

Adv S. Batohi NDPP Acceptance Remarks

Prepared by Nikhil Somaru (nsomaru@gmail.com)

20181204

Thank you, Mr President, for your confidence in me, and thank you to the Panel for the recommendation. I accept with gratitude the opportunity to serve as the National Director of Public Prosecutions. My only obligation is to serve the country with humility and dedication to the best of my ability. Each one of us, no matter where we are, must be ready to make the sacrifices necessary to fight this good fight. Our country needs all of us.

Let us not forget that this is also a historic moment for the women of South Africa. It is a recognition, by the President, of the role of Women in the pursuit of an equal, just and fair society.

The President and by proxy the people have bestowed a lot of confidence in me. The least I could do is to reciprocate your confidence. I have always derived my inspiration from one great maxim:

“To strive, to struggle, not to succeed.”

This simple saying has strengthened the greatest of men and women when the challenge before them seemed monumental and the prospects of success, slim. In this context 'not to succeed' would mean never be concerned about the result of your action; as long you are clear about your goal and are willing to unwaveringly perform the perfect action in the interest of society and the interests of justice. Great men and women like Nelson Mandela, Albertina Sisulu and Mahatma Gandhi did it. I can only follow their lead, so I appeal to the People to give me that strength to achieve it.

Poised, as we are, a People and a Nation upon the precipice of corruption and a state of capture, let us not succumb to despair at the thought that the challenges we face are insurmountable. Each moment in time carries with it the full weight of the past, and also the lightness of hope for the future. We must recognise that challenges have always existed and will continue to exist: It is in the meeting of these challenges that we fashion ourselves as a Nation. The diamond is made beautiful and lustrous by constant buffeting and polishing. History will reveal whether we choose to destroy the jewel that is South Africa or reveal the lustre and beauty we know is hidden within. There is much that could be achieved through a spirit of cooperation across government departments, and the NPA I

represent stands ready to engage constructively across all sectors, and with civil society, to enhance and instil confidence in the Criminal Justice System as a whole.

The National Prosecuting Authority is of vital importance to this country. Together with the Judiciary, it is tasked with the defence of the ideals and values that define us as a Country and a People; they are instruments by which the State achieves service to the ideal of Justice, as represented by the Constitution. The yardstick of our development as a Nation is the devotion to these ideals by the organs and arms of State and all who serve in them. Noble is the lot of a civil servant! Prosecutors everywhere – the lawyers for the people that you are – know that today you have the NDPP behind you, as long as you never sacrifice those ideals. Let this support extend to every corridor a prosecutor might tread upon, the turn of every door she might pass through and the creak of benches in courts across the land. Today, your NDPP stands with you, and together we stand for Justice and the Nation

This support, however, is not given unconditionally. Enough has been said elsewhere on crises and division within the NPA. Suffice it to be said here that those elements, within and without, who insist on frustrating the ends of Justice, and ultimately the Nation, will not be tolerated. We in the NPA have important work to do, which includes devoting our efforts to holding accountable those who have corrupted our institutions, who have betrayed the public good and the values of our Constitution for private gain, especially those in the most privileged positions of government and corporate power. My experience as a career prosecutor has revealed: the rule of Law reigns supreme.

The work of the NPA will be underpinned by strong governance principles and independence, as guaranteed in the Constitution. It is a non-negotiable that the country has absolute confidence in the work of a credible NPA.

Finally, thank you once again for reposing this confidence in me. We in the NPA stand ready to serve only the Constitution and you, the people of SA.

There is work to be done.