staff

and the Senior Public Prosecutor (SPP) from the Eshowe Magistrate's Court. We were inundated with enquiries from the community requiring information about the services offered by the NPA.

The guest speaker, Siziwe Mkhonza, SPP from Eshowe, addressed the community on bail and other issues as the planning committee was informed that community members required information on the reasons accused persons (who have pending criminal cases) were at home and not in prison. Mrs. Mkhonza, explained bail as well as bail conditions. She also provided information on the work of the NPA and the TCCs and the Court preparation process.

After the formalities community members visited the exhibitions and engaged with stakeholders. The event was a great success and approximately 800 people attended. The Ward Councilor and members from the local municipality commended the NPA on an excellent concept in ensuring service delivery to all citizens.

November/December 2013

NPA Events

NPA i

Director of Administration Profiling

Tsepo Ndwalaza



Mr Oshana Shete
Director: Administration
DDPP: Bhisho

How long have you been with the NPA?

I am now 12 years with the NPA stationed at the DDPP: Bhisho under the leadership of Adv L Mahlati, SC. I am also responsible for CP East London Cluster. The EC division is

divided into three, DPP: Grahamstown where the DPP sits with Anthony Bean being the Director: Administration there, Port Elizabeth, Mr Mkalipi being a Director: Administration there and myself at DDPP: Bhisho.

What is your role as director of administration in the NPA?

To provide operational leadership and direction for the DPP jurisdiction under his control, and to support the Director of Public Prosecution through providing Corporate Services leadership especially in matters dealing with the management of Finance and Supply Chain, Human Resources, Asset and Fleet Management, Information Management, Security and Risk Management and Legal Administration. I am now also responsible for the East London office.

How many staff members are under your supervision?

I have a staff compliment of twenty officials.

What are the challenges of your work?

Staffing capacity and budgetary constraints are still a challenge and they heavily impact on service delivery.

What challenges have you experienced recently?

As a Director: Administration, I do not have a Deputy Manager nor an assistant manager to supervise staff in the units e.g. HR, Finance, Documents etc.

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

I always encourage staff to fully utilise what we have and do our best. The NPA is really promising to look at this matter of resourcing with more staff.

Do you believe that directors of administration are making their presence felt in the running of the NPA?

Yes because as support staff to the core business wh we make sure that prosecutors are fully resourced to perform their duties and give service to the people of this country.

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

My role is to ensure that prosecutors are well resourced to prosecute.

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

Yes because the Communication division is doing its best to market the organisation through community outreach activities. These events are constantly held in all regionsand the idea of selling NPA through Radio & TV is also an efficient tool to that makes the NPA known.

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

NPA will still be prosecuting without fear or favour in the next coming ten years.

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