

LISTENING TOUR / STAFF ENGAGEMENT AT VGM 31 JANUARY 2020

NDPP'S JOURNEY TOWARDS REBUILDING THE NPA

I cannot believe it has been one year already. I can only imagine how the rest of term will go. I have reflected on a number of things. The idea of this is to listen to you but what I will do first is give you some reflections about this past year that has been.

On 1 Feb when I addressed you some of the key things I said were:

Collectively we do hold the future of our country in our hands. All South Africans are watching the NPA and we need to return it to a place where justice wins. Justice must always win.

Given the challenges we face, this next chapter in the NPA's history requires a new vision, new energy and new leadership.

Part of the process of restoring credibility must necessarily mean that there have to be changes.

Criminal Justice system is under considerable stress

What needs to be done to revitalise the NPA for the benefit of all South Africans?

We need to encourage and reward innovation

I committed to doing whatever I can to get more resources collectively as a team.

We need to get back to being the Employer of Choice
I recognised at that time that we need to boost professional development

All South Africans are watching the NPA and we need to return it to a place where justice wins. Justice must always win.

I committed to reach out to our counterparts, the SAPS, DoJ, Hawks, Parliament, civil society, legal society, both private and public sector,

I said on that day, importantly, I want to listen, I also want to hear from you on how we can make things better and that to me is really important.

I said I am in a listening mode right now. I will continue to listen to staff moving forward and I committed to conducting a staff survey.

Here we are one year later. Let us look at the year we've had. What did I find?

Internal Challenges

When I came last year, I asked myself why I would put myself in a position where I would be attacked. People will want me to do what they want me to do. But it's about getting in there and trying to do what's best for our country and doing what you can to build our country. That is the only reason that I am here, that I came one year ago. I also asked, Why me? Why now? Why a woman? Then I realized that there's an answer to that. The men mess up and then they get a woman to come sort things out. But we appreciate the men here because they are here with us to make a better NPA and a better South Africa.

Budget shortfall

Minimal staff development. The aspirants training was stopped in 2016. There was no money to deliver on this incredibly important mandate. It's not only about prosecutions. Whatever you do in the NPA, you play an important role in delivering justice to the people of South Africa. Whether you are in corporate services, all these services play an important role in ensuring that justice wins at the end of the day. We had an organization with no money. We lost about 800 prosecutors last year. That's almost a fifth of our capacity. We were losing experienced people and so a large part of my first year here was to try get money back. Basically I was starting to sound like a stuck cord, whoever would listen, from the president to the ministers, to portfolio committees, to people I engaged with in the various public and private sectors. It was about money. But what really encouraged me in those early days was that the support from the NPA across all of these sectors that I talked about. There was a recognition from every part and every corner of South Africa that the NPA has got to succeed. The importance of our role was recognized no matter where you went. It was as if the NPA was going to turn this country around. Unfortunately, that created a lot of pressure on us because the reality is that no one can do it on their own. Our work in the NPA is dependent on a range of stakeholders. The expectations were huge on us in the NPA and we needed to deliver to the extent that we could. There is an opportunity to get money in the middle of a budget cycle if you can show that those expenses are unavoidable and unforeseeable. We therefore made a good submission and we thank everybody who contributed to that process. Whatever we achieved in the year, it's not just me but a whole lot of people doing a lot of things behind the scenes. No one person can achieve things but you can certainly set the direction. The NPA received R104 million in the Adjusted Estimates of National Expenditure (AENE) process. There is no money in this country. The fact that we in the NPA received money when there is no money shows that there is political will for us to succeed. They found the money to give to the NPA. Due to the massive amount of corruption, we decided to capacitate these two components, SCCU and AFU because they play a vital role in fighting corruption. The fact that we got a further budget of R1,2bn as announced by the Minister of Finance during the MTBPS at end of October 2019 for the next three years is another indication that government recognizes that importance of the work of the NPA.

Filling vacant posts

There has been a massive recruitment drive. Over 800 posts were advertised last year. We are moving, we are bringing in capacity but extra people doesn't always translate to better efficiencies. Now that we are getting the money and people, we need to show the government that has invested in us that our performance is better. We cannot have the same performance one year from now. There is an obligation on us to show that the government's commitment in us was not misplaced.

Findings of the Staff Survey:

Some of the positive things that emerged from the survey:

80% of respondents felt that their work is making a difference in people's lives
70% felt a degree of personal accomplishment in their jobs and that the NPA has positive impact on people's lives

90% felt strongly that the NDPP needs to revitalize and restructure the NPA
92% felt that the NDPP should take a zero tolerance approach to unethical and corrupt staff

Respondents requested regular training to aid their professional development, to improve management skill as well as skills in the corporate sector.

There were some negative results as well:

44% felt that they were valued for the work they do

The most frequent reason for dissatisfaction was lack of promotion, no career growth, high staff vacancies, low staff morale, and budgetary constraints

Respondents had negative views about their career growth and professional development prospects in the NPA

Only 37% felt satisfied with job related training in the NPA

Only 1 in 5 respondents felt that the NPA has a fair promotion policy

Only a 3rd felt that the NPA and its senior leadership treated allegations of fraud and corruption seriously

Less than 46% percent felt that their workplace was safe

We are going to commission another survey at the end of February, to compare how far we have come in terms of trying to improve things.

New vision Independent, Professional, Accountable and Credible

"Justice in society so that people can live in freedom and security" is our vision and unfortunately, 20 years later, it is still a dream. We know, people don't feel like they get justice. We are all citizens of this country. We know what people think out there about justice and the justice system. We know about the statistics of convictions versus the number of reported crimes. People don't feel safe and secure in our country anymore and that was a great vision we had; but it's just a dream. We cannot allow this vision to continue being a dream. We need to do something to ensure that we achieve this vision. Having considered all the challenges we faced and what came out of the staff survey, we realised that collectively, we have an NPA that is Independent, Professional, Accountable and Credible (IPAC).

Addressing the Leadership Crisis

One of my commitments was to deal with the leadership crisis. The reality is things have not moved as fast as I would have liked them to. We have three vacant positions of DNDPPs, five acting DPPs, and acting special directors. We have to build a strong leadership and it starts with getting people into permanent positions. We need to build credibility and we need to start with the top leadership. The minister and I are having regular conversations about this and I am hopeful that these positions will be filled. There were several DPPs that were appointed during the last administration and the president overturned that decision. That matter is now a subject of litigation. I am very pleased to say that those that are acting in these positions, although they are not permanent positions, are doing really good work. Besides the top leadership, in various parts of the organization, people have been acting in various positions, serving the NPA without any compensation. There has been some progress. Adv Elaine Zungu was appointed as DPP KZN, with effect from 1 Nov 2019. We are in a better place that we were a year ago.

Innovation Teams

Internally we are setting up a strategic support & innovation capacity in the office of the NDPP. The idea of this unit is to drive innovation in the organisation. To look at intractable problems we've had. We still have the same problems that were raised 10 years ago when I was a DPP are raised everywhere. We cannot 10 years from now be still talking about the same problems. We are creating this capacity which many of you will be working with. To really look at how we can look at these issues differently. If we want different results, we have to do things differently. We cannot underestimate the impact of what has happened in the past years in the NPA. It has actually resulted in lack of innovation. It stifled innovation, drive and that is what we need to bring back into the organisation. We are not a mediocre organisation. We are an innovative organisation. We need to look at how we can better respond to the challenges of the 21st century when it comes to the Criminal Justice System (CJS).

We are looking at a lot of different ways in which can assist in enhancing the skills of this organisation across the board.

External challenges

The dysfunctional CJS – JCPS

How many of us and our family and friends have been the victims of crime and at the end of the day no body was arrested and prosecuted? Statistics show that of the number of reported cases, on average, it varies between 2 & 12 percent. That is a serious indictment. If you are a victim of crime and have less that 5 percent chance on average of anything happening about it. What does it say about our CJS? What can we do to ensure that we play our part in trying to change things? We are

strengthening cooperation with partners in the JCPS, to deal effectively with the major crime types.

To achieve this, we have had numerous joint planning sessions with SAPS, Hawks, SARS, SIU and others. I have been engaging across the CJS-JCPS cluster at the highest level to look at how we can deal with crime in this country. We are failing. The cluster must take responsibility for this.

What is our role in the MTSF strategy as the NPA to ensure that we achieve that strategy? We have been trying as the NPA to try to push and change the document so that it don't just keep on ticking boxes. We are measured on conviction rates. It's something we can really be proud of. But when you look at what the impact of that is in society, it is zero. So what do we need to do differently? What must we measure our impact on? We have been trying in an external perspective to change things around. It can't be business as usual.

The United Nations (UN) has sustainable development goals. We are a member of the UN and it is important that we position ourselves to see how we achieve those goals as an organization and as the country. One of those goals is goal number 16: to promote peaceful and inclusive societies for sustainable development; to provide access to justice for all, and build effective, accountable and inclusive institutions at all levels. So how do we build a strong institution? The reality is, in South Africa, our institutions are weak. We are losing the battle against crime. We need to see how we can turn that around.

Crime and Corruption – Organised Crime

The country is losing the battle against organized crime. Organised criminals think that South Africa is a haven for them to come here and do their business. Foreigners are choosing SA as their place to do business because we have great infrastructure and banking system but most importantly because we have weak institutions. They know that chances of them being arrested prosecuted and their money taken away is so slim that it is a reasonable risk to take. We cannot sit back and say that we, as a country we are happy to have that kind of reputation. How do we then as the NPA ensure that we are a strong institution? What are the characteristics of a strong institution? We need to have strong governance principles. We need to be accountable, credible, professional and independent.

Our current values

Independence

We need to be a fiercely independent organization. We need to do what the constitution expects us to do.

Professionalism

There are so many facets when it comes to professionalism:

- The image we convey.
- How you communicate vocally, verbally, or nonverbally.

- Being responsible,
- Ethical, Integrity
- Team-oriented
- Strong communication, interpersonal, and problem-solving skills.
- Professionalism is a complex combination of knowledge, skills, abilities,
- Organizations culture.

Accountability

The concept of accountability is central to the idea of democratic governance based on the rule of law.

Credibility

1. Be trustworthy. Your trust account is more important than your bank account.

2. Be competent. Become an expert in your field. In your capabilities so people know you are the one they can count on.

3. Be consistent. Everything you do, say and think should be consistent. Your actions are aligned with your thoughts.

4. Be genuine. You need authenticity to cultivate credibility;

5. Be sincere. Being credible means being sincere. It means you don't say everything you think, but you mean everything you say. You cannot claim it; you just have to be it. Sincerity requires commitment and dedication and the willingness to be steadfast, unmovable and always straightforward--no matter what.

6. Be respectful. Holding other people's feelings in respect may mean nothing to you, but it could mean everything to them. Treat everyone with respect--not because you expect something, but because you know they deserve it. Titles are granted, positions are given, but it's respect that earns you credibility.

7. Be accountable. To establish credibility, you must be accountable for your decisions and actions. When you make a mistake, own up to it and take steps to correct the error. When you aren't sure, say so.

8. Be loyal. Your credibility grows when you out for their best interests of those around you. It's about serving and protecting others. Loyalty is the sense that is a mutual commitment to success.

9. Be honest. Part of establishing credibility is developing a reputation for speaking with candor and honesty. Transparency is the fundamental keystone to business and the core source of credibility.

10. Be principled. Stop comparing yourself to others and learn to be yourself-- the principled person you are, standing tall for the values you believe in. Always strive to improve yourself to become better today than you were yesterday, work to serve those around you and the world with the core conviction that is uniquely you.

“ Regardless of race, creed, disability, sexual orientation, religion or social standing, we share as a source of pride the name South African. It belongs to each and every one of us and we wear it with honour.

“United by our love for freedom and our commitment to see our great nation thrive and prosper, let us move forward together towards achieving a stronger, greater, more compassionate, more united and harmonious South Africa.”