



Khasho



News for NPA staff, friends and stakeholders

August 2007



IN HONOUR OF WOMEN: The community of Vosman in Witbank – young and old – gathered in their hundreds at Lynville Stadium to celebrate Women's Day on August 9. The day was organised by the Chief Prosecutor's Office in Witbank. The celebrations also involved the departments of correctional services, justice, health and home affairs. The events of the day were used to educate and inform the community about their rights and the functions of government departments.

Ensuring equality for women

The NPA has taken great strides in ensuring equality for women in the workplace.

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Mpumalanga in focus

Khasho looks at how the Mpumalanga Public Prosecutors' Offices are rising to the challenges posed by their situation in the rural areas.

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Challenges in her work excite her

Kalyani Pillay, special advisor to the National Director of Public Prosecutions, is interviewed.

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We join the country in appreciating the role women play in society

August is Women's Month and at the NPA, we are joining the whole country in appreciating the important role they play in our society.

According to me, every month should be women's month and August should be the culmination of all our efforts throughout the year.

We in the NPA must specifically ask whether we are creating an environment that is conducive for women to unleash their potential as workers and mothers in our society.

I am glad that, as part of our efforts to ensure the development of women in the NPA, we have the privilege of having two of our women attending a Judicial Training Programme.

This aims to equip potential judges with the necessary skills.

We congratulate Nomonde Mgqibisa, Acting Regional Head of the AFU in Johannesburg and Elizabeth Baartman, Senior State Advocate of the AFU in Cape Town.

The implementation of our Strategy 2020 is in full swing.

As a result, you will see a lot of activity and the implementation of many projects.

One of the projects is the Skills Audit. This aims to ensure that, as an organisation, we have the right skills to advance our work.

This process has my full support and Exco is 100 percent behind it.

I, therefore, want to urge you to participate in all the necessary related programmes.



National Director of Public Prosecutions Adv Vusi Pikoli

“Every month should be women's month and August should be the culmination of all our efforts throughout the year”

Set aside some time in your schedules to fill in the questionnaires and do the necessary interviews.

Remember that ultimately this will help you in your own advancement.

I have said it before that I put a lot of value in human capital and we have to make sure that every employee has the right skills and is at the right place.

I urge you to take this very seriously and not view it as a threat.

It is meant to ensure that we advance our capacity to deliver on our mandate.

We will make sure that you do get the necessary feedback once the process has been concluded.

Another significant move is that we are re-looking at our Macro Structure and I'm happy with the progress so far.

Again, I want to urge you not to be threatened by this process.

What we are trying to do, is to make sure our structure is in line with the direction of the Strategy. We need to design a structure that will facilitate the achievements of our strategic objectives.

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Ensuring equality for women

The NPA has taken great strides to ensure that women have equality in the workplace.

This includes increasing the number of women leaders and managers in strategic decision-making positions.

According to NPA Deputy CEO, Beryl Simelane, as an organ of government, the NPA is committed to international agreements to advance gender equality and the empowerment of women.

At the moment 48% of NPA employees are women. The NPA has set an equity target of 50% by 2010, as stipulated in the Employment Equity Plan.

“Women at SMS (Senior Management Status) level were initially targeted at

30% by 2010 but the target has since been revised to be in line with Cabinet’s approval of 50% equity target at SMS by March 31 2009,” adds Simelane.

At this stage, women make 31,5 % of senior managers at all levels.

The Sexual Harassment Policy was developed specifically to protect women at the NPA. “This is to create a conducive working environment to ensure integrity, dignity, privacy and right to equity in the workplace,” continues Simelane.

The NPA also has a Recruitment and Selection Policy advancing its commitment to achieving a workforce that broadly represents all of South Africa’s people.

“The policy advances the objectives

of the Employment Equity Act – creating equal opportunities and fair treatment in employment through the elimination of unfair discrimination,” says Simelane.

She says obstacles facing women tend to be structural, such as the lack of skills and opportunities for training. They also have situational obstacles such as their family responsibilities as mothers and wives.

“Negative views about women’s ability to assume leadership positions add further barriers.

“Measures have been put in place to redress the disadvantages in employment experienced by women, people with disabilities and black people in the policy,” Simelane says.

Determination and hard work led to success

SANET VAN RENSBURG:

Sanet van Rensburg, Senior Public prosecutor at the Pretoria Directorate of Public Prosecutions, organises mock trials to educate the public, victims and witnesses about court processes and procedures.

“The programme serves to inform the public about the fairness of court processes with regards to rights for all, including those accused of crime,” says van Rensburg.

“We hope that through these sessions, closer bonds will be tied with the community the court serves,” Van Rensburg says.

Secret of success: “Dedication and passion for what I do.”



Sanet van Rensburg

JABU SOSIBO:

Jabu Sosibo is a switchboard operator at the Durban DPP.

Sosibo started as a messenger at the Advocates’ Chambers years ago and was promoted to switchboard operator.

She is involved in managing the reception area while at the same time being in the forefront of the organisation.

Sosibo says that she struggled when the father of her children left the family when the children were still very young but she managed to be strong.

“I thought to myself that, since I was on my own, I should at least empower myself for my children.”

What drives her is the energy she gets from her kids and the team spirit at her office.

Secret of success: “Hard work, determination and putting God first.”



Jabu Sosibo

Four women at the NPA share their secrets of success

MAGGIE TSERERE

Tserere is the Deputy Director of Public Prosecutions at the Soca unit due to be set up in Eastern Cape.

She has a passion for children, particularly for ensuring that those who are in conflict with the law are rehabilitated and re-integrated into their communities.

She says her appointment in Eastern Cape means there is even more responsibility to ensure that the Soca unit’s mandate is implemented.

Secret of success: “Passion, putting God first, self-determination, motivation and being a team player.”



Maggie Tserere

MARIAAN VAN KAAM:

Mariaan van Kaam leads the NPA’s transformation Programme, tasked with delivering transformation design solutions for Governance, Delivery and Resourcing.

Her core responsibilities include the roll-out and implementation of Strategy 2020 through new annual business plans for all units.

“I am fortunate to be in an environment where, in the space of a week, or sometimes a day, one gets exposed to, has to learn about, deal with, decide on and influence an organisation on key matters such as strategy and risk, governance and enterprise formation – all while managing a dynamic group of people,” Van Kaam says.

Secret of success: “Dedication – and constantly challenging myself.”



Mariaan van Kaam

Sentenced according to the law

The NPA says it has acted in accordance with both the Constitution and the law after sentencing apartheid-era minister of law and order Adriaan Vlok and others for the attempted murder of Reverend Frank Chikane.

Vlok and Johannes Velde van der Merwe were each sentenced to 10 years in jail, suspended for five years, while Christoffel Lodewikus Smith, Gert Jacobus, Louis Hosea Otto and Hermanus Johannes van Staden were sentenced to five years, suspended for five years, for the attempted poisoning of Chikane in 1989.

"This case has been conducted in terms of the Prosecution Policy, as amended and is in full compliance with Section 179(5) of our Constitution, which empowers the National Director to determine prosecution policy with the concurrence of the Cabinet member responsible for the administration of justice, and after consulting the Directors of Public Prosecution," said National Director of Public Prosecutions Adv Vusi Pikoli.

He added that it was important to note that each of the TRC cases before the NPA would be dealt with on its own merits.

"The NPA expresses its satisfaction with the co-operation it has received from the victim, complainant, the accused and the defence team in resolving this grave matter which is of national and international significance," he said.

Pikoli added that the handling of these cases would at all times be guided by the Constitution and the law, in particular the preamble to the Constitution which states,

The NPA is satisfied with the sentencing of former Minister of Law and Order Adriaan Vlok and four others



"Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental rights".

"This case is a victory for the Rule of Law, for the State, the NPA as well as the South African public at large and is in line with the four pillars from which the NPA derives its strength, viz: independence, accountability, integrity and transparency," said Pikoli.

In an interview with Sapa, Chikane said he hoped the matter was now closed.

"Actually we could finish with this thing if everybody just went to the NPA and disclosed and let those people who are protesting know what happened to their loved ones," he said.

NPA spokesperson Panyaza Lesufi told Sapa he could not say whether the Vlok case marked the end of apartheid-era prosecutions. However, he said that the plea bargain involved a deal that Vlok and his four co-accused would assist in further prosecutions should they arise.

Thint judgement reserved

The Supreme Court of Appeal has reserved judgement in the dispute between Thint and the National Director of Public Prosecutions over the seizure of documents from the French arms company. Thint wanted the court to uphold the appeal and order all the seized documents to be returned while the state argued over the necessity of the seizures. *Sapa 30/07/07*

Friendship under scrutiny

Senior prosecutor Portia Kgantsi has defended her friendship with awaiting-trial prisoner John Afolabi in the Johannesburg High Court. State

NPA in the news

prosecutor Herman Broodryk SC said he could not understand how she could be friends with a prisoner when the NPA legislation prohibited it. Kgantsi is quoted as saying: "Something about John captured my heart. He was very humble, liked children and was ambitious. *The Star 14/08/07*

Guide for Green Scorpions

A guide for prosecutors who deal with environmental crime is due to be distributed to court rooms around the country. *The Guide to*

Environmental Prosecutors was released by environment minister Marthinus van Schalkwyk in August. *Allafrica.com 17/08/07*

Fraud charges separated

The NPA is separating the fraud charges faced by Fidentia boss J Arthur Brown and co-accused Graham Maddock. This is after Brown's lawyer requested the NPA amalgamate the charges. NPA spokesperson Tlali Tlali said the dynamics of the cases must be looked at independently due to evidence that would stand on its own from other charges that the two men are facing. *SABC News 14/08/07*

Channels of communication open

The Deputy National Director of Public Prosecutions, Dr Silas Ramaite, has assured prosecutors and support staff at the Thohoyandou Directorate of Public Prosecutions that there are no plans as yet to relocate them to Polokwane.

Ramaite visited the office as part of the Communication Unit's leadership road-shows which aim to bring senior management closer to employees on the ground.

The visit was the first of a series which to be undertaken by National Director of Public Prosecutions Adv Vusi Pikoli and others.

The roadshows also allow staff members to raise concerns and ask questions about the working environment of the NPA.

The roadshows provide the leadership with an opportunity to inform staff members about the state of the organisation and unpack the 2020 strategy, among other things.

Staffers at the Thohoyandou DPP office were worried about the government's re-jurisdiction process.

Ramaite told the meeting that no firm decision had been taken on the boundaries yet, so there was no need to worry.

Prosecutors also raised concerns about the lack of resources needed for them to effectively carry out their duties.

Ramaite assured them that measures are being put in place to deal with the problem.

"The idea is to make sure that everyone



SUPPORT: Dr Silas Ramaite

has to at least have access to a personal computer. Where it is necessary to provide laptops, we will do our best to ensure that they are available," Ramaite said.

Some prosecutors want to play a bigger role in community upliftment programmes in their area and they used the opportunity to ask for financial support.

Prosecutors also raised the need for salary adjustments.

Ramaite explained that this is a lengthy process and said the decision didn't lie with the NPA leadership alone.

Roadshows aim to keep management and employees in touch

"We have made presentations to the Portfolio Committee on Justice in parliament and we are confident that the chairperson of that committee understands our plight.

"The Minister of Justice, Brigitte Mabandla and Public Service and Administration, Geraldine Fraser-Moleketi, are working to resolve the matter.

"Ultimately, it is the Minister of Finance, Trevor Manuel, who will have to make the final decision and we are hoping it will be in our favour," he said.

The question of NPA's impartiality in apartheid-era crime prosecutions, which is making headlines, was also raised.

Responding, Ramaite emphasised the fact that the NPA is serious about prosecuting without fear, favour or prejudice.

"It is important to understand that we will always fight for the independence of the prosecuting service," he said.

The second province to be visited is Mpumalanga in September.

The aim is to make sure all the provinces are covered by the middle of next year.

Unit's aim is to protect women and children

The NPA's Sexual Offences and Community Affairs (Soca) Unit is expanding to meet its mandate which is highlighted in its slogan: putting the rights of women and children first.

Recently, the Unit appointed two Deputy Directors of Public Prosecutions (DDPPs) and eight senior state advocates.

DDPP Maggie Tserere will be based in the Eastern Cape while Bronwyn Pithey takes charge of the Western Cape.

According to Tserere, the setting up of the two offices ensures effective management and implementation of the unit's mandate in line with its business plan.

The expanded structure forms part of the development of the NPA capacity model which will assist in mapping out the costing of the 2020 Strategy.

Project manager Pumeza Mafani said that the unit's future plans include rolling out the structure to all provinces.

She said Soca was expanding in order to be more visible within communities for the effective management of gender-based violence.

"The broad outcome of Soca, as a specialised unit, is to improve the conviction rate in gender crimes and against children, to actively ensure the protection of vulnerable groups from abuse and violence and ensure access to support when necessary," said Mafani.

The unit's philosophy is based on human rights and using justice to solve problems.

Soca is made up of four sections:

- The Sexual Offences Section. DEALS with the Sexual Offences Act, the Films and Publications Act, Criminal Procedures Act. and Child Justice Act. Ensures the elimination of sexual victimisation.
- The Domestic Violence Section. Deals with the Domestic Violence Act and other relevant legislation. Ensures the

elimination of victimisation in the home and within domestic relationships.

- The Maintenance Section. Deals with the Maintenance Act, other relevant legislation and common law. Ensures access to maintenance to any person legally entitled to it.

- The Child Justice Section. Deals with the Child Justice Bill and other relevant legislation. Ensures fair and rehabilitative management of child offenders.

Mafani said Soca's vision and values were guided by the principle that all people should live in freedom and security.

This is done by a goal-orientated and project-based approach to combating violence against women and children and reducing secondary victimisation.

"The goal is to expand on projects and ensure representation of Soca in all DPP offices," said Tserere.

Smaller regions are on a par with national averages

The Mpumalanga and Limpopo regions do not have their own seats of the High Court and, as such, fall under the management of the Directorate of Public Prosecutions in Pretoria.

"There have been plans for these regions to have seats of the High Court, but it may be sometime before we see that development," said Adv Sibongile Mzinyathi, Director of Public Prosecutions in Pretoria.

"In view of the current NPA transformation programmes, we're trying to harmonise operations. As such there are no peculiarities between the Mpumalanga region and Pretoria, for instance, apart from the fact that it's more rural.

"From a strategic point of view, operations across the regions are as uniform as possible," Mzinyathi said.

Mpumalanga is made up of three main clusters: Witbank, Middelburg and Nelspruit.

Mpumalanga is doing well when compared to the national averages.

In May, their court hours reached 4h19m, the highest in a division which includes Pretoria, Klerksdorp and Vaal Rand.

"Their conviction rate also meets the national rate and is in excess of 80%," Mzinyathi said.

The Chief Prosecutors heading up the Witbank, Middelburg and Nelspruit clusters meet quarterly in Pretoria for management meetings and to ensure their targets are being met and that mandates carried out.

The Nelspruit cluster is made up of seven offices in the Lowveld area: Nelspruit, Barberton, White River, Kabokweni, Tonga, Graskop/Sabie and Lydenburg.

Marius van Heerden is the Chief Prosecutor who heads up this cluster.

"There are 43 prosecutors in this cluster, along with three senior public prosecutors, myself and two administration personnel.

"Our biggest challenge remains the lengthy time it takes to fill vacancies," van Heerden said.

"Nelspruit handles a large amount of rape cases as well as violent crimes that originate from the densely-populated Kabokweni area, said van Heerden.

"The game reserve is close to us and, from time to time, we hear cases of people

Mpumalanga Public Prosecutors Offices are rising to the challenges posed by their situation in rural areas



NELSPRUIT'S BEST: (From left) Marius van Heerden, Chief Prosecutor; Mervyn Menigo, Senior Prosecutor; Caren Mortlock, Senior Prosecutor and Tobey Steyn, Senior Prosecutor

shooting elephants and other wildlife.

"We also have to deal with the numbers of illegal immigrants who come in through the Mozambique border.

"Car theft is an issue because of the border's proximity," van Heerden added.

An adult diversion programme is currently being run in Nelspruit.

"Since October 2006 we have been engaged with the South African National

"Our biggest challenge remains the lengthy time it takes to fill vacancies."

Institute for Crime Prevention and the Reintegration of Offenders (Nicro), the South African National Council on Alcoholism and Drug Dependence (Sanca) and Social Services in the diversion of adult offenders in certain petty offences.

"A very high percentage of matters

involving adult offenders has been disposed of in this manner," said Mervyn Menigo, Senior Public Prosecutor for Nelspruit.

The petty offences as outlined in the Adult Diversion Working Agreement are limited to theft of items of small value, drug possession, where it appears that the accused is a drug addict, domestic violence where the parties have "reconciled" and the complainant is adamant about withdrawing the matter, common assault matters and any matter which the Senior Prosecutor may consider appropriate.

The diversions include community service and rehabilitation programmes.

Since March, 51 adults have been sent for diversion and seven have been sent for alternative sentences to Nicro.

Another approach is alternative sentencing. After a conviction is secured, a suspended or postponed sentence is considered, provided the accused attends certain programmes or meets certain requirements.

"Nicro is currently piloting a model for alternative sentencing at Nelspruit Court.

Continued on next page

Getting together to fight drug addiction among youth

The town of Witbank, situated close to the N12 highway, serves as a gateway to Johannesburg for those coming from Mpumalanga and Mozambique.

Heroin and other drugs pose a major problem for the town and many of the town's teenagers are vulnerable to drug abuse.

People Against Drugs and prosecutors in the area have come together to launch a project to help parents fight abuse and to deal with children who are addicts.

The project, which started in 2005, has support from churches, attorneys, prosecutors, police, doctors and a Christian-based organisation called Xtreme Buddies.

Two houses, managed by Xtreme Buddies and run on a 24-hour basis, provide a drug-free environment for teenagers.

"The programme provides addicts with social contact with drug-free persons," said Tinkie Steyn, Regional Court Control Prosecutor in Witbank.

"It started out as a little office in a church and has now expanded to two three-bedroom houses.

"Xtreme Buddies works with a global organisation called Xtreme freedom. Their philosophy is that one has to fill the void drug abuse leaves behind and, for them, what fills this is Christian-based values."

Steyn added that parents get together weekly to discuss children who are addicts.

The programme visits schools with presentations on drug awareness.

"To date, the programme has had success stories. We have a rehabilitated drug pusher who now works with us.

"We have a very centralised area in town where the drug trade is prolific and he goes into these areas to assist," Steyn said.

Information booklets and an educational CD have been distributed to parents.

The prosecutor's office in Witbank has also donated a microwave oven and money



WITBANK WHIZZES: (From left) Tinkie Steyn, Regional Court Control Prosecutor; Ruben Bothma, Regional Court Control Prosecutor; Ronell Wentzel, Chief Prosecutor; Taréne Kemp, District Court Control Prosecutor; Tracy Keen Horak, Regional Court Prosecutor and Moketsi Molaudi, Maintenance Prosecutor

From page 6

"There is a steering committee chaired by the Chief Magistrate which is responsible for the promotion of alternative sentencing measures and also looks at procedures within the magistrate court.

"Prior to the piloting of the model, Nelspruit delegates presented a possible best practice at the colloquium on alternative sentencing held in Cape Town last year," Menigo said.

The pilot project is being driven by the judiciary, with the prosecution services involved and its aim is to increase the amount of alternative sentencing.

Mpumalanga also operates a centralised training unit for its prosecutors.

"This is to ensure uniform training regarding specific problem areas in the region and training is in accordance with the DPP: TPD Strategic Plan Objectives.

"The Centralised Training Unit (CTU) Committee consists of Senior Public Prosecutors (SPP) of Mpumalanga. This committee has regular meetings and issues a quarterly provincial newsletter, Fiat

Iustitia, to all prosecutors in the region.

"The CTU schedules three centralised training sessions per year for all prosecutors.

"Training subjects are agreed upon by SPP's and Chief Prosecutors based on specific needs and relevant strategic objectives in a year. Arrangements with other role players in MP regarding said training sessions are agreed upon via the provincial Case Flow Management Forum," said Marie Loots,

"When there's a new NPA project, they can roll it over here and we'll tackle it."

Chief Prosecutor for Middelburg.

The Witbank cluster includes sub-cluster offices in rural areas.

One of the challenges they face is that witnesses lack transport to the courts.

"In many instances, prosecutors convey witnesses to and from the courts in order to finalise cases," said Ronell Wentzel, Chief Prosecutor for Witbank.

Mpumalanga Fast Facts

Population: 4 million

Languages: isiNdebele, siSwati, xiTsonga, English and Afrikaans (info from www.mpumalanga.com)

MIDDELBURG CLUSTER:

Chief Prosecutor: MM Loots

Sub-Cluster: Middelburg

Senior Public Prosecutor: EB Ontong

Areas: Middelburg, Groblersdal,

Moutse, Belfast, Carolina, Elukwatini

Tutor (Senior Public Prosecutor):

MM Hlatshwayo

Aspirant Prosecutors: Middelburg

Magistrate's Office

Sub-Cluster: Ermelo

Senior Public Prosecutor: LJC Lloyd

Areas: Ermelo, Amersfoort, Piet

Retief, Volksrust

WITBANK-EVANDER CLUSTER

Chief Prosecutor: R Wentzel

Sub-Cluster: Witbank

Senior Public Prosecutor: F Mavundla

Areas: Witbank, KwaMhlanga,

Ekangala, Mbibane, Mkobola Mdutjana

Sub-Cluster: Evander

Senior Public Prosecutor: A Steyn

Areas: Evander, Delmas, Balfour,

Kriel, Standerton and Bethal

NELSPRUIT CLUSTER

Chief Prosecutor: M van Heerden

Sub-Cluster: Nelspruit

Senior Public Prosecutor: M Menigo

Areas: Nelspruit, Tonga, Barberton

Senior Public Prosecutor: T Steyn

Areas: Lydenburg, Graskop-Sabie,

Witriver

Sub-Cluster: Kabokweni

Work challenges and excites her

Kalyani Pillay, special advisor to the National Director of Public Prosecutions, speaks to us

How did you come to join the NPA?

I joined the Department of Justice (DOJ) in November 1995 as the State Attorney for Johannesburg and was the head of the office there for almost seven years.

Prior to that I was at a private firm in Pietermaritzburg.

I was the first female State Attorney to be appointed in South Africa in 1995 and the first black State Attorney.

I was there until 2002 when I moved to the national office of the DOJ in the Information and Systems Management unit as a general manager. In 2004, I joined Adv Vusi Pikoli, the Director General at the DOJ, as his advisor. In 2005, when Adv Pikoli was appointed as the NDPP, I was appointed as his special advisor.

What is a typical day like for you?

I am a morning person. I get up at 3.30am and I'm at the office between 5.30 and 6am. It's what I consider to be my complete, undisturbed quality time, when I attend to tasks and respond to emails etc.

Much of my day is spent attending meetings so this is the best time for me to get other things done.

As the special advisor to the NDPP, I get involved in almost all aspects of the work of the NDPP.

"I get up at 3.30am and I'm am at the office between 5.30 and 6am."

In addition, I am responsible for monitoring areas of delivery by the NPA business units.

I also head the international co-operation section for the NPA and facilitate all international relations and interactions.

I'm responsible for facilitating the negotiation and finalisation of memoranda of understanding between the NPA, SADC and other international prosecuting authorities.

I'm also South Africa's Commonwealth



POWERHOUSE: Kalyani Pillay

representative in criminal matters.

I oversee the work of the office that deals with Mutual Legal Assistance and extradition applications as well as the office that deals with all representations to the National Director.

Troubleshooting is the greater part of my work on most days.

What are your greatest achievements?

I came into the State Attorney's office at the very beginning of transformation in South African society.

The State Attorney's office at that time had no black attorneys – other than the deputy and me. I knew that I had a huge task ahead of me but I saw it more as an opportunity than a challenge.

At that time there weren't many women in leadership positions in the department either.

It was an interesting experience, being in government for the first time and having to deal with all the rules, regulations and red tape, which was different from being in

the private sector.

Having to deal with all the changes, the diversity issues and the emotions of people was also a new experience for me which, when I look back, certainly made me grow as a manager and a person.

I have two wonderful sons. The eldest is going on 23, the youngest has just turned 18.

I would never have been able to achieve what I have if I did not have the complete and absolute support of my husband who has always encouraged and motivated me.

Who are your mentors and role models?

I worked with an attorney in Pietermaritzburg, Mr Kader Hassim, who is one of my role models. He really taught me the nuts and bolts of being an attorney.

"My message to women is always be confident and hold your own."

I have immense respect for people who have confidence in themselves and are vocal about what they believe in.

Our NDPP is one of those people and he is also someone who displays the level of integrity that is required of people in our organisation. This is highly motivating.

What maxims do you live by?

My personal philosophy is that positive thinking leads to positive action.

My message to women is always be confident and hold your own.

Confidence comes from empowering yourself, and once you're equipped with the skills and knowledge you require, nothing can stand in your way.

Women should never feel the need to be aggressive in order to demonstrate and exercise the authority they have.

What should be a focus for the NPA?

The prosecutors on the ground are the most important assets of this organisation.

We are measured by their performance as perceived by the public. As managers we must support and empower them.

By effectively playing our role in the fight against crime, we will contribute to the stabilisation of our economy.

This in turn will create more jobs and help improve the lives of South Africans.

That's the kind of philosophy we want to instill in our prosecutors so that they know and understand the importance of their work to the people of this country.

Nitty-gritty of salary increases

The four-week-long public service strike in June and July, was finally resolved with a 7,5% general increase plus a R500 housing allowance.

The settlement means that for some workers – those in levels one to three of the salary grade – salary levels will be moved up a single notch.

According to Nehawu (National Education Health and Allied Workers' Union), the settlement is a breakthrough for all public service workers as it sets the tone for future public service negotiations.

"We are very happy with the settlement because workers' salaries have settled below the 7% mark since 1996.

"The current salary settlement is a two-year agreement, ending in 2008, therefore 2009 is due to see a new round of negotiations.

"Before such exercise, we will ensure that our members are consulted through the branches, regional and higher structures before final demands are put to the employer," continues Nehawu.

Breakdown of salary increases:

Salary Bands	Before adjustment (p/a)	After adjustment (p/a)	Difference (p/a)	Total difference with R500 housing allowance (p/a)
<i>Lower skilled (levels 1-2)</i>	Min: R3 5916 Max: R4 4883	R3 8610 R4 8249	R2 694 R3 366	R3 194 R3 866
<i>Skilled (levels 3-5)</i>	Min: R4 6200 Max: R7 5216	R4 9665 R8 0857	R3 465 R5 641	R3 965 R6 141
<i>Highly skilled (production levels 6-8)</i>	Min: 79407 Max: 142617	R8 5363 R15 3313	R5 956 R10 696	R6 456 R11 196
<i>Highly skilled (supervision levels 9-12)</i>	Min: R14 6685 Max: R3 97986	R15 7686 R42 7835	R1 1001 R2 9849	R11 501 R30 349

Public Servants Association (PSA) spokesperson, Kim Bock, says their negotiations are still underway.

"We are busy with another round of negotiations around the occupational dispensations in the respective sectors."

These negotiations follow the signing of PSCBC Resolution 1 of 2007.

Bock says she is happy with the current state of affairs because the trade unions proved that they could unite in the conditions of service and translate words into action.

"Never again will the employer implement salary adjustments unilaterally as it has done in the past," she added.

Winds of change blow through NPA

A new wave of change is sweeping through the NPA. An audit to assess the competence of NPA staff members at all levels is being implemented.

The Skills Audit project is an initiative of the Training Division within the Human Resources and Development department.

"With this audit we want to determine gaps between the requirements of every employee's job and the actual skills that they currently possess," says Sarah Mthintso, Senior Manager: Training.

"This process will also assist the NPA to ensure that it is able to achieve its Strategy 2020 goals.

"If you look at the strategy you will realise that there's a lot of work that needs to be done to make sure we are able to deliver an efficient service to the South African society.

"No amount of planning will help us get there if we do not have the right skills, and the time to ensure that we have those

A new project aims to address skills problems within the organisation

right skills is now," she says.

The Skills Audit will unfold over a period of six months.

The ultimate objective is that at the end of the process, each employee must have a Personal Development Plan.

Mthintso says that the plans will help to ensure that all the training that is authorised is firstly relevant to the requirements of the job and that it feeds to the overall vision of the organisation.

The process will require that employees fill in questionnaires and do extensive interviews with the officials appointed to assist with the project.

"This might take some time from all our busy schedules but remember that this will assist you in your own career development but the society that we are

mandated to serve will benefit greatly if we are able to give them an efficient service, ultimately leading to the reduction of crime in our society," says Mthintso.

The interview process will seek to assess the person's job in a holistic manner.

This means that you will be able make your own input in the assessment about your job, a colleague who is at the same level, your direct superior will also have to his/her input.

In other instances, an employee who is your subordinate might be asked to also make an input.

Assessments will take place on a regular basis to ensure that the training is effective.

Understanding organisational cynicism

Organisational cynicism is defined as negative attitude towards an organisation, says Prince Mokotedi of the Integrity Management Unit



CYNICISM: Prince Mokotedi from the Integrity Management Unit

Cynicism is generally regarded as a philosophical concept the main principles and virtues of which include the rejection of all forms of authority, self-deprivation of material wealth and moral purity.

Ancient cynics chose a life of squalor. Cynics gave up the pleasures of life as a means to attain higher levels of moral authority.

The ancient cynics also used humour and satire to express their thoughts.

In today's manner of speaking, we would say that they choose to live below the poverty line. Modern-day cynics are described as people who have an exaggerated distrust of other people, are self-righteous and are always whining. They think everyone is out to get at them.

Research on cynicism within the workplace began in the early 1960s.

It was initiated by the publication of Arthur Niederhoffer's seminal work on police cynicism called *Behind the Shield*.

In this study, Niederhoffer, a sociologist, says, among other things, variables such as, length of service, educational qualification and economic background affect individuals' dispositions toward cynicism.

The concept of Organisational Cynicism (OC) is now widely accepted as a useful construct to explain employee behaviour and attitudes. OC is defined as negative attitude towards the organisation and is a reflection of negative feelings towards its rules, processes, policies and procedures.

It is also associated with beliefs held by employees that the values of the organisation are not the same as theirs and that the organisation lacks integrity.

Studies on OC gained momentum in the 1980s and the early indications were that the many employers felt alienated by the organisation and its management.

A number of factors were identified.

It was argued that rapid globalisation meant that societal changes and political reforms, organisations embraced survival strategies that tended to be unfavourable to employees.

These included right-sizing, off-shore production, automation and diversity.

These tend to bring uncertainty in the organisation and employees do not know what to expect from the employer.

This has a bearing on the psychological contract employees have with the employer.

The psychological contract is the perceptions of employees with respect to the reciprocal duties and obligations between the organisation and the employees.

“OC is a negative attitude towards the organisation and is a reflection of negative feelings towards its rules, processes, policies and procedures.”

In terms of this contract, employees believe the organisation is bound to offer them job security, benefits and allowances in exchange for their loyalty and hard work.

However, the changes in the corporate world have had a negative impact on the psychological contract as organisations can no longer guarantee tenure or benefits.

Thus, cynical employees believe the organisation has violated this contract.

The manifestation of cynicism in

employees is varied and negative.

For instance, cynical employees have higher levels of psychosomatic disorders, stress and burnout. Accordingly, cynics are more absent from work and their productivity levels are low.

Factors that engender psychological contract, and thereby affect cynicism, are divided into three categories. They are organisational, business environment and work characteristics.

Organisational characteristics include those factors that put a strain on the organisation such that relationships, especially between management and employees, are negatively affected.

These factors, in a law environment institution like ours, include supervisory practices, normative factors such as court decisions, inflexible rules and a command-and-control management style.

Business environment factors include reforms and changes, high salary packages for executives, organisational performance and retrenchment of workers.

Work-related factors include role conflict and ambiguity and occupational socialisation.

Finally, organisations should gauge the levels of cynicism, the probable sources and causes of cynicism because it can greatly affect productivity levels.

Once the levels of cynicism have been measured and found to be unacceptably high, the organisation should work on strategies to reduce such levels.

● In the next issue, *Khasho* will look into whether organisational cynicism is affecting the NPA.



NEW APPOINTMENTS

The following appointments have been made at the Directorate of Public Prosecutions in Grahamstown, Eastern Cape:

- Head Control Prosecutor: A Nkosana
- Assistant Librarian: Ms F Matyolo
- State Advocate: S Hendricks
- State Advocate: JN Jikela

Senior Prosecutor honoured by peers

Prosecutors from the Sexual Offences, Murder and Occupational Health Unit at the Johannesburg Magistrate's Court, together with other staff, came together to salute their best senior prosecutor ever.

Carina Coetzee was treated to a surprise lunch by her colleagues as a show of gratitude.

Coetzee mentors and assists colleagues with cases dealing with children. She is always willing to listen to her colleagues' personal problems and tries to help them solve them.

The lunch, the idea of Prosecutor Bakedi Maoke, came about after months of planning.

"It's been a thought of mine for the past year to say thank you to Carina but I just didn't know how to go about it. I then consulted with all the other prosecutors only to find out they felt the same," he said.

The 12 prosecutors and two secretaries then put their heads together to organise a surprise lunch, which also involved their families.

One of the prosecutor's sons, who is a chef, did the catering. Prosecutors also assisted in cooking and providing refreshments.

Everyone contributed what they could to make sure the day was a success.

"I had absolutely no idea about the surprise; They did a good job of keeping it away from



Party: Carina Coetzee

me," admitted Coetzee.

The prosecutors wrote their thoughts in a booklet that was given to Coetzee.

"Reading their views and what they thought about me was great. It's quite something to hear positive things about yourself," she said.

Coetzee is very popular with her colleagues.

"She always puts everyone first. She is the most selfless person I know,"

said Maoke.

This was proven yet again in trying to keep the surprise from her.

"We kept it from her for weeks. It nearly became a disaster on the day as she wanted to leave early.

"I then took advantage of her soft side by telling her that I had some personal problems and needed her advice.

"Being the person she is, she put everything on hold and agreed to come listen to me," said Maoke.

Also invited was Chief Prosecutor, Arnold van Wyk.

"I was in on the secret from the beginning. I must say I think this was a wonderful gesture from all the prosecutors.

"We're one big family and it was humbling to see her reaction – she was nearly in tears."

Working to end violence against women and children

The Deputy National Director of Public Prosecutions, Adv Mokotedi Mpshe, has been re-elected president of the Africa Prosecutors Association (APA).

This happened during the APA conference held in Angola in August under the theme "African Prosecutors Advance against Human Trafficking, Domestic Violence and Child Offending".

Addressing the gathering, Mpshe emphasised that the 18 member states have to make concerted efforts to end human trafficking, domestic violence and child abuse in their home states.

He reminded delegates that the APA was there to deal with African

challenges and dynamics for the benefit of the continent.

"Member states must embrace and ensure the APA moves from infancy to its teenage stage through to adulthood with confidence and must succeed in eradicating these crimes that destroy our societies", he said.

The APA was formed in 2003 after a conference in Durban. Its main mandate is to facilitate mutual legal assistance and co-operation between the prosecuting authorities of African states.

Other objectives of the APA are to: foster a relationship between Africa countries in relation to the administration of justice and the rule of law;

● Establish an exchange programme for prosecutors to be trained on sexual offences, money laundering, organised crime, human trafficking, extraditions etc;

● Ensure regular communication with colleagues in other regions; and

● Ensure general improvement in legal issues within the African continent.

At the Angolan conference, facilitators conducted presentations on violence against women and children and human trafficking.

After considerable deliberation, the AGM adopted the Luanda Declaration which was signed and ratified by all member states.



HOB0 NIGHT: Prosecutors from the Evander sub-cluster, Mpumalanga, dressed up – or dressed down, depending on one’s perspective – for a charity fund-raising hobo night in August. “Thanks to incredible ‘spirits’, deep pockets, most attending hobo’s filthy attire and everyone’s eagerness to ‘slum’ for charity, the event was a stinking success,” said Tracy Keen Horak, Regional Court Prosecutor. Every year since 2005 the public prosecutors in the sub-cluster raise funds in order to host a Christmas party for underprivileged children in the Holfontein settlement between Kinross and Trichardt.

Help for women living with HIV-Aids

To celebrate Women’s Month, the NPA has encouraged women to test for HIV through its Employee Wellness Programme (EWP).

The EWP is in a position to support these women and their families.

EWP senior manager Phuthi Semenya says they offer, among other things, face-to-face counselling – six sessions per employee and their family members per annum.

“One of the main advantages of counselling is that it allows people to accept and cope better with their HIV status.

“With information, good care and support you can manage HIV safely and successfully,” Semenya says.

Statistics reveal that HIV prevalence is higher among women than men in South Africa. The HIV-Aids and STI strategic plan for South Africa 2007-2011 shows

that women account for approximately 55% of HIV-positive people.

Women in the age group 25 to 29 are the worst affected with prevalence rates of up to 40%.

Semenya says while the impact of this epidemic on women is devastating, many women with

HIV-Aids are living longer and stronger, thanks to proper treatment, care and support.

Testing positive the HIV virus often brings a range of emotions such as panic, fear and anger.

Many HIV-positive women find that after some time they can start a process of taking charge and living life to its fullest.

“Women are the pillars of our nations and families. We need to take a lead in fighting

the pandemic, promoting prevention, care and support to the entire societies, partners, colleagues, children,” Semenya says.

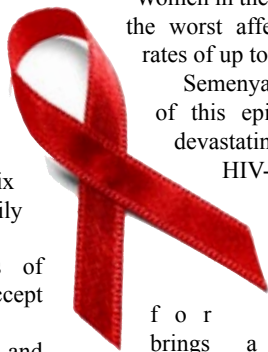
She encouraged those who have tested positive for HIV, not to give up hope.

“There are resources available for you to make it easier to live with HIV.

“Talk to your doctor or other health-care provider as your relationship with your health-care provider is one of the most important relationships that you will have in fighting HIV.

“Sharing your experiences with other people living with HIV may help you reduce your anxiety, learn new ways of coping with HIV infection, and connect with people who are facing similar challenges,” Semenya says.

The EWP also offer unlimited telephonic counselling through the NPA dedicated toll-free line, 0800-23-9355, 24 hours a day.



Send your news – serious and funny – as well as letters to the editor to Khasho at pkotane@npa.gov.za
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