



**National Prosecuting Authority**  
South Africa

# **ANNUAL REPORT**

**2024/25**



## ***HANDING OVER THE BATON***

***Reflections on Progress and Challenges***



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# Acronyms

<b>ACTT</b>	Anti-Corruption Task Team	<b>DPP</b>	Director of Public Prosecutions
<b>ACWG</b>	Anti-Corruption Working Group	<b>DPSA</b>	Department of Public Service and Administration
<b>ADRM</b>	Alternative Dispute Resolution Mechanisms	<b>DSD</b>	Department of Social Development
<b>AFU</b>	Asset Forfeiture Unit	<b>ECMS</b>	Electronic Case Management System
<b>APA</b>	Africa Prosecutors Association	<b>ExCo</b>	Executive Committee
<b>BACSA</b>	Business Against Crime South Africa	<b>FATF</b>	Financial Action Task Force
<b>BLSA</b>	Business Leadership South Africa	<b>FIC</b>	Financial Intelligence Centre
<b>BRICS</b>	Brazil, Russia, India, China and South Africa	<b>GBV</b>	Gender Based Violence
<b>C-ADR</b>	Corporate Alternative Dispute Resolution	<b>GBVF</b>	Gender Based Violence and Femicide
<b>CARA</b>	Criminal Assets Recovery Account	<b>HRM&amp;D</b>	Human Resources Management and Development
<b>CPA</b>	Criminal Procedure Act, No. 51 of 1977	<b>HSF</b>	Hanns Seidel Foundation
<b>CPI</b>	Community Prosecution Initiative	<b>IAP</b>	International Association of Prosecutors
<b>CPO</b>	Court Preparation Officer	<b>ICT</b>	Information and Communications Technology
<b>CPRP</b>	Criminal Procedure Reform Project	<b>IDAC</b>	Investigating Directorate Against Corruption
<b>CTFC</b>	Counter Terrorism Functional Committee	<b>IMU</b>	Integrity Management Unit
<b>DDPP</b>	Deputy Director of Public Prosecutions	<b>IPAC</b>	Independence, Professionalism, Accountability and Credibility
<b>DEEC</b>	District Efficiency Enhancement Committee	<b>ISM</b>	Information Systems Management
<b>DEU</b>	Digital Evidence Unit	<b>IT</b>	Information Technology
<b>DFSA</b>	Digital Forensics South Africa	<b>JCPS</b>	Justice, Crime Prevention and Security
<b>DHA</b>	Department of Home Affairs	<b>JICC</b>	Joint Initiative against Crime and Corruption
<b>DIRCO</b>	Department of International Relations and Cooperation	<b>KZN</b>	KwaZulu-Natal
<b>DNA</b>	Deoxyribonucleic Acid	<b>LAD</b>	Legal Affairs Division
<b>DNDPP</b>	Deputy National Director of Public Prosecutions	<b>ManCo</b>	Management Committee
<b>DoJ&amp;CD</b>	Department of Justice and Constitutional Development	<b>MLA</b>	Mutual Legal Assistance
<b>DPCI</b>	Directorate for Priority Crime Investigation	<b>MoU</b>	Memorandum of Understanding
<b>DPCI: CATS</b>	Directorate for Priority Crime Investigation: Crimes Against the State	<b>MPTT</b>	Missing Persons Task Team
		<b>MS</b>	Microsoft
		<b>MTDP</b>	Medium-Term Development Plan
		<b>MTSF</b>	Medium-Term Strategic Framework

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*continued*

<b>NDPP</b>	National Director of Public Prosecutions	<b>SCA</b>	Supreme Court of Appeal
<b>NEEC</b>	National Efficiency Enhancement Committee	<b>SCCC</b>	Specialised Commercial Crimes Court
<b>NGO</b>	Non-Governmental Organisation	<b>SCCU</b>	Specialised Commercial Crimes Unit
<b>NOMM</b>	National Operations Management Meeting	<b>SDPP</b>	Special Director of Public Prosecutions
<b>NPA</b>	National Prosecuting Authority	<b>SIU</b>	Special Investigating Unit
<b>NPAA Act</b>	National Prosecuting Authority Amendment Act, No. 10 of 2024	<b>SMO</b>	Strategy Management Office
<b>NPC</b>	National Project Committee	<b>SOC</b>	Strategy, Operations and Compliance
<b>NPS</b>	National Prosecutions Service	<b>SOCA</b>	Sexual Offences and Community Affairs
<b>OCC</b>	Organised Crime Component	<b>SPP</b>	Senior Public Prosecutor
<b>OEA</b>	Office for Ethics and Accountability	<b>STU</b>	Specialised Tax Unit
<b>OECD</b>	Organisation for Economic Cooperation and Development	<b>TCC</b>	Thuthuzela Care Centre
<b>OWP</b>	Office for Witness Protection	<b>TRC</b>	Truth and Reconciliation Commission
<b>PCLU</b>	Priority Crimes Litigation Unit	<b>UNCAC</b>	United Nations Convention Against Crime
<b>PEEC</b>	Provincial Efficiency Enhancement Committee	<b>US</b>	United States
<b>PIM</b>	Performance Information Management	<b>VAT</b>	Value-Added Tax
<b>POCA</b>	Prevention of Organised Crime Act, No. 121 of 1998		
<b>POCDA TARA</b>	Protection of Constitutional Democracy Against Terrorist and Related Activities Act, No. 33 of 2004		
<b>POCS</b>	Provincial Organised Crime Secretariat		
<b>PPC</b>	Provincial Project Committee		
<b>PRECCA</b>	Prevention and Combating of Corrupt Activities Act, No. 12 of 2004		
<b>REEC</b>	Regional Efficiency Enhancement Committee		
<b>SALRC</b>	South African Law Reform Commission		
<b>SAPS</b>	South African Police Service		
<b>SARS</b>	South African Revenue Service		





### Strategic outcomes

The strategic outcomes of the NPA for 2020-2025 are the following:

- Increased feelings of safety and security for all South Africans.
- Improved investor confidence in South Africa through high-impact prosecutions.
- Improved access to NPA services for all.

To achieve these outcomes, the NPA commenced the implementation of several strategic initiatives:

- Enhancing internal accountability through the development of the Office for Ethics and Accountability to monitor and strengthen internal integrity and service delivery.
- Capacitating the NPA and ensuring that all regions and business units have the requisite specialist capacity.
- Increasing the use of information technology and digitisation.
- Institutionalising the Innovation and Policy Support Office.
- Implementing a countrywide Community Prosecution Initiative.



### Mission

Guided by the Constitution, we in the NPA ensure justice for the victims of crime by prosecuting without fear, favour or prejudice, and by working with our partners and the public to solve and prevent crime.



### Vision

Justice in our society so that people can live in freedom and security.



### Values

**Integrity** demonstrated through ethical conduct, high moral standards, honesty, moral principles and values, zero tolerance for bribery and corruption, keeping promises, truthfulness and being beyond reproach.

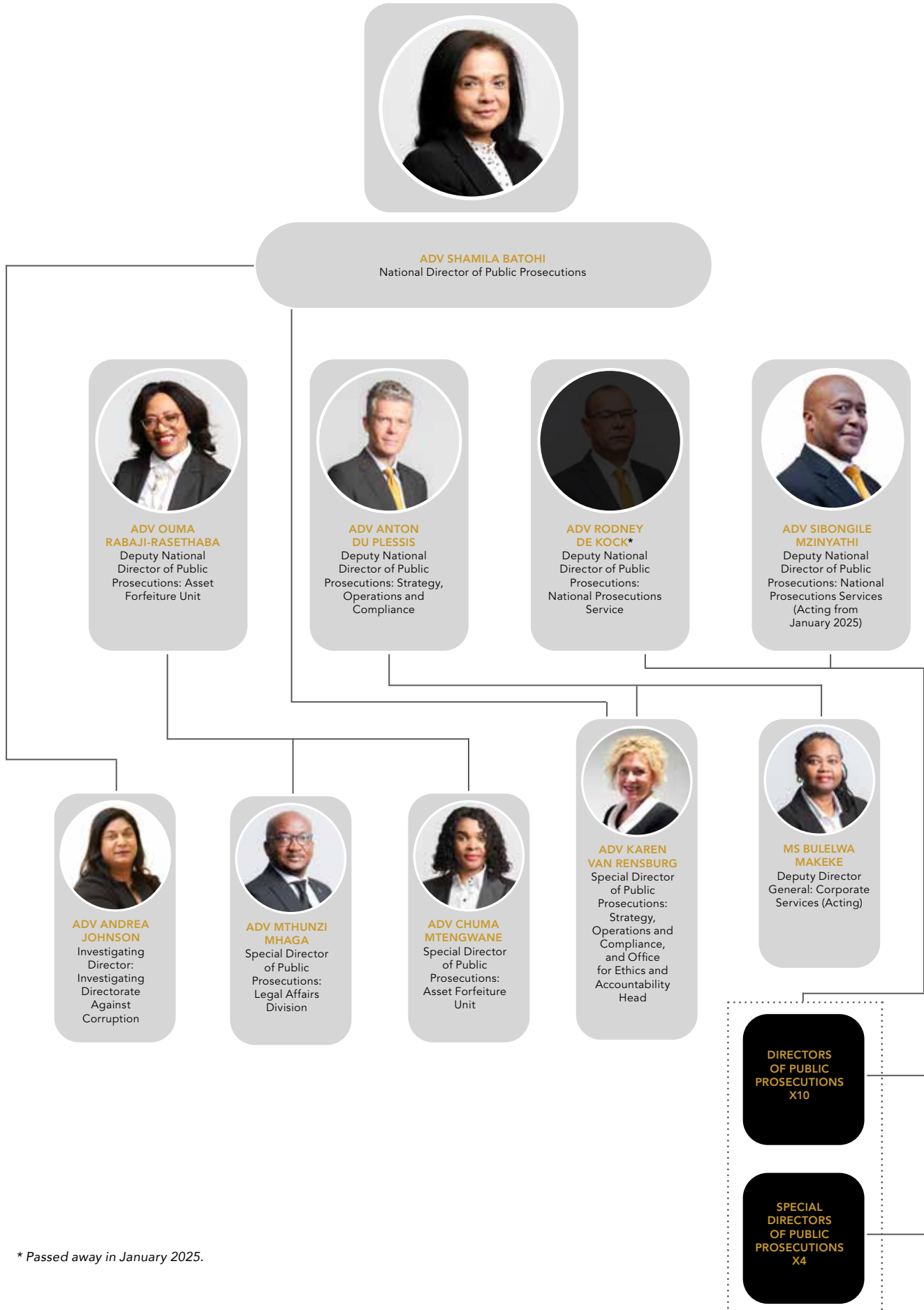
**Professionalism** evidenced by commitment, dedication, punctuality, competence and professional conduct in and out of court.

**Accountability** based on transparent actions and spending, regular contact with partners and routine reporting.

**Credibility** built by behaving consistently and aiming to inspire belief and trust.

**Service excellence** proven by providing first class customer service and complying with the Batho Pele principles.

# Organisational structure



\* Passed away in January 2025.

NATIONAL PROSECUTIONS  
SERVICEDIRECTORS OF PUBLIC  
PROSECUTIONS

**MR BARRY  
MADOLO**  
Director of  
Public  
Prosecutions:  
Eastern Cape  
Division



**ADV NAVILLA  
SOMARU**  
Director of  
Public  
Prosecutions:  
Free State  
Division



**ADV MARIKA  
JANSEN VAN  
VUUREN**  
Director of Public  
Prosecutions:  
Gauteng Division,  
Pretoria (Acting  
from Jan 2025)



**ADV ANDREW  
CHAUKE**  
Director of  
Public  
Prosecutions:  
Gauteng Division,  
Johannesburg



**ADV ELAINE  
HARRISON**  
Director of  
Public  
Prosecutions:  
KwaZulu-Natal  
Division



**ADV IVY  
THENGA**  
Director of  
Public  
Prosecutions:  
Limpopo  
Division



**MR SONJA  
NTULI**  
Director of  
Public  
Prosecutions:  
Mpumalanga  
Division (Acting)



**MR  
LIVINGSTONE  
SAKATA**  
Director of  
Public  
Prosecutions:  
Northern Cape  
Division



**ADV RACHEL  
MAKHARI-  
SEKHAOLELO**  
Director of  
Public  
Prosecutions:  
North West  
Division



**ADV  
NICOLETTE  
BELL**  
Director of  
Public  
Prosecutions:  
Western Cape  
Division

SPECIAL DIRECTORS OF PUBLIC  
PROSECUTIONS

**ADV TRISH  
MATZKE\***  
Special Director of  
Public Prosecutions:  
National Prosecutions:  
Service and Tax  
(Retired)



**ADV NKEBE  
KANYANE**  
Special Director  
of Public  
Prosecutions:  
Specialised  
Commercial  
Crime Unit



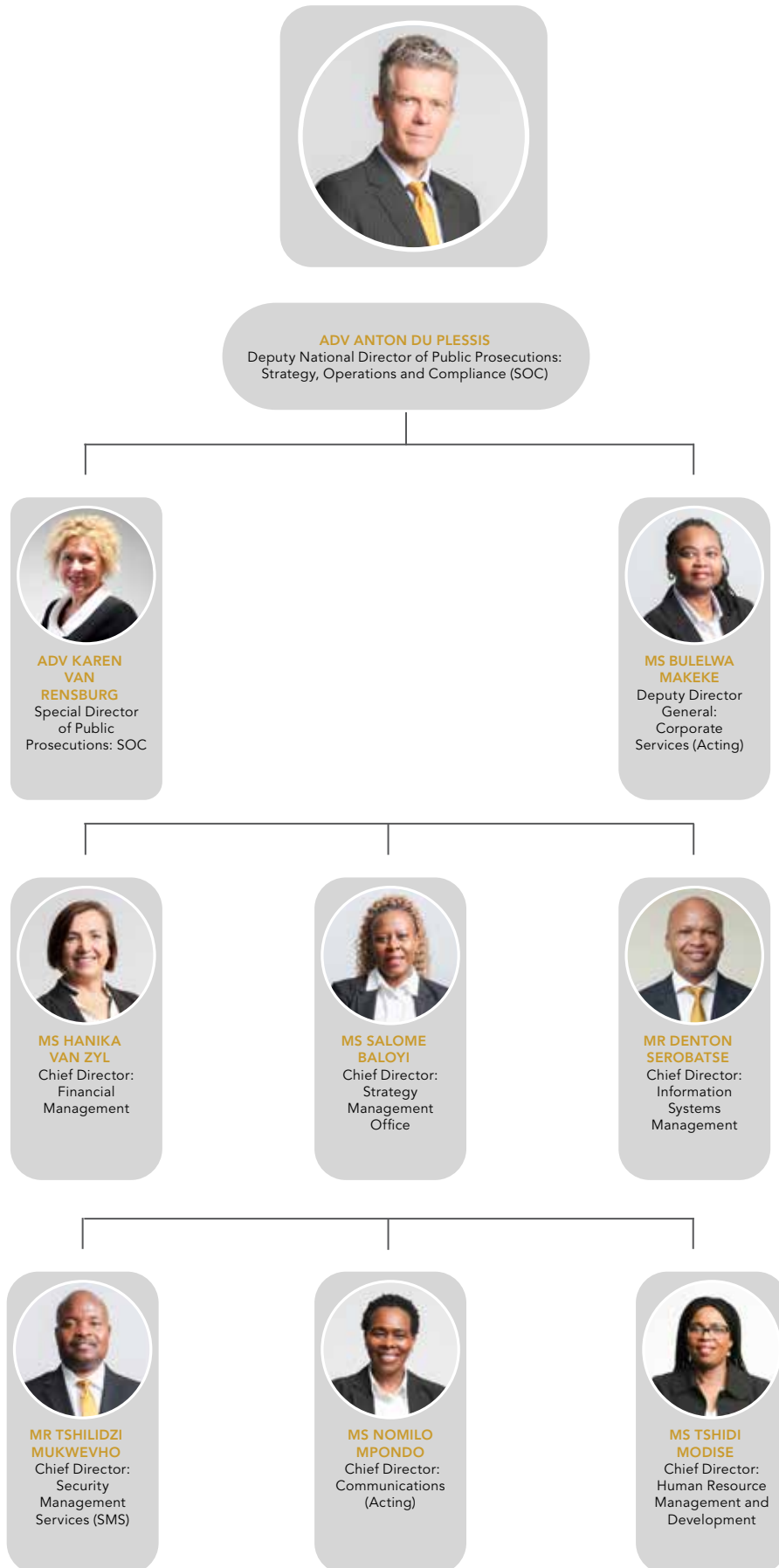
**ADV BONNIE  
CURRIE-GAMWO**  
Special Director of  
Public Prosecutions:  
Sexual Offences and  
Community Affairs  
Unit



**ADV GIDEON  
MASHAMAITE**  
Special Director  
of Public  
Prosecutions:  
Priority Crimes  
Litigation Unit  
(Acting)

\* Retired in January 2025

# Organisational structure – SOC





# Foreword by the NDPP

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As I write this last foreword as the National Director of Public Prosecutions (NDPP), I am filled with a profound sense of gratitude for having been blessed with the honour and privilege of leading the National Prosecuting Authority (NPA), and serving the people, through one of the most turbulent and transformative periods in South Africa's democratic history.

February 2019 marked the start of my term in the long shadow of state capture – a time marred by profound institutional decay, erosion of public trust, and a deeply compromised criminal justice system. I took office with a clear mandate: to restore integrity, independence and professionalism to the NPA, and to ensure that justice is not only done but is seen to be done.

Over the past COVID-19 interrupted five years, the NPA has moved with urgency and determination to respond to our mandate. It's been a challenging journey. We had to rebuild a broken institution while simultaneously delivering on our core prosecutorial responsibilities, given the understandable public impatience for accountability and justice. The work is not yet complete, but a solid foundation for a stronger, more effective NPA has been laid. We

have shifted from a phase of stabilisation to one of consolidation, with increasing signs of institutional resilience and operational impact.

Our journey of renewal has been anchored in four strategic pillars: Integrity, Professionalism, Accountability and Credibility. These principles have guided difficult decisions, informed key reforms, and inspired a new generation of prosecutors committed to ethical and effective service. These pillars are not aspirational – they are essential.

Our strategic focus has been aligned with national priorities, particularly those of the Medium-Term Development Plan (2024–2029) and the broader National Development Plan, with an emphasis on building a capable, ethical and developmental state. As a key institution in the Justice, Crime Prevention and Security Cluster, the NPA's mandate to uphold the rule of law and deliver justice has never been more critical.

Reflecting on what has been achieved over the past five years, while recognising that progress has been slow in accountability for state capture perpetrators, we can be immensely proud of the strides we have made in several priority areas.

## Responding to serious and complex corruption:

Perhaps the most pressing challenge upon taking office was addressing the scourge of corruption, including cases stemming from state capture. Our most significant institutional response to this was the establishment of the Investigating Directorate Against Corruption (IDAC) – a permanent, prosecution-led unit with criminal investigative powers. IDAC represents a turning point in our efforts to hold powerful perpetrators to account. While the road to convictions in complex state capture cases is long, dozens of high-profile matters are now under active investigation or before the courts. We have also made progress in recovering the proceeds of crime, sending a message that crime does not pay. We have developed innovative partnerships to bolster the work and impact of IDAC.





The NPA has sought to ensure accountability and combat systemic corruption by attaining high conviction rates in the prosecution of corruption and serious complex commercial crime matters. In the past five years, a total of 1 692 persons were convicted of corruption-related offences, and 1 590 of complex commercial crime offences. IDAC, despite being recently established to deal with the effect of state capture related corruption, has already enrolled 50 high profile matters involving 332 accused persons and entities.

### Institutional reform and modernisation:

We undertook a wide-ranging process of institutional reform and capacity-building. The capacity of the Specialised Commercial Crime Unit has been significantly increased, the Asset Forfeiture Unit (AFU) revitalised, and our capacity and capabilities to deal with complex financial crimes have been bolstered through new partnerships and technologies. Notably, the forthcoming Digital Evidence Unit – developed with support from the private sector in the context of the Presidential Partnership Initiative with business – will be a game-changer in enhancing our prosecutorial capabilities in the digital age.

### Gender-based violence and victim support:

We have continued to prioritise the fight against gender-based violence and the protection of vulnerable groups. Working with our partners in government and through innovative partnerships with the private sector has resulted in the accelerated expansion of Thuthuzela Care Centres (TCCs) to 66 facilities nation-wide. The integration of survivor-centred services has reduced secondary trauma, improved conviction rates and enhanced the success of prosecutions. Over the 2024/2025 reporting period, 44 147 victims were supported through the multi-sectoral TCC model, ensuring the uncompromising priority of justice for victims of sexual and domestic violence.

Working closely with the South African Police Service, the NPA, through its Sexual Offences and Community Affairs Unit, has prioritised DNA

backlogs, initially in respect of gender-based violence and femicide matters, and later expanded to include murder matters. The initiative has, since its implementation in October 2020, reaped substantial successes: to date, a total of 58 177 DNA reports have been sent to court prosecutors to expedite cases. This has also given rise to a prioritisation project targeting serial rapists, linked through DNA, across the country.

### Community-centred justice:

Our Community Prosecution Initiative has demonstrated that justice must be responsive to the needs of the communities it serves. Prosecutors work alongside police and local stakeholders, and importantly the community, to identify crime drivers and collectively develop proactive strategies to address crimes that most directly impact a particular community, while also strengthening public trust in the justice system. There are 50 community prosecution sites across the country.

### Innovation in policy and practice:

We have introduced new approaches to improve efficiency and recover stolen assets, including a Corporate Alternative Dispute Resolution (C-ADR) mechanism to deal with corporate crime more strategically. In addition, the NPA's new Organised Crime Strategy provides a more coherent framework to deal with a rapidly growing and increasingly sophisticated threat together with our partners.

Addressing crimes, in particular corruption and organised crime, is based on a two-pronged strategy: prosecutions and asset forfeiture. The AFU adopted a bold and innovative strategy, which included the implementation of C-ADR. This has resulted in accountability and significant recoveries in cases where multinational companies benefited through their local subsidiaries from illicit contracts. R1.15bn was paid to the Criminal Assets Recovery Account (CARA) and R625.3m to victims in the year under review. Looking back at the past five financial years, the value of monies recovered by the AFU reflects remarkable results. The AFU has recovered R6.3bn with R4.82bn paid to CARA and R1.477bn paid to victims. The total recoveries represent 47% of all recoveries made by the AFU since its inception.

## Foreword by the NDPP

*continued*

### Addressing apartheid-era crimes:

Over the past three and a half years, the NPA, in collaboration with the Directorate for Priority Crime Investigation, has enhanced its focus and capability to address apartheid-era crimes. A separate portfolio, the Truth and Reconciliation Commission (TRC) Component, was established within the office of the Deputy National Director of Public Prosecutions: National Prosecutions Service to deal with the management of TRC matters in 2021. As a result of these focused interventions, 159 TRC matters are under investigation while decisions have been taken in 35 matters. Seven matters are on the High Court roll, and there have been two convictions.

In the notable inquests of Drs Hoosen Mia Haffeeje and Neil Hudson Aggett, and Ernest Dipale and Abdullah Haron, the presiding officer found that the police were complicit. Other inquests of note include the Highgate Hotel Massacre, the Cradock Four, the Northcrest Five and Chief Albert Luthuli. The inquests of Griffith Mxenge, Mathews Mabelane, Moss Morudi, Boykie Tlhapi and Booi Mantyi are expected to commence this year. In the Congress of South African Students matter, the court ruled that there was no bar to the charges of crimes against humanity being preferred.

The NPA's Missing Persons Task Team (MPTT) also continues to do important work in bringing closure to the families of persons killed in the context of apartheid era atrocities. The MPTT conducts preliminary database development, family tracing, grave mapping, exhumations using archaeological techniques, forensic examination and confirmation of identity of the remains, often using DNA in cases that are decades old, as well as symbolic reburials.

### Remaining challenges

While we have made undeniable progress, not all our goals have been achieved. The reality is that rebuilding a critical institution in a complex, resource-constrained environment requires time, tenacity and political will.

Enhancing the NPA's operational and financial independence remains a key unfinished objective. Although the NPA continues to pursue this objective, and there has been strong support across Parliament and civil society to give effect to the recommendations of the State Capture Commission – including the establishment of a transparent and inclusive appointment process for the NDPP – these reforms are still pending.

The Minister has expressed her support for legislative amendments to provide the NPA with its own accounting officer, and we expect movement on this process soon. A separate yet related issue that impacts on the NPA's operational effectiveness is the ability of the NPA to operate under its own salary dispensation, with salaries comparable to those enjoyed by other law enforcement agencies. This would enable the NPA to attract and retain the highly specialised skills and leadership that we require. These changes are essential if we are to meet the increasing demands placed on the institution and strengthen our capacity to prosecute complex corruption and organised crime cases.

Our Capability Review has identified skills gaps that must be addressed to strengthen our prosecutorial work amid shifting criminal threats. The specialised skills gaps identified – particularly in cybercrime, financial forensics and project management – are being urgently addressed.

Another ongoing challenge is improving turnaround times and finalisation rates, especially in the lower courts. Although some progress has been made, including improved data tracking and analysis, far too many cases are still delayed or withdrawn due to poor coordination, investigative weaknesses or lack of readiness. To address these concerns, we have prioritised the review of the high number of cases withdrawn, in particular corruption and gender-based violence matters, and the exercise of greater oversight in these areas.

The NPA has begun work on the development of national case prioritisation guidelines. These guidelines will guide decision-making across



all levels of the organisation, ensuring that prosecutorial resources are allocated more strategically and that high-impact cases receive the attention they require. Drawing on data, field insights and consultation with key stakeholders, the guidelines will help create a more consistent and transparent approach to prioritisation – critical to improving performance, public confidence and prosecutorial integrity.

## Concluding remarks

As I prepare to vacate office in January 2026, having completed my legally permissible term, the issue of new leadership is a critical matter at the forefront of our minds. The untimely passing of Adv Rodney de Kock, the Deputy NDPP for the National Prosecutions Service, and the upcoming retirement of other senior leaders mark a critical transition point. Succession planning is a priority. The NPA and government must invest in the next generation of ethical, courageous and competent leaders to carry this institution forward.

To ensure a smooth transition, we have commenced developing a comprehensive handover report for the incoming NDPP and top leadership. This will not only document our strategic initiatives' progress but will also identify key risks, opportunities and unfinished work. It is our hope that this will provide a strong platform for continued reform and progress.

I am confident that the NPA's new Strategic Plan (2025–2030), developed through wide consultation and rigorous analysis, will serve as a compass for the next chapter. Its two overarching goals – restoring public confidence in the NPA and improving access to justice – must remain at the heart of everything we do.

This journey would not have been possible without the dedication, resilience and integrity of the women and men of the NPA. I have been humbled time and again by the professionalism and commitment of prosecutors and support staff, under the guidance of Directors of Public Prosecutions, working under difficult circumstances, often without recognition, but always in service of justice and the people of South Africa.

To our partners in government, civil society, the legal community and the private sector – thank you for your support and collaboration.

To the people of South Africa, thank you for your patience, which has been tested for various reasons, your courage and your belief that justice matters. While we still have far to go, I believe the NPA is on the right path – a path of renewal, accountability and public service.

This has been an extremely difficult and challenging, but purposeful, journey – marked by complexity, pressure and moments that tested our resolve, both individually and collectively. Throughout it all, I have drawn strength from the commitment and resilience of those around me. I am deeply grateful to members of my Executive Committee, whose unwavering support, wisdom and commitment I could always count on. This has been invaluable to me, both professionally and personally. I also wish to honour the memory of our late Adv de Kock, whose unexpected passing was a profound loss. His contribution to our work, and to this journey, was significant and enduring. He is remembered with deep respect and gratitude.

As I conclude this chapter of my professional life, I do so as I began, with a deep sense of purpose and hope. The journey from crisis to reform, and now towards measurable impact, has not been easy. I leave knowing that the work continues and our mission endures.

I remain forever committed to the values that brought me into this role and will continue to support the cause of justice, and the rule of law, in whatever way I can in the years to come.



**Adv Shamila Batohi**  
*National Director of Public Prosecutions*

31 August 2025

# Strategic initiatives



# Strategic initiatives

## Key Achievements in Advancing the NPA's Strategic Priorities

Over the 2024/2025 reporting period, the NPA made meaningful progress in delivering on its four strategic priorities: prosecutorial prioritisation, community prosecution, service delivery improvement and amplifying the NPA's strategic influence. This continued focus reflects a commitment to building a fit-for-purpose prosecuting authority capable of addressing South Africa's most pressing criminal justice challenges.

In line with the prosecution prioritisation guidelines and practice, the NPA advanced a more strategic approach to prosecuting cases. This included sustained efforts to target repeat offenders, organised crime syndicates and criminal conduct that disproportionately undermines public safety and the country's socio-economic wellbeing.

A successful collaboration with the South African Police Service (SAPS) on the DNA/Serial Rape project enabled the analysis of over 30 000 DNA reports, accelerating the identification and prosecution of serial rapists and contributing to a reduction in sexual offences case backlogs. Though budget constraints impacted the continuation of contracted services, efforts to mobilise additional resources are underway.

Pilots were expanded under the prosecution prioritisation programme. These include a project addressing housebreaking in the Durban Cluster, a firearms-related crime initiative in the Western Cape, and a stock theft project in the Free State.

Divisions across the country identified and prosecuted cases aligned to local priorities, including those related to essential infrastructure, murder and drug-related crime. The NPA also played a leading role in the finalisation and implementation of a National Organised Crime Strategy and contributed to national efforts to combat terrorism and terror financing, participating in the drafting of South Africa's National Counter-Terrorism Strategy and its associated risk assessment.

The Community Prosecution Initiative (CPI) continued to build traction across the country, with 50 sites operational by April 2025. The initiative serves as a platform to deepen partnerships between prosecutors, police, local authorities and communities in responding to serious and violent crimes, as well as crimes undermining public safety at a local level.

Community prosecutors facilitated numerous engagements—including crime prevention initiatives in collaboration with SAPS – on pressing safety concerns such as gender-based violence (GBV), copper and cable theft, illegal mining, stock theft, drug abuse and gangsterism. In the Western Cape, the NPA contributed actively to the Area-Based Teams programme, a coordinated, multi-agency response to urban crime. Community prosecutors also supported virtual training sessions for partners and stakeholders on topics including domestic violence, sexual offences, human trafficking and maintenance.

In support of service delivery improvements, the NPA continued to build more responsive and victim-focused services. The number of operational TCCs increased from 64 to 66, with new sites established in Mitchells Plain and Phuthaditjhaba.

An external service provider was appointed to conduct a Crime and Criminal Justice Satisfaction Survey, which will inform future service delivery improvements. The NPA also developed and implemented a Knowledge Management Hub and enhanced internal communication through the Viva Engage platform.

A major step towards digital transformation is the Electronic Case Management System (ECMS), which became the sole platform for performance reporting from 1 April 2024. Training and change management interventions were implemented to support its rollout.

The NPA also conducted a 'Back-to-Basics' training programme for prosecutors to reinforce service delivery values and Batho Pele principles. Internally, several key business processes were reviewed and improved, including those of Human Resources Management and Development (HRM&D), the Sexual Offences and Community Affairs (SOCA) Unit and the AFU.

## Strategic initiatives

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The NPA's efforts to amplify its strategic influence within the broader Justice, Crime Prevention and Security (JCPS) Cluster gained momentum. The organisation continued to engage in high-level global and national platforms, strengthening its voice on issues ranging from anti-corruption to state capture recovery. This included participation in G20 and Brazil, Russia, India, China and South Africa (BRICS) Anti-Corruption Working Groups (ACWGs), the United Nations Office on Drugs and Crime's International Cooperation Working Group, and high-profile events such as the International Association of Prosecutors' Annual Conference, the Munich Security Conference and various ethics and leadership summits.

Media engagement was expanded through television interviews, opinion editorials in national publications, and hosting a civil society roundtable to communicate the NPA's progress and challenges. The organisation also entered into new stakeholder agreements, including a memorandum of understanding (MoU) with the Regional Court President in the Western Cape aimed at reducing court backlogs.

Progress was made on meeting South Africa's Financial Action Task Force (FATF) obligations. FATF leads global action to tackle money laundering, terrorist and proliferation financing, setting the global standards to mitigate the risks and assessing whether countries are taking effective action. The NPA contributed to reports presented at FATF plenaries in Singapore, Botswana and France. The NPA also supported legislative amendments to establish IDAC as a permanent structure with full investigative powers. These amendments represent a historic milestone in strengthening the country's capacity to address complex corruption and organised crime.

The NPA's ability to pursue its mandate was strengthened by partnerships with international and domestic stakeholders. Official Development Assistance from the German government enabled the launch of a three-year project to boost capacity in complex corruption and organised crime cases. Other partnerships included an MoU with Business Leadership South Africa (BLSA), implemented by Business Against Crime South Africa (BACSA), to support state capture-related cases, and a private sector-backed initiative to enhance digital forensic capacity.

The achievements of 2024/2025 demonstrate the NPA's continued progress in building a more effective, responsive and resilient prosecuting authority. While each priority addresses a distinct dimension of the

NPA's mandate, their impact is greatest when pursued together. Strategic prosecutions are strengthened by community engagement and public trust; service delivery improvements create the foundation for more effective case management; and a strong voice within the justice sector amplifies the NPA's influence and reach. The past year affirmed not only the importance of each individual priority, but also the value of their alignment in delivering credible justice in the face of complex and evolving challenges.

## Office for Ethics and Accountability

The Office for Ethics and Accountability (OEA) was established in terms of regulations published in Government Notice No. R4109 and Government Gazette No. 49759 of 24 November 2023.

The detailed regulations cover the OEA's mandate, structure, composition, the nature of complaints and conduct that may be reported, methods to lodge complaints, and offences and penalties, among others.

Prior to the establishment of the OEA, the NPA's Integrity Management Unit (IMU) was responsible for ensuring that the NPA was an ethical organisation. Originally created as the watchdog for the then Directorate for Special Operations, their role was expanded to include the rest of the NPA. But the IMU was not trusted within the NPA, as some elements were actively involved in supporting state capture in the NPA, their mandate was not legislated, and they never provided feedback on the outcome of investigations to complainants. By the time the OEA regulations were passed, the IMU was staffed by only 12 people and none of the staff identified as having enabled state capture remained in the IMU. The IMU was closed on 25 January 2025. Staff that met the qualifying criteria set out in the regulations – including passing a lifestyle audit and obtaining the required security clearance – were transferred to the OEA.

The OEA's approved structure consists of 36 employees, and recruitment for these positions has commenced. The President has appointed a Special Director of Public Prosecutions (SDPP) as head of the OEA. Between the establishment of the OEA in January 2025 and the end of May 2025, the OEA received 133 complaints, of which 90 have been resolved. The bulk of the complaints were representations referred to the National Prosecutions Service (NPS).

An external, vetted service provider manages the OEA's ethics hotline. The identity of whistleblowers is protected, and the independence of the complaints' mechanism ensured.

Investigations can only be conducted after the head of the OEA approves the investigation and assigns an investigator to the matter.

## Legislative Developments

### Investigating Directorate against Corruption

IDAC was established on 19 August 2024 under the National Prosecuting Authority Amendment Act, No. 10 of 2024 (NPAA Act).

The NPAA Act made amendments to the National Prosecuting Authority Act, No. 32 of 1998 (NPA Act). These amendments pertain to:

- The establishment of IDAC as a permanent anti-corruption agency or unit within the NPA
- IDAC's mandate or powers and functions to investigate and prosecute serious, high-profile and complex corruption cases
- The permanent appointment of investigators to IDAC
- The vetting of, and conditions of service for, investigators appointed to IDAC
- The powers and functions of investigators appointed or assigned to IDAC
- Transitional arrangements affecting the former Investigating Directorate, which became IDAC
- A complaints mechanism in the form of a retired judge who will be required to investigate complaints or any alleged improper conduct or any conduct that has resulted in any impropriety or prejudice, on the part of any person appointed in or assigned to IDAC, as referred to in section 7(4)(a) of the NPAA Act.

Regulations under the NPAA Act governing the form of the identity document to be issued to permanently appointed investigators in IDAC, under section 19D of the Act, were made and published in the Government Gazette on the same date that the NPAA Act was brought into operation. Regulations under the Act in respect of the form and manner of service of summonses and the administering of the oath or affirmation have been made by the Minister of Justice and Constitutional Development.

Regulations governing the retired judge complaints mechanism are in the process of being finalised by the Department of Justice and Constitutional Development (DoJ&CD). Due to IDAC being a relatively small unit, the Office of the Retired Judge for IDAC will be retained on a contingency basis.

### Anti-Corruption Architecture and Strategy in South Africa

Deliberations on a Private Member's Bill are currently underway in Parliament's Portfolio Committee on Justice and Constitutional Development. The Constitution Twenty-First Amendment Bill (B22-2024) seeks to:

- Amend section 179(2) of the Constitution by also vesting the power to institute criminal proceedings on behalf of the state and to carry out any necessary functions incidental to instituting criminal proceedings, relating to incidents of serious corruption and high-level organised crime, in a Chapter 9 entity called the Anti-Corruption Commission
- Amend section 181 and insert section 191A under Chapter 9 of the Constitution to establish the Anti-Corruption Commission and delineate its powers and functions in relation to preventing, combatting, investigating and prosecuting serious corruption and high-level organised crime.

The NPA objects to this Bill, especially considering that the National Anti-Corruption Advisory Council is developing proposals on this issue, and has submitted a memorandum setting out its rationale.

### Criminal Procedure Act, No. 51 of 1977

The Criminal Procedure Act, No. 51 of 1977 (CPA) governs matters relating to criminal proceedings in a court of law and contains various provisions relating to the powers, duties and functions of members of the prosecuting authority.

At the behest of the DoJ&CD, the South African Law Reform Commission (SALRC) is conducting a review of South Africa's criminal justice system, called the Criminal Procedure Reform Project (CPRP). The purpose of the CPRP is to effect substantive amendments to the CPA that will bring the legislation more in line with the Constitution. This is part of the constitutional injunction to rationalise colonial and apartheid laws, as well as modernise the CPA so that it better reflects technological developments and emerging trends, and best practices and standards relating to criminal procedure (including international).



## Strategic initiatives

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An Advisory Committee on the CPRP, under the chairpersonship of retired Justice Malesela Francis Legodi, has been established to advise the SALRC on critical amendments needed for the CPA. The NPA serves on the Advisory Committee as a key partner of this ongoing project.

Key thematic areas being explored in the CPRP are the pre-trial phase (e.g., arrest, bail, psychiatric observations, pre-trial conferences, judicial case management), trial phase and post-trial phase (e.g., appeals, trials de novo) of criminal procedure. The Advisory Committee is also exploring non-trial resolutions or deferred prosecution agreements as part of Alternative Dispute Resolution Mechanisms (ADRM) – this includes C-ADRs.

The SALRC has published four discussion papers on the review of the CPA for public comment. These relate to South Africa's arrest dispensation, bail dispensation, non-trial resolutions and ADRMs in criminal matters. The NPA is in the process of responding to these discussion papers insofar as they impact the functions and operations of the NPA.

### Corporate Alternative Dispute Resolution: Part 51 of the NPA Prosecution Policy Directives

The NPA has introduced a C-ADR mechanism as Part 51 of the NPA Prosecution Policy Directives. The policy directives note that, like diversions for adult offenders, it may be in the interests of justice to resolve matters for certain corporations accused of serious corruption and related offences through means other than criminal prosecution. Part 51 delineates the criteria to be considered and the procedure to be followed with C-ADR.

Criminal cases are diverted away from the formal criminal justice system at the pre-trial stage, with a view to disposing the case against the company while still proceeding with a prosecution and asset forfeiture against the company's directors, employees or agents. This is achieved with information and evidence supplied by the company concerned (as part of the C-ADR process) in the process of self-reporting or after the NPA issues an invitation to the company to undergo C-ADR. The information and evidence gathered in this way may be used to investigate and prosecute individuals in the company or institute proceedings in terms of the Prevention of Organised Crime Act, No. 121 of 1998 (POCA).

The use of C-ADR enables the NPA to effectively address multi-jurisdictional offences committed by multinational companies, obtain the disgorgement of the proceeds of unlawful activities, as well as compensation for victims in appropriate cases, and meet the country's international obligations to combat corruption and other economic offences. It also enhances accountability within South Africa's corporate sector and advances a culture of compliance with laws and regulations within a company.

## Relevant Court Rulings

The following relevant court matters and/or rulings are likely to impact the NPA's operations or service delivery obligations.

### Embrace Project NPC and Others vs Minister of Justice and Correctional Services and Others 2025 (1) SACR 36 (GP)

Summary: Provisions of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, No. 32 of 2007 ('the Act' or Sexual Offences Act) were declared unconstitutional insofar as they permitted the acquittal of an accused on a sexual offence where the perpetrator wrongly and unreasonably believed that the complainant had consented.

The Act did not criminalise sexual violence where the perpetrator wrongly and unreasonably believed that the complainant consented to the conduct in question, enabling the accused to avoid conviction on the subjective belief that consent was given.

The Court held that the conduct of the accused in a rape case is unlawful if committed without the consent of the complainant. But the conduct also has to be intentional. In South African criminal law, the intention had to be to commit the unlawful conduct and to do so knowing (or recklessly disregarding the risk) that it was unlawful. In other words, if it was at all reasonably possible that the accused subjectively believed the complainant was consenting, even if that belief was unreasonable, that approach favoured the perpetrator rather than the victim.

The respondents contended that if the Act did not permit the defence of subjectively believing that the

complainant had not consented, even if such belief was unreasonable, this would create a reverse onus and shift the burden of proof from the prosecution, thereby offending the accused's constitutional right to the presumption of innocence. The Court, however, found that the onus would remain on the State to prove its case beyond a reasonable doubt. If the Court ordered the Act to be amended to do away with the defence in question, this would not offend the presumption of innocence as the amendment would require the perpetrator to explain the objective steps s/he took to establish the presence or absence of consent prior to the alleged rape or sexual offence.

The Court held that numerous foreign jurisdictions (including include England, Wales and Canada) require the accused to ensure and ascertain that consent was attained, not a subjective reasonable belief that consent was confirmed.

The Court ordered that the relevant sections in the Act be declared unconstitutional, invalid and inconsistent with the Constitution, to the extent that these provisions do not criminalise sexual violence where the perpetrator wrongly and unreasonably believed that the complainant was consenting to the conduct in question, alternatively, to the extent that the provisions permit a defence against a charge of sexual violence where there is no reasonable objective belief in consent. The Court ordered that this declaration of invalidity be suspended for 18 months to allow the constitutional defects to be remedied by Parliament in the Act.

The Court ordered further that during the 18-month period, a provision must be read into the Act that stipulates that it is not a valid defence for an accused person to rely on a subjective belief that the complainant was consenting to the conduct in question, unless the accused took objectively reasonable steps to ascertain that the complainant consented to the sexual conduct in question. This provision is to be read into the Act as section 56(1A).

The Court ordered that the declaration of invalidity and reading-in shall operate only with prospective effect from the date of the order (30 September 2024) and shall have no effect on conduct that took place before this date.

## Director of Public Prosecutions Eastern Cape vs Coko 2024 (2) SACR 113 (SCA)

Summary: The nature of consent to sexual penetration in relation to a charge of rape.

The High Court set aside a conviction of rape and its sentence on appeal. The State appealed against this decision on a question of law as to the nature of consent to a penetrative act and the form of intention required for conviction.

The charge arose from a developing relationship between the complainant and the respondent. The complainant was adamant that she did not want to lose her virginity but consented to sleep at the respondent's home. The complainant wore pyjamas without underwear (as was usual for her). While watching television on the respondent's bed, the pair kissed and, after the respondent assured the complainant that he had no intention of having sexual intercourse with her, she allowed him to take off her pyjama pants. The respondent performed oral sex on the complainant, which she did not object to, and took off his pants while doing so. He climbed on top of her as she lay on her back and started kissing her. When she dropped her guard and relaxed, he penetrated her vaginally. She froze, started crying and then attempted to push him off, telling him to stop as he was hurting her. He paused momentarily but carried on.

The Supreme Court of Appeal (SCA) held that mere submission, acquiescence or lack of resistance did not convey a willingness to engage in a penetrative sexual act. Thus, none of those would constitute consent. Further, the reference in section 3 to 'an act' could, on a rational basis, only be understood as a reference to 'a specific physical act'. The section did not refer to 'acts' that the complainant could consent to. Such an interpretation would lead to 'insensible or unbusinesslike results' or fundamentally undermine the apparent purpose of the legislation. It would be incongruent with the Sexual Offences Act to construe the agreement to one form of sexual act to encompass all kinds of sexual acts. This meant that the complainant's willingness to engage in other acts should clearly be communicated to the perpetrator, either explicitly or tacitly.

## Strategic initiatives

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The SCA further held that the High Court recognised that the lack of resistance did not constitute consent to a sexual act. This notwithstanding, it found that the complainant was an active participant because she did not object to several activities performed by the respondent before he penetrated her. It further found that no force was used, nor was she coerced, although the evidence supported her version that she was lying there in shock. Consent to penetrative sex had to be communicated by the complainant to the accused, however, and consent to foreplay did not constitute consent to an act of penetration.

The SCA held it noteworthy that after the first act of penetration, the complainant persistently demonstrated her unmistakable objection to continued penetrative sex by pushing the respondent away and telling him to stop because he was hurting her. Even the respondent accepted that when the complainant told him that it was painful, he merely paused and continued without establishing from the complainant whether he could continue. Thus, subsequent to the withdrawal of consent previously granted, any continued engagement in an act of sexual penetration in relation to which consent had subsequently been withdrawn would constitute a contravention of section 3 of the Act.

The SCA held that considering the conspectus of the evidence, there could be no doubt that rape was proved beyond a reasonable doubt and the High Court's interference with the findings of the trial court was not warranted. The inevitable consequence was that the conviction by the trial court fell to be reinstated.



### **The State vs Seth Nthai 2024 JDR 4180 (GJ)**

Summary: Court applying section 342A of the CPA to prevent an unreasonable delay in the criminal proceedings, amounting to a 'Stalingrad defence', pending a review application to challenge and set aside the decision of the NDPP to prosecute the accused.

The accused is charged with corruption but there were lengthy delays before starting the trial because the accused tried to have the decision to prosecute him set aside by representations first to the relevant Director of Public Prosecutions (DPP) and, when that failed, to the NDPP, and then again to the NDPP when the latter had dismissed the initial representations. The accused then requested full reasons for the NDPP's decision. On the next court appearance, it was placed on record that the NDPP had responded stating that full reasons had previously been supplied and that the representations had been refused. However, due to information leaked to the media, there was a pending internal investigation. The accused then requested an indefinite postponement pending the outcome of this internal investigation, as he intended to use this in the proposed review. The State opposed this application, stating that this was a delaying tactic. The application was dismissed, and the accused filed an application for leave to appeal. After many postponements, that application was also dismissed.

However, before the matter could be heard at trial, a review application was served on the State by the accused, through which the accused sought to challenge the lawfulness, constitutionality and validity of the NDPP's



decision to dismiss his representations. The defence sought a lengthy adjournment of the criminal trial to a holding date in February 2025, pending the decision on the accused's review application. The State opposed that application, arguing that the prospects of success of the review application were slim to none. As a result, the State Advocate contended that there was nothing stopping the criminal trial going ahead while the accused's review application was pending.

The Court before which the trial was to be heard sought to case manage the review application by setting timeframes for filing the respective papers and setting the case down for subsequent trial so that the delay would not be unreasonable or unduly prejudicial. However, the State Attorney advised that there were problems in obtaining the full record for purposes of the judicial review. Accordingly, the case management of the review application was terminated with immediate effect.

As to the request by the defence for the lengthy postponement to a holding date pending the outcome of the judicial review, the Court held as follows:

- In the event that the State attorney filed an answering affidavit, and the accused failed in his review, he would seek to appeal the decision, which would cause further postponements, preventing the criminal trial from commencing. This delay was unreasonable under section 342A of the CPA and amounted to a 'Stalingrad defence', which would inevitably cost the State and the taxpayer a considerable amount of money. There was no mention in the accused's argument that the charges he was facing were complicated. To argue that a criminal trial should not proceed because of a pending review application had a serious effect on the administration of justice.
- The main reasons for the accused's application for a postponement were that the grounds for review were strong and to run the review application parallel to the criminal trial would prevent him from preparing adequately for the criminal trial.
- The Court disagreed, explaining that the accused had been aware of the charges since the indictment was served on him and of the contents of the docket since pre-trial. Until the State stopped the criminal proceedings in terms of section 6 of the CPA, the criminal trial had to proceed.
- The Court held that case-law demonstrated that courts are becoming reluctant to automatically stay criminal proceedings based solely on pending reviews. To stay or delay the commencement of the criminal proceedings can lead to witnesses forgetting crucial details or becoming unavailable due to death or relocation, directly impacting the quality of evidence presented by the State and the State's ability to prove its case beyond a reasonable doubt. The previous postponements caused by the accused's change of counsel had already contributed to these risks.
- The right to a fair trial is not only concerned with the accused's rights, but also considers and includes the public's right to fairness and affects the administration of justice.
- Once a court pronounces an administrative action or decision to be invalid, the administrative decision or action not only ceases to have effect but may be treated as if it never existed. This principle added no value in answering whether a criminal trial may proceed parallel with a review application.
- The Court found that the criminal trial had to proceed despite the pending review application of the accused. In the absence of any exceptional circumstances, the remedy of a stay of prosecution or keeping the prosecution in abeyance, pending a review application, was simply not competent. To postpone the matter to February 2025 as a provisional date, went against ensuring a speedy trial.

## Strategic initiatives

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The Court made an order in terms of section 342A of the CPA, denying the defence request to postpone the case to the provisional date pending the outcome of the review application, and accordingly rolled the matter over to the following month for the accused to plead and for the criminal trial to commence.

On the date that the trial was due to commence, the accused lodged an application for leave to appeal the Court's judgment on section 342A of the CPA: *The State vs Seth Nthai* (2024 JDR 4450 (GJ)). The Court dismissed the application for leave to appeal, and held as follows:

- It is trite law that presiding officers must *mero motu* investigate unreasonable delays, even in the absence of an application to do so by a party in the matter. In exercising its discretion to implement section 342A of the CPA, a court can hold an enquiry; however, an informal enquiry is sufficient. The duty of the presiding officer to enquire into unreasonable delays 'is a non-discretionary decree'.
- Case flow management is an important element of any efficient judicial system and judicial officers must take control of the management of cases at the earliest possible opportunity to ensure the conclusion of criminal trials without unnecessary delays.

This was what the Court attempted to do.

- There is a directive by the Chief Justice entitled 'Norms and standards for the performance of judicial functions', which states that '[t]he Judicial Officer must ensure that every accused person pleads to the charge within 3 months from the date of first appearance in the Magistrate's court'.
- There is no difference between urgency for a criminal trial to commence in the Magistrates' Court or High Court.
- The Court made an order in terms of section 342A of the CPA because all other attempts to speed up the commencement of the criminal trial had failed.
- Although ordinarily, notice should be given of an intention to proceed in terms of section 342A, a judge faced with delaying tactics should not be fainthearted in departing from precedent when morally convinced that the public interest should be considered in seeing the criminal trials resolved promptly. This will not only prevent prejudice to the respondent, but to the appellant as well.
- As stated in the Court's judgment, in the event that the review application was successful, the State would stop the prosecution in terms of section 6 of the CPA.



### **Nzuza and Others vs National Director of Public Prosecutions and Others 2024 (2) SACR 251 (GP)**

Summary: Review powers of an NDPP and the power of a court to interfere on review with a decision taken by an NDPP in reviewing a decision to prosecute or not to prosecute.

The applicants were striking miners indicted in the Mahikeng High Court on several counts, including seven counts of murder and the possession of firearms and ammunition. They made representations to the NDPP on 26 August 2016, but the NDPP refused to review the DPP's decision to prosecute. The applicants again requested that the NDPP intervene at a meeting in September 2017.

In the present application, the applicants wanted the court to declare the continuation of their prosecution unlawful and to review and set aside the NDPP's decision not to intervene and stop it. They contended that while their prosecution had no reasonable prospects of success, their legal bills had run into millions of rands, they had been stigmatised and their freedom of movement had been limited as they had to report to the police whenever they wished to travel outside the North West Province. They claimed their prosecution was tainted with bias as members of the police who were caught on video and implicated by other evidence in the Marikana massacre on 16 August 2012 had not been charged despite the recommendations of the commission of enquiry. They argued that there was no rational connection between the evidence before the NDPP and his decision.

On the question of the discontinuation of the prosecution, the review Court held that the last interaction the applicants had with the matter was on 10 October 2017 and they had done nothing between then and June 2023, when they filed their written argument. Failure to prosecute the review would mean

the criminal trial would be struck from the roll in the Mahikeng High Court. The respondents argued that applicants' application should be dismissed on this basis as the applicants had shown no seriousness in expediting its prosecution and their inactivity amounted to abuse of process. An important consideration was that nowhere did the applicants explain their failure to ensure that the review matter was expeditiously prosecuted. The Court found that there was no mitigation for the conduct of the applicants and the only sanction would be to dismiss the matter on that basis.

The Court noted that the conduct of the applicants indicated that they did nothing to prosecute their review because they were not interested in seeing these proceedings through to their ultimate conclusion, constituting abuse of court process.

On the question of the NDPP's review of the decision to prosecute, the review Court held that due to the separation-of-powers doctrine, a court would not lightly interfere with the decision made by the NPA to institute a prosecution. The doctrine prevented the Court in the context of the present proceedings from second guessing the veracity of the evidence. That did not, however, preclude the Court from determining whether there was a rational connection between the evidence and the decision reached. At face value, the information before the NDPP was enough for him to make an informed decision. The material placed before the NDPP, and purely considering the respondents' answering affidavit, as well as the material included in the Rule 53 record, was no basis for the Court to review the decision to prosecute and set it aside. The application was accordingly dismissed.

The Court reaffirmed that the NPA Prosecution Policy covers the criteria governing a decision to prosecute. It emphasises the 'profound consequences' a decision whether or not to prosecute can have on society at large, from victims to accused persons. The overarching decision should be based on whether there is 'sufficient and admissible evidence to provide a reasonable prospect of a successful

## Strategic initiatives

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prosecution'. Importantly, it states that, where a prosecution would not be in the public interest, it should not be continued because a rule requiring all cases to be prosecuted 'would be too harsh and impose an impossible burden on the prosecutor and on a society interested in the fair administration of justice'.

The Court also reaffirmed the procedural requirements for an NDPP exercising his or her review powers in respect of a decision to prosecute or not to prosecute, all of which were met in this case. The Court observed that:

- Section 22(c) of the NPA Act read with section 179(5) of the Constitution gives the NDPP the power to review a decision to institute a prosecution. This is a public power that must be exercised rationally and lawfully. An improper exercise of the discretion in reaching the decision can be reviewed and set aside by a court if it is irrational, taken for ulterior purposes, *mala fide* or otherwise unlawful. This also applies to the decision itself.
- The procedural requirements to be met are that the NDPP should first consult the relevant DPP; secondly, the NDPP should take representations from the accused person(s), the complainants and any other persons or party the NDPP considers to be relevant. If these are not met, the decision will fail the rationality test for failure to comply with mandatory provisions. If these are met, the next step is to consider whether the decision reached by the NDPP was a rational one. The test for this is now trite and requires the decision-maker to take into consideration all relevant factors and to reach a decision that is objectively justifiable from the information before them.





### **National Director of Public Prosecutions vs Mdhlovu 2024 (2) SACR 331 (SCA)**

**Summary:** The requirement of malice or animus iniuriandi to prove a malicious prosecution requires egregious conduct, not just flawed reasoning, and reasonable and probable cause had been established for the institution of the prosecution against an NPA prosecutor on charges of fraud and defeating the ends of justice.

The NDPP appealed a decision in the High Court upholding the respondent's claim for damages for malicious prosecution. The respondent was a prosecutor employed by the NPA, who had reneged on an undertaking to the investigating officer, in a matter involving charges of murder, armed robbery and the illegal possession of a firearm, to postpone the matter to obtain further ballistics evidence concerning the firearm. The investigating officer complained to his superiors, who referred the matter to the Deputy Director of Public Prosecutions (DDPP) who took the decision to prosecute the respondent on two counts of fraud and an alternative count of defeating the ends of justice. It was alleged that the respondent had falsely stated that an accused person had no link to the charges brought against them in court and that the complainant was unable to identify the property that had been stolen in relation to those charges.

The respondent was discharged in terms of section 174 of the CPA and instituted the action for damages. The High Court held that the DDPP had acted with animus iniuriandi, in that she subjectively foresaw the possibility that she was acting wrongfully in prosecuting the respondent but nevertheless continued. She lacked reasonable and probable cause for the prosecution as she was not in possession of evidence showing a reasonable prospect of conviction at the time. The High Court found that the NDPP, against whom the respondent issued the summons for malicious prosecution,

had failed to apply the correct test by focusing only on a prima facie case and had not presented evidence to the court showing that the DDPP's decision was supported by reasonable and probable cause.

The SCA held that a thorough review of the evidence before the DDPP when she decided to prosecute established objective probable cause to prosecute, notwithstanding that the respondent was subsequently discharged at the trial. The DDPP's statement that she believed there was a prima facie case, but not enough evidence for a corruption charge, did not imply that there was no probable cause for the actual charges of fraud and defeating the ends of justice brought forth by the prosecution. The High Court's conclusion that there was no reasonable and probable cause was therefore not properly substantiated by the evidence.

The SCA held that to show animus iniuriandi, the respondent had to demonstrate that the DDPP foresaw the possibility that initiating the prosecution was wrongful but acted recklessly, nevertheless. The High Court's analysis took an unduly narrow view of the evidence. An improper motive alone was insufficient to establish animus iniuriandi for a malicious prosecution claim. The prosecution must also have been initiated without reasonable and probable cause, which the appellant had established. Moreover, the desire as expressed by the DDPP, to set an example that prosecutors would be held accountable for unjustified decisions, was not in itself an improper motive for a prosecution that was otherwise justified. The DDPP had not acted unilaterally, but after extensive consultation and upon receiving the NDPP's written confirmation that the dockets disclosed a prima facie case justifying a prosecution. Proving malicious prosecution required egregious conduct, not just flawed reasoning. The High Court was too quick to impute animus iniuriandi without clear evidence thereof.

The appeal against the High Court's order was accordingly upheld and the High Court's order set aside and replaced with the following order: 'The plaintiff's claim is dismissed with costs.' The respondent was also ordered to pay the costs of the appeal.



## Strategic initiatives

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### State vs Ephraim and Others 2025 ZAGPJHC 410 (GP)

**Summary:** Two apartheid-era policemen accused of blowing up four youths 43 years ago can be prosecuted for the crime against humanity of apartheid and the underlying acts of this crime, namely murder, being offences under customary international law.

The accused were denied amnesty at TRC in 2001 for luring Congress of South African Students members Eustice Madikela, Peter Matabane, Fanyana Nhlapho and Zandile Musi into an explosives-loaded trap that killed all but Musi in February 1982.

The accused argued that they should not be charged with crimes against humanity because there should be a statute of limitations for these offences. The Court disagreed, ruling that there was no statute of limitations for crimes against humanity, similar to other serious offences like murder. The accused also contended that the alleged incident occurred before South Africa was party to international conventions on crimes against humanity, including apartheid. They argued that only crimes committed after the Rome Statute of the International Criminal Court came into effect in August 2002 could be prosecuted. The Court found that the crime of apartheid and its associated underlying crime against humanity of murder were already crimes under customary international law when the crimes in casu were alleged to have been committed. The Court affirmed that section 232 of the Constitution of the Republic of South Africa, 1996 (the Constitution), provides that customary international law is law in South Africa unless it is inconsistent with the Constitution or an Act of Parliament. This provides a basis for prosecuting any crime recognised under customary international law at the time of its commission.

The Court noted that the Constitutional Court decision of *State vs Basson* 2004 (1) SACR 285 (CC) confirmed that crimes against humanity under customary international law can be prosecuted directly under section 232 of the Constitution. The Court observed that Constitutional Court decisions, including *Basson*, found that: the state is obliged to prosecute crimes against humanity, including apartheid-era crimes that occurred before the Constitution came into force; international law obliges the State to punish crimes against humanity; and the practice of apartheid constituted a crime against humanity.

The Court allowed the State to put the charges to the accused as per the indictment, that is the crime against humanity of apartheid and the underlying crimes of murder, being crimes under customary international law that could be prosecuted in South Africa in terms of section 232 of the Constitution, which provision is the primary avenue for prosecution of such crime.

### Political interference and the prosecutor's title to prosecute

The Court in the *Ephraim* case also dealt with the objection raised by the defence for accused 1 to the NPA's title to prosecute given the political interference in cases that were referred by the TRC to the NPA. Such political interference was referred to by the High Court and the SCA in the matter of *Rodrigues vs National Director of Public Prosecutions and Others* 2019 (2) SACR 251 (GJ); 2021 (2) SACR 333 (SCA).

The Court noted that in *Rodrigues*, it had been contended by the accused that the lengthy delay in commencing criminal prosecution, allegedly caused by the political interference concerned, caused him trial-related prejudice in terms of section 35(3)(d) of the Constitution (i.e., the right to have one's trial begin and conclude without unreasonable delay), which justified a permanent stay of prosecution. However, although both Courts in *Rodrigues* expressed their dismay at the political interference in question, they concluded that

the political interference in no way impinged on Rodrigues' right to a fair trial. Accordingly, a stay of prosecution was not granted.

In the present matter, then, the Court found as follows:

- The matter in casu was referred by the TRC to the NPA and it is clear there have been delays for many decades to prosecute this matter.
- The NPA's handling of referrals from the TRC have been marked by delays and challenges despite the TRC's mandate being to promote accountability and justice. The failure to prosecute those responsible for apartheid-era atrocities has cast a long shadow over efforts at reconciliation, especially for families of the victims.
- In the matter in casu, the political interference, as regrettable and wrongful as it has been, will not deny accused 1 a right to a fair trial, nor has it deprived the NPA the title to prosecute this case or future cases arising from South Africa's past.
- Trial fairness is not confined to the position of the accused, but extends to society as a whole, precisely because society has a real interest in the outcome of a case. Section 7(2) of the Constitution mandates that the State must respect, protect, promote and fulfil the rights in the Bill of Rights. This duty extends beyond the rights of the accused to include the rights of victims.

The Court dismissed the accused's objection to the prosecutor's title to prosecute.

### Commission of Inquiry

In the Rodrigues case, the SCA held as follows on the matter of political interference in the prosecution of TRC/apartheid-era crime cases:

- 'According to the record, Adv Vusi Pikoli, who was the NDPP during the second period, complained about the interference of the government when he wanted to prosecute apartheid-era perpetrators who had not applied for amnesty or were denied amnesty. It was not contested that, from 2003 to 2017, investigations into the TRC cases were

stopped as a result of an executive decision. This was indeed interference with the NPA.'

- 'It was during this 14-year period that the executive adopted a policy position conceded by the state parties that TRC cases would not be prosecuted. It is perplexing and inexplicable why such a stance was taken both in the light of the work and report of the TRC advocating a bold prosecutions policy, the guarantee of the prosecutorial independence of the NPA, its constitutional obligation to prosecute crimes, and the interests of the victims and survivors of those crimes.'
- 'All these considerations, either viewed individually or collectively, should have stood in the way of any such moratorium on the prosecution of TRC-era cases. That it happened, despite the constitutional, legal and other considerations, suggests disdain for those important considerations and interests. The full court rightly recommended a proper investigation into these issues by the NDPP and a determination whether any action in terms of s 41(1) of the National Prosecuting Authority Act, No. 32 of 1998 was necessary.'

On 30 April 2025, President Cyril Ramaphosa announced that a Judicial Commission of Inquiry is being established to ascertain 'whether attempts were made to prevent the investigation or prosecution of apartheid-era crimes referred by the TRC to the NPA. Allegations of improper influence in delaying or hindering the investigation and prosecution of apartheid-era crimes have persisted from previous administrations. Through this Commission, President Ramaphosa is determined that the true facts be established and the matter brought to finality.'

## Strategic initiatives

*continued*



### Stakeholder engagement

Stakeholder engagement is crucial to the work of the NPA in ensuring that a whole-of-society approach is embraced when tackling crime, corruption and injustice.

Stakeholder engagements undertaken by individual business units and Divisions are reflected in their particular sections throughout the report.

To ensure that the media understand the conscientious work undertaken to rebuild the NPA, while confronting increasingly complex and sophisticated forms of crime, the NDPP and her leadership team held a media roundtable at the NPA's headquarters and addressed the Cape Town Press Club in April 2024. These engagements focused on the NPA's strategic interventions, which are critical for building the organisation but often occur behind the scenes.

The NPA also engaged with civil society to raise awareness of the critical issues involved in building a resilient criminal justice system and fit-for-purpose NPA. In February 2025, the NDPP was the keynote speaker at the launch of a joint programme between the NPA and the University of the Free State's Law School, which allows final year law students to shadow prosecutors in their work setting. The NDPP highlighted the need to realise the transformative

constitutional vision of building strong, effective and independent institutions of justice that are crucial for our democracy to flourish and lay the foundation for the rule of law, political stability and sustainable development. She welcomed the opportunity offered by this initiative to nurture a future generation of prosecutors who are ethical, answerable only to the Constitution and defend the rule of law without fear, favour or prejudice.

On 15 October 2024, the NDPP was on a panel that unpacked the operational and legislative steps needed to enhance the NPA's financial and operational independence at a public seminar organised by the Institute for Security Studies.

In November 2024, during her delivery of the annual lecture hosted by Freedom under Law in partnership with the Department of Journalism at the University of Stellenbosch, the NDPP raised the need for a collective societal effort to defend the rule of law at a time when it is under severe threat both nationally and internationally. The NDPP reiterated this message at the United for Wildlife Global Summit held in Cape Town, where she recognised the partnerships established with law enforcement entities, non-governmental organisations (NGOs) across borders and key private actors in the transport and finance sectors to disrupt wildlife criminal networks globally.

The NDPP participated in several events organised by the judiciary, including a memorial service in honour of the late Justice Yvonne Mokgoro in May 2024, the Annual Judiciary Day in July 2024, and



the Ceremonial Constitutional Court Sitting to mark the retirement of Chief Justice RMM Zondo in August 2024. During these engagements, the NDPP emphasised the importance of the criminal justice system working to fight corruption and state capture – including an independent judiciary that exhibits a firm resolve to ensure that cases move swiftly through the court process, with a limited tolerance for unjustified delays (whether by the prosecution or defence) and abuses of process that aim to subvert the rule of law.

The need to work smartly and in collaboration with other stakeholders against corruption was conveyed by the NDPP at the Compliance and Oversight Conference organised by the Office of the Public Protector in November 2024 and at a conference to mark International Anti-Corruption Day that was organised by the National Anti-Corruption Advisory Council in December 2024. The NDPP emphasised the importance of different law enforcement agencies having clear mandates to combat corruption and state capture, ensuring an efficient and effective response despite limited state resources. But she cautioned that investigating and prosecuting corrupt public officials and private sector actors, even the most senior ones, does not necessarily deter future corruption. Society must focus on strengthening ethical leadership, particularly within government institutions and oversight bodies. The NDPP recognised the need for partnerships across different sectors of society, including the private sector, to ensure that law enforcement agencies are equipped with, or have access to, up-to-date technology to fight against increasingly sophisticated criminals.

The need for a whole-of-society approach to fight gender-based violence and femicide (GBVF) featured prominently in numerous engagements attended by the NDPP throughout the year. The NDPP attended the launch of two new TCCs in Mitchells Plain and Phuthaditjhaba, which highlighted the ground-breaking work conducted by SOCA to establish one-stop TCCs. During her keynote address at a symposium against GBV and Sexual Harassment, the NDPP recognised the pivotal role played by private sector actors in supporting the fight against GBVF. This symposium was part of a strategic initiative set up by the GBVF Response Fund, Presidency, United Nations

Population Fund, International Labour Organisation and Johannesburg Stock Exchange to engage the private sector in actively tackling GBV and sexual harassment in the workplace. The NPA's success in opening new TCCs would not be possible without the continuous support of multiple private sector actors.

The NDPP also made the fight against GBVF the focus of her activities on Mandela Day in July 2024. She visited the Vosloorus TCC where she distributed over 700 toys crocheted by NPA staff for use in TCCs across the country. The NDPP reiterated the NPA's victim-centred approach and the importance of referring GBV victims to TCCs so that they can receive the most comprehensive support to minimise secondary trauma or victimisation.

The NDPP also attended a series of events to mark Women's Month in March 2025. At the Women in Leadership Conference hosted by the Department of Public Service and Administration (DPSA), the NDPP recognised the significant strides made by women, particularly in the legal sector. She also advocated for the increased representation of women in positions of leadership and authority. During a virtual dialogue entitled 'Fostering Women's Leadership' organised by the DoJ&CD to mark 30 years of democracy, the NDPP highlighted that women occupy the positions of Chief Justice, President of the SCA, Minister of Justice and NDPP. The NDPP encouraged everyone to continue working towards enhancing gender equality and encouraging women and girls to be leaders: 'when we empower a woman, we empower the family, we empower a community and ultimately, we empower a nation.'



## Strategic initiatives

*continued*



## Partnerships and donations

### Presidential Partnership Initiative

The Presidential Partnership Initiative is a collaboration between government and the private sector, which was established to achieve inclusive growth, inspire confidence and create jobs by focusing on three immediate priority interventions: energy; transport and logistics; and crime and corruption. The NPA remained a focal area for the Joint Initiative against Crime and Corruption (JICC).

Processes to establish a Digital Evidence Unit (DEU) for IDAC under this initiative are at an advanced stage. A special purpose vehicle registered with the Companies and Intellectual Property Commission, Digital Forensics South Africa (DFSAs) has been established to manage the DEU's operations and provides the requisite firewall between the NPA and donors. An independent Board appointed to oversee the DFSAs is constituted by individuals of the highest standards of integrity, namely Ezra Davids (Chair), Wendy Luhabe and Adv Vusi Pikoli. The Board will ensure that the NPA continues to discharge its mandate without fear, favour

or prejudice, while embracing the best of what effective public-private partnerships can offer. Professor Danny Myburg has been appointed the DEU's Chief Executive Officer. The appointments of both the DEU Chief Executive Officer and the DFSAs Board were conducted meticulously to protect the independence of the NPA.

The DEU will be an anti-corruption game-changer, providing the best technical tools and skills for collecting and preserving digital evidence from a broad range of devices. This will enable IDAC to leverage new technology in conducting, expediting and strengthening investigations through the rapid, efficient analysis and documentation of digital evidence. The DEU will ensure that digital evidence collection is integrated into investigations from the start, provide for the comprehensive management of digital evidence (from seizure and discovery to project closure), and deliver expert presentation and testimony on findings and reports. Charge sheets will be supported by detailed digital evidence analysis and reports, which will in turn provide greater protection for whistleblowers. Digital evidence being efficiently disclosed and ready for trial without delay will expedite matters.

The DEU's capacity will be expanded over time. It will initially focus on a select number of priority

cases identified and led by IDAC but will expand to provide specialised services to other law enforcement agencies.

This public-private partnership includes a capacity building component to ensure sustainability and effective skills transfer.

## Business Against Crime South Africa

The NPA continued to implement the partnership MoU signed with BLSA and implemented by Business Against Crime (BAC). During the period under review, BAC transitioned to BACSA following the expansion of the BAC's mandate and independence from BLSA.

The NPA-BACSA partnership pre-dates the establishment of the JICC. BACSA remains the NPA's single entry point for engaging with the private sector and continues to coordinate the JICC's interface between government and business.

Through BACSA, BLSA has provided the NPA with a total of R8.67m in support since the inception of the partnership, including the period under review. This support has covered specialised consultancy services, project management support and capacity development for NPA personnel working on complex state capture matters. The total value of the donation received in the year under review was R2.5m.

## Official Development Assistance

The NPA successfully secured a grant of €3 000 230 (estimated at R57 376 758) from the Federal Foreign Office of the Federal Government of the Republic of Germany to pilot a three-year project seeking to combat complex corruption and organised crime in South Africa. The project's outcomes are to:

- Strengthen the NPA's prosecuting and investigating capability in relation to complex corruption and organised crime
- Strengthen public discussions on complex corruption and organised crime.

The project has been conceptualised in line with the outcomes of the NPA's comprehensive review in 2023 of the prosecution and investigation skills or capabilities within its five specialised units dealing with corruption, commercial crime, organised crime, asset recoveries and related prosecutions:

the AFU, IDAC, Organised Crime Component (OCC), Specialised Commercial Crime Unit (SCCU) and Specialised Tax Unit (STU).

Although the findings of the 2023 review confirmed that the NPA has seasoned prosecutors capable of handling most of the serious cases currently on the court rolls, it also underscored an urgent need to augment existing capabilities, particularly in response to the evolving digital landscape of crime and the growing complexity of corruption-related offences.

The project is being implemented in partnership with the Hanns Seidel Foundation (HSF). Under this project arrangement, no funding was allocated to National Treasury – and therefore the NPA – for project implementation. Instead, the funding is channelled through the HSF while the NPA leads the project implementation.

Project implementation commenced in January 2025. From January to March 2025, the project teams mainly focused on planning for the year and ensuring that administrative arrangements for implementation were in place. Project activities are declared as in-kind donations to the NPA in line with relevant prescripts and policies.





## Strategic initiatives

*continued*



## Communications

Throughout the year, the NDPP communicated important information to the NPA through NDPP Briefs, including new appointments and an end-of-year message. Organisation-wide communication also continued immediately after each Executive Committee (ExCo) and Management Committee (ManCo) meeting to keep staff informed about key decisions taken and updates on matters of organisational importance.

The NDPP also undertook regional visits to Mpumalanga and the Western Cape, allowing her to interact with staff for a first-hand understanding of their accomplishments and challenges. The NDPP also reminded the leadership of these divisions to lead by living the values of Independence, Professionalism, Accountability and Credibility (IPAC) and inspiring the next generation of prosecutors to act in line with these values.





## International cooperation

The NPA participated in international and regional events to share how it is being rebuilt into a fit-for-purpose organisation, learn from the practices adopted by other countries, and advocate for enhanced cooperation between prosecuting services to tackle criminals who operate across borders and are increasingly better organised and more sophisticated.

In June 2024, the NDPP attended the 6th Meeting of the BRICS Heads of Prosecution Services in St Petersburg, Russia. The meeting enabled participants to discuss their countries' experiences of using modern and new forms of technology in enforcing and upholding the law. BRICS states committed to holding virtual workshops with experts and participants from member states on topics related to digital and Information and Communications Technology (ICT) solutions, including artificial intelligence, ICT security and combating the use of ICTs for terrorism. BRICS states also committed to enhancing international cooperation. The NDPP held bilateral meetings with countries with which South Africa has outstanding Mutual Legal Assistance (MLA) requests, to ensure that such requests receive the necessary attention.

In September 2024, the NPA participated in the 5th Plenary Meeting of the Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network), supported by the United Nations Office against Drugs and Crime, in Beijing, China. The NDPP made an impassioned call for member states to expedite international cooperation and ensure that politics and the defence of national

interests do not undermine such cooperation. The NPA lobbied for and succeeded in South Africa being elected a member of the Network's Steering Committee to represent the African region, with Adv Anton du Plessis, DNDPP: Strategy, Operations and Compliance (SOC) holding this function. As part of the Steering Committee, South Africa will work to ensure that the informal consultations enabled through the GlobE Network become stepping-stones to substantive, formal cooperation between states and contribute to the prompt finalisation of transnational corruption cases.

The NDPP and the DNDPP: SOC attended the 58<sup>th</sup> Executive Committee Meeting and 29<sup>th</sup> Annual Conference and General Meeting of the International Association of Prosecutors in Baku, Azerbaijan, in September 2024. At the opening plenary, the NDPP delivered a ground-breaking speech entitled 'Navigating the independence conundrum: Practical lessons from South Africa', for which she received numerous accolades. The speech called for a nuanced understanding of independence – one that is not 'one-size fits all' or demands absolutes but exists as a conundrum requiring constant reflection and balancing.

In October 2024, the NDPP attended the First Summit of Heads of Prosecution Services of G20 members in Rio de Janeiro, Brazil, under the banner of 'combating organised crime, promoting justice and socio environmental sustainability'. In her speech, the NDPP stressed that G20 countries must work together to combat organised environmental crime globally. The NDPP called on the prosecuting authorities of G20 countries to prioritise trans-border intelligence-sharing, law enforcement cooperation, and strengthening coordination and collaboration efforts towards the effective cross-border prosecution of crimes.

## Strategic initiatives

*continued*

In the last quarter of the financial year under review and following the untimely passing of Adv Rodney de Kock (who had led the country's Law Enforcement Agencies workstream to address the FATF recommendations), the NDPP stepped up her involvement in FATF engagements and closely monitored the NPA's work to ensure that the country can be taken off the FATF's grey list as soon as possible. The NPA participated in the Africa Joint Group Meeting held in Windhoek in January 2025 and the FATF Plenary and Working Group Meetings held in Paris in February 2025. The NPA is making notable progress in meeting the outstanding actions and will continue to enhance its efforts.

Lastly, and given South Africa's chairing of the G20, the NPA attended the First Technical Meeting of the G20 ACWG, which was held in Cape Town in February 2025. The NPA, particularly the AFU, is actively participating in the ACWG – this is in line with the 'Solidarity, Equality, Sustainability' theme for South Africa's G20 Presidency and one of the ACWG's four priority areas, which is to increase the efficiency of asset recovery measures. The NPA is also expected to attend the Second Technical Meeting to be held in Brasilia, Brazil, in June 2025.

In addition to participating in several international events, the NPA also supported regional activities to strengthen collaboration with prosecution services in Africa and Southern Africa. In early July 2024, the NPA participated in the Annual General Meeting and Conference of the African Prosecutors Association (APA) and the meeting of its Executive Committee in Marrakesh, Morocco. The NDPP showcased the NPA's work on environmental crimes to representatives of 34 countries. The presentation was well-received, with several countries requesting further engagements with South Africa to learn more about South Africa's good practices and cooperation with neighbouring states. The NDPP continues to attend virtual meetings of the APA's Executive Committee.

The NDPP supported efforts to formally establish the Southern Africa Heads of Prosecution (SAHoP) forum, which brings together the 16 Heads of Prosecution Services or Authorities from Southern Africa Development Community states with the aim of enhancing both informal and formal cooperation. It also aims to facilitate the exchange of good practices and enhance the capacity of prosecutors to address transnational organised crime and

emerging threats. In early December 2024, the NDPP attended the Inaugural Meeting of the forum. This face-to-face meeting allowed heads of prosecution services to become acquainted with one another, to review and adopt Terms of Reference, and decide on a plan of action for the forum. The meeting also served to follow up on incoming and outgoing MLA requests with countries in the region and identify focal points to facilitate cooperation. The NDPP attended a second face-to-face meeting of SAHoP in June 2025 in Zambia where the action plan for the forum was aligned with the sub-region's needs to enhance cooperation. The meeting also gave the NDPP an opportunity to engage with her counterparts on the status of MLA and extradition requests.

South Africa has ratified the Organisation for Economic Cooperation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and became the 37th country to join the Working Group on Bribery on 19 July 2007. A Task Team cochaired by DPCI and SCCU has been established to ensure that this work is carried out, and reports on its work to the National Priority Crime Operational Committee. The Task Team is comprised of the NPA units that participated in preparations for South Africa's Phase 4 assessment, leading to engagement with the OECD assessors in November 2024. The AFU addressed the OECD assessors on the country's ability to deal with foreign bribery committed both inside and outside the country during the in-person sessions. This input was well received and incorporated into the final country report. A framework for seizure, confiscation and forfeiture, as well as practical examples and statistics, were also included in the country report. The OECD assessors held that:

"The lead examiners welcome the AFU's sustained efforts to pursue conviction-based and non-conviction-based confiscation under POCA. Based on the information provided, the lead examiners believe that South Africa has demonstrated that it can use POCA in corruption cases without encountering excessive evidentiary challenges. For this reason, they consider that Phase 3 recommendation 3.e can be deemed no longer relevant at this time and converted to a follow-up issue as case law develops."

This means that this issue has been fully addressed.

The NPA plays a role in the implementation of the United Nations Convention Against Corruption (UNCAC) by providing inputs to the country reports and participating in the United Nations' assessment processes. Along with the DPSA as national coordinating entity and other role-players, the NPA continues to actively participate in the G20 and BRICS ACWGs, as well as the Working Group on International Cooperation of the United Nations Office on Drugs and Crime, which support the implementation of UNCAC.

The NPA was part of the South African delegation, led by National Treasury, that attended the FATF plenary meetings during the period under review. The NPA was also part of the delegation that presented South Africa's progress reports in addressing the country's 22 action items to the meetings of the Joint Group of Assessors. Three such face-to-face meetings took place, and South Africa hosted the Joint Group in Cape Town in May 2024. As a result of the country's positive participation in the FATF post-observation period, the AFU was invited to provide input into the FATF initiative to develop Asset Recovery Guidelines. The AFU provided extensive input into the relevant documents, many of which were incorporated into the Draft FATF Asset Recovery Guidelines.

To further enhance its capability to recover proceeds, the AFU has substantially increased its engagement with international bodies to secure assistance in a number of areas, including obtaining assistance with MLAs, facilitating contact with authorities in other jurisdictions, and tracing assets and persons. These efforts include collaboration with the World Bank's Stolen Asset Recovery (StAR) Initiative, the Global Forum on Asset Recovery, the International Anti-Corruption Coordination Centre and the Global Operations Network of Anti-Corruption Law Enforcement Agencies. The AFU participated in focused bilateral engagements with representatives from Singapore, India, the United Arab Emirates, Uzbekistan, China and Hong Kong during the GloBe Network Conference held in Baku in May 2025. These meetings centred on strengthening collaboration in identifying and recovering assets illicitly transferred from South Africa. The AFU benefits from collaboration with the Basel Institute for Governance, an organisation dedicated to preventing and combating corruption and financial crimes, while also strengthening

governance worldwide. A specialist from the Basel Institute supports the AFU in drafting MLAs and contributes to investigations into drug-related and other transnational criminal syndicates.

The AFU has a remarkable record for returning assets to foreign jurisdictions. To date, the AFU has returned R82m to foreign jurisdictions, with R4.3m returned during the period under review.

The first meeting of the United Nations Convention against Transnational Organised Crime (UNTOC) Expert Working Group was held in July 2025 with 74 countries in attendance. The NPA's OCC delivered South Africa's opening address. South Africa had bilateral meetings with Brazil and Peru, and attended the Royal Foundation meeting, which aims to establish a high-ambition group focused on indigenous conservation efforts and strengthening global climate goals. An overwhelming number of State Parties, including South Africa, stressed their support for developing additional UNTOC protocols to address crimes affecting the environment. It is imperative for South Africa to ensure the adoption of three additional UNTOC protocols because the country is experiencing an escalation in the smuggling of indigenous protected reptiles and succulents not listed in the Convention on International Trade in Endangered Species of Wild Fauna and Flora, which hampers MLAs. The OCC reached out to their counterparts in Namibia (as the UNODC Task Force convener for Africa) to convene preparatory online meetings to strengthen and consolidate Africa's position and negotiating power in this regard.

The Cybercrimes Act, No. 19 of 2020 created new obligations for the NPA in relation to providing legal assistance to foreign states, as well as in processes for seeking assistance regarding the preservation of traffic data from other states. The NPA continues to work actively with key stakeholders to ensure that the required standard operating procedures and directives are in place for the efficient implementation of the Act.



## Strategic initiatives

*continued*



### Requests for Mutual Legal Assistance and Extradition

The International Cooperation Component, situated in the Office of the DNDPP: NPS, is mandated to ensure the efficient management of requests for MLA and extradition.

While incoming requests for international cooperation are channelled through the DoJ&CD as the Central Authority, implementation and execution rests largely with competent authorities, including the NPA. The NPA plays an essential role in issuing and managing outgoing requests for MLA and extradition.

No new MLA or extradition agreements were signed in the year under review.

On 23 May 2024, in the case of *Schultz vs Minister of Justice and Correctional Services and Others*, the SCA delivered a judgment that alters the way in which extradition requests have been made for decades. The court decided that only the Minister of Justice as a member of the executive has the power to make extradition requests on behalf of the Republic.

The decision has far-reaching implications for the criminal justice system as the court did not express itself on the judgment's retrospective application. This has resulted in some arguing that the South African courts cannot have jurisdiction to hear their trials because the extradition requests to foreign states were made by the NPA instead of the Minister. The judgment of the SCA has been taken on appeal in the Constitutional Court so that clarity on retrospective application can be obtained.

In the year under review, the following accused persons were found extraditable to South Africa, although some are challenging their extradition:

- Phakamani Mthimkhulu was surrendered by the Kingdom of eSwatini in July 2024.
- Lehlohonolo Elias Mokotoane was surrendered by Lesotho in August 2024.
- Nomalanga Moroadi Selina Cholota was surrendered by the United States (US) in August 2024 – on 3 June 2025, the Free State High Court held that her extradition was unlawful since the request had not been made in line with the SCA decision in *Schultz* (which is under appeal, as noted above).
- Michael Lomas was surrendered by the United Kingdom in September 2024.



In 2024/25, the  
NPA processed  
**129** new requests  
for international  
cooperation:

<b>82</b>	incoming requests for MLA received from foreign states
<b>23</b>	outgoing requests for MLA transmitted to foreign states
<b>15</b>	incoming requests for extradition received from foreign states
<b>9</b>	outgoing requests for extradition transmitted to foreign states



### Notable outgoing requests for extradition included the following:

- The US request to extradite Jonathan Richard Schultz was held in abeyance as it was subject to protracted litigation. A fresh request in accordance with the judgment of the SCA has been prepared.
- Richard John Payne was found extraditable by the United Kingdom and was due to be surrendered in October 2024 after the issuance of an executive order, but he instituted appeal proceedings. A new request has been transmitted to the UK after his appeal on the basis of the SCA judgment was upheld.
- The Ndimande brothers were found extraditable by eSwatini and an executive order for their surrender to South Africa was issued, but they have taken their challenge to the High Court.
- Married couple Shepherd and Mary Bushiri were found extraditable by Malawi, but they are appealing against this finding.
- The request to Brazil for the extradition of Johann Steynberg was withdrawn after receipt of an official report that he is deceased.
- Engagements with the United Arab Emirates' authorities on the submission of a fresh request for the extradition of the Gupta brothers are ongoing.

## Strategic initiatives

*continued*



### Amplifying the NPA's voice in the criminal justice system

The NPA continues to take active and deliberate steps to strengthen its institutional voice and influence within the broader criminal justice system. The NPA plays a pivotal role in delivering justice, advancing the rule of law and ensuring that accountability is not only pursued but seen to be pursued. Over the past year, several strategic and operational efforts have converged to amplify the NPA's impact within the criminal justice system.

A central area of focus has been the reassertion of prosecutorial leadership. The NPA has increasingly positioned itself not merely as a recipient of police dockets, but as a strategic actor capable of shaping how cases are selected, prepared and prosecuted. This shift has been visible in its strengthened collaborations with SAPS and DPCI. Structured engagements at national and provincial levels are now more frequent, focused and productive. They deal with critical issues such as case flow management, systemic delays and alignment of investigative priorities with prosecutorial capacity.

An important vehicle for bridging the gap between justice institutions and communities has been the NPA's Community Prosecution Initiative (CPI). Originally piloted over a decade ago, the model has been revitalised and reimagined in recent years as a means of addressing persistent public concerns about safety, accountability and accessibility. The initiative places specially designated Community Prosecutors in select courts or clusters, tasked with working closely with the police, municipal authorities, residents, civil society organisations and community policing forums. These prosecutors help identify local crime priorities, coordinate with police on appropriate interventions, and ensure that the justice system's response is tailored to the real concerns of the community.

At its heart, the CPI seeks to strengthen public trust in the NPA by making its presence and purpose more visible and tangible. It also provides a structured channel for community members to raise safety concerns and contribute to problem-solving efforts, particularly in areas plagued by persistent social disorder, youth offending, GBV or gang activity. The approach has shown promise in fostering more cooperative relationships between police, prosecutors and the communities they serve, and in holding local justice officials to a higher standard of responsiveness and accountability. The initiative

further reinforces the idea that prosecutors are not distant, faceless actors in far-off courtrooms, but public servants embedded in the everyday reality of South African communities.

In parallel, the NPA has taken steps to address organised and serious crime. Through its Organised Crime Strategy, the NPA has begun rolling out a more structured and multidisciplinary response to the growing threat of sophisticated criminal syndicates. The strategy reflects a shift from reactive to proactive prosecution, and places a strong emphasis on early prosecutor involvement, joint case planning with investigators and prioritising cases that can have a systemic impact – whether by dismantling syndicates, seizing criminal assets or disrupting illicit supply chains.

Critically, the strategy aims to foster a new model of NPA-police cooperation. This includes shared case planning, joint investigative teams and sustained coordination from the early stages of case development through to trial. The result is a more coherent, better prepared and ultimately more effective response to crimes such as extortion, drug trafficking, illicit firearms and violent gang activity.

A significant development has been the introduction of prosecutorial prioritisation initiatives across three provinces to reduce housebreaking in the Durban cluster, tackle stock theft in the Free State and address firearm-related crime in the Western Cape. These pilots represent a broader strategic shift, with each initiative bringing prosecutors together with investigators, court managers, community stakeholders and other partners to drive a focused response to a high-impact crime. Through this approach, the NPA is demonstrating how a well-led and well-coordinated prosecutorial strategy can influence the direction and effectiveness of the broader criminal justice response.

The NPA's collaboration with the Presidency's private sector-supported capacity-building initiative has provided a powerful boost to these efforts. One of the most significant developments has been the establishment of the Digital Evidence Unit (DEU). Beyond its immediate utility, the DEU symbolises a broader shift toward modernising prosecutorial capabilities and strengthening the technical backbone of complex casework. It also highlights the value of carefully structured public-private partnerships in addressing capability gaps while maintaining prosecutorial independence and integrity.

At the same time, the NPA has made deliberate investments in enhancing its public communication and institutional voice. Recognising the importance of public confidence and transparency, the organisation has strengthened its media engagement through regular briefings, improved accessibility of information and a more active presence on digital platforms. High-profile cases and strategic priorities are now communicated in clearer, more consistent ways, helping to counter misinformation and build understanding of the prosecutorial process. These efforts support the broader aim of fostering public trust, particularly in a context where expectations for accountability and justice remain high.

Partnerships have been central to the NPA's strategy to enhance its role within the justice system. Working closely with civil society, academia and the private sector, the NPA is expanding the range of skills, perspectives and innovations brought to bear on complex prosecutorial challenges. This is particularly evident in areas such as specialised skills development, multi-stakeholder initiatives on GBV and the design of victim support programmes. These partnerships are helping to ensure that the NPA remains responsive to emerging issues while also deepening its institutional capacity.

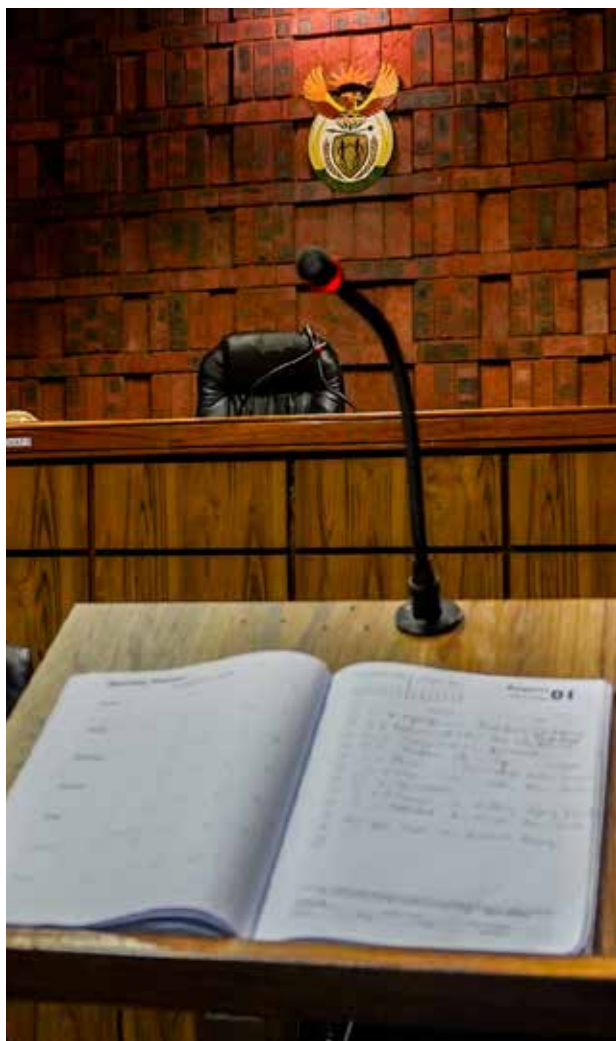
Internally, the NPA has prioritised the strengthening of its key units. The institutionalisation of IDAC is a significant step toward entrenching its capacity for complex and high-impact prosecutions. Similarly, the SCCUs, AFU and STUs have all expanded their reach and refined their methodologies. These units have achieved notable successes, not only through high-profile prosecutions and asset recoveries, but also through their ability to work across disciplines and coordinate effectively with other agencies.

Data-driven decision-making is becoming an increasingly important part of the NPA's operating model. Improved internal performance monitoring systems, dashboards and analytics now inform both strategic planning and operational interventions. These tools enable the NPA to identify case backlogs, resource constraints and the early warning signs of systemic strain.

The NPA has also taken a more active role in advocating for systemic reform. It has engaged constructively with legislative processes and policy debates, providing technical input on proposed changes to the legal framework governing whistleblower protection, plea bargaining and

## Strategic initiatives

*continued*



pre-trial processes. These contributions are not about expanding the NPA's powers per se, but about strengthening the overall effectiveness, fairness and credibility of the criminal justice system. The NPA has also raised its voice on matters related to the independence and resourcing of prosecutorial services, emphasising the importance of sustained institutional integrity in the fight against crime.

In all these efforts, the NPA is seeking not only to fulfil its constitutional mandate, but to do so with clarity, confidence and leadership. The work remains challenging, and the institutional terrain is not without obstacles. However, the cumulative effect of these initiatives is a stronger, more strategic NPA – one that is better equipped to shape justice sector responses, lead multi-stakeholder collaboration and contribute meaningfully to a safer and more just South Africa.

### MEDIUM-TERM DEVELOPMENT PLAN 2024–2029

The main objective of the Medium-Term Development Plan 2024–2029 (MTDP) is to strategically guide the work of the 7th Administration to achieve the goals set out in the Statement of Intent of the Government of National Unity and the National Development Plan.

Holistically, the JCPS Cluster contributes directly to the goals and objectives of Strategic Priority 3: Build a capable, ethical and developmental state. The NPA finds specific relevance in relation to the sub-outcomes outlined below.

#### A Reformed, Integrated and Modernised Criminal Justice System

State capture undermined efforts to create a capable, ethical and developmental state, increasingly obstructing economic activity and social development. Although recent crime statistics show a downward trend, particularly in murder rates, the figures remain unacceptably high.

GBV has not significantly decreased, and crimes such as trafficking of children for prostitution and drugs continue to be unrecorded phenomena. For South Africans to feel safe, all categories of crime must be reduced. One of the top focus areas of the MTDP is to strengthen law enforcement agencies to address crime, corruption and GBV.

The MTDP will continue to strengthen the coherence of the criminal justice system. This will require strengthening key institutions, such as the NPA, to improve prosecutions and combat corruption. This will also require regulating the recruitment and appointment of top officials in criminal justice departments, with a focus on skills, expertise and integrity. This should be a transparent and merit-based process.



## Increased Feelings of Safety for Women and Children in Communities

A specific focus of the MTDP is to combat GBVF through continued implementation of the National Strategic Plan on GBV and Sexual Offences. The 7th Administration will move rapidly to ensure that the National Council on GBVF is fully functional and properly resourced. The MTDP will also strengthen mechanisms to support victims of GBVF and establish additional courts to deal with sexual offences.

## Combatting Priority Offences

The challenge of organised crime extends beyond its direct activities. It undermines public trust and the integrity of the criminal justice system through corruption and intimidation. Organised crime includes a variety of economic crimes, including theft and vandalism of infrastructure, extortion in the construction sector, illegal mining, gang violence, cash-in-transit heists and cybercrime. Dealing with these issues will enhance confidence in and adherence to the rule of law. Eighty-two specialised police units will be established to deal with these types of priority crimes.

Improving prosecutions against all forms of crime, including corruption, and ensuring that these prosecutions lead to convictions is crucial. The government will deal firmly with corruption by implementing the National Anti-Corruption Strategy and implementing the recommendations of the State Capture Commission. The MTDP also highlights the need to strengthen whistleblower protection through legislative reforms. To minimise the likelihood of future corruption, government will strengthen accountability and consequence management. This will include lifestyle audits for elected officials, senior public officials and other critical posts such as officials working in supply chain management. Key JCPS institutions, such as the NPA and DPCI, will also be bolstered to improve outcomes against crime and corruption.

A further priority for the 7th Administration will be to strengthen anti-money laundering and terror financing efforts and other tasks related to securing South Africa's removal from the FATF list of jurisdictions under increased monitoring.



# Performance information





# Performance information

## Executive Performance Overview

In the 2024/2025 reporting period, the key outcomes of the NPA's performance environment were to enhance its victim-centred approach, ensure that crime and corruption are significantly reduced through effective prosecution and ensure that profit is removed from crime.

Considerable progress was made towards successfully delivering on the annual performance plan of the NPA.

Commendably high conviction rates were achieved in the three court fora, with the High Courts achieving 92% from 794 cases finalised with a verdict, the Regional Courts achieving 83% from 21 718 cases finalised with a verdict, and the District Courts achieving 96% from 149 839 cases finalised with a verdict.

The Office for Witness Protection (OWP) maintained its outstanding performance, ensuring that no witnesses or related persons were threatened, harmed or killed while on the witness protection programme.

Holding perpetrators of sexual offences and GBV accountable remains a major focus area for the NPA, and continuous efforts are being made to enhance prosecutorial capacity to deal effectively with these cases. As a result, 16 895 sexual offenders were convicted in the past five years with an average conviction rate of 73%.

In ensuring that fraud and corruption are dealt with, the SCCU finalised 312 cases with an 87% conviction rate, and 362 people were convicted for corruption-related crimes. IDAC continues to solidify its performance and authorised 17 state capture related investigations.



Efforts to tackle high-impact financial crime were enhanced, with more focus on addressing serious and complex money laundering cases, especially those involving professional laundering networks and third-party laundering. As a result, 99 money laundering charges were instituted, and 36 matters involving serious and complex money laundering charges were finalised.

Proactive efforts to source cases earlier and expedite the finalisation of existing asset forfeiture applications more efficiently have resulted in the successful execution of freezing orders to the value of R701m, and the AFU recovering R1.38bn during the reporting period. This is commendable as the performance is conviction-based and requires close collaboration in the effective completion of investigations and prosecutions.

## Performance information

*continued*

### Strategy, Operations and Compliance

SOC remains committed to supporting the capacity of the NPA to deliver on its constitutional mandate, including the enforcement of the IPAC values. SOC continued to provide strategic guidance and operational capacity for strategy implementation, as well as ensuring compliance with legislative requirements.

During the previous Medium-Term Strategic Framework (MTSF) period, the focus was on supporting the NPA's efforts to build a fit-for-purpose institution and future-proofing the gains made over the last six years, through innovation and consolidating the strategic objectives implemented during that period.

SOC contributed to the development of the JCPS Cluster's MTDP. These contributions are reflected in the Annual Performance Plan of the DoJ&CD. Through its Strategy Management Office (SMO), SOC led on the development of annual operational plans for all business units, including finalising the NPA's Organised Crime Strategy and supporting the development of updated strategies for all NPA business units.

Below is an overview of priority SOC initiatives and support interventions in the previous year.

#### **NPA prioritisation guidelines and practice:**

- SOC supported the development and implementation of new strategies for the AFU and IDAC to ensure additional focus on prioritisation, and drove practical prioritisation processes within SOC, including research, communications and finance.
- Supported the conceptualisation of prosecutorial prioritisation guidelines and practice to strategically prosecute repeat offenders, crime syndicate leaders and crimes undermining public safety.
- Continued supporting the 'Ikhaya Lethu' pilot in the Durban Cluster, which targets housebreaking. Two additional pilots (firearms-related crime in the Western Cape and stock theft in the Free State) were launched and are included within the Combating Complex Corruption and Organised Crime in South Africa project to ensure that they continue receiving SOC support.



#### **Community Prosecution Initiative:**

As of 31 March 2025, 50 sites had been established nationally (including in all divisions), each focusing on critical crime and public safety issues. Several of these initiatives have resulted in strategic prosecutions, some of which have secured long-term prison sentences.

#### **Service delivery improvements:**

The NPA Service Delivery Charter was finalised, and SOC supported the review and development of the AFU enforcement business process, Standard Operating Procedures and Service Standards.

SOC facilitated SMO support to SOCA to establish additional TCCs.

A Knowledge Management Hub has been established to support knowledge sharing in the organisation and a service provider was commissioned to implement the Crime and Criminal Justice Satisfaction Survey.

#### **Amplifying NPA's voice and strategic influence:**

SOC used various national and international platforms, including conferences and mainstream media, to demonstrate South Africa's commitment to rebuilding the rule of law after years of corruption.

International Anti-Corruption Conference (June 2024) – DNDPP: SOC led the NPA's delegation to this annual global forum, which brings together heads of state, civil society, the private sector and other key stakeholders to tackle the increasingly sophisticated challenges posed by corruption and related crime.

GlobE Network – DNDPP: SOC was nominated to be a member of SteerCo for the GlobE Network, a global law enforcement and criminal justice network that seeks to provide a fast, informal, agile and efficient tool for facilitating transnational cooperation in combating corruption and strengthening communication exchange and peer learning between anti-corruption law enforcement authorities, while complementing and coordinating with relevant international cooperation platforms.

Munich Security Conference – DNDPP: SOC represented the NPA at this preeminent annual gathering of government officials, experts and world leaders focussed on security and rule of law issues, enabling the NPA to reach a broad audience of key international partners to raise awareness of, and build confidence in, South Africa's efforts to rebuild the criminal justice system in the post state capture era.

#### **Effective budget management in fiscally constrained times:**

Amid resource constraints imposed by government-wide fiscal control, SOC ensured that the NPA optimised its budget allocation to deliver on its mandate while remaining compliant with relevant government frameworks and guidelines.

Although the DPSA's directive on control measures aimed at managing fiscal sustainability slowed down expenditure, particularly in Compensation of Employees, the allocated budget was efficiently managed. At the request of ExCo, a Capability Review Committee led by SOC was established to consider staff allocation and advise on filling priority posts.

SOC continued to provide centralised services, such as security, fleet and facilities, and Information Technology (IT) services.

External partnerships were established to assist the NPA with testing new methodologies aimed at improving its operations. Partnerships were sustained to continue leveraging the comparative advantage of the private sector, from which specialised knowledge and technologies that are often lacking in the public service are drawn.

To keep NPA colleagues and citizens informed, SOC enhanced internal and external communication and media outreach. Systems and procedures were reviewed and updated to protect and keep NPA staff informed whilst adapting to new information technologies. SOC provided an effective, high-quality media service with effective communication and timely response to critical breakthroughs. Social media channels such as Facebook, X (Twitter),

LinkedIn and YouTube were effectively leveraged for truthful communication and setting the agenda. These platforms ensured higher content reach, engagement and overall performance.

#### **Partnership innovations:**

SOC continued to facilitate the operationalisation of the partnership MoU signed between the NPA and BLSA and implemented by BACSA. Support provided to date has covered specialised consultancy services, project management support and capacity development for NPA personnel working on complex state capture matters.

SOC continued to provide strategic leadership in JICC on behalf of the NPA, supporting the establishment of the DEU for IDAC. As the DEU processes transition into the new phase, all Chief Directorates within SOC will ramp up efforts to provide support to IDAC and the AFU.

SOC secured a grant totalling €3 000 230 from the Federal Foreign Office of the Federal Government of the Republic of Germany to pilot the NPA's three-year project seeking to build capacity to combat complex corruption and organised crime in South Africa. The project is implemented by the NPA with support from HSF. Project implementation commenced in January 2025 and will continue to be rolled out until 31 December 2027.

Also emanating from the recommendations of the capability review, the NPA has commissioned the design of training for managers to have performance-related conversations with their staff to supplement the Performance Management and Development System and to upskill managers to have the right conversations. This programme will also be rolled out in the current financial year.

#### **Driving innovation in information management:**

When aligned with robust systems management, information management enhances productivity and performance.

Despite challenges with the integration infrastructure and value chain, significant progress was made in Integrated Justice System (IJS) projects. SOC ramped up implementation of the ECMS, with a major focus on resolving the obstacles that previously resulted in under-utilisation. Regional champions were appointed and trained, minimising over-reliance on support from national office.

SOC implemented a representations system and established various SharePoint portals, including the Knowledge Management Hub and VIVA Engage (a communications portal).

## Performance information

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### STRATEGIC PRIORITIES FOR 2025/2026

The following strategic priorities have been identified for the next financial year:

- **FACILITATE** strengthening the capabilities of prosecutors and investigators in specialist units to combat complex corruption and organised crime
- **STRENGTHEN** collaborations between the NPA, SAPS and DPCI
- **EVALUATE** the implementation of the NPA's strategy through the development of the Situational Analysis Report
- **LEAD** on the development of the NPA Strategy for 2025-2030, including providing support to the next NDPP if further refinement or changes are needed
- **CONVENE** risk champion forums on a quarterly basis to ensure ongoing and real-time risk and mitigation interventions
- **INITIATE** research projects to support the implementation of the NPA's Strategy and ensure that the NPA leadership has ongoing access to cutting-edge and evidence-based data and analysis to inform policy, practice and broader strategy implementation
- **COORDINATE** the development, moderation and approval of NPA's Annual Performance Plan, Annual Report and 2026 Annual Operating Plans
- **COMMISSION** customer satisfaction survey
- **IMPLEMENT** the Audit Action Plan
- **CONVENE** relevant NPA leadership and strategic meetings, including the 2025 Senior Management Conference that will review the implementation of the previous strategy to inform and shape the organisation's priorities for the next strategic period.





## Strategy Management Office

### Strategic support

The SMO championed the NPA's short- and long-term planning. This included helping to develop the organisation's next five-year strategic plan, entitled 'Consolidating and future-proofing NPA's contribution towards a capable, ethical and developmental state 2025-2030', and playing a critical role in guiding the development and implementation of business operating plans.

The SMO also actively participated in the development of the MTDP and remains committed to supporting the NPA leadership's implementation of the MTDP, as part of its broader contribution to the criminal justice system.

SMO has continued to collaborate with National Treasury in facilitating inputs for the development of Estimates of National Expenditure and Adjusted Estimates of National Expenditure, ensuring alignment of planning and budgeting processes.

### Enterprise risk management

Through the flagship Risk Champion Forum, SMO has driven the institutionalisation of an organisation-wide risk management culture, through informed risk assessments and monitoring the progress of risk mitigations. During the period under review, SMO ensured that the NPA maintained 100% compliance with departmental risk committee requirements through the co-ordination of risk identification reports and quarterly risk reporting.

Several risk management training sessions were conducted, and eight risk awareness sessions were successfully delivered to various NPA offices.

## Performance management and audit

Performance Information Management (PIM) remained the focal point at ExCo and ManCo meetings, providing a much-needed strategic performance oversight and accountability mechanism. In the period under review, the PIM directorate produced monthly and quarterly organisational reports, which remained a standing discussion item within management and provincial structures through the commendable work of divisional performance information managers. The resuscitation of the SOC performance review sessions further ensured that corporate service units maintained a transparent performance reporting platform.

PIM contributed to efforts towards a clean audit opinion on reported performance. However, the journey to address negative audit findings was impacted by the introduction of ECMS as the sole performance source data. PIM led a two-day audit turnaround workshop in October 2024 that was attended by governance co-ordinators, representatives from core business units from all the provincial offices and colleagues from Internal Audit, IJS and the Court Administration Branch of the DoJ&CD. The workshop culminated in the development of an audit and ECMS action plan, which was monitored bi-weekly during established emergency audit meetings.

Key achievements included producing the end of term report on the Strategic Plan 2019-2024, monitoring adopted strategic priorities and reporting progress on the implementation of the State of the Nation commitments for 2024.

### Service delivery improvement

The Service Delivery Improvement unit focused on developing service delivery standards, charter and

# Performance information

*continued*

model, as well as implementing the Operations Management Framework project. The following were achieved:

- Established Service Standards Development committees with SOCA, HRM&D and AFU
- Developed and finalised Service Standards for HRM&D's recruitment and selection process, and AFU enforcement, and subsequently developed a delivery model in these areas
- Finalised the development of AFU enforcement Standard Operating Procedures
- Completed the review of the AFU business process with Organisational Development
- Developed Terms of Reference for the establishment of NPA's Service Delivery Improvement Programme and Change Management Champion forum
- Developed a draft of the NPA service delivery charter.

## Research management

The Research Management Unit (RMU) outputs this financial year strengthened the NPA's strategic foresight, operational readiness and policy responsiveness. Through rigorous analysis, strategic evaluations and targeted briefings, the RMU continues to enhance the NPA's capacity to deliver on its mandate in a dynamic justice environment.

The RMU's achievements included the following during the year under review:

- Conducted and finalised the second and final phase of the NPA strategy evaluation based on the Crime and Criminal Justice Survey report, which is included in the NPA Annual Performance Plan for 2025–2026. The RMU also reviewed and submitted input to enhance the Crime and Criminal Justice Survey Report, which will be presented to the NPA management structure in the course of 2025/2026.
- Produced several critical research papers, including the Change Assessment Survey report submitted to the Organisational Development directorate. The survey assessed the experiences of the NPA's primary customers, victims of crime and witnesses. The findings revealed that 84% of participants were satisfied with the services provided by prosecutors in court, and 91% believed their interests were considered during proceedings. These results affirm the professionalism and victim-centred approach of the NPA. However, the survey also identified delays in case finalisation as the most common source of dissatisfaction, highlighting a critical

area for operational improvement.

- Conducted a comprehensive review of political party manifestos, isolating commitments relevant to the NPA's mandate.
- Updated the NPA Situational Analysis report and presented it at the DoJ&CD's Strategic Planning Session, providing contextual intelligence to guide justice sector planning.
- Compiled a briefing paper on the prevalence of extortion and its implications for the NPA, highlighting its impact on prosecutions and public trust. The paper was submitted to the NPA leadership to contribute to the NPA's strategic response to organised crime.
- Reviewed the Centre for Development and Enterprise's report 'Energise the NPA' and prepared engagement questions for the NPA Strategic Planning Session, enabling informed dialogue on organisational reform and resource optimisation.
- Developed a preparatory note for the DNDPP: SOC's chairpersonship at the International Association of Prosecutors Annual Conference (2024). This briefing addressed best practices on the treatment of victims and witnesses, reinforcing the NPA's international engagement and victim-centred approach.
- Shared a summary of the Governance Public Safety and Justice Survey results with the NPA community via Viva Engage, fostering internal awareness of justice sector perceptions and trends.
- Continued to receive, capture and analyse over 10 700 DNA reports from priority DNA cases, contributing to efficient case tracking, evidence management and prosecutorial decision-making.

## Knowledge management

Following the development of a Knowledge Management Hub manual and training videos, as well as training users and conducting awareness, the Hub was successfully launched and went live in June 2024. The development of the Hub was triggered by the lack of a centralised repository for officials to access information and/or knowledge resources. The Hub serves as a one-stop centre for finding information and knowledge resources and includes an 'Ask an Expert' facility that bridges the gap between knowledge seekers and knowledge possessors. The Hub also stores content valuable to prosecutors, such as training material, judgements, handy hints, access to the library catalogue and information databases, amongst others.



## Financial Management Service

The Financial Management Service ensures that the NPA optimises its budget allocation to deliver on its mandate while remaining compliant with relevant government frameworks and guidelines.

The overall allocation for the NPA was an adjusted budget of R5.717bn before virement and R5.587bn after virement. This includes a ring-fenced budget allocation of R260m for IDAC. The NPA spent 97.64% of its allocated budget, before virement. Underspending of R107m in respect of Compensation of Employees before virement was due to the financial impact of the DPSA's directive, which significantly delayed recruitment processes. Underspending of R18m in respect of Goods and Services before virement was due to forced savings in order to defray the overspending in Households. This overspending was due to leave gratuities paid to employees leaving the NPA. Underspending of

R24m in Machinery and Equipment before virement was due to the unfinished procurement process for 200 laptops. The final virement was done in conjunction with the DoJ&CD.

The NPA's expenditure increased by 4.46% from R5.344bn in the 2023/24 financial year to R5.583bn during the year under review.

The primary focus of the NPA is public prosecutions, and 76.74% of the total budget allocation was spent on the NPS. Support Services provides centralised services, such as Security, Fleet & Facilities, HRM&D, Communication and IT services, on which 13.04% of the total budget allocation was spent.

The NPA is not a revenue generating organisation and does not charge tariffs for services rendered. Neither does the NPA provide free services that would have yielded revenue, had a tariff been charged.

**Table 1: Expenditure report**

Sub-programme name	2024/25			2023/24		
	Final appropriation (after virement) R'000	Actual expenditure R'000	(Over)/under expenditure R'000	Final appropriation (after virement) R'000	Actual expenditure R'000	(Over)/under expenditure R'000
NPS	4 283 990	4 283 990	0	3 996 884	4 119 079	20 335
Investigating Directorate	153 081	148 355	4 726	216 662	141 886	0
AFU	214 945	214 945	0	178 311	216 662	0
OWP	207 463	207 463	0	688 495	178 311	0
Support Services	727 857	727 857	0	205 266	688 356	0
<b>Total</b>	<b>5 587 336</b>	<b>5 582 610</b>	<b>4 726</b>	<b>5 285 618</b>	<b>5 344 294</b>	<b>20 335</b>

**Table 2: Actual expenditure per economic classification**

Sub-programme R'000	Investigating		AFU	OWP	Support Services
	NPS	Directorate			
Compensation of Employees	4 087 860	107 691	198 064	110 608	251 045
Goods and Services	173 087	39 563	15 719	95 361	384 502
Payment of Capital Assets	1 498	876	129	484	77 465
Other	21 545	225	1 033	1 010	14 845
<b>Total</b>	<b>4 283 990</b>	<b>148 355</b>	<b>214 945</b>	<b>207 463</b>	<b>727 857</b>

## Performance information

*continued*

**Table 3: CARA funds received vs expenditure**

Project name	Project objective	2023 CARA allocation*	Funds received	Expenditure to date	Balance
AFU	To cover expenses relating to curator fees, legal and storages fees.	R70 000 000	R35 000 000	R28 750 900	R6 249 099
OWP	To cover expenses incurred while providing temporary protection, support and related services to vulnerable and intimidated witnesses and their related persons.	R100 000 000	R100 000 000	R100 000 000	–
SOCA	To re-accommodate, renovate and refurbish existing TCCs, and resourcing of existing and newly established TCCs.	R37 402 000	R10 000 000	R5 760 075	R4 239 924
Sec 38	To access expert skills for the investigation and prosecution of high priority state capture, money laundering and illegal mining cases, and the recovery of assets.	R71 929 000	R71 929 000	R67 046 306	R4 882 693
<b>Totals</b>		<b>279 331 000</b>	<b>216 929 000</b>	<b>201 557 281</b>	<b>15 371 718</b>

\* The last CARA allocation to the NPA was in 2023.



## Communications Unit

The Communications Unit provides strategic communication advice and operational support to the NPA. It also provides communication tools and platforms to distribute the organisation's messages to its various stakeholders.

Reputation management is a critical element of the communication strategy, and the prioritisation of proactive, consistent and transparent communication to build trust remained an area of focus.

The media strategy remained the foundation of the NPA's communication approach – issuing media statements, active participation in social media, and conducting media interviews to keep the nation informed about the work and services of the organisation. The use of digital platforms is increasing, with audience reach and public interaction growing through the use of social media platforms, such as Facebook, X and YouTube, as well as webinars and livestreamed events to multiple audiences.

The DPP Speaks series, which allows DPPs to lead communication and reporting on operations and performance in their respective divisions, has been a successful initiative and profiles the second layer of leadership that is most critical in instituting prosecutions in the provinces.

Outreach events that aim to enhance public education and awareness remain the bedrock of communication activities, contributing to better access to justice. These included events on many

topics, including GBV, bullying, TCCs, court preparation services, community prosecutions, child justice, maintenance, trafficking in persons, fraud, stock theft and the NPA Aspirant Prosecutor Programme. Branding and digital platforms serve to amplify communication around TCCs. The strategic focus on community prosecutions continues to be supported by various communication interventions.

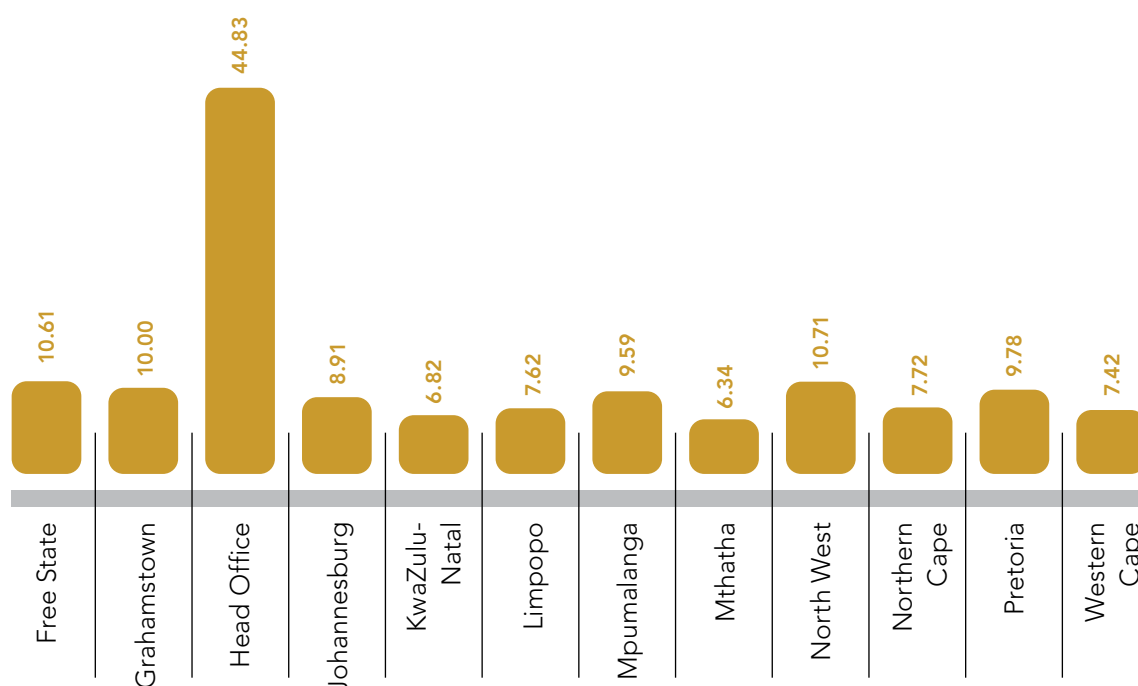
Internal communication is a key element of communicating and raising awareness of the NPA's strategy and performance. The objective is to enable staff to understand the business agenda and strategic priorities to make better and informed business decisions. Internal communication platforms are continuously enhanced to popularise the organisation's strategy for employees and prosecutors to understand their own responsibility in contributing to the achievement of the outcomes.

## Human Resource Management and Development

### Capacitation of the NPA

During the 2024/2025 financial year, the NPA continued growing the establishment with a total of 5 527 full-time positions and 332 contract appointments in place, while reducing the vacancy rate. While there was a freeze on filling vacancies in the public service, NPA Act positions were excluded from this process. However, Support Services posts were affected, and the vacancy rate is influenced by administration positions that could not be filled.

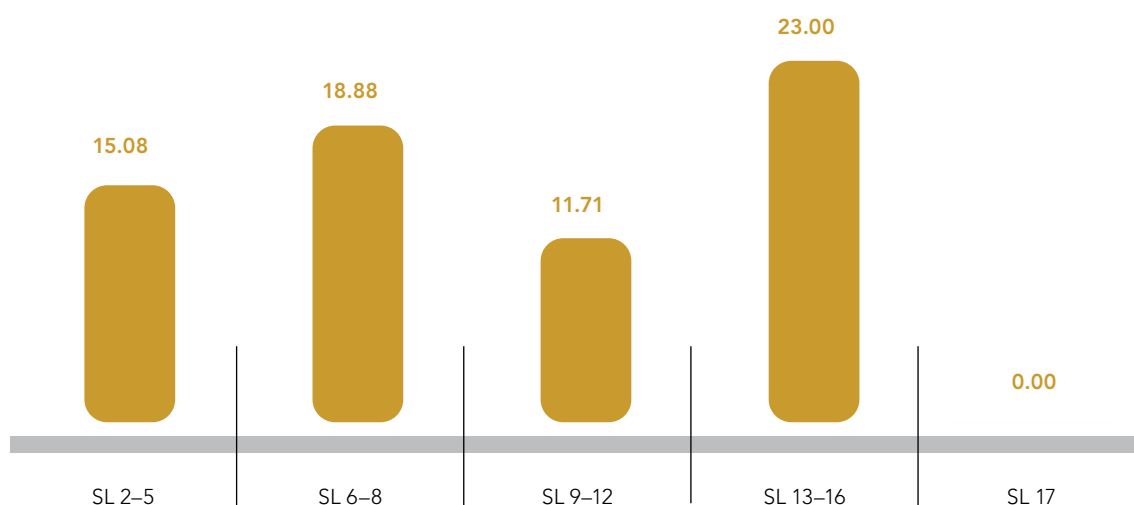
Figure 1: Vacancy rate per office



## Performance information

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**Figure 2: Vacancy rate per salary level category**

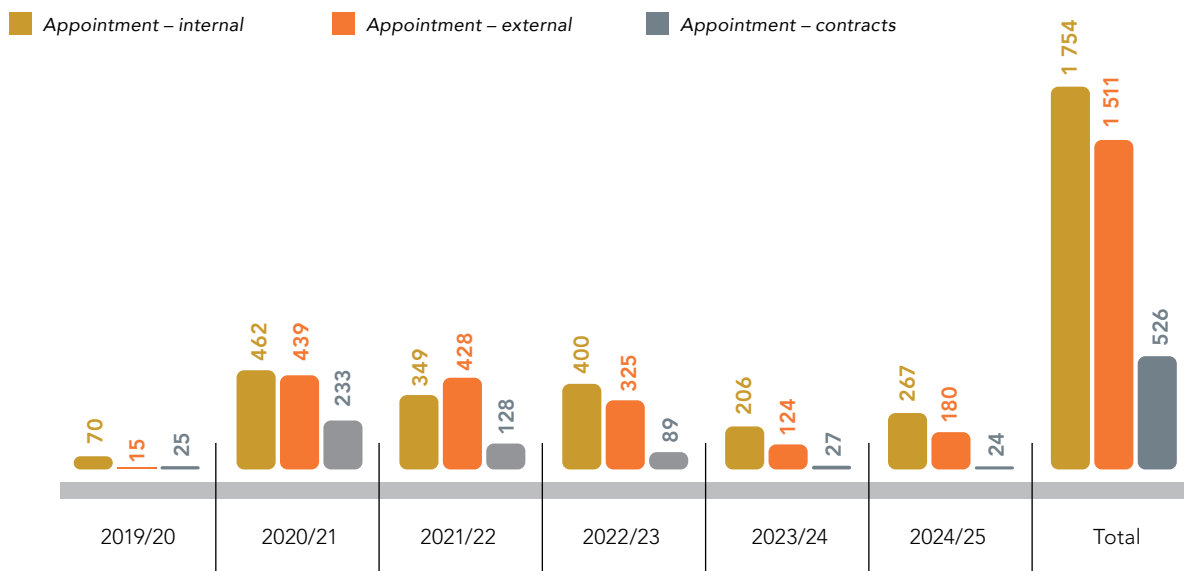


### Human resource attraction and retention

The NPA was able to undertake several recruitment projects, and 509 posts were advertised, excluding the Aspirant Prosecutor Programme advertisement.

The NPA has historically struggled with growing capacity as most posts are filled by internal candidates. However, this has improved, with almost half the appointments filled from outside the NPA.

**Figure 3: Progress since 2019 when the NPA was funded to increase capacity**



In addition, 696 aspirant prosecutors were absorbed into permanent positions during this period and the balance from the previous intake is being absorbed as positions become available.

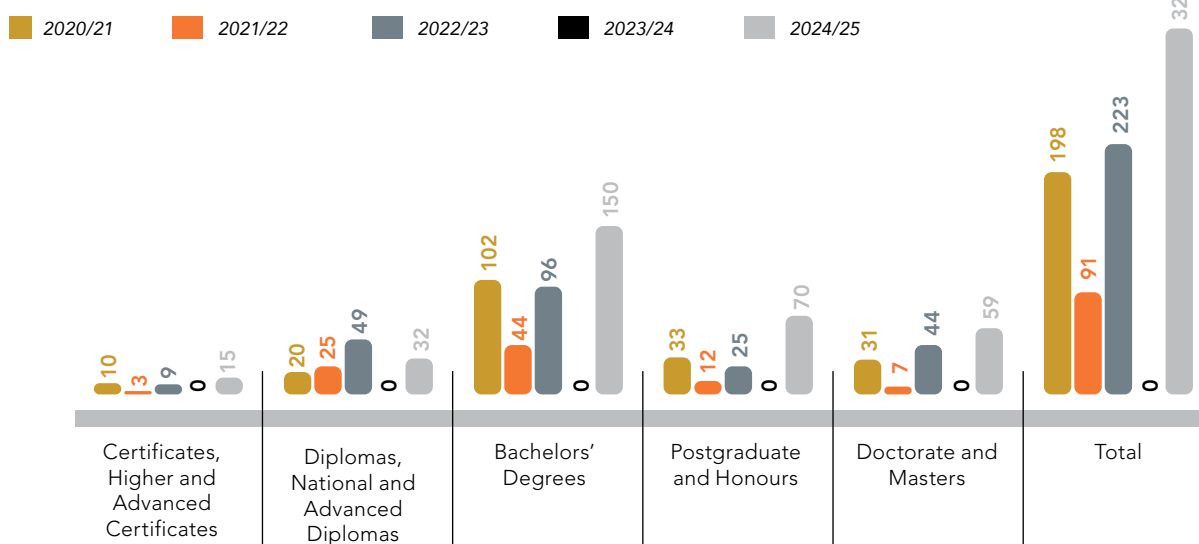
## Capability enhancement initiative

Work continued on the comprehensive review of the prosecution and investigation skills or capabilities in complex corruption, commercial and organised crime cases. Recommendations from the review are in various stages of implementation, including developing training programmes with specific materials. Implementation will continue to be rolled out as more funding becomes available.

## Education, training and development

Over the past five years, the Education, Training and Development Programme focused on the development of NPA prosecutors. Support Service staff also benefited. Figure 4 shows the number of qualifications obtained through bursaries to employees over the past five years.

**Figure 4: Bursaries per qualification**



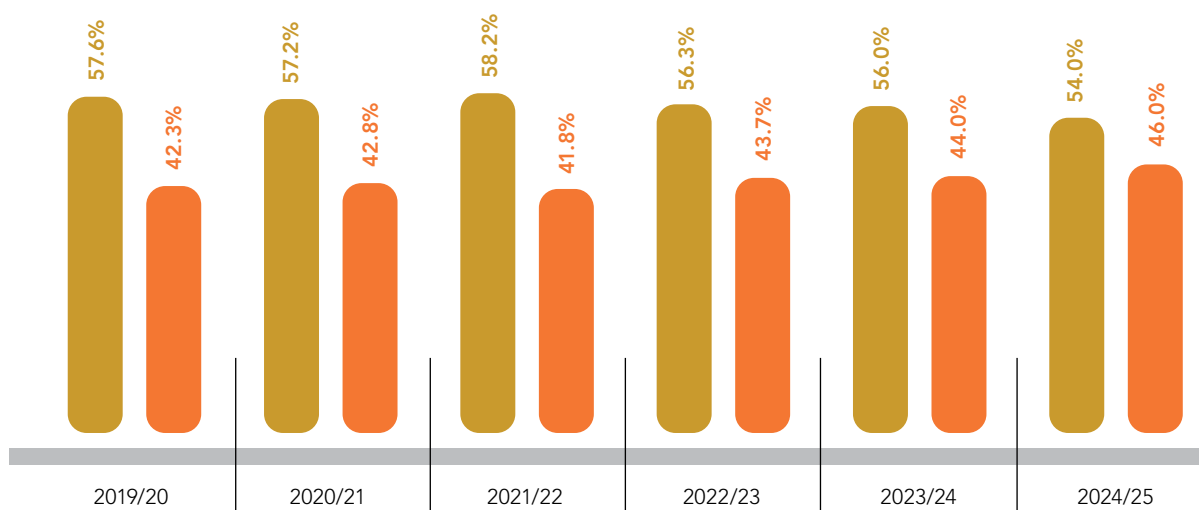
**Table 4: Training and development, 2020/2021–2024/2025**

	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025
Number of beneficiaries	802	1 958	3 335	3 526	2 948
Number of programmes	60	164	142	141	149

## Transformation

The NPA continues with workplace transformation in compliance with applicable legislation and prescripts. Figure 5 indicates that the NPA has not reached the 50:50 target as prescribed but there has been progress in closing the gap at an executive level, with female representation moving from 42% in 2019/2020 to 46% in 2024/2025. The NPA is committed to reaching its 50% target, in line with the Employment Equity Strategy.

**Figure 5: Employment rate for women in SMS positions in the NPA**



## Performance information

*continued*

### Implementation of the Diversity Management Programme

The organisation continues to manage diversity in the organisation. The Diversity Management Programme has benefitted 1 286 employees since its development in 2019. Online webinars have created awareness on issues affecting different groups of people in the organisation, while team cohesion sessions have fostered unity, developed stronger interpersonal relationships, improved collaboration and enhanced shared purpose within different teams. However, the sustained success of this programme requires embedding diversity and inclusion practices into all aspects of the organisation, including leadership.

### Employee Health and Wellness Programme

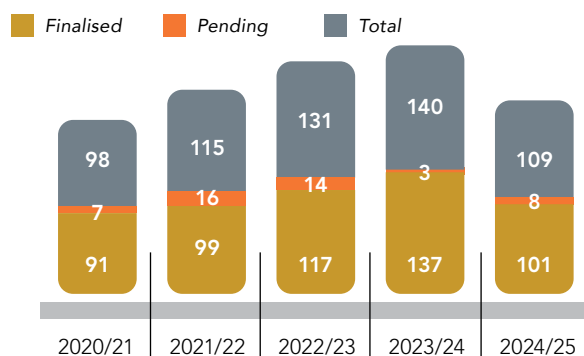
NPA employees operate under immense pressure, often engaging directly with traumatic cases, high-stakes legal proceedings and emotionally charged environments. In response, the NPA is committed to implementing proactive and reactive wellness programmes for its staff.

During the period, the organisation facilitated 11 full-day stress management sessions across six divisions, reaching 359 employees. The NPA also provided 42 small group debriefing sessions to employees dealing with sexual offences cases, TRC-related cases and critical incidents within the NPA environment. The small group sessions offered a structured space to release accumulated stress, process traumatic exposure and learn tools for managing emotional overload.

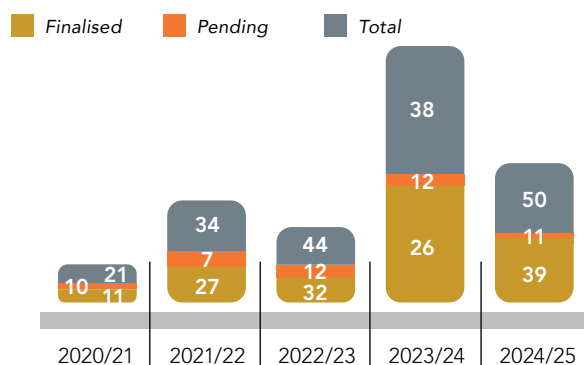
### Employee relations

Over the last five years, the NPA has dealt consistently with labour-related matters despite insufficient capacity due to lack of funding. Cases generally take time to finalise as employees apply delaying tactics during hearings. There is an average clearance rate of 78% for all grievances.

**Figure 6: Grievances lodged against the NPA**

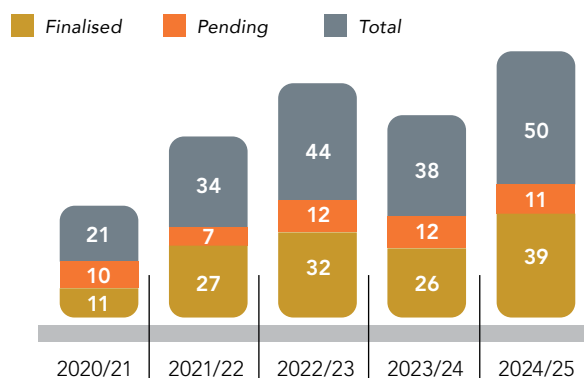


**Figure 7: Resolution rate for misconduct investigations**



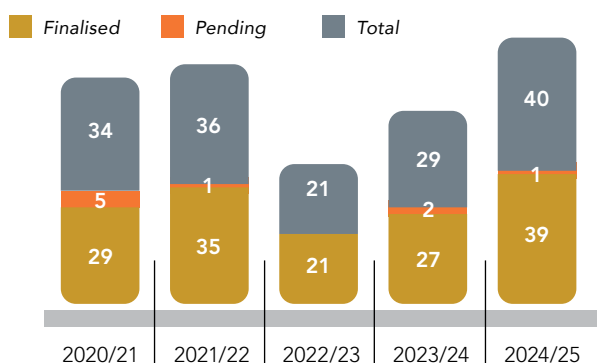
The NPA had a 78% success rate in clearing or concluding all misconduct hearings over the past five years.

**Figure 8: Resolution rate for misconduct hearings**



Over the past five years, 160 external disputes were lodged. Of these, 151 were finalised in favour of the NPA with an average success rate of 95%.



**Figure 9: External disputes per year**

## Information and Systems Management

### Integrated Justice System

There has been significant progress on three major projects on the IJS platform, despite challenges with the integration infrastructure and value chain. The upgraded Case Outcomes and pilot Digital Docket projects are due to be deployed into production, after which the module for the High Court will be deployed. A major challenge delaying these projects is the ongoing State Information Technology Agency constraint – the resolution of SAPS docket request issues is long overdue, hampering successful docket requests from the SAPS system to ECMS. This has been escalated to NPA leadership to address with SAPS leadership, as it will derail any progress made if not addressed soon.

### Implementation of Electronic Case Management System

The implementation of ECMS has been ramped up with a major focus on resolving the obstacles that previously resulted in under-utilisation. Alternative network connectivity (mobile/Wi-Fi routers) has been provided to the District Courts, leading to improved access and willingness to use the system by prosecutors. Training has continued, with regional champions appointed and empowered to assist colleagues. Over 1 500 prosecutors were trained in the period under review – this, together with change management interventions, has seen significant improvement in the number of prosecutors utilising the system. This will result in more reliable data as more and more courts screen and enrol their cases online. Although the national implementation of ECMS has its own technical challenges, the NPA is using ECMS data for performance reporting for the period under review.

A project to distribute new laptops was initiated and is due to be completed in the second half of 2025/2026.

### Modernisation and systems development

Information security remains a pivotal responsibility of all staff and, going forward, ISM will sensitise business units to utilise available automated solutions for user adoption, compliance and improved productivity – for example, the recently implemented Data Loss Prevention System, which is a practice and technology used to protect sensitive data from unauthorised access, leakage or loss. All users are encouraged to apply data loss prevention in their operations to prevent data breaches by monitoring and controlling information movement.

During the year, a number of projects were initiated, including the standardisation and automation of register management in all DPP offices, the management of labour relations cases, an eLearning platform and the Legal Affairs Division (LAD) Operating System. These are earmarked for completion in the next financial year. The Customer Relationship Management (CRM) Dynamics portal is continually maintained to ensure that the Invoice Tracking, Contract Management and Asset Forfeiture modules are always available for use. The integration of CRM Finance with the Centralised Supplier Database from National Treasury was upgraded. CRM Dynamics licensing discrepancies have been resolved with Microsoft (MS). The system used to manage representations, various SharePoint portals (including the delivery of Knowledge Management) and a communications portal (VIVA Engage) were also piloted and formally implemented during the year. The MS Teams and MS Planner platforms, the Intranet and the NPA website were also maintained and supported to ensure that they are always available and accessible to the NPA staff.

## Security Management Services

### Employee protection

Guided by the NPA's approved Employee Assistance and Protection Policy, the unit activated 27 Security Close Protection Services to NPA employees facing threats against them while executing their duties in the following divisions: Western Cape (11); Eastern Cape (6); KwaZulu-Natal (KZN) (6); Mpumalanga (2); Gauteng South (1); and Northern Cape (1).

# Performance information

*continued*

## Occupational Health and Safety

During the period under review, the following planned activities were achieved:

- Eight occupational health and safety compliance audits were conducted in various NPA buildings in the divisions
- 24 evacuation drills were conducted in the NPA offices to orientate staff on potential situations that might require emergency evacuations
- 12 occupational health and safety awareness sessions were conducted in the NPA divisions to orientate staff on the importance of occupational health and safety in the workplace.

## Personnel suitability checks and vetting

Guided by the Minimum Information Security Standards and other regulatory prescripts, the Unit conducted personnel suitability checks on 844 employable candidates shortlisted for interviews at the NPA. The Chief Director facilitated the submission of 506 completed vetting forms, while the internal investigation capacity of the Security Vetting Directorate conducted 349 vetting investigations, which were completed and submitted to the State Security Agency for further processing.

## Ethics Awareness and Interventions

The OEA responded to two requests to conduct ethics interventions on aspects of financial disclosures, other remunerative work and related ethics dilemmas faced by members of the NPA in their daily tasks.

The OEA planned and delivered 15 ethics related awareness sessions and workshops on the Code of Ethics and Code of Conduct for Prosecutors, Workplace Ethics and Integrity @ Work, and Conflict of Interest Management. These employed both onsite and online resources.

Sixteen communications on ethics were planned on various topics relating to ethics and integrity and 20 were disseminated, mainly on the intranet. These dealt with, among other issues, vision and value alignment, four essentials of strength-based leadership, social media and the workplace, unauthorised use of company funds, the critical

role of young people in combating corruption and fostering a culture of accountability and transparency globally.

## Ethics-related investigations

The unit dealt with 315 complaints during the year related to grievances, money laundering, conflicts of interest, abuses of state vehicles, dishonesty and unethical conduct. Eight investigations were referred to the Labour Relations Unit for disciplinary action. Reviews were done across various courts and 52 reports were submitted, exceeding the annual target of 50 by 4%.

## Senior management members' financial declarations

A total of 240 employees were required to submit their financial disclosures for 2023/2024 on or before 30 April 2024. Two hundred and thirty-nine (99.58%) financial declarations for senior management members were submitted via the eDisclosure system. The one outstanding submission was due to ill health and the member sadly passed on.

## Non-senior management members' financial declarations

Of the 1 174 non-senior management employees required to submit their financial disclosures for 2023/2024, 1 149 employees (98.29%) submitted using the eDisclosure system on the legislated due date of 31 July 2024. Twenty employees (1.17%) failed to submit their financial disclosures, five of which retired/resigned or are deceased. The OEA submitted a list of non-compliant employees to the Labour Relations Unit to implement disciplinary action.

## Remunerative work applications

Ninety-six remunerative work applications were received and processed, 77 were approved and seven were declined. Nine applications are still pending and awaiting approval from management. All applications were processed within 30 days, achieving the target. Nine inspections were conducted in relation to officials approved to perform remunerative work outside the NPA and interviews were conducted with their supervisors.

# National Prosecutions Service

## Performance overview

The NPS remains central to the mandate of the NPA, being responsible for the effective, fair and impartial prosecution of criminal cases in South Africa. During the 2024/2025 financial year, the NPS maintained its commitment to upholding the rule of law by advancing strategic priorities that enhance prosecution efficiency, strengthen case outcomes and improve service delivery to victims of crime.

This year, the NPS focused on consolidating gains in critical areas such as prioritising high-impact crimes, increasing conviction rates and broadening community prosecution initiatives. Despite facing ongoing challenges related to resource constraints and complex case backlogs, the dedication of prosecutors and support staff has ensured continuous improvements in operational performance and stakeholder engagements.

The following sections detail the key achievements, challenges and performance metrics that reflect the unwavering commitment of the NPS to justice delivery and the broader criminal justice system.

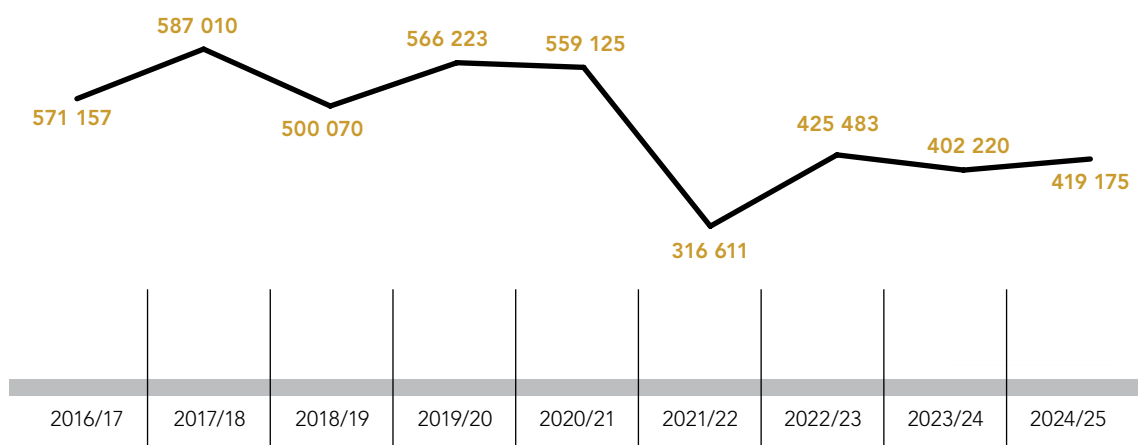
Some of the data reflected below were reported manually while other data were extracted from ECMS, which has experienced some integration challenges.



Over the last financial year, there has been a significant improvement in the conviction rates achieved. The High Courts increased from 91% to 92%, the Regional Courts from 81.8% to 83% and the District Courts from 95.1% to 96%.

The impact of the COVID-19 pandemic is clearly visible when the new cases in the District Courts are compared over a 10-year period. Although the workload has increased since the pandemic, it has still not reached the level of new cases received prior to the pandemic.

**Figure 10: Number of new cases, 2016/2017 – 2024/2025**

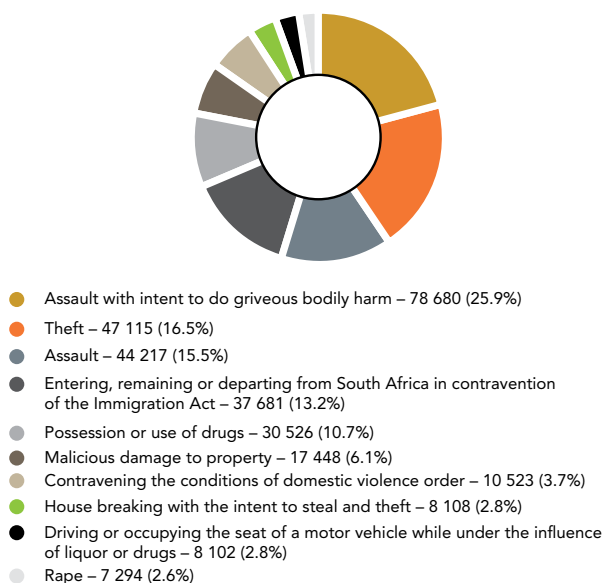


District Courts generally handle less serious criminal matters, which are most commonly encountered at the community level and exclude offences such as murder, rape, treason and terrorism. Figure 11 shows the top ten charges for new cases received by the District Courts.

## Performance information

*continued*

**Figure 11: Top ten charges for new cases received by the District Courts**



Regional Courts have broader criminal jurisdiction. Figure 12 shows the top ten charges for new cases received by the Regional Courts. The presence of violent crimes and more complex offences underscores the serious nature of matters addressed by the Regional Courts.

**Figure 12: Top ten charges for new cases received by the Regional Courts**

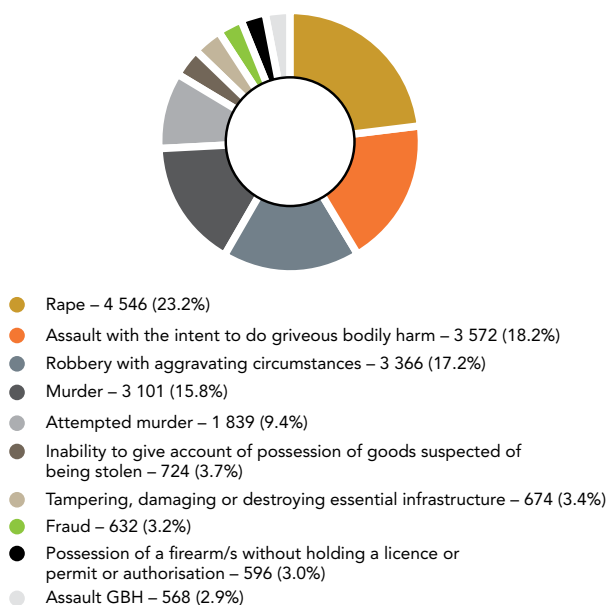


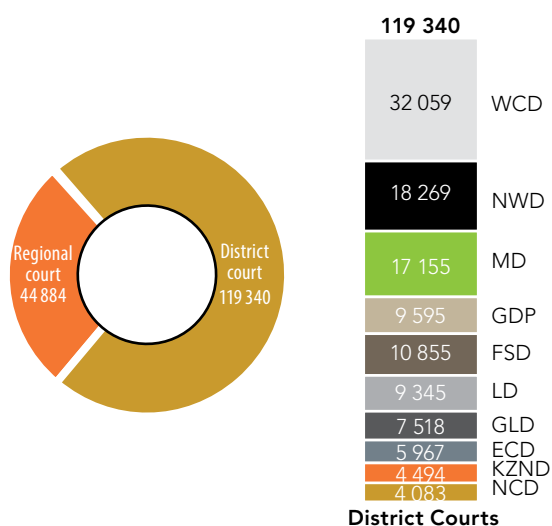
Figure 13 shows the number of outstanding cases in both District and Regional Courts, with a breakdown of the District Court cases per Division.

At the close of the reporting period, the Regional Courts had 44 884 outstanding cases while the District Courts recorded 119 342 outstanding

matters. These figures underscore the ongoing systemic pressures within the criminal justice system, with significant proportions of cases remaining unresolved at year-end. The backlog is attributable to a high inflow of new matters, the complexity of prosecutions (particularly in the Regional Courts), and constraints in judicial and prosecutorial capacity. Addressing these challenges remains a strategic priority. Targeted interventions – such as enhanced case flow management, increased resource allocation and digital case management solutions – are being implemented to improve the rate of case finalisation and ensure greater access to justice.

The District Courts have a backlog of 27 952 cases (22.9%) and the Regional Courts have a backlog of 25 032 cases (54.7%).

**Figure 13: Number of outstanding cases for the Regional and District Courts**



During the 2024/2025 financial year, the NPA recorded improvements in conviction rates across all three major court levels: District Courts Regional Courts and High Courts. Not only did conviction rates improve, but the absolute number of convictions increased, reflecting enhanced prosecutorial effectiveness and case management.

**District Courts:** Continued to handle a high volume of less serious offences with sustained improvements in conviction rates, indicative of strengthened case preparation and prosecution at the community level.

**Regional Courts:** Experienced a notable increase in both conviction rates and total convictions, especially in cases involving serious offences such as violent crimes and organised crime. This improvement illustrates concerted efforts to prioritise and successfully prosecute high-impact cases.



High Courts: Achieved upward trends in conviction rates alongside a growing number of final cases leading to convictions, reflecting the NPA's strengthened capacity to manage complex and serious litigation effectively.

These positive trends align with ongoing strategic interventions such as the expansion of specialised units, capacity building through programmes like the Aspirant Prosecutor Programme, and enhanced case flow management systems. The sustained increase in convictions across all court levels demonstrates the NPA's commitment to delivering justice and reinforcing public confidence in the criminal justice system.

**Table 5: Conviction rates and decision dockets, 2020/2021 – 2024/2025**

Strategic objective	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
Conviction rate in High Courts	93.8% 542/578	90.9% 648/713	89.3% 706/791	91% 691/759	<b>92%</b> <b>(733/794)</b>
Conviction rate in Regional Courts	82.2% 21 246/25 744	80.6% 16 433/20 385	82.6% 17 205/20 835	81.8% 17 328/21 180	<b>83%</b> <b>(18 094/21 718)</b>
Conviction rate in District Courts	95.9% 116 230/121 213	93.9% 124 152/132 222	94.5% 140 178/148 415	95.1% 152 746/160 623	<b>96%</b> <b>(143 281/149 839)</b>
Clearance rate on decision dockets received	92.7% = 858 155 dealt with	93.4% = 843 911 dealt with	91.8% = 854 802 dealt with	92.8% = 879 240 dealt with	<b>93.8% =</b> <b>929 265</b> <b>dealt with</b>

**Table 6: Finalised cases by District Courts**

Division	New cases	Number of case acquittals	Number of convictions per case	Number of case verdicts	Conviction rate per case (%)	Direct imprisonment (%)
ECD	38 887	1 374	8 675	10 049	86.3	32.3
FSD	33 725	925	10 534	11 459	91.9	22.7
GDP	21 184	507	8 918	9 425	94.6	59.1
GLD	25 696	571	4 957	5 528	89.7	53.6
KZND	66 005	1 087	16 294	17 381	93.7	41.3
LD	38 595	973	14 164	15 137	93.6	29.6
MD	17 516	302	5 225	5 527	94.5	30.7
NCD	13 890	224	2 971	3 195	93.0	32.1
NWD	15 964	321	5 420	5 741	94.4	34.6
WCD	79 291	1 898	18 503	20 401	90.7	23.7
<b>Total</b>	<b>359 841</b>	<b>8 312</b>	<b>98 856</b>	<b>107 168</b>	<b>92.2</b>	<b>35.3</b>



## Performance information

*continued*

The conviction rate in the Regional Courts is lower than the District Courts as the cases frequently relate to offences committed by perpetrators unknown to the victims (such as rape, robbery and murder), making them harder to prove.

**Table 7: Finalised cases by Regional Courts**

Month/year	New cases	Number of acquittals per case	Number of convictions per case	Number of case verdicts	Conviction rate per case (%)	Direct imprisonment (%)
April 2024	3 266	345	1 509	1 854	81.4	66.9
May 2024	2 743	354	1 469	1 823	80.6	68.9
June 2024	2 176	277	1 230	1 507	81.6	69.4
July 2024	2 908	383	1 581	1 964	80.5	69.6
August 2024	2 710	330	1 443	1 773	81.4	68.4
September 2024	2 633	318	1 268	1 586	79.9	71.2
October 2024	2 900	357	1 584	1 941	81.6	69
November 2024	2 512	344	1 365	1 709	79.9	72.3
December 2024	2 592	147	550	697	78.9	72
January 2025	2 370	193	728	921	79	66.5
February 2025	2 158	312	1 205	1 517	79.4	71.4
March 2025	1 760	331	1 444	1 775	81.4	70
<b>Total</b>	<b>30 728</b>	<b>3 691</b>	<b>15 376</b>	<b>19 067</b>	<b>81.4</b>	<b>69.6</b>

**Table 8: Analysis of amount of time cases have been on the court roll, 2020 – 2024**

### District Courts:

#### LESS THAN 3 MONTHS

**58 722** **47.91%**  
Number of open cases % of total

#### 3 TO 6 MONTHS

**34 344** **28.02%**  
Number of open cases % of total

#### 6 TO 9 MONTHS

**15 049** **12.28%**  
Number of open cases % of total

#### 9 TO 12 MONTHS

**5 965** **4.87%**  
Number of open cases % of total

#### BETWEEN 12 TO 24 MONTHS

**6 372** **5.20%**  
Number of open cases % of total

#### MORE THAN 2 YEARS OUTSTANDING

**2 109** **1.72%**  
Number of open cases % of total



## Regional Courts:

## LESS THAN 3 MONTHS

**1 708** **12.68%**  
Number of open cases % of total

## 3 TO 6 MONTHS

**1 985** **14.74%**  
Number of open cases % of total

## 6 TO 9 MONTHS

**1 630** **12.10%**  
Number of open cases % of total

## 9 TO 12 MONTHS

**1 539** **11.43%**  
Number of open cases % of total

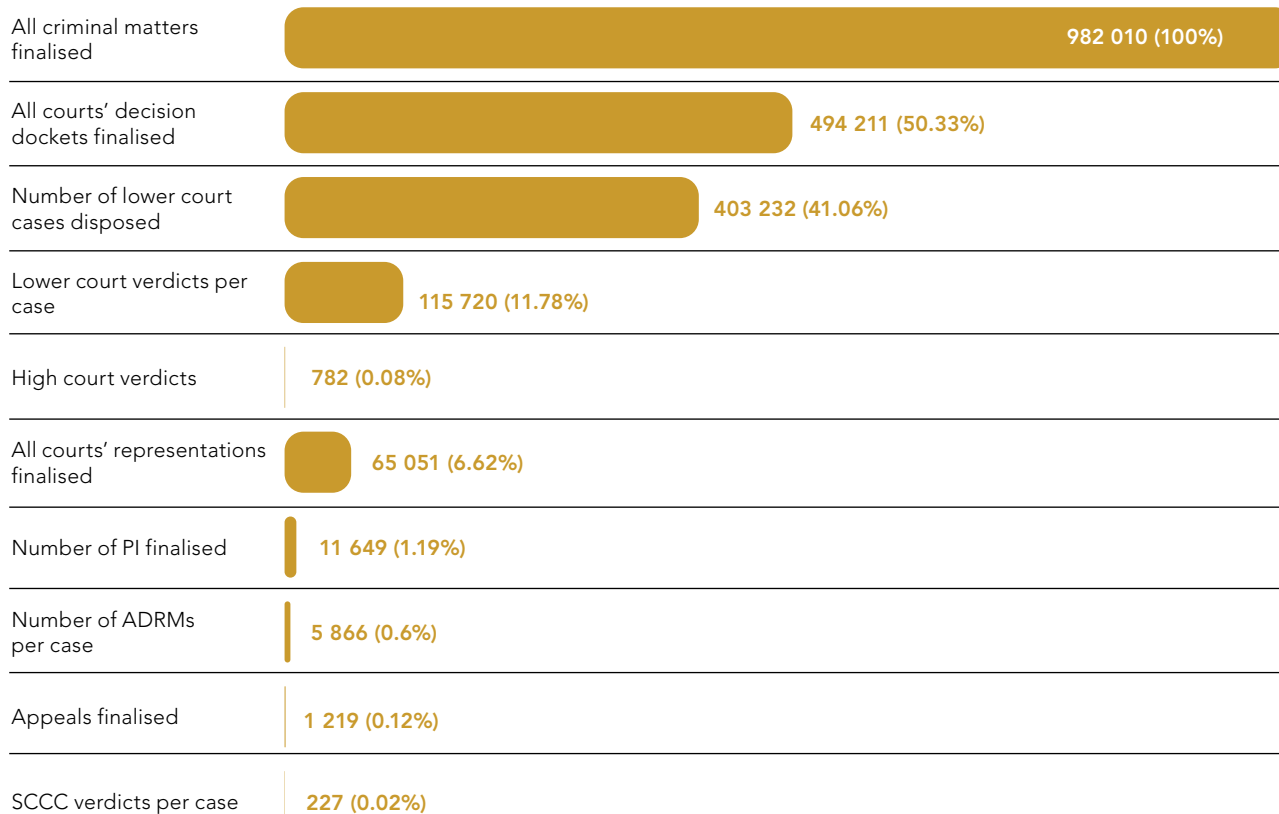
## BETWEEN 12 TO 24 MONTHS

**3 433** **25.49%**  
Number of open cases % of total

## MORE THAN 2 YEARS OUTSTANDING

**3 171** **23.55%**  
Number of open cases % of total

Figure 14: Work done by prosecutors in various areas



## Performance information

*continued*

### Money Laundering

South Africa is on the cusp of a major milestone in its fight against money laundering. Following its greylisting by the FATF in February 2023, the country has substantially completed 22 out of 22 action items in its FATF action plan, demonstrating considerable improvements in both legal and operational frameworks. The FATF's June 2025 plenary recognised South Africa's progress, noting the country's readiness for an on-site assessment to verify the implementation and sustainability of its AML measures. This positive trajectory reflects strong commitment and coordination between law enforcement agencies, including the DPCI, State Security Agency and the NPA, which has led to a sustained increase in investigations and prosecutions of serious and complex money laundering and terrorism financing cases.

The NPA's enhanced capacity, supported by legislative reforms and improved case flow management systems, has contributed to more effective disruption of illicit financial flows and accountability for perpetrators.

### Corruption

In parallel, the NPA's anti-corruption efforts have been aligned with principles and recommendations from the OECD's Anti-Bribery Convention and good governance frameworks. The prosecution of corruption-related offences remains a strategic priority given its corrosive impact on public trust and economic development. The NPA has intensified its focus on high-profile and complex corruption cases, leveraging multi-agency cooperation and international collaboration to tackle both local and transnational bribery and fraud schemes.

These efforts have contributed to improved case outcomes and conviction rates in corruption matters, reinforcing South Africa's commitment to transparency, accountability and adherence to international best practices. The NPA continues to engage with OECD peer reviews and incorporate recommendations to enhance investigative techniques, witness protection, and asset recovery mechanisms.



**Table 9: Money laundering prosecutions instituted according to money laundering typologies (as required by FATF)**

Division	Number of money laundering prosecutions Instituted	Number self laundering pleaded	Number stand alone pleaded	Number third party pleaded	Number money laundering prosecutions instituted by professional enablers	Number money laundering networks pleaded	Number foreign predicate offence pleaded
Eastern Cape	17	13	4	1	1	–	–
Free State	19	11	6	1	–	–	–
Gauteng: Pretoria	12	5	7	–	–	–	–
Gauteng: Johannesburg	17	7	11	4	–	–	1
KwaZulu-Natal	11	10	2	1	–	–	–
Limpopo	4	2	2	–	–	–	–
Mpumalanga	8	–	3	4	–	–	–
Northern Cape	3	3	–	–	–	–	–
North West	2	–	1	–	–	–	–
Western Cape	6	4	–	2	–	–	–
<b>Total</b>	<b>99</b>	<b>55</b>	<b>36</b>	<b>13</b>	<b>1</b>	<b>–</b>	<b>1</b>

**Table 10: Number of money laundering prosecutions instituted for predicate offences according to crimes listed in South Africa's risk profile**

Division	Number of money laundering prosecutions Instituted	Predicate offence of corruption	Predicate offence of tax	Predicate offence of fraud	Predicate offence of cybercrime	Predicate offence of illicit trade	Predicate offence of wildlife crime	Other
Eastern Cape	17	1	–	9	–	2	1	9
Free State	19	1	2	12	–	2	–	10
Gauteng: Pretoria	12	–	–	5	–	2	–	–
Gauteng: Johannesburg	17	1	1	8	–	6	–	7
KwaZulu-Natal	11	–	–	4	–	–	–	1
Limpopo	4	–	–	–	–	–	1	–
Mpumalanga	8	1	4	2	–	–	–	2
Northern Cape	3	–	–	2	–	2	–	3
North West	2	–	–	1	–	–	–	–
Western Cape	6	–	–	2	1	–	–	2
<b>Total</b>	<b>99*</b>	<b>4</b>	<b>7</b>	<b>45</b>	<b>1</b>	<b>14</b>	<b>2</b>	<b>34</b>

\* Please note that the figure reported for number of cases (prosecutions) finalised with verdicts involving money laundering is for the whole year while the figures reported in the PFMA Annual Report is only for the achievement after the approval of the revised annual performance plan in which this indicator was revised on 27 November 2024.

During the financial year, in addition to the 99 new prosecutions instituted (where pleas were recorded), 101 cases were finalised with a verdict in money laundering-related matters, with multiple verdicts obtained in a single case. These outcomes reflect the diversity and complexity of financial crime addressed by the courts and demonstrate the courts' commitment to holding offenders accountable across a wide spectrum of money laundering activities, with a significant focus on fraud, as well as notable convictions for corruption, tax evasion, illicit trading and environmental crimes, as predicate offences identified in the country's risk profile for FATF purposes.

**Table 11: Corruption, complex tax and money laundering**

Strategic objective	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance	Performance change from 2020/21–2024/25
Number of persons sentenced for corruption	233	339	328	389	<b>380</b>	56.7%
Conviction rate in complex tax cases	90.2% 277/307	90.5% 344/380	86.9% 364/419	89.5% 161/166	<b>97.2%</b> <b>212/218</b>	7.8%
Number of cases instituted involving money laundering	N/A	N/A	N/A	N/A	<b>99</b>	N/A
Number of prosecutions finalised involving money laundering charges	N/A	N/A	N/A	N/A	<b>101*</b>	N/A

\* This figure is for the whole financial year, in the period from 28 November 2024 to 31 March 2025, 36 prosecutions were finalised.

Note: Due to FATF grey-listing South Africa, two new indicators were introduced in January 2024 to measure prosecutions instituted and number of cases finalised with verdicts involving money laundering. There is no historical data available for these indicators.

## Performance information

*continued*

There is a slight decline in the number of persons sentenced for corruption in the year under review. It must be noted that this number varies according to the commission of crimes and successful detection thereof per year. There was a decline in the number of corruption cases enrolled in the period under review, which is reflected in the number of corruption cases finalised and persons sentenced. In the year under review, 429 new cases were enrolled in contrast to the 457 new cases enrolled in 2023/2024.

**Figure 15: Corruption convictions per accused as per the Prevention and Combating of Corrupt Activities Act, No. 12 of 2004**

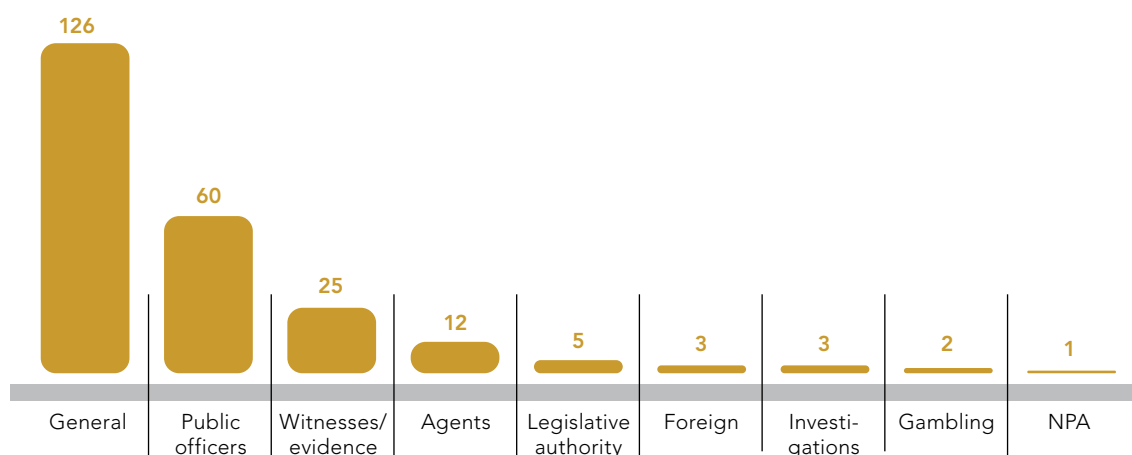


Figure 15 sets out the convictions achieved per the groupings found in various sections of the Prevention and Combating of Corrupt Activities Act (PRECCA). The first column ('general') refers to matters that are not related to focus areas of PRECCA, such as corruption of witnesses, gambling or sporting agencies. In relation to the focus areas, public officers appear to be targeted for corrupt acts more often.

### Serious and violent crime

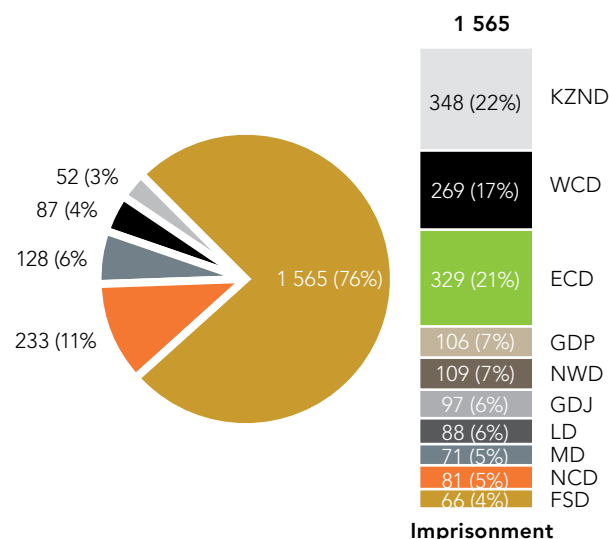
**Table 12: Conviction rates in murder and robbery with aggravating circumstances**

Strategic objective	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
Conviction rate for murder	79.3% 2 123/2 676	77.4% 2 787/3 600	79.8% 2 982/3 738	79.8% 2 982/3 738	77.5% 2 836/3 657
Conviction rate for robbery with aggravating circumstances	81.9% 1 558/1 902	80% 1 449/1 812	81% 1 421/1 754	83.4% 1 719/2 061	84.7% 2 056/2 427

A significant increase is noted in the number of convictions for robbery with aggravating circumstances. There is a slight decline in the conviction rate for murder. However, it should be noted that murder prosecutions by their very nature are complex and a conviction rate of 77.5% is still commendable and exceeds the target of 74%.

Most murder accused (76%) were sentenced to imprisonment on conviction, with 6% sentenced to life imprisonment. KZN, Western Cape and Eastern Cape had the highest number of murder accused sentenced to imprisonment.

**Figure 16: Sentence type for murder convictions**





## NOTEWORTHY CASES



### Serious and violent crime

#### State vs Motankisi and another (Free State Division)

The surviving victim left his farm to run errands and on return found one of his vehicles deserted on the side of the road. He contacted the police and proceeded to his house, where he found the bodies of his wife, five female farm workers and a male. The victims had been stabbed and some had been shot. The suspects took photos of themselves with firearms and posted them on Facebook looking for a buyer. The police set up a trap and the accused were arrested.

Accused 1 was convicted of house breaking with intent to rob and robbery, seven counts of murder, two counts of sexual assault,



**Adv Zamubuntu Sampisi**

contravening the Firearms Control Act and house breaking with intent to steal and theft. He was sentenced to life imprisonment on each count of murder, and an additional 35 years for the other counts. Accused 2 was sentenced to an effective 30 years' imprisonment.

#### State vs Bheja and Maseti (Western Cape Division)

Ntera, Gcinithemba Bheja and Fundile Maseti were members of the Gupta gang, which engaged in violent extortion. There were tensions over turf between Gupta gang members from different areas. In March 2020, Ntera hosted a birthday party at his house in Khayelitsha, attended by family members, friends and patrons of his tavern.

Shortly after Ntera, who was bleeding and carrying a firearm, was assisted to jump over a wall at the back of the house, a sedan stopped in front of the house and four armed men started shooting at the house and then moved on to shoot inside the house. Ntera's six-year-old daughter was shot and then kicked while sitting on the lap of one of the deceased.

After the police arrived and were taking statements from witnesses, two of the shooters returned to the scene to watch and listen to those giving statements to the police. One of the shooters crossed the police barrier to listen to statements two women were giving to the police. The element of fear in the community



**Adv Pulane Thaiteng**

meant that no one wanted to be seen talking to the police.

Bheja and Maseti were prosecuted and convicted for multiple murders and attempted murders and the illegal possession of a firearm and ammunition. They were each sentenced to seven life sentences and 45 years' imprisonment.

## Performance information

*continued*



### State vs Kiewiet (Western Cape Division)

After ending a romantic relationship with Siyabonga Kiewiet, the victim was kidnapped by him on her way to work and he took her to his house, where he assaulted her, raped her and demanded to know who her new partner was. He kept her against her will for two days, until a colleague came looking for her. She did not immediately report what happened to the police as she was extremely afraid of the accused.

She moved in with her mother, but the accused arrived a few days later and demanded to talk to her. He asked her to come to his house, and she was too afraid to resist. Once at his house, he assaulted her again, repeatedly raped her and held her against her will for a further 10 days. Her employer became concerned and found her at his house, and she managed to escape. She was taken to the police where she opened a case. Her body was covered in injuries.



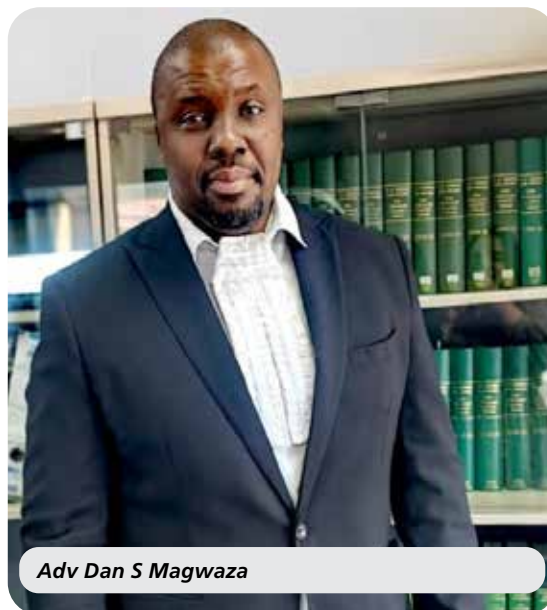
**Adv Thersia du Toit**

The victim was so traumatised that the State applied for her to testify through closed circuit television in terms of Section 158 of the CPA. A CPO provided court preparation services which helped the victim understand the court process, manage her anxiety and expectations, and prepare for cross examination. This increased her confidence in testifying against the accused. The accused was prosecuted and convicted of assault, assault with intent to do grievous bodily harm, kidnapping and rape. He was sentenced to nine life sentences and 38 years imprisonment.

### State vs Majola and Others (KwaZulu-Natal Division)

Ndumiso Siphamandla Majola, Siphamandla Nqobile Ngubane and Lwazi Mbokazi were part of a gang. They believed that Thulani Mavundla, Mondli Ndlovu and Kwanele Dlamini had killed members of their gang and wanted revenge. On 17 June 2022, Majola murdered Mavundla in the Imbali area. The two people with Mavundla survived the attack. On 30 August 2022, the three accused murdered Ndlovu and Dlamini. The accused fled and hid in a house along with other members of their gang. SAPS arrested the accused after receiving an anonymous tip-off. They were found in possession of firearms and ammunition.

The three accused were prosecuted and convicted of murder and firearm-related offences. Majola was sentenced to two life terms and 50 years' imprisonment; Ngubane was sentenced



**Adv Dan S Magwaza**

to life and 40 years' imprisonment; and Lwazi was sentenced to life and 35 years' imprisonment.

### State vs Seoleseng and others (Northern Cape Division)

The accused attacked a farm in the Hartswater area and murdered three family members, Daniel, Hybrecht and Elizabeth Brand.

With no direct evidence against the accused, the prosecution relied on circumstantial evidence. Four persons were found with the stolen motor vehicle of one of the deceased. Stolen items were found in the house of one of these persons and it was established that these came from the accused. This person testified that one of the accused, his half-brother, had shown him the bodies of two of the deceased that had been dumped in the veld, and he had helped to carry the third body into a cave.

The three accused were convicted of three counts of murder, robbery with aggravating circumstances and three counts of defeating the ends of justice. Accused 1 was convicted of escaping from custody. They were sentenced to 25 years' imprisonment on each of the murder charges, 15 years for robbery,



**Adv Adele van Heerden**

five years for each of the defeating the ends of justice charges. Accused 1 was sentenced to two years for escaping from custody. The effective sentence for Accused 2 and 5 is 45 years' imprisonment and for Accused 1, 47 years' imprisonment.

### State vs Mdludla (Eastern Cape Division)

Yingama Mdludla was the principal of a non-registered initiation school in Mfuleni. He accepted six boys without medical certificates, as required by the Act, including the deceased. After they were circumcised by Mdludla, a non-registered traditional surgeon, Yamkela Bentswana and Mhlali Khiphi came to help Mdludla look after the initiates. When the deceased started to hallucinate at night, Mdlulana assaulted him so severely that he died. The accused was prosecuted and convicted of contravening the Customary Initiation Act and culpable homicide. Mdlula was sentenced to 15 years' imprisonment. His accomplices, Bentswana and Khiphi were sentenced to eight years' imprisonment for their roles in the death of a 17-year-old initiate.

In a related case Luthando Madikizela was prosecuted and sentenced to eight years' imprisonment (four of which was suspended for four years), for contravening the Customary Initiation Act for circumcision of four underaged boys at the request of Mdludla.



**Adv Nkululeko Mathenjwa**

## Performance information

*continued*



### State vs Monco and others (Eastern Cape Division)

Andani Monco, Kwanele Ndlwana, Siphosomzi Tshetu and Phumzile Mhlatywa were members of a cult, known as Seven Angels Ministry Church, which operated from Nyanga village. They robbed a police officer directing traffic in Butterworth and took his firearm. Two weeks later, they stole a gun from an off-duty police officer at gunpoint. Some members of the cult observed the movements of the Ngcobo police and planned an attack. On the night of the attack, two on-duty police officers were ambushed on the R61 and killed. The group drove the police van to Ngcobo Police Station where they shot and killed two more police officers and a data typist. The accused raided the safe and took more firearms and bulletproof vests. When another police van that had been on patrol duty returned to the police station, the officers were shot at and robbed of their firearms. The accused broke into Capitec Bank but failed to break the safe. Police officers from neighbouring Dalasile Police Station came to investigate but also came under attack from the now heavily armed group.



*Adv Nomphele Mvandaba*

Intense police investigations led to the arrest of the accused inside the cult's compound. They chose to conduct their own defence, stating that it was against their religious beliefs to be represented by attorneys. This delayed the trial as the presiding judge had to assist the accused men who did not have a legal background. The accused were prosecuted and convicted of murder, conspiracy to commit murder, attempted murder, robbery with aggravating circumstances, housebreaking with intent to commit an offence, defeating the ends of justice and unlawful possession of firearms and ammunition. They were sentenced to five life terms and additional sentences ranging between 25- and 40-years' imprisonment.

### State vs Ndlangamandla and Chonco (Mpumalanga Division)

Andile Brian Ndlangamandla and Thembinkosi Mandla Chonco went to the property of Middelburg Taxi Association Chairperson, Masinya Charlie Mthimunye, under the guise of buying cattle. While engaging with Mthimunye and his friend, the accused fatally shot Mthimunye before fleeing the scene. It was established that Ndlangamandla had hired a hitman for R40 000 and actively managed the execution of the crime. Ndlangamandla and Mandla Chonco were convicted of murder, and each was sentenced to life imprisonment.

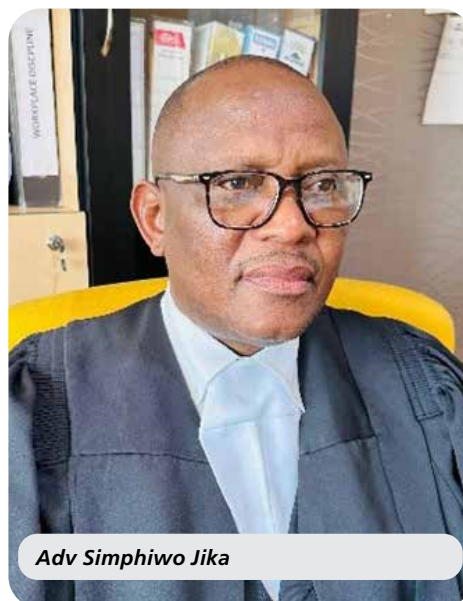


*Adv Lawrence Matheogane*



### State vs Jacobs and others (North West Division)

On 26 July 2021, two SAPS officers from Mareetsane Police Station stopped a vehicle carrying 18 goats. The occupants, Benjamin Jacobs, Gaorekwe Mongale, Rapula Keaikitse and Mathews Modukanele failed to provide a valid permit for transporting the livestock and were instructed to follow the officers to the police station. On the way, the vehicle had mechanical issues and as one officer attempted to secure a tow rope, the suspects attacked both officers with hammers, restrained them with a rope, and loaded them into the back of the police van, before they were burnt beyond recognition. The accused were prosecuted and convicted of stock theft, robbery with aggravating circumstances, two counts of kidnapping, two counts of murder, defeating the ends of justice, malicious damage to property and unlawful possession of firearms and ammunition. Jacobs, Mongale and Keaikitse were sentenced to life imprisonment. Modukanele was sentenced to 15 years' imprisonment.



**Adv Simphiwo Jika**

### State vs Mthofi and Mbele (KwaZulu-Natal Division)

Between June 2019 and September 2020, Nonhlanhla Cynthia Mbele obtained funeral cover plans through Capitec Bank Limited/Centriq Life Insurance Company Limited (Capitec), insuring several members of her immediate family as well as people known to her. Mbele made herself the policyholder and the beneficiary of these policies. She persuaded her son to do the same, and he also obtained various funeral plans insuring members of his extended family with himself as the nominated beneficiary. According to the policy, Capitec undertook to pay out double the cover amount if the assured person died due to an accident or unnatural causes.

Between 15 July 2019 and 26 June 2020, Mbele colluded with Mthofi Cyril Msipho, who in turn sought the assistance of others, to have Suzan Xolo (her biological sister), Thamsanqa Mthembu (an acquaintance from church), and Thulani Mdlalose (her brother-in-law) killed. Following their deaths, Mbele lodged a claim with the insurer, was paid out over R300 000 and then paid Msipho for his assistance. The complainants in the conspiracy to commit murder charges were also insured by Mbele but her plans to have them killed did not materialise. Mbele and Msipho were arrested after two of the complainants in the conspiracy to commit murder charge were warned that their lives were in danger.

Mbele's son, testified that while he obtained the insurance policies, it was on the instruction of his



**Adv Nadira Moosa**

mother, who controlled the bank accounts and the cards. The family members of the deceased testified that they were not aware of the life insurance policies and did not benefit from the pay outs. Victim Impact Statements compiled by Mbele's mother and sister, and facilitated by CPO Thandeka Nadi Mofokeng, outlined the trauma and devastation experienced by those affected.

Mthofi Cyril Msipho and Nonhlanhla Cynthia Mbele were convicted on three counts of murder, three counts of conspiracy to commit murder and fraud. They were sentenced to three terms of life and 45 years' imprisonment each. Mbele was sentenced to a further 45 years imprisonment for fraud.



## Performance information

continued

### Gender-based violence and femicide

Table 13: Conviction rate for sexual offences

Strategic objective	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
Conviction rate for sexual offences	75.8% 2 539/3 349	74.2% 3 402/4 584	74.9% 3 451/4 606	72.3% 3 813/5 276	71% (3 659/5 184)

## NOTEWORTHY CASES



### GBV and femicide

#### State vs Mokhutsane (North West Division)

The accused and deceased were in a romantic relationship. After they argued, the accused bought petrol in a container and poured it over the deceased while she was sleeping and set her alight. She died of severe burns that next day. The accused was convicted of murder and arson. He was sentenced to life imprisonment and seven years' imprisonment.



Adv Dibuseng Ntsala

#### State v Bilaty (Northern Cape Division)

The deceased died because of the physical abuse she suffered at the hands of the accused, with whom she was in a domestic relationship, which included severe injuries to her head and face, a ruptured liver and 12 broken ribs. The prosecution relied on DNA evidence, blood spatter analysis, the evidence of a neighbour who heard the deceased crying the previous evening, and the history of domestic violence between the accused and the deceased. The accused was convicted of murder and sentenced to life imprisonment.



Adv Anel Stellenberg



### State vs Bendow (Northern Cape Division)

The accused pretended to be a lesbian schoolgirl and befriended victims, who were minor schoolgirls, on Facebook. He gained their trust under this false persona and persuaded them to send nude pictures of themselves to him, after he first sent nude pictures of other victims to them. The prosecution used cyber-crime specialists to analyse all the data on the phones of the victims. The accused was also prosecuted for rape and murder and was convicted of fraud, exposing or displaying child pornography or pornography to a child, crimen iniuria, attempted extortion, multiple counts of rape, and murder. He was sentenced to life imprisonment.



**Adv Elmarie Kruger**

### State vs Uzoaga and another (Gauteng: Johannesburg Division)

Uzoaga targeted vulnerable unemployed women from Upington with false promises of employment in Johannesburg. Upon their arrival in Johannesburg, the victims were kidnapped and coerced into taking explicit photos of themselves which were placed on an online site where they were advertised as prostitutes. The accused collected all the money they made. Accused 2 used her identity document and other falsified documents to secure a residence where the victims were kept before being taken to different locations. They were prosecuted and were convicted on various offences ranging from human trafficking to fraud, forgery and uttering. Accused 1 was sentenced to 20 years' imprisonment for trafficking, plus an additional four years for using a false visa and 12 months' for contravening the Immigration Act. Accused 2 was sentenced to a R10 000 fine or two years' imprisonment for forgery and uttering.



**Senior Adv Enoch Makua**

## Performance information

*continued*



### State vs Minnaar (Western Cape Division)

Marvin Minnaar was the coach of the Hout Bay Snipers basketball team, where he coached Sibusiso Dakuse. Witness statements showed that Dakuse was last seen alive in the presence of the accused around 7pm on 26 February 2020. The following day, his grandmother reported him missing at the Hout Bay Police Station, which led to a widespread search involving the police, the community and even the accused. Police found the deceased's naked body lying face down in the reeds of a wetland off a horse trail two days after his disappearance. CCTV footage showed the deceased desperately attempting to flee from the accused, who chased, caught and dragged him back into the bushes. The



**Senior Adv Nadia Ajam**

post-mortem report revealed that he died of strangulation and that the rest of his body had multiple abrasions, a blunt-force injury to his left eye and a contusion in the anal area. Minnaar was convicted of kidnapping, rape and murder. He was sentenced to eight years' imprisonment for kidnapping and two life terms for rape and murder.

### State vs Ayuk and others (Western Cape Division)

Edward Tambe Ayuk, his wife Leandra Ayuk and his brother Yannick Ayuk exploited young, poor, unemployed women with drug problems. Four were recruited by Leandra and two were recruited by Ayuk to come to Cape Town for work. When they arrived at the house Edward was renting, they were told that they would work for him as prostitutes. They would be dropped at a corner at night to get clients, either to bring to the house to have sex or be taken to a guesthouse or hotel. Edward gave them drugs, which gave them energy and made them want to have more sex, and took all their money. Those who tried to escape or said they wanted to go home would be severely beaten with either a broomstick or an electric cord. Police visited the property looking for a young woman who was believed to have been kidnapped and found two women being held in a room at the back of the house.

The accused were prosecuted and convicted on a string of charges, including trafficking in persons, using the services of a victim of



**Adv Maria Marshall and Adv Saarah Buffkins**

human trafficking, living on the earnings of prostitution, kidnapping and assault with intent to cause grievous bodily harm. Edward was sentenced to six life sentences and 200 years' imprisonment. Leandra was sentenced to 45 years' imprisonment and Yannick to 135 years' imprisonment.



*Adv Naveen Sewpersat, Adv Deneshree Naicker and Adv Busisiwe Mfeka*

### **State vs Mthimkhulu (KwaZulu-Natal Division)**

Phakamani Mthimkhulu and Sinegugu Zungu were in an acrimonious relationship. Zungu had applied for an interim domestic violence interdict, which had been granted and served on Mthimkhulu. On the day of the offence Mthimkhulu went to Zungu's family home to fetch a cell phone that they shared, and an argument ensued. When Zungu told Mthimkhulu that she no longer wanted to be in a relationship with him, he stabbed her twice and fled.

SAPS in Nongoma sought assistance from their Eswatini counterparts to trace Mthimkhulu, who was arrested in Eswatini for being in the country illegally. KZN's International Cooperation

Component worked with the investigating officers to request the provisional arrest of Mthimkhulu in Eswatini. After Mthimkhulu's provisional arrest, a formal request for extradition was transmitted through diplomatic channels to Eswatini. An extradition enquiry was conducted in an Eswatini court, which found Mthimkhulu liable for extradition. The Eswatini Prime Minister confirmed the Magistrate's ruling and issued an order to surrender Mthimkhulu to South Africa. Mthimkhulu was arrested on his arrival in South Africa by the investigating officers. Mthimkhulu was prosecuted and pleaded guilty to murder and was sentenced to 15 years' imprisonment.



## Performance information

*continued*



### State vs Van Vuuren and five others (Gauteng: Pretoria Division)

A foster child, aged six, disclosed to an educational psychologist during a school readiness assessment that she was being sexually assaulted by her foster parents. The psychologist reported the matter to the police. During the investigation it was found that the six accused were sexually assaulting their two foster children and four biological children. They were arrested and the children were then taken to a place of safety. The children had to testify using the intermediary services. In their Victim Impact Statements, the children told the court that they are still traumatised by what happened to them.

The foster parents (aged 70 and 69) and four other relatives were prosecuted and convicted of 20 counts of sexual offences (including rape, indecent assault, compelled rape, compelled



*Ms Marie Jonker and Adv Cornelia Harmzen*

sexual assault, witnessing sexual acts, sexual grooming, as well as child abuse and neglect) against six minor children, aged from four to nine years old, between 2005 and 2010. The foster parents were sentenced to 12 life terms and 95 years' imprisonment. Two of the others were sentenced to four life terms and 15 years' imprisonment, while the final two were given five years wholly suspended and three years correctional supervision

### State vs Makhunga (Eastern Cape Division)

Ingwe TVET College student Zihle Cebani turned down an invitation to spend the night with her boyfriend, Bongile Makhunga. This incensed Makhunga, who went to her boarding house and asked to speak with her outside, where he attacked her with a bush knife before fleeing. He hijacked a vehicle with the motorist's mother still inside and threatened her, forcing the woman to jump out of the moving vehicle. During that commotion, Makhunga lost control of the car and crashed it. He was trapped inside the wrecked vehicle until the police arrived and arrested him.

Makhunga was prosecuted and convicted of murder, robbery with aggravating circumstances, attempted murder, reckless and negligent driving, and driving without a valid driver's licence. He was sentenced to life imprisonment, and an additional 30 years.



*Adv Chumile Mkentane*



### State vs X (Eastern Cape)

A 56-year-old man from Jeffreys Bay, whose identity is protected as the offences were committed against his biological children, was prosecuted and convicted of over 700 charges committed between 2015 and 2022, including rape, sexual assault, sexual grooming, human trafficking, production, possession and distribution of child pornography, and exposing children and a person with a mental disability to pornography. He repeatedly abused his biological daughter (from the age of 10) and other minors in the household. He recorded and distributed the abuse online. He was arrested on 1 September 2022 after his daughter disclosed the abuse to a relative. He was sentenced to two life sentences and 3 713 years' imprisonment.



**Adv Ismat Cerfontein**

### State vs Watson (Free State Division)

In 2019, Anthony Watson took a 14-year-old girl to his house where he smoked dagga with her, drugged her and raped her. In 2023, he took a woman to his house where he raped her. Also in 2023, he met the third complainant in a drug house, gave her drugs and raped her. Later the same day, the accused met another victim in a drug house. After smoking drugs, the complainant asked if she could go bath at his place since they had no water at her house. He agreed but raped her twice when they got to his house. The accused was prosecuted and convicted of five counts of rape and sentenced to five life sentences.



**Adv Jan-Louis York**

### State vs Polane (Free State Division)

In September 2009, two men running away from the police knocked on the door of a 60-year-old woman who was alone in her home. They robbed her of R450 cash and raped her so violently that she could never walk properly after the incident. In December 2013, a 20-year-old female victim was walking with her boyfriend when three unknown males chased her boyfriend and took her to a nearby shack where they took turns raping her. The victim heard the name of the accused during the ordeal and later reported the incident. In June 2017, Tau Edin Polane broke into the house of a 24-year-old male and raped him twice. The victim knew the accused and reported to the police, who arrested him. The accused was linked to the previous offences through DNA. The accused was prosecuted and convicted on three counts of rape and one count of robbery with aggravating circumstances. He was sentenced to three life terms and 15 years' imprisonment.



**Adv Moeketsi Machogo**

## Performance information

*continued*



### State vs Ronny Maluleke (Limpopo Division)

Ronny Maluleke lured his victims from all over the country to Ritavi in Limpopo via Facebook, promising employment as domestic workers or security officers. Upon their arrival, he would drag them to nearby bushes, threaten them with a knife and a gun, sexually violate them and rob them of their valuable items. The accused also broke into houses where the victims stayed alone or only females resided, where he would threaten them and sexually violate them.

Forensic DNA samples collected from the victims between 2015 to 2021 positively identified the accused as the perpetrator. None of the victims knew the accused person and would not have been able to point him out or positively identify him. The investigating officer only became aware of the identity of the accused after the last victim shot the accused with his own gun and reported his modus operandi to the investigating officer.



**Adv Muneiswa Ratshibvumo**

The accused was prosecuted and convicted on 19 counts of rape, three counts of housebreaking with intent to rape, 15 counts of robbery with aggravating circumstances and four counts of kidnapping. He was sentenced to 98 years' imprisonment.

### State vs Zulu (Mpumalanga Division)

Elvis Aaron Zulu targeted his victims at gunpoint, taking them to nearby houses or graveyards to rape them and rob them of their belongings. One of the victims was a minor while three other victims were gang raped by the accused and his unknown co-perpetrators. The accused was arrested after one of the victims was able to identify him to the police. Buccal swabs taken positively linked him with other rape cases. He was prosecuted and convicted on nine counts of rape, six counts of kidnapping, three counts of robbery with aggravating circumstances, three counts of pointing a firearm and one count of possession of an unlicensed firearm. He was sentenced to seven life terms and 83 years' imprisonment.



**Adv Tshepo Mahasha**

## Organised crime

Over a five-year period (2020/2021 to 2024/2025), conviction rates in critical crime categories have demonstrated both high standards of adjudication and some variability reflective of changing operational environments.

**Figure 17: South Africa's criminality score, ENACT Africa Organised Crime Index**



The conviction rate for organised crime cases remained consistently strong, sustaining an average well above 90%. Starting at 92.5% in 2020/2021, the rate peaked at 95.9% in 2021/2022 before showing a moderate decrease to 93.5% in 2024/2025. This slight fluctuation still reflects robust prosecutorial efficacy amidst complex and often resource-intensive cases. Case volumes increased notably over the years, with the number of convictions rising from 173 in 2020/2021 to 158 in 2024/2025, indicating a sustained focus despite operational challenges.

**Table 14: Convictions for some organised crime types, 2020/2021 – 2024/2025**

Strategic objective	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
Conviction rate in organised crime	92.5% 173/187	95.9% 185/193	94.4% 221/234	93.4% 267/286	<b>93.5%</b> <b>158/169</b>
Conviction rate in environmental crimes	96.8% 722/746	97.1% 702/723	96.0% 786/819	96.7% 926/958	<b>89.5%</b> <b>424/474</b>
Conviction rate in cybercrime	100% 3/3	100% 10/10	100% 6/6	94.1% 16/17	<b>100%</b> <b>25/25</b>
Conviction rate in essential infrastructure crimes	88.7% 243/274	83.7% 416/497	79.9% 533/667	77.5% 634/818	<b>78.9%</b> <b>546/692</b>

\* Numbers on cybercrime may differ from previously reported numbers as the descriptions of these offences were amended to reflect the Cybercrimes Act, No. 19 of 2020.

Organised crime cases usually include multiple accused and involve multiple charges.

Conviction rates for environmental crimes were consistently high between 2020/2021 and 2023/2024, hovering around 96-97%. However, in the most recent financial year (2024/2025), there was a significant dip to 89.5%. While still a strong performance, this decline may warrant close monitoring and targeted interventions to address potential operational or systemic factors affecting environmental crime prosecutions. Notwithstanding this dip, the number of convictions remained substantial, with 424 secured in 2024/2025.

Cybercrime prosecutions have demonstrated exemplary conviction rates, achieving a perfect 100% conviction rate in 2024/2025. These results underscore the effectiveness of digital forensic and prosecutorial capabilities in a rapidly evolving crime domain. Case numbers have fluctuated, with 24 convictions in 2024/2025, illustrating focused success in prosecuting contraventions of the Cybercrimes Act.

## Performance information

*continued*

**Table 15: Number of organised crime cases and accused, 2024/2025**

Month/year	Number acquitted (Cases)	Number convicted (Cases)	Number of organised crime verdicts	Conviction rate (%)	Value involved (R)	Number of accused convicted
April 2024	1	26	27	96.3	420	75
May 2024	0	13	13	100.0		17
June 2024	1	15	16	93.8	0	22
July 2024	1	20	21	95.2	0	38
August 2024	0	15	15	100.0	645 000	24
September 2024	2	12	14	85.7	0	18
October 2024	1	12	13	92.3	60 000	22
November 2024	0	12	12	100.0	3 921 950	18
December 2024	0	9	9	100.0	2 683 258	16
January 2025	1	6	7	85.7		24
February 2025	3	8	11	72.7	0	11
March 2025	1	10	11	90.9		24
<b>Total</b>	<b>11</b>	<b>158</b>	<b>169</b>	<b>93.5</b>	<b>7 310 628</b>	<b>309</b>

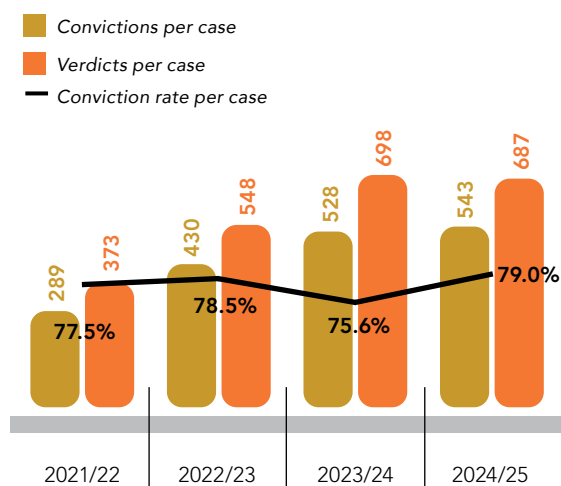
**Table 16: Number of drug case acquittals, convictions and verdicts, 2024/2025**

Month/year	Number of acquittals per case	Number of convictions per case	Number of verdicts per case	Conviction rate per case (%)	Direct imprisonment (%)
April 2024	85	606	686	88.3	12.3
May 2024	80	557	634	87.9	13.4
June 2024	28	399	424	94.1	11.9
July 2024	48	496	537	92.4	15.7
August 2024	31	469	495	94.7	9.5
September 2024	25	344	368	93.5	14.5
October 2024	49	444	487	91.2	10.7
November 2024	23	365	387	94.3	18.3
December 2024	18	380	397	95.7	14.3
January 2025	21	438	455	96.3	9.5
February 2025	23	554	572	96.9	12.1
March 2025	24	523	546	95.8	12.1
<b>Total</b>	<b>452</b>	<b>5575</b>	<b>5984</b>	<b>93.2</b>	<b>12.7</b>





**Figure 18: Convictions for essential infrastructure offences, 2021/2022 – 2024/2025**



The consistently high conviction rates across organised crime and cybercrime underscore effective prosecutorial strategies and reinforce confidence in the criminal justice system's capacity to tackle sophisticated and evolving threats.

The recent reduction in environmental crime conviction rates highlights an area for potential strategic review and strengthened interventions.

Overall, the sustained performance in these strategic areas has contributed significantly to the achievement of justice and public safety priorities over the past five years.

## NOTEWORTHY CASES



### Essential infrastructure

#### State vs Thobani Skosana (Gauteng: Pretoria Division)

A suspicious truck was intercepted while illegally transporting approximately 34 000 litres of stolen fuel siphoned from a Transnet pipeline. The unauthorised extraction was identified following a detected loss of pressure within the pipeline system. Upon investigation, it was found that the pipeline had been tampered with, and a fitting had been attached to illegally divert the fuel.



Mr Kagiso Letsholo

Thobani Skosana was prosecuted and convicted of damage to infrastructure, theft of fuel and theft of a vehicle. He was sentenced to 35 years' imprisonment.

#### State vs Mathabatha and Ndlovu (KwaZulu-Natal Division)

Boitumelo Mathabatha and MacDonald Ndlovu hired a truck and driver to transport crude oil stolen from an underground pipeline belonging to Transnet. Once the hired driver realised that the accused were stealing, he notified the truck owner and Mathabatha and Ndlovu were arrested. The crude oil had an estimated value of R400 000 and the damage to infrastructure was approximately R11m. The accused were prosecuted and convicted of theft of crude oil and tampering and/or damaging essential infrastructure and sentenced to 15 years' imprisonment.



Adv Kogi Ramkilawon and Adv Valisha (Val) Dafel



## Performance information

*continued*

### NOTEWORTHY CASES



#### Environmental crime

##### **State vs Khosa and Others (Mpumalanga Division)**

Phillip Gumede, a former ranger who worked in a game park's gymnasium, organised fraudulent permits to allow Sam Khosa, Odis Maluleke and Benett Silahle access to the park as tourists. They poached a rhino before returning to the gymnasium to change their clothes. A senior ranger observed their return and alerted the police, who searched their vehicles and found fresh rhino horns, a hunting rifle, knives and a firearm with an obliterated serial number. Video footage and forensic evidence was presented during the prosecution, demonstrating that



**State Prosecutor Lot Mgiba**

the bullet recovered from the rhinoceros was fired from the firearm found in the accused's vehicle. The accused were convicted of trespassing, conspiracy to commit an offence, killing a rhinoceros, possession of a firearm, and possession of dangerous weapons. Maluleke was also convicted and sentenced for violating the Immigration Act. Khosa and Maluleke were sentenced to 22 years' imprisonment, while Silahle was sentenced to four years' imprisonment.

##### **State vs Dipaleseng Local Municipality (Mpumalanga Division)**

The Dipaleseng Local Municipality was convicted of contravening the National Environmental Act, No. 107 of 1998 (pollution of water resources) and contravening the National Water Act, No. 36 of 1998 (failure to comply with the directives and unlawful disposal of water). The Municipality was fined R160m.

Between December 2018 and August 2023, the Dipaleseng Local Municipality committed an act which caused significant pollution to the environment by distributing raw sewer sludge with a high amount of faecal coliform into Vlakfontein farm, Suikerbosrant River, Balfour Wastewater, Gastepaas Dam, Balfour Town, including Kanini Township, Greylingstad, Grootvlei, Nthoarane, Siyathemba Township, as well as Mury Ivy, Frank and Jonny Mokoena streets. Several community members complained that the water pollution had led to the death of their livestock. As a result, investigations were conducted by the Department



**Adv Beauty Cibangu**

of Agriculture, Rural Development, Land and Environmental Affairs, and the Department of Water and Sanitation. The Municipality was prosecuted and convicted of contravening the National Environmental Act, (pollution of water resources) and contravening the National Water Act (failure to comply with the directives and unlawful disposal of water) and was fined R160m.

Illegal immigration

The number of illegal immigrants sentenced by the courts has dramatically increased over the past two years. The conviction rate in these cases is 91.3%.

While Figure 19 indicates the overall increase, certain provinces have a larger problem than others.

Figure 19: Number of convictions on immigration offences

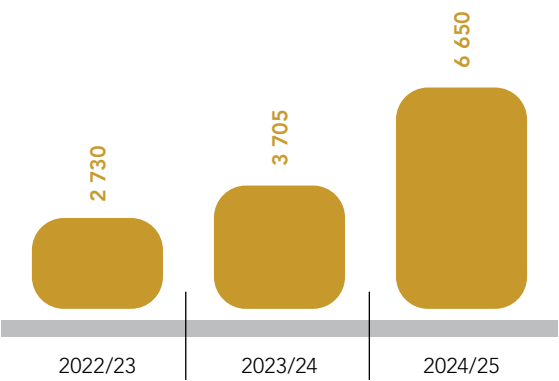
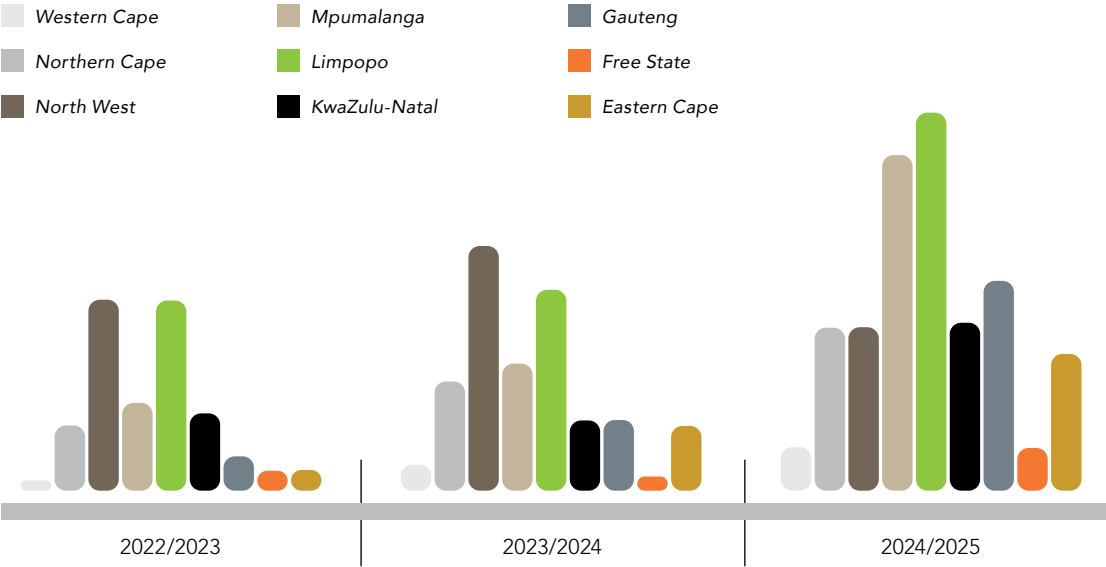


Figure 20: Number of convictions on immigration offences per province



Court Preparation Officers

Court Preparation Officers (CPOs) play a vital role in the justice system by equipping victims and witnesses, particularly those involved in sensitive cases like sexual offences, with the knowledge, confidence and emotional support needed to navigate the court process. The support provided includes court readiness assistance, the facilitation of Victim Impact Statements and referrals to external partners for psychosocial support. The presence of CPOs not only improves the quality of testimony but also fosters a more compassionate and victim-centred court environment.

A total of 486 246 adult witnesses received support from CPOs, while 259 270 individuals accessed services through sexual offences courts. Additionally, 92 521 children under the age of 18 were assisted. CPOs facilitated 43 782 Victim Impact Statements, although only 12 064 of these were ultimately presented in court by public prosecutors. It's important to note that multiple witnesses may be associated with a single case.

## Performance information

*continued*

**Table 17: Performance of Court Preparation Officers, 2020/2021–2024/2025**

Financial year	Number of adult witnesses	Total witnesses in sexual offence matters	Total witnesses under 18 years	Number of victim impact statements completed	Number of victim impact statements used by prosecutor
2020/21	45 157	29 368	10 421	4 198	1 235
2021/22	79 173	46 805	18 004	7 813	2 112
2022/23	107 545	57 498	21 229	9 404	2 336
2023/24	124 493	63 271	22 117	11 121	2 976
2024/25	129 878	62 328	20 750	11 246	3 405
<b>Total</b>	<b>486 246</b>	<b>259 270</b>	<b>92 521</b>	<b>43 782</b>	<b>12 064</b>

Division	Number of District Court witnesses	Number of CPO witnesses seen from District Court verdicts finalised (%)	Number of Regional Court witnesses	Number of CPO witnesses seen from Regional Court verdicts finalised (%)
Eastern Cape	4 299	42.78	12 295	361.09
Free State	1 471	12.84	11 378	565.51
Gauteng: Pretoria	1 878	19.93	4 944	257.77
Gauteng: Johannesburg	3 340	60.42	4 789	165.94
KwaZulu-Natal	1 756	10.10	10 997	328.17
Limpopo	5 904	39.00	14 866	1 246.10
Mpumalanga	1 218	22.04	9 744	883.41
Northern Cape	6 030	188.73	5 283	602.39
North West	1 622	28.25	4 331	489.93
Western Cape	11 620	56.96	18 994	454.51
<b>Total</b>	<b>39 138</b>	<b>38.22</b>	<b>97 621</b>	<b>471.81</b>

**Table 18: Witnesses in sexual offence cases, per Division**

Division	Total witnesses in sexual offence matters	All sexual offence verdicts per case	CPO witnesses from sexual offence cases finalised (%)	All new sexual offence cases	Total witnesses under 18 years
Eastern Cape	7 972	960	796.40	2 541	2 846
Free State	7 423	589	1 260.27	1 656	1 764
Gauteng: Pretoria	3 076	270	891.59	398	1 216
Gauteng: Johannesburg	2 708	212	1 277.36	481	944
KwaZulu-Natal	8 692	796	1 091.96	2 879	3 074
Limpopo	7 495	354	2 117.23	1 637	1 824
Mpumalanga	5 727	185	3 095.68	927	1 820
Northern Cape	2 841	214	1 327.57	686	1 044
North West	2 821	156	1 808.33	848	987
Western Cape	9 118	725	1 257.66	2 578	3 692
<b>Total</b>	<b>57 873</b>	<b>4 461</b>	<b>1 264.43</b>	<b>14 631</b>	<b>19 211</b>

The percentages are high in relation to the number of verdict cases finalised since not all cases end in a trial and, in most instances, due to the seriousness of the charges, the witnesses are seen multiple times to refresh their memories, provide or update guidance and keep the witness calm.

**Table 19: Number of Victim Impact Statements, per Division**

Division	Number of victim impact statements completed	Number of victim impact statements used by prosecutor
Eastern Cape	816	138
Free State	1 107	267
Gauteng: Pretoria	368	74
Gauteng: Johannesburg	490	185
KwaZulu-Natal	1 505	533
Limpopo	768	218
Mpumalanga	756	271
Northern Cape	1 061	190
North West	491	129
Western Cape	2 868	935
<b>Total</b>	<b>10 230</b>	<b>2 940</b>

# Truth and Reconciliation Commission Component

Both the NPA and DPCI have prioritised TRC matters. A separate portfolio, the TRC Component, was established in September 2021 in the office of the DNDPP: NPS to manage TRC matters.

Within the last three and a half years, the NPA has focused on re-opening and pursuing priority TRC cases, enhancing its internal capacity and processes to prioritise and drive progress on these matters.

Both the NPA and DPCI appointed national coordinators to specifically oversee TRC matters, deal with all related issues and challenges, and co-ordinate the progress of TRC matters in all divisions. Nineteen permanent, dedicated TRC prosecutors were appointed in 2024. The process is underway to apply for an additional 10 posts to ensure continuity in prosecution-guided investigations and, where appropriate, prosecution of TRC matters.

Since 2019, all TRC matters have been migrated to the office of the DPPs within whose jurisdiction the offences occurred. Where traceable, families are kept abreast of investigations and all decisions are communicated to families and legal representatives. DPCI also traces the families of victims by placing information in newspapers through their media liaison officers in the respective areas where the deaths occurred.

In 2022, a platform was created to hold joint accountability sessions between investigators and prosecutors – this novel approach involves both national coordinators, the DPPs and DDPPs seized with TRC matters, and senior management and provincial heads within DPCI.

The purpose is to expedite progress on TRC matters, share and expose Divisions to developments in other Divisions, share best practice, assess the blockages and action steps to remove the challenges. Progress on every matter under investigation is accounted for and critically analysed during these sessions. The performance of each Division is gauged on a month-by-month basis and shared with all the divisions, offering a more realistic view of the

progress on TRC matters. Accountability was and remains imperative. Where necessary, matters are identified for fast tracking and resources pooled to expedite investigations. Five sessions were held in 2022, 11 in 2023 and 11 in 2024.

On rare occasions, the DPP may invite family member(s) and introduce them to the investigators or prosecutors. However, families are engaged separately and do not usually form part of these sessions.

To further enhance investigation and prosecutorial skills, experts (in crime scenes, trajectories, forensic pathology, MLA and extraditions, etc) were engaged to train investigators and prosecutors during in-house skills transfer sessions.

One hundred and twenty-seven matters were under investigation in phase one and 32 in phase two, making a total of 159 matters under investigation. Thirty-five matters have been finalised with decisions.

Apart from the seven matters currently on the High Court roll, two convictions have been secured. In November 2023, Wesley Madonsela was found guilty of a murder committed in 1989 in KZN and was sentenced to 10 years' imprisonment. In November 2024, Johan Marais was convicted of the 1987 murder of Daveyton activist Caiphus Nyoka, and sentenced to 15 years' direct imprisonment in July 2025.

Several original High Court findings have been overturned. Apart from the historic overturning of the inquest finding into the death of Ahmed Timol, the judgements in the re-opened inquests of Drs. Hoosen Mia Haffeejee and Neil Hudson Aggett, and Ernest Dipale and Imam Abdullah Haron all found police complicity. It was alleged that Timol committed suicide in 1971 after jumping out of a window during interrogation at John Vorster Square (now Johannesburg Central). Haffeejee was alleged to have hung himself with an item of clothing from the lowest portion of the detention cell grille at Bright Beach Police Station in 1977. Aggett was alleged to have committed suicide by hanging himself with a kikoi at John Vorster Square in 1982. Dipale was alleged to have hanged himself with pieces of a blanket at John Vorster Square, also in 1982. Haron was alleged to have fallen down the stairs at Caledon Square Police Station (now Cape Town Central Police Station) in 1969. Formal inquests were also conducted and concluded in the matters of Zama Mlobeli and Mthunsi Njakazi. Judgement on the inquest into the death of Ronald Madondo is expected.



## Performance information

*continued*

The re-opened inquest into the death of Chief Albert Luthuli, who was alleged to have died after being knocked down by a train in July 1967, commenced before the KZN High Court on 14 April 2025. Extensive evidence was led, and the inquest concluded in June 2025.

Evidence has also been led in the formal inquest into the Highgate Hotel massacre in East London and is expected to conclude in August 2025.

The third re-opened inquest into the deaths of Sicelo Mhlauli, Matthew Goniwe, Sparrow Mkhonto and Fort Calata (The Cradock Four) commenced on 2 June 2025. An inspection was conducted in loco at the various scenes, and the families of the

deceased testified during the first month. Further evidence will be led in October 2025.

There were several historic legal developments in the Congress of South African Students' matter, where the court ruled that there was no bar to the charges of crimes against humanity preferred. The decision of the TRC to refuse amnesty to one of the accused was also taken on review and the application dismissed. The trial has been set down for October 2025.

The inquest into the deaths of Griffith Mxenge, Mathews Mabelane, Moss Morudi, Boykie Tlhapi, Booie Mantyi, the Northcrest Five and others are expected to get underway in 2025, with many more to follow.



## Missing Persons Task Team

### Exile Repatriation Project

The focus of the MPTT over the past year has been the Exile Repatriation Project. The TRC Report recommended community reparations and rehabilitation to groups particularly affected by political violence, and the Exile Repatriation Project constitutes a form of reparations and rehabilitation to the exile community.

In 2021, Cabinet approved a Policy on the Repatriation and Restitution of Human Remains and Heritage Objects. An Inter-Departmental Implementation Plan was developed and approved by Cabinet to repatriate the remains of approximately 1 000 persons who died in exile after being driven out of the country by political repression between 1960 and 1990.

The Implementation Plan, led by the Department of Sport, Arts and Culture, adopts a country-to-country approach, and aims to trace, recover and repatriate large numbers of deceased exiles in groups. MPTT is a key implementation partner and conducts

preliminary database development, family tracing, grave mapping, exhumation, forensic examination and confirmation of the identity of the remains.

The first group of exhumations was conducted by MPTT in September 2024, with the remains of 42 deceased exiles from a range of political organisations being traced and exhumed in Zambia and Zimbabwe. Some of the prominent cases include the remains of Adolphus Mvemve (known as John Dube in exile) who was killed in Lusaka, Zambia, in February 1974 by a parcel bomb sent by the South African Security Police, the Secretary General of the African National Congress, Adv Duma Nokwe, and the former President of the Pan Africanist Congress, John Nyathi Pokela.

The 42 recovered remains were repatriated on a South Africa Defence Force airplane and welcomed at an official homecoming ceremony hosted by President Cyril Ramaphosa at Freedom Park on 27 September 2024, with the affected families in attendance. The repatriated remains then underwent forensic examination by MPTT to confirm identity. Afterwards, the deceased were reburied by their families and municipalities in their home provinces of Gauteng, KZN, Eastern Cape, Western Cape and North West.



A further seven remains were exhumed in Zambia, but MPTT determined that DNA tests would be required before repatriation due to the lack of confirmatory records.

MPTT also conducted family tracing and data collection for the next phase of the Exile Repatriation Project aimed at exhumations in Angola, where the largest number of exile deaths in one country (roughly 300) took place. These repatriations will begin in 2025.

### Missing political prisoners

The MPTT also renewed a partnership with the Robben Island Museum to trace and recover the remains of political prisoners who died while serving their sentences but were buried as paupers in locations unknown to their families. Four cases are underway. The available burial records and

locations were reviewed, and potential burial sites identified. Legal steps for the exhumation of Timothy Mtati, who died on Robben Island in 1969, are underway for mid 2025.

The MPTT traced the burial sites of a further seven political prisoners who were sentenced to death and hanged for politically motivated offences between 1980 and 1989. Their bodies remained the property of the State and were buried as paupers without their families. The exhumations are scheduled as part of the Gallows Exhumation Project, which is now nearing completion.

### TRC prosecutions

The MPTT also conducted excavations and DNA sampling to assist in matters undergoing consideration for TRC prosecutions.

## NOTEWORTHY CASE



### Inquest court on Hoosen Haffjee's Death KZN

In 1977, Haffjee died at the Brighton Beach Police Station, after he was detained there by Special Branch police officers on suspicion of his involvement in anti-apartheid activities. Following an interrogation at the police station, Haffjee was found deceased in a cell with his trousers twisted around his neck, suggesting a possible 'hanging.'

An inquest held by the government at the time ruled that nobody could be held liable for Haffjee's death and that the cause of his death was likely self-inflicted.

However, since the original inquest and following the proceedings of the TRC, the matter was referred to the NPA for the inquest to be reopened. The Pietermaritzburg High Court (inquest court) ruled that the August 1977 death of Dr Hoosen Mia Haffjee was not self-inflicted, in contradiction of the finding of an initial inquest held in this regard.



Adv Denardo Macdonald

In reaching his decision, Judge ZP Nkosi considered the evidence from medical experts disputing that Haffjee's death was self-inflicted, the testimonies of other detainees who also endured interrogations by the Special Branch, and an inspection in loco of the crime scene, where an expert had reconstructed the scene.

In overturning the findings of the initial inquest, Nkosi referred to the first inquest as pitiful, sub-standard and riddled with bias. He concluded that Haffjee's death was not self-inflicted. His recommendations were that the surviving members of the Special Branch, as well as others, be held responsible for Haffjee's death.

## Performance information

*continued*

### Specialised Commercial Crimes Unit

#### Key achievements and challenges

The SCCU has a footprint in all nine provinces, with 11 regional offices and 23 Specialised Commercial Crime Courts (SCCCs) dedicated to hearing trials prosecuted by the SCCU. The SCCCs are all equipped with smart audio-visual systems that enable testimony to be presented virtually.

The office of the SDPP: SCCU is responsible for administering all the representations sent to the office of the NDPP and DNDPP relating to SCCU matters. The DDPP, Adv Sammy Mogoshi, co-ordinates the seamless administration of this mammoth task.

The SCCU heads an advisory panel, comprised of experienced personnel and steered by Senior State Adv Tebogo Kelaotswe, which gives guidance on matters that are ready for enrolment. To date, 28 high profile matters have been presented to the advisory panel.

The SCCU head office is responsible for supporting all the regions, but the staff compliment is insufficient for the demands and only one DDPP post is filled. However, no representations have been postponed for want of capacity to date. Vacancies have been advertised, and the recruitment process is at an advanced stage.

The SDPP collaborates with the DPPs in the regions. Prosecutors working in Limpopo, the Northern Cape and the North West must travel long distances to access the SCCCs, which impacts the quality of their preparations and the execution of their official duties. The SDPP has engaged the DoJ&CD to consider establishing additional SCCCs for these areas.

While the Mpumalanga Division has two SCCCs, in Nelspruit and Middleburg, it only has one magistrate, which is not an efficient use of the courts.

There are backlogs in some SCCCs because of insufficient courts in those Divisions.

#### Stakeholder engagement

The SCCU engages with external stakeholders at the national, regional and international level, which assists the SCCU to stay current with evolving commercial crime trends.

The SCCU enjoys a well-established working relationship with the DPCI, a key stakeholder with a mandate aligned to that of the SCCU. This collaboration is enhanced by the co-location of DPCI members at the NPA Head Office. Regular engagements keep this collaboration seamless and healthy.

The Financial Intelligence Centre (FIC) is an equally important stakeholder, with financial investigations at the centre of commercial crime and financial intelligence integral to the SCCU's work. The expertise of the Forensic Capability Enhancement within the FIC is constantly used in SCCU cases. Currently, forensic reports and cash flow analysis in the Road Traffic Management Corporation and Diamond Bed Factory cases from the Northern Cape have been prioritised for finalisation.

The big four banks have forged collaborations with the SCCU to speed up their requests for further investigations.

Collaborating with other state departments, the FIC and the NPA – specifically, the SCCU, AFU, STU and now Priority Crimes Litigation Unit (PCLU) – formed a Fusion Centre, which is a valuable tool and model for collaboration. Over the past two years, this collaboration has become key in addressing fraud and corruption related to the Unemployment Insurance Fund/Temporary Employee Relief Scheme, Personal Protective Equipment and matters arising from the COVID-19 pandemic. Most of these cases were successfully finalised with guilty verdicts, compensation orders and direct terms of imprisonment. In addition, R1.8bn has been preserved or recovered. The mandate of the Fusion Centre has been rebranded to include money laundering and terror financing investigations.

To meet the country's international obligations, the SCCU plays a key role in international organisations such as the OECD and FATF. A multidisciplinary Task Team comprised of the NPA, law enforcement

agencies (including DPCI, the South African Revenue Service (SARS) and FIC) as well as other key government departments, participated in an onsite visit conducted by the OECD in November 2024. The SCCU is part of the drafting committee on the FATF report, with two Senior State Advocates in the SCCU Head Office, Adv Patricia Makroto and Adv Lelethu Jobela-Ramahlaha, spearheading these efforts.

Communication is a vital tool to enhance collaboration and the SCCU engages with all stakeholders on a regular basis through in person and virtual meetings. The SCCU is finalising a media strategy that will be implemented in the regions in collaboration with the regional communication managers in the divisions.

## Performance

The SCCU obtained 235 convictions for 268 serious and complex commercial crime verdict cases, resulting in a conviction rate of 88%. A total of 380 people and companies were convicted of corruption over the past year.

In the previous year, the SCCU enrolled four matters relating to 16 recommendations of the State Capture Commission. Four matters were finalised. Moses Mpho Mokoena, former head of the Department of Human Settlements in the Free

State, was successfully prosecuted for contravening the Public Finance Management Act, No. 1 of 1999 and section 34 of the PRECCA and sentenced to an effective 10 years' imprisonment wholly suspended. Dudu Myeni was convicted for disclosing the identify of a whistleblower while giving evidence at the State Capture Commission and sentenced to a R200 000 fine or two years' imprisonment, of which half was suspended. An accused in the State Security Agency investigation was convicted of fraud, money laundering and unlawful inception and sentenced to 18 years' imprisonment suspended for three years. A confiscation order of R1.35m in terms of section 18(1) of POCA was obtained and paid into CARA. Daniel Mthimkulu was convicted of three counts of fraud related to Prasa and sentenced to 15 years' imprisonment.

The Steinhoff investigation, located in the SCCU Pretoria and guided by two seasoned advocates, has attracted national and international media attention. Despite the key suspect's suicide, the three accomplices in the matter were arrested and have appeared in court. Two of the accused pleaded guilty to the preferred charges, and the trial is pending in the High Court. To assist in the matter's prosecution, the prosecution team submitted a proposal for the NPA to procure an advanced system that would be able to locate all the exhibits and file them in chronological order during the trial.

**Table 20: Conviction rate in complex commercial crime**

Indicator	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
Conviction rate in complex commercial crime	92.3% (599)	90.5% (277)	87.1% (364)	89.5% (333)	<b>88%</b> <b>(235/268)</b>

**Table 21: SCCU performance, 2020/2021–2024/2025**

Financial year	Number of SCCU courts	Number of court rooms	Number of SCCC verdicts per case	Conviction rate per case	New cases	Number of open cases
2020/21	–	23	194	81.96%	207	–
2021/22	–	29	205	81.46%	162	–
2022/23	–	30	211	79.15%	411	–
2023/24	3	38	252	85.71%	269	15
2024/25	3	33	227	86.78%	249	9

## Performance information

*continued*

The number of cases and conviction rate in the dedicated SCCCs have shown a slight decline since 2020. This is mainly due to a management decision in November 2020 to migrate some cases to the general Regional Courts to alleviate the workload, with cases becoming more complex and taking longer to finalise. The decision led to a review of the intake criteria of cases into the SCCU in 2021.

**Table 22: SCCU convictions, 2019/2020 – 2024/2025**

Financial year	SCCU conviction rate	Total convictions	Total verdict
2019/20	93.1%	433	465
2020/21	91.1%	205	225
2021/22	91.7%	276	285
2022/23	88.6%	318	359
2023/24	89.2%	255	286
<b>2024/25</b>	<b>88.0%</b>	<b>235</b>	<b>268</b>
<b>Total</b>	<b>90%</b>	<b>1 722</b>	<b>1 888</b>

**Figure 21: Progress on Special Investigating Unit referrals, 2020 – 2025**

**Total criminal matters**



**2 998**  
Referrals



**1 695**

Under investigation or investigation is in-progress

**REFERRALS**



**81**

Before the criminal court

**CASES**



**83**

Conviction and sentence

**CASES**



**229**

Nolle posequi

**CASES**

## Capacity

The biggest growth in the SCCU establishment was in legal posts. Vacancies dropped from 71 to 48 (with a vacancy rate of 16%). The government-wide moratorium on filling administrative posts negatively affected the unit, but these posts will be filled in the coming year.

There are advanced skills available in the Unit due to regular information sharing, academic exchanges, rotational work and capacity enhancement programmes. The SCCU has actively coordinated and overseen capacity building on aspects of complex commercial crime, including money laundering and corruption. The SCCU training forum is led by Adv

Treasure Ndou, who has overseen and arranged 24 informative capacity enhancement programmes, most of which were facilitated by international representatives. The SCCU prides itself on the expertise of the Regional Heads who provide training sessions and present on a plethora of subjects.

A training manual covering relevant topics vital for the operations of the SCCU is being developed.

The SCCU is committed to providing high-quality prosecution in all regions and ensuring that there is no impunity when dealing with commercial crime and corruption. We continue to do more with less.





## Performance information

*continued*

### NOTEWORTHY CASES



#### Corruption and fraud

##### **State vs Muyambo (Free State Division)**

At a traffic stop the accused and his passenger were unable to account for a large amount of cash found in their possession hidden in two plastic bags in the boot of the car they were travelling in. After they tried to offer the police a gratification of R500 000, they were arrested on charges of corruption, money laundering and contravening the Immigration Act. It was revealed that the money was a pay-out from illicit cigarettes. Tafadzwa Muyambo was prosecuted and convicted of money laundering and sentenced to eight years' imprisonment



**Adv Ralie Eksteen**

(suspended on certain conditions). The accused forfeited R1.4m and a Volkswagen Polo. The confiscated cash was paid into CARA.

##### **State vs Burger (Gauteng: Pretoria Division)**

Dr. Burger accompanied Steinhof directors on overseas trips to look after their health. Shortly before the collapse of Steinhof, the CEO, the late Marcus Jooste, sent him a text advising him to sell his Steinhof shares. He also sold his Steinhof shares on the Swiss Stock Exchange. Shortly after, Steinhof shares plummeted and became almost worthless. A Financial Sector Conduct Authority investigation found Burger guilty of Insider Trading and imposed a penalty of R3m. Dr Gerhardus Burger was prosecuted and convicted for contravening the Financial Markets Act (Insider Trading) and sentenced to five years' imprisonment (wholly suspended on certain conditions). The court also issued a confiscation order for €90 000 (R1.8m).



**Adv Dries Janse van Rensburg, Adv Elizabeth Bisi and Adv Eugene Kock**

### State vs Le Grange (Gauteng: Pretoria Division)

On the instructions of the late Marcus Jooste, the former Steinhof CFO Andries Benjamin Le Grange created documentation of transactions that supported the fraudulent transaction used to inflate and falsify the Steinhof Group's Annual Financial Statements. He entered into a plea and sentencing agreement for fraud amounting to R367m relating to manipulating Steinhof financial statements and failure to report fraudulent activities. He was sentenced to 10 years' imprisonment (of which five years was suspended on certain conditions). He was also fined by the Johannesburg Stock Exchange after an internal investigation.



*Adv Dries Janse van Rensburg,  
State Adv Elizabeth Bisi and  
Senior State Adv Lugene Kock*

### State vs Mokhobo (Free State Division)

During 2019, Mokhobo was the acting court manager at Zastron Magistrates' Court. The DoJ&CD became suspicious of fraud involving third party funds at this court and reported the matter to the Hawks in Bloemfontein. It was discovered that the accused made deposits worth R300 000 (including bail applications, fines and child maintenance monies) into the bank account of his partner using the credentials of another court official. He was prosecuted and convicted of theft, fraud, money laundering and contravention of the Regulation of Interception of Communications and Provision of Communication-Related Information Act (RICA). He was sentenced to 13 years' imprisonment for fraud, five years' imprisonment for money laundering and five years' imprisonment for contravening section 4(1) of RICA.



*Adv Phendulwa Zondo*

### State vs Bailey (Western Cape Division)

Following the receipt of information of a person selling police uniforms, firearms and ammunition, the police set up trap to purchase goods. During the operation police purchased various pieces of official police attire and various calibre ammunition. The arrest of the intermediary led to the identification and arrest of a former member of the DPCI, Esmeralda Bailey, who was also in possession of drugs. She was prosecuted and convicted of corruption, drug possession, four counts of obstructing the administration of justice and loss of a firearm. She was sentenced to 11 years' imprisonment for corruption, six months' imprisonment for drug possession, two years' imprisonment for obstruction of the administration of justice and 36 months' imprisonment for the loss of a firearm.



*Adv Jolile Jonas*

## Performance information

*continued*



### State vs Savoi (KZN Division and Northern Cape Division)

Uruguayan businessman Dr Gaston Savoi (71) entered into a plea and sentencing agreement on four counts of fraud and six counts of corruption committed in the Northern Cape and KZN between 2004 and 2007. This plea and sentence agreement brought an end to this drawn-out matter, which has been delayed due to numerous interlocutory applications by the accused over the years. The charges relate to the provision of water purification units and self-generating oxygen units provided by Intaka Holdings (owned by Savoi) at inflated prices to the Department of Health in the Northern Cape and the Department of Local Government, Housing and Traditional Affairs in KZN, which cost the government over R100m.



**Adv Bulelwa Vimbani-Shuma**

He was sentenced to a R5m fine or 10 years' imprisonment (a further 10 years' imprisonment was suspended for five years). The court also made a confiscation order for R60m in favour of the state and ordered him to pay R15m towards the Asset Forfeiture Restraint Application proceedings. The accused agreed to cooperate and assist the State in further proceedings against other government officials.

### State vs Matodzi (Gauteng: Pretoria Division)

Tshifhiwa Matodzi was one of 14 persons who were accused of various offences that led to the demise of VBS Mutual Bank. He entered into a plea and sentencing agreement on 33 counts of racketeering, theft, fraud and money laundering. He was sentenced to 15 years' imprisonment on each count. Matodzi provided a detailed witness statement to explain his full role, how the criminal scheme operated, and the involvement of his co-accused and other persons of interest. In terms of the agreement, he will testify in various matters linked to the VBS fallout.



**Adv Dries Janse van Rensburg,  
State Adv Elizabeth Bisi and  
Senior State Adv Lugene Kock**





**Adv Hein van der Merwe and  
Adv Salome Veenemans**

### **State vs Makamu (Gauteng: Pretoria Division)**

Eadie Makamu, former CFO of the Collins Chabane Municipality acted negligently when he recommended R120m be invested in VBS. He entered into a plea and sentencing agreement for contravening the Municipal Finance Management Act in terms of which was sentenced to five years' imprisonment (suspended on certain conditions) and ordered to pay R150 000 to the VBS liquidator. As part of the plea agreement, Makamu will testify against his co-accused who is also charged with corruption for influencing investment in VBS in return for gratification.

### **State vs Mohlala and Others (Gauteng: Pretoria Division)**

Nkhono Mohlala, a former Municipal Manager of the Fetakgomo Municipality, acted negligently in not performing his duties diligently as required by the Municipal Finance Management Act. He was prosecuted for contravening the Act and was, in terms of a plea and sentence agreement, sentenced to five years' imprisonment (which were suspended) and ordered to pay R100 000 to the VBS liquidator, despite the State not being able to prove that Mohlala received any corrupt benefits from VBS. He will testify against other accused who were involved in investing the Municipality's money in VBS.

### **State vs Truter (Gauteng: Pretoria Division)**

Phillipus Truter entered into a plea agreement and sentencing on charges of racketeering, fraud, corruption, money laundering and a tax-related offence in relation to the VBS criminal scheme. He was sentenced to 10 years' imprisonment (three of which were suspended on certain conditions). In terms of the plea agreement, he will testify in various matters linked to the VBS fallout.

### **State vs Van Niekerk (North West Division)**

Jan Jacobus Van Nierkerk was a Financial Accountant at Botselo Mills, a company producing maize products. He fraudulently created authorisation forms to release funds, misrepresenting transactions to divert company money into his six personal bank accounts. Posing as legitimate service providers, he siphoned over R8m from the company over six years. He was prosecuted and convicted of 157 counts of fraud and 53 counts of money laundering. He was sentenced to 15 years' imprisonment for fraud and five years for money laundering.



**SCCU Senior State Adv Matshidiso  
Ramakgaphola**

## Performance information

*continued*



### State vs Ngomane & Others (KwaZulu-Natal Division)

Lindiwe Ngomane worked as an accountant at the uMkhanyakude Municipality. During this time, she managed to fraudulently obtain the passwords/credentials of senior officials authorised to effect payments on behalf of the Municipality. She used these to transfer R6.2m from the Municipality's bank account into different bank accounts that she had loaded onto the system and even approached two of her subordinates for assistance in conducting the fraudulent scheme.

Nhlanhla Christian Gumede and Raphael Mbili assisted her to obtain the bank account details of someone who owned an investment company, where Ngomane deposited about R1.5m – the



**Adv Abbey Letsholo**

owner of the bank account was unaware that the money transferred into his account was stolen. The accused were prosecuted and convicted of fraud. Ngomane was sentenced to 10 years' imprisonment. Gumede was five years' imprisonment and Mbili was to six years' imprisonment. Almost half of the R6.2m initially stolen from the Municipality was recovered.

### State vs Badenhorst (Eastern Cape Division)

A former trust accountant at Du Toit Attorneys Incorporated in Gqeberha, Liezel Badenhorst fraudulently transferred client trust funds into her accounts between February 2018 and March 2023 using unauthorised access to the firm's banking system. She was prosecuted and convicted of theft after admitted to stealing R18m, which she used to fund a gambling addiction. She was sentenced to 15 years' imprisonment.



**Senior State Adv Danisile Mkhwanazi**



### State vs Mapalala (Mpumalanga Division)

An SIU investigation into the Mpumalanga Department of Public Works, Roads and Transport, under Proclamation R23 of 2020, uncovered procurement irregularities. The Department contracted a service provider for pest control services in 2017/18. When a National State of Disaster was declared for the COVID-19 pandemic, the Department varied the contract to include disinfection services for buildings owned and managed by the Mpumalanga Provincial Government in the Ehlanzeni District. After the disinfection, the service provider received multiple payments amounting to R4.8m. Immediately after the first payment, the service provider started transferring large amounts of money to various entities and individuals. One of these entities made various payments that were traced to a Mpumalanga-based law firm and two employees of the Department. The law firm bought a property worth R2.2m and registered it in the name of one of the Department officials' daughters. The SIU interviewed Bulunga, a director of Mbombela Integrated and Thandolwani Transport and Properties, about the payments made to government officials and properties bought for government officials. Bulunga denied the allegations. Hours after the interview, Mapalala called an SIU investigator to declare that he is prepared to do anything to make the matter against Bulunga to go away. Mapalala was arrested in August



**Advocate Pareen Vahed**

2021 during a joint operation with the DPCI when he was delivering a bribe of R50 000 to the SIU investigator.

Mpendulo Sipho Mapalala was prosecuted and convicted of attempting to bribe an SIU investigator to make a COVID-19 investigation disappear. He was sentenced to four years' imprisonment.

### State vs Ricardo and Desiree Bowkers (Western Cape Division)

Ricardo Bowkers took out an insurance policy with Santam Insurance. His wife, Desiree, opened two bank accounts in their minor sons' names and had full control of the bank accounts. She gave her husband who was in prison serving a sentence for fraud the bank account details, and he submitted claims to the insurance company from a cell phone that his wife smuggled to him while in the Oudtshoorn Correctional facility. He had different cell phone numbers, which he used to lodge claims (lost cell phones, a laptop and video cameras) using different aliases. He ensured that the claims were less than R10 000, otherwise the insurance company would send out an assessor. Santam Insurance deposited the monies into the accounts. The accused were prosecuted and convicted on 22 counts of fraud and money laundering. Ricardo was sentenced to 26 years' imprisonment and Desiree was sentenced to six years' imprisonment.



**Mr Goulding Hyron**

## Performance information

*continued*



### State vs Pieter Hendrick Bothma (Western Cape Division)

Former Transport Education and Training Authority CEO Pieter Hendrick Bothma received R1.9m and R4.2m from Steven William Goodwin and JAW Brown to ensure the TETA funds were invested with Fidentia Asset Management. The corrupt relationship between Goodwin, Brown and the accused ensured that Fidentia Asset Management had access to liquid funds to purchase buildings in Century City, luxury cars for directors of the company and the beachfront property Brown lived in. Bothma laundered the monies he received through the accounts of various individuals and entities to disguise the true nature of the fund, whilst he knew that the funds were the proceeds of unlawful activities. Bothma was prosecuted and was convicted of fraud, corruption and money laundering. He was sentenced to seven years' imprisonment.



**Adv Thersia du Toit**



## Priority Crimes Litigation Unit

As a highly specialised unit within the NPS, PCLU renders the necessary coordination, guidance and support to the regions in their prosecution of terrorism, terror financing, contraventions of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, No. 33 of 2004 (POCDATARA), high treason, sedition, crimes contemplated under the implementation of the Rome Statute of the International Criminal Court Act, No. 27 of 2002, and other serious national and international crimes.

### Key achievements and challenges

PCLU was instrumental in crafting the Terrorism Financing National Risk Assessment, National Counter Terrorism Strategy and National Counter Terrorism Financing Strategy, as well as their implementation plans.

Challenges facing the PCLU include dealing with old, time-consuming files and enquiry dockets, and the intelligence community not providing high-level intelligence on priority cases or detecting new cases.

There have been no terror financing investigations since 2022 as DPCI is struggling with the resources and skills required to conduct high level criminal investigations and/or identify financial investigations.

There is a lack of dedicated prosecutors in the regions to focus on priority crime cases.

### Stakeholder engagement

PCLU works very closely with a range of stakeholders, including FIC, the State Security Agency, SAPS Crime Intelligence, Defence Intelligence, Interpol, DPCI-CATS, DPCI: Priority Crime Management Centre, DPCI: Priority Crime Specialised Investigations and DPCI: Forensic Accounting Investigations.

PCLU attends the following meetings with stakeholders, some of which are chaired by the acting SDPP: PCLU:

- Counter Terrorism Functional Committee (CTFC): coordinates and deals with terrorism and terror financing-related issues
- CTFC sub-committee on international and domestic terrorism: monthly meeting with Central Intelligence, FIC, State the Security Agency and DPCI: CATS, with PCLU providing input on intelligence detection related to terrorism and terrorism financing
- CTFC Training Task Team: bi-weekly meeting (or as required), where PCLU guides other agencies on training to better understand the PCLU's work
- National Intelligence Co-ordinating Committee Steercom
- Department of International Relations and Cooperation (DIRCO) Counter Terrorism Inter-departmental Working Group: responsible for all international issues that impact the work of PCLU
- FATF Law Enforcement Workstream: PCLU focuses on Immediate Outcomes 9-11
- PCLU was part of the committee instrumental in drafting the National Risk Assessment for terror financing
- PCLU led agencies in the weekly terror financing operational meeting overseeing terror financing cases in the regions
- PCLU led the National Conventional Arms Control meeting attended by the Inspectorate, PCLU and DPCI: CATS, which deals with National Conventional Arms Control cases
- National Conventional Arms Control Working Group: deals with active and re-active strategies to counter radiological and terrorism offences, biological and chemical weapons, and radioactive material.

The PCLU has been guiding the multi agencies training committee to ensure that prosecutors and all agencies and departments involved in the work of the PCLU are trained and have the same understanding and objectives as the PCLU.

## Performance information

*continued*

### Performance

The following POCDATARA authorisations and section 23 orders were dealt with in 2024/2025:

Division	Case	Charge	Status
DPP KZN	State vs Gods Surprise Ntuli and 64 others	Terrorism and conspiracy/ incitement to commit terrorism	16 November 2023: authorised by NDPP 18 June 2025: pre-trial
DPP KZN	State vs Duduzile Zuma	Incitement to commit terrorism	19 December 2024: authorised by NDPP 14 August 2025: representations to NDPP
DPP NW	State vs Ziyadh Hoorzook	Terrorism financing	30 December 2024: authorised by NDPP 30 June 2025: investigations
DPP WC	State vs Marius Vermaak	Terrorism financing, attempting to leave the country and conspiracy to commit terrorism	6 March 2025: authorised by NDPP 17 April 2025: finalised as diversion under the Children's Act, No. 38 of 2005
DPP JHB	State vs Zaheer Kadodia	Terrorism financing and incitement to commit terrorism	7 March 2025: authorised by NDPP 13 May 2025: postponed for centralisation
PCLU	State vs Bashir Hassan and others	Section 23 prohibition not to engage with person involved in terrorism activities	Under investigation for terror financing charges
DPP WC	State vs Ferdinand Fortuin	Terrorism financing	27 March 2025: authorised by NDPP 12 June 2025: possible guilty plea
DPP KZN	State vs Del Vecchio and others	Murder x 2 and kidnapping	28 May 2025: trial
DPP JHB	State vs Zayed Gangat and others	Murder, kidnapping, possession of unlicensed firearms	12 May 2025: bail application

More than 20 cases were closed due to lack of evidence.





# Sexual Offences and Community Affairs

## Key achievements and challenges

SOCA is committed to cementing and enhancing the NPA's victim-centred approach through the TCC model, as well as increasing access to justice for victims of GBV.

The TCC model provides victims of GBV with the full spectrum of pretrial services – psychosocial, medical and legal – ensuring a current conviction rate of 77.5% in matters referred to court from the TCCs.

Since 2021, the NPA has increased the number of TCCs from 55 to 66, ensuring access to justice for victims in rural, peri-urban and urban areas across the country. Two new TCCs were launched during the past year, in Mitchells Plain (Western Cape) and Phuthaditjaba (Free State). The TCCs have been modified to ensure that victims are serviced in world class spaces that are designed to heal, reduce trauma and restore dignity. In 2024, the future of the TCC model was demonstrated by the Kabokweni TCC (Mpumalanga), a standalone, fit-for-purpose brick and mortar structure. There are currently eight such structures across the country with funding secured for eight more.

The extension of services to include all GBV victims has broadened access to justice, with victims of domestic violence outnumbering victims of sexual violence at certain TCCs. This gives victims an opportunity to break the cycle of violence that often precedes femicide. SOCA is rolling out a Domestic Violence Protocol to all TCCs – this will amplify the services offered to victims of domestic violence by helping them obtain protection orders. All TCCs are ready to utilise the online domestic violence portal when DoJ&CD implements it. Many of the new TCCs have the capacity to house victims overnight should the need arise.

The Mediclinic pilot project marks the first partnership between the NPA and a private hospital group, allowing SOCA access to a group of GBV victims who have fallen through the cracks for too long. By creating a referral pathway between the hospital and the closest TCC, victims are now

receiving the same pretrial services as victims who come directly to the TCC. This collaboration is aimed at breaking down stereotypes around GBV, disrupting the cycle of violence and saving lives. The project has been piloted at eight Mediclinic hospitals in the Western Cape and was extended to include the Free State and Northern Cape in 2025.

SOCA is responsible for the national coordination of the CPI and has worked closely with the DPPs in the divisions to establish 50 community prosecution sites across the country.

SOCA ensured the prioritisation of DNA backlog matters through the SOCA/SAPS DNA Backlog Project. The project initially focussed on GBVF matters but expanded to include murders in August 2022. The project has been very successful, with SOCA distributing 58 177 DNA reports to date.

SOCA has introduced various GBV prioritisation interventions. These include the development of GBV-specific NPA policy directives, which prosecutors are obligated to observe in the prosecution of GBV matters. These directives encompass bail, withdrawals, prosecution, witness management, prosecutor-guided investigation and sentencing. The directives relate to sexual offences, trafficking in persons, domestic violence, child justice and maintenance. SOCA has also developed a draft femicide directive for approval and implementation.

The finalisation of matters where serial rapists are identified, per province, by SAPS' national Serial Electronic Crimes Unit was prioritised.

A teenage pregnancy prioritisation initiative was introduced in 2024. It aims to facilitate the reporting, investigation and prosecution of appropriate cases, particularly involving children under the age of consent. This is a collaboration and partnership between the NPA, Department of Health and SAPS.

The NPA is collaborating with the International Centre for Missing and Exploited Children to build litigation capacity on child pornography and GBV cybercrime.

The lack of a GBVF specific budget was overcome by initiating and building strong private sector partnerships and using these partnerships to effect impactful change.



# Performance information

*continued*

## Stakeholder engagement

SOCA has partnered with the SPAR Group to provide basic groceries to all TCCs since November 2021. This has allowed the NPA to restore the dignity of victims, many of whom are deliberately deprived of food by their perpetrators or simply come from poverty-stricken environments. To date, SPAR has delivered approximately R300 000 of food per month.

The partnership with the SPAR Group has also allowed SOCA to market the TCC model by adding the TCC logo and email address and the NPA logo to all SPAR packaging. This is a first for the NPA, allowing it access to potentially thousands of clients who shop at SPAR's 2 440 stores nationwide. The first emails from GBV victims seeking assistance have been received and attended to, demonstrating the immediate impact of this marketing. There are plans to increase this visibility by adding this information to SPAR advertisements on billboards and in bus shelters. The QR code on SPAR bags will also provide the location of the TCCs. The SPAR head office in KZN also bears the TCC and NPA logos.

An MoU signed with the Minerals Council of South Africa cemented the private public partnership with the mining industry, giving the NPA access to 76 mining groups that contributed 90% of South Africa's mining production in 2022. The MoU ensures that new TCCs will be built and existing TCCs renovated in these mining areas. This is a phenomenal financial boost that will allow SOCA to reach many victims.

SOCA has partnered with Vodacom to ensure that victims are able to testify from the safe space of a TCC through a court audio visual system. This will significantly reduce the trauma of victims. A pilot is planned for November 2025 at the Kabokweni TCC (Mpumalanga).

SOCA delivered 853 GBV public awareness campaigns aimed at prevention, education, sensitisation, increasing access to justice through reporting, building confidence in the criminal justice system, and the services provided by the TCCs and the NPA.

## Performance

Targeted interventions have ensured the successful prosecution of several serial rapists, including Prince Themba Shongwe who was convicted of nine counts of rape and four counts of murder of children between the ages of 11 and 16 in Mpumalanga. The surviving victims were seen at the Evander TCC.

## Capacity

Limited capacity in the divisions hampered SOCA's ability to execute its full mandate. Five additional senior state advocate posts were approved and filled to address this shortage.

SOCA developed GBV training material and facilitated training sessions aimed at establishing specialist GBV trainer capacity and provide for ongoing training. Social context awareness training is compulsory so that victims are treated with the appropriate sensitivity.

The NPA is collaborating with the Human Trafficking Institute to address the recommendations of the Trafficking in Persons tier report, specifically in relation to training. This has enhanced the specialist litigation and investigation capacity for trafficking in persons in both the NPA and SAPS.

# Organised Crime Component

## Key achievements and challenges

The NPA's Strategy against Organised Crime was adopted by ManCo on 4 June 2024 and signed off by ExCo on 13 August 2024. The NPA's Organised Crime Strategy is a five-pillar, intelligence-led prosecutorial framework aimed at disrupting, dismantling and prosecuting organised criminal networks that pose a significant threat to South Africa's social and economic security. The strategy prioritises a coordinated, impact-based value-chain approach, which integrates prosecution, law enforcement, financial investigation and asset recovery, as well as ensuring alignment with national security and international obligations.

One collaborative effort with external stakeholders led to an event on 20 November 2024 where Bidvest Protea Coin held an awards ceremony to thank prosecutors who successfully prosecuted cases involving the theft of fuel from Transnet pipelines. The ceremony was attended by the recipients of the awards from the different regions accompanied by DNDPP Adv du Plessis, Adv Mzinyathi and Adv Chauke (DPPs: Gauteng), Adv Somaru (DPP: Free State), Adv Ntuli (DPP: Mpumalanga), and the National Coordinator of Organised Crime, Adv Moonsamy.

The OCC provided inputs to and participated in the development of several initiatives, including:

- The Illicit Economy Strategy
- The Cannabis for Private Purposes Bill
- The South African Diamond and Precious Metals Regulator's Strategy 2024-2034, to reduce non-compliance, ensure effective enforcement and curb illicit trading
- The National and Transnational Organised Crime Strategy
- A self-assessment questionnaire for the United Nations Convention against Organised Crime Review Mechanism for the South Africa Review by Algeria and Panama
- Motivating for the extension of the prohibition on export of copper
- Obtaining software from Chainalysis, free for six months, to assist in the investigation of cryptocurrency cases, particularly those related to money laundering
- Establishing a Firearms Desk.

Despite these achievements, the OCC faces several challenges. An overlap between the work of the OCC and general prosecutions means that specialist skills in the OCC are being utilised in other areas or business units – this has created a gap in addressing serious and complex organised crime.

Corruption perpetuates organised crime, making the investigation and prosecution of kingpins and high-level actors very difficult. The safety of investigators and prosecutors is an ongoing concern. Stalingrad tactics by the defence in court result in undue delays in the finalisation of cases. Prosecutors are encouraged to apply all possible legal mechanisms to counter these delaying tactics.

There are insufficient project-driven investigations by the police. This challenge is addressed by prosecutors actively participating on national and provincial committees such as the Provincial Project Committee (PPC) and Provincial Organised Crime Secretariat (POCS) meetings held provincially and the National Project Committee (NPC) and National Organised Crime Secretariat (NOCS) meetings held nationally. The responsibilities of the prosecutors include providing guidance on what is required to bring impactful cases before court. SAPS' Organised Crime Unit lacks financial investigations' capacity, which made it very difficult for the AFU to recover the proceeds and instrumentalities of organised crime.

## Stakeholder engagement

Stakeholder involvement is critical for the OCC to effectively deal with serious and complex organised crime and ensure an effective value chain.

The OCC engages with DPCI and SAPS at monthly NPC, PPC, POCS and NOCS meetings, where project and intelligence-driven investigations are discussed.

In order to amplify the NPA's influence and voice within the JCPS Cluster, the OCC engages with SAPS Crime Intelligence, the State Security Agency, DPCI, SARS, FIC, Department of Home Affairs (DHA) and Interpol. The OCC participates in coordinated structures to address illicit narcotics and ensures that all fora in which they participate have a standing item to address money laundering. The OCC connects with regional communication spokespersons and uses all media platforms to communicate on OCC cases, as well as partnering with stakeholders, such as DPCI, to provide media releases on successes, especially in high profile or impactful cases.

The OCC attended and actively participated in National Priority Crime Operational Committee (organised crime is one of three streams that this committee deals with), as well as a range of recurring meetings in relation to specific organised crimes. On the illegal wildlife trade, the OCC attended meetings of the National Joint Operational and Intelligence Structure Priority Committee to Combat Wildlife Trafficking, National Biodiversity

# Performance information

*continued*

Investigators Forum and DPPs Environmental Working Group. On metal theft, the Metal Industry Trade Forum and National Non-Ferrous Crime Combating Committee. On energy-related crimes, the National Energy Crisis Committee and National Joint Operational and Intelligence Structure Intervention Operation on Energy Security. On corruption, the Infrastructure Built Anti-Corruption Forum (to address corruption in major construction projects), Fusion Centre (to address the money laundering database and discuss cases overseen by the FIC) and Operational Committee (held monthly to receive feedback on priority cases overseen by the FIC). On trafficking, the National Intersectoral Committee on Trafficking in Persons and Trafficking in Persons Provincial Task Teams. On violent crimes, which include cash-in-transit heists and ATM

bombings, there are monthly national meetings between law enforcement and the private sector (representing affected industries).

The national organised crime coordinator attended and presented at the Summit of the Heads of Prosecution Services of G20 members in Brazil in October 2024, themed 'Combating Organised Crime, Promoting Justice and Socio-Environmental Sustainability'. The OCC was represented at the Wildlife Inter-Regional Enforcement meeting held in November 2024 by the United Nations Office on Drugs and Crime's Regional Office for Southern Africa in partnership with the Department of Forestry, Fisheries and the Environment. Adv du Plessis attended the Munich Security Conference in February 2025, where he participated in a conversation on organised crime.

## Performance

The OCC achieved a 100% conviction rate in May, August, November and December 2024, with an annual average conviction rate of 93.3% (3.3% higher than the target). The monthly conviction rate was above target for every month except for September 2024 (85.7%), January 2025 (85.7%) and February 2025 (72.7%).

**Table 23: OCC performance, 2024/2025**

Month year	Number of acquitted cases	Number of convicted cases	Number of organised crime verdicts	Conviction rate (%)	Value involved (R)	Number of accused convicted
Apr 2024	1	26	27	96.3	420	75
May 2024	–	13	13	100	–	17
Jun 2024	1	15	16	93.8	–	22
Jul 2024	1	20	21	95.2	–	38
Aug 2024	–	15	15	100	645 000	24
Sep 2024	2	12	14	85.7	–	18
Oct 2024	1	12	13	92.3	60 000	22
Nov 2024	–	12	12	100	3 921 950	18
Dec 2024	–	9	9	100	2 683 258	16
Jan 2025	1	6	7	85.7	–	24
Feb 2025	3	8	11	72.7	–	11
Mar 2025	1	10	11	90.9	–	24
<b>Total</b>	<b>11</b>	<b>158</b>	<b>169</b>	<b>93.5</b>	<b>7 310 628</b>	<b>309</b>

## Narcotics

The National Drug Master Plan (NDMP) 2019-2024 serves as the national strategy to guide the operational plans of all departments and government entities involved in reducing the demand for and supply of drugs in South Africa. It is aligned with the Constitution and the National Development Plan (2030) and provides for the protection of vulnerable groups and promotion of social cohesion amongst others. It facilitates cooperation between government and stakeholders in drug use prevention and governs licit and illicit controlled substances. The Central Drug Authority (CDA), which administers the NDMP 2019-2024, consists of 13 experts and 20 government departments, as provided for in Section 53(2) of the Prevention of and Treatment for Substance Abuse Act, No 70 of 2008. The CDA must submit an annual progress report to the Minister of Social Development to be tabled in Parliament. The NPA is actively involved in every CDA meeting, where it presents reports, and attends workshops and training initiatives.

## Extortion at business and construction sites

This has now become a priority area for the NPA. Numerous challenges have affected the investigation and prosecution of cases, with the majority of cases withdrawn due to no suspects detected or arrested. SAPS has developed a Priority Committee on Extortions, which meets on a monthly basis, where statistics are presented and cases discussed.

## Illegal mining

The OCC attends the National Joint Operational Committee and the National Coordination and Strategic Management Team meetings, which deal with illicit mining offences. The OCC has addressed

various issues, such as why suspects are released on bail, why lenient sentences are imposed and comments on deportation.

## Illicit cigarettes

British American Tobacco contracted Bidvest Protea Coin to assist them in preventing and combating the illicit and counterfeit cigarette trade, which is affecting their business and SARS revenue collection. Bidvest Protea Coin has established a project to address this crime with key stakeholders such as DPCI, Visible Policing, Crime Intelligence and the NPA.

## Proliferation of firearms

A Firearms Desk has been established to address the spread of illegal firearms, which fuel organised crime and violence. The Firearms Desk currently has monthly meetings with law enforcement and other stakeholders to discuss the issuing and renewal of firearm licences and the sources of illegal firearms. The forum also discusses investigations and cases to determine linkages in offences and/or criminal groupings.

## Capacity

The OCC's currently insufficient regional capacity significantly constrains its ability to attend to all cases identified by in-take criteria. Additionally, a lack of dedicated capacity to address serious and complex organised crime at national and provincial levels inhibits the prioritisation of serious and complex cases, which often require a project methodology approach.

The OCC head office has conducted various training programmes to upskill the OCC nationally, including on trafficking in persons, money laundering, illegal mining and essential infrastructure crimes. The OCC participates in joint training sessions with DPCI.



## Performance information

*continued*

### NOTEWORTHY CASES



#### Organised crime

##### **State vs Lebusa and 14 others (Free State Division)**

Four male victims were in a house in Botshabelo when it was surrounded by members of the Roman Gang and set on fire. The victims pleaded with the accused to let them out, but they were told to burn and die. Three of the victims managed to get out of the house but were stabbed – one died at the scene and two survived with stab and burn wounds. Another victim suffered 45% burns on his body and died in hospital after nine days. One of the victims who survived the stabbing and fire was later cornered during a chase and stabbed to death. The accused were prosecuted and 11 of the



**Adv Dansi Mpemvana**

accused were convicted of murder and other crimes and sentenced to a total of 15 life terms and an additional 511 years' imprisonment. Four of the accused were found not guilty due to an ID parade and the unreliability of a single witness.

##### **State vs ljegulu and others (Gauteng: Pretoria Division)**

Jude Ikenna ljegulu was running a brothel with his partner Botes in Centurion where he held the complainant captive. ljegulu bought a second complainant from another Nigerian and took her to his brothel under the impression that she would be working as a housekeeper. Both complainants were held captive between November 2016 and September 2017. During that time, the two were raped, supplied with drugs, and physically and sexually assaulted by ljegulu. Botes and ljegulu also instructed the victims to provide sexual services to clients. The accused were prosecuted and ljegulu was convicted of two counts of human trafficking, two counts of rape, two counts of keeping a brothel, using the services of a victim of trafficking and being illegally in the country. Botes was found guilty of human trafficking, two counts of keeping a brothel and using the services of a victim of trafficking. ljegulu was sentenced to four life terms and 18 years' imprisonment. Botes was sentenced to 40 years' imprisonment.



**Adv Alicia Roos and Adv Adina Van Deventer**



### State vs Sibanda and others (Gauteng: Johannesburg Division)

The accused attacked two G4S cash-in-transit vehicles and used explosives to blow them open on Atlas Road in Boksburg. This was a high-profile incident caught on camera. Accused 1 to 5 fled the scene, with SAPS, the Ekurhuleni Metropolitan Police Department and security firms in pursuit, whilst shots were being fired at the pursuing vehicles and helicopter. The accused fled into the George Gogh Hostel, where they were arrested. Moneybags containing R6.6m, automatic rifles and explosive devices were recovered in the getaway vehicle, and more firearms and explosives were found at the home of accused 1 and 2.

The accused were prosecuted and convicted of robbery with aggravating circumstances, attempted murder, causing an explosion, and possession of explosive devices, unlicensed firearms and ammunition. Accused 1 to 4 were sentenced to 18 years' imprisonment and accused 6 was sentenced to 20 years' imprisonment.



Senior State Adv Monde Mbaqa

### State vs De Beer (Gauteng: Johannesburg Division)

The police investigated a chat platform called VIBER to identify users on the application who were involved in child pornography. The accused was one of the persons identified. A search and seizure warrant in terms of the Cybercrime Act was obtained. The accused's device was seized and images and videos containing child pornography were found on his device. The accused was prosecuted and convicted on 1 084 counts related to cybercrime and child pornography. He was sentenced to 10 years' imprisonment.



Senior State Adv Riana Williams

### State vs Phefo (Northern Cape Division)

Thuto Gaogakwe Phefo, a Major General in the Legal Division of SAPS, was on a panel interviewing for a post of Brigadier in the Legal Section of SAPS. He provided one of the candidates with information that would be dealt with during the interview in exchange for R70 000. Payment was made and the candidate was successful. The accused then demanded more money from the complainant, who reported the matter to SAPS. The complainant went undercover and made a further payment of R22 000, which was provided by the police. The accused accepted the money and was immediately arrested and prosecuted. Video and audio recordings of the trap were utilised as evidence in court. The accused was convicted of corruption and sentenced to 10 years' imprisonment.



Adv Theunis Barnard

## Performance information

*continued*

### Specialised Tax Unit

The STU is a component within the NPS headed by a SDPP. The STU's mandate is to prosecute complicated tax and customs matters originating from the SARS' Criminal Investigations Unit, Syndicated Tax Unit, Debt Collection Unit, Customs and Excise Unit and Border Management Authority.

In the previous financial year, the STU received many income tax fraud, Value-Added Tax (VAT) fraud and customs and excise cases that required continual balancing of the Unit's expertise and resources.

The STU contributed three case studies for the FATF review report and are in the process of identifying cases that are in line with FATF typologies to be included in the FATF report.

#### Stakeholder engagement

Collaboration with SARS, DPCI, FIC, Border Management Authority and other NPA business units is critical to ensure the STU meets its objectives. These relationships will be strengthened to facilitate integrated planning for priority tax and customs matters.

The STU/SARS National Working Committee meets quarterly to discuss innovative ways of improving the performance of both SARS and the STU and strategies to effectively investigate and prosecute tax, customs and money laundering cases.

Regular participation in the Fusion Centre as well as meetings with stakeholders have been prioritised to ensure that prosecutor-involved and prosecutor-guided investigations are adopted early on in investigations and investigation challenges are resolved quickly. As a result, several project investigations have been undertaken.

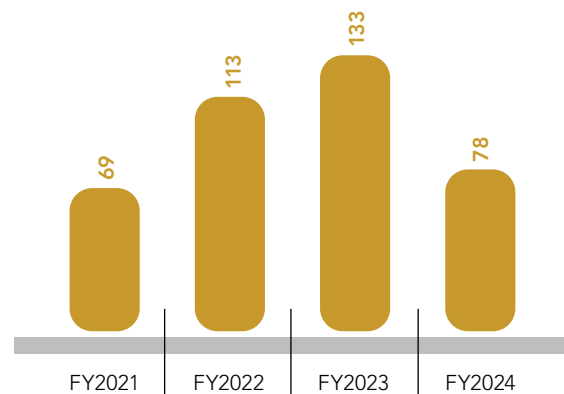
As part of STU's plan to improve taxpayer compliance and prevent tax evasion, the STU launched Project Honey Badger in collaboration with SARS and DPCI to prosecute taxpayers who do not file tax returns. The project was implemented in the Gauteng: Johannesburg Division and rolled out

to the North West Division. The success and impact of this project has been remarkable, resulting in more cases being registered with the police, exposing District Court prosecutors to tax crime prosecutions, increasing the prosecution rate and enhancing tax compliance. It is expected to expand to include more divisions in the coming fiscal year.

#### Performance

The STU finalised 220 cases with 214 convictions and six acquittals for an exceptional conviction rate of 97.25%, given the complexity of these matters.

**Figure 22: Tax conviction rate, 2021–2024**



#### Capacity

The STU has significantly increased its capacity in the Divisions and all Divisions now have STU offices. The STU currently has 101 posts.

The SDPP position is currently vacant. The regional STU offices are led by DDPPs reporting to the divisional DPP, who oversees operations and ensures that STU performance targets are achieved in line with the NPS Annual Operational Plan.

Training remains a primary focus in developing and educating newly appointed prosecutors to efficiently prosecute complicated tax and customs matters, as well as ensuring that the component's training demands are standardised. During the current fiscal year, the STU successfully held six virtual trainings and 11 custom trainings – with maximum attendance – in collaboration with the SARS Technical Training Academy.

## NOTEWORTHY CASES



### State vs Henna

Henna is a celebrity chef and the owner of Blaque Olive Private Chefs CC. He submitted R5.3m worth of fraudulent VAT claims to SARS, of which SARS paid a VAT refund of R3.1m. Within 14 days of receiving the refund, he laundered more than R3m by transferring the money from his business account to that of his relatives, friends, business associates and personal account.

The accused failed to submit supporting documentation requested by SARS upon audit, and the audit findings concluded that he claimed the VAT refunds fraudulently. He was prosecuted and convicted of six counts of fraud and 14 counts of money laundering. He was sentenced to 10 years' imprisonment without the option of a fine and six years' imprisonment without the option of a fine, respectively. The sentences are to run concurrently.

### State vs Dube and others

Dube, his wife Rebecca, his girlfriend Moliehi Constance Ramone and seven accomplices claimed fraudulent VAT refunds from SARS. The accused claimed to have entities registered in their names that had incurred expenses by importing diesel into South Africa and storing it at a facility belonging to Sasol Oil and Vopak Limited. The imported diesel was allegedly sold to major oil companies at a price inclusive of VAT at zero rate. As such, the accused claimed that they were entitled to be refunded the VAT expenses they paid in storage costs. Forged invoices purportedly issued by Sasol were submitted to SARS in support of the fraudulent VAT refund claims.

A VAT refund in the amount of R200m was claimed from SARS, of which R100m was paid to the accused and shared amongst themselves. SARS received a tip-off and

instituted investigations. The investigations revealed that none of the entities used by the accused operated any legitimate business in the country. During the investigations, two of the accused offered gratifications of R400 000 to the senior SARS investigator.

The accused were convicted of various charges including corruption, forgery and money laundering and were sentenced to a total of 206 years' imprisonment without the option of a fine.

### State vs Munyai and another

On 14 March 2016, Munyai was stopped by a Road Traffic Management Corporation officer at the Musina Weigh bridge while transporting 614 boxes of semi-manufactured tobacco.

On inspecting the truck, the officer noticed that the truck and trailer's registration number plates did not correspond with the licence disks. Munyai had entered South Africa from Zimbabwe using forged or fraudulent consignment clearance documents. The officer ordered Munyai to return to the Beitbridge Border Post for inspection. Munyai offered the officer R50 000 to let him go and then offered the customs official at Beitbridge R200 000 to not inspect the truck.

Investigations conducted by SARS' Internal Investigation Unit and Polokwane DPCI's Serious Commercial Crimes Unit revealed that Tshumbedzo Priscilla Nemangani Mashito, an ex-SARS Customs External Verification Officer, was instrumental in processing Munyai's truck and its consignment outside the normal and ordinary customs clearance process and procedures.

Both accused were convicted of fraud and sentenced to 15 years' imprisonment without the option of a fine. Munyai was also convicted on charges of forgery and corruption and sentenced to a further four years' imprisonment.

## Performance information

*continued*



### State vs Van Nieuwenhuys (Free State Division)

Jessica Marieka Janse Van Nieuwenhuys defrauded SARS, resulting in an actual prejudice of R44 446 137 from VAT refunds that were claimed by the accused and paid out by SARS, along with a potential prejudice of nearly R77m in VAT refunds that were claimed but not paid out. The accused laundered the money related to these fraudulent refunds. She was prosecuted and was convicted on 181 counts of VAT fraud and money laundering and sentenced to 12 years' imprisonment.

During her plea, the accused presented several mitigating factors, expressing remorse for her actions, fully cooperating with the Investigating Officer and currently working with the AFU. The accused, a mother of two young children, emphasised the impact her sentence would have on her family. To make restitution, she and



**Adv Zamubuntu Sampisi**

her husband have begun liquidating assets, including those purchased with the proceeds of crime. They have committed to surrendering several properties and assets, such as a house in Parys valued at R1m, an Audi A4, a Citroën C1, furniture and R500 000 in frozen business account funds. Additionally, they have paid R4.1m toward a farm and agreed to repay this amount as instructed. To date, the total amount recovered from the accused is R1.2m.

### State vs 605 Consulting Solutions (PTY) Ltd and another (Free State Division)

The director of 605 Consulting Solutions submitted fraudulent VAT 201 Returns, seeking undue refunds totalling R6.5m, claiming that the company did not trade or receive income during the periods of March 2016, October 2017, February 2018 and May 2020. This was despite the company trading and receiving income from an asbestos tender. The company and the director were prosecuted and convicted of fraud and failure to submit various tax returns. Accused 1 was sentenced to two fines of R1m each. Accused 2 was sentenced to 36 months of correctional supervision including: house arrest for 36 months and 576 hours of community service. She was also sentenced to six years' imprisonment, suspended on certain conditions. All outstanding tax returns of 605 Consulting Solutions were ordered to be submitted to SARS on or before 30 August 2025.



**Adv Yvonne Phori**

### State vs Murphy (Western Cape Division)

Drug dealer and kingpin Fadawan Murphy was convicted on 16 counts of failing to submit Income Tax returns for himself and his company and sentenced to eight years' imprisonment or a fine of R48 000.



**Adv Aradhana Heeramun**

### State vs Vorster (KwaZulu-Natal)

George Vorster is a clearing agent in the customs environment, and his clients requested that he clear goods that were imported to South Africa for local use. Since these goods attracted customs duties and VAT, the importers supplied Vorster with all the information to calculate the taxes due when clearing the goods for local consumption. Vorster informed the importers of the amounts due, and the importers paid Vorster for onward payment to SARS. Using his company, VRST International South Africa (Pty) Ltd, Vorster under-declared the customs duties and VAT due to the SARS. He then paid the SARS the under-declared monies and took the balance of the money for himself. This amounted to tax evasion worth R2.4m. The importers had to pay the shortfall of taxes to SARS and lost around R2.4m. Vorster was prosecuted and convicted on 17 counts of fraud perpetrated against SARS and 17 counts of fraud perpetrated against his clients. He was sentenced to eight years' imprisonment. His company, VRST International South Africa (Pty) Ltd, which is now dormant, was fined R200 000.



**Adv Selvan Poovalingum Govender**



## Performance information

*continued*



### Investigating Directorate Against Corruption

#### Key achievements and challenges

IDAC was made a permanent entity in August 2024, marking a significant milestone for the NPA and the fight against corruption. During the 2024/2025 financial year, IDAC instituted investigations on 17 matters and enrolled nine matters.

While IDAC is still dependent on re-assigned members from other law enforcement partners for some of its investigations, there has been an aggressive recruitment drive for criminal and financial investigators. But there is a dire skills shortage in the public sector, with constraints on employing skills outside of the NPA. Shortlisting and interviews for several posts have been conducted

but the skill levels of potential candidates were not equal to the work required by IDAC. The protracted process to conclude the salary dispensation for criminal and financial investigators makes it difficult to attract experienced, qualified investigators capable of investigating complex corruption. Most corruption and money laundering prosecutions are complex in nature and consist of vast amounts of data, even at the early pre-trial stage, and there is a lack of digital and commercial investigation capability to analyse and process this data.

#### Stakeholder engagement

IDAC engages with stakeholders to ensure that some cases are enrolled, including the Special Investigating Unit (SIU), SARS, FIC, AFU and DPCI. IDAC meets weekly with these stakeholders to monitor progress on cases, especially state capture cases.

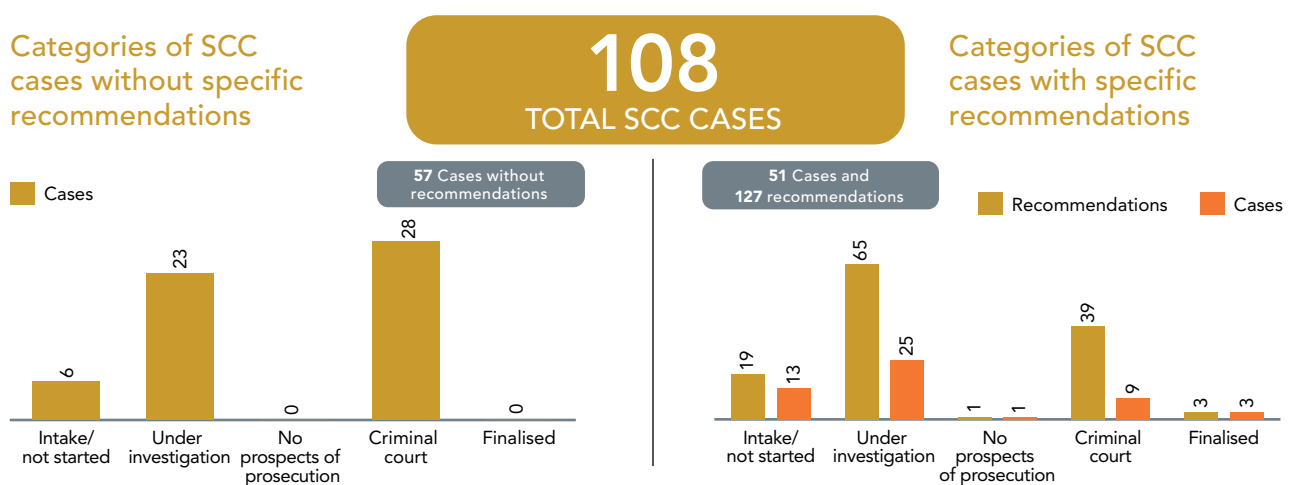
Two of the cases enrolled, working in collaboration with SARS, are State vs Vimpie Manthata and others and the Ambrobrite tax matter, which emanated from the Nugent Commission.

### Performance

Table 24: IDAC performance, 2020/2021 – 2024/2025

Indicator	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
Number of IDAC investigations authorised	0	12	13	18	17
Number of state capture and complex corruption matters enrolled	4	5	18	3	9

Figure 23: IDAC State Capture Commission Cases



## ARRESTS AND SUMMONS

Summoned ENTITIES **55** Accused PERSONS **177**  **22** Summoned ENTITIES **51** Accused PERSONS

**Finalised Cases and Recommendations**

ZCR0247: One case linked to this recommendation has been finalised. There is more than one case linked to the recommendation. Thus, the recommendation remains as under investigation, however we count a completed case as finalised.

ZCR0288; ZCR0305; ZCR0307: Recommendations finalised as the case was struck-off the court roll. The case is planned for re-enrolment.

ZCR0079: One case emanating from this recommendation has been finalised. The recommendation and the main case remain under the category: Criminal Court, however, we count a completed case as finalised.

## Key cases

Investigation/ case name	Status
Adv Ramabulana	The matter was enrolled on 17 April 2024 and was postponed to 1 April 2025 for the outcome of representations to the NDPP.
Transnet relocation	On 30 April 2025, an accused pleaded guilty in terms of Section 105A and was ordered to pay a fine of R307 410. He was also sentenced to six years' imprisonment suspended for five years on condition that he does not commit the crimes of fraud, forgery or uttering.
Blue lights	The matter was postponed to 8 April 2025 for finalisation of accused to be added.
Fraudulent lease contract	The matter was enrolled on 31 March 2025 at the SCCC in Pretoria and postponed to 23 June 2025 for pre-trial date. Bail for accused 1 was set at R100 000, and the accused cannot dispose of the nine properties registered in his name. Bail for accused 2 was set at R150 000, and the accused cannot dispose of the five properties registered in his name.
Mantsha Daniel and another	The matter was enrolled on 28 March 2025 at the SCCC in Pretoria and the case was postponed to 16 May 2025 for disclosure.
KJP Traders Pty Ltd	Accused 1, 3, 5 and 7 were granted bail of R50 000 each and accused 4 and 6 were granted bail for R50 000 each. Accused 2 remains in prison. The matter was postponed to 12 June 2025 for further investigation.

On 15 October 2024, in the matter of State vs D. Sigamoney, which was a strategic prosecution linked to the capture of police procurement processes, the accused was convicted of fraud, contravention of the Social Assistance Act, No. 13 of 2004, theft and perjury. On 4 March 2025, the accused was sentenced to a cumulative 20 years' imprisonment. Leave to appeal was dismissed. AFU with IDAC obtained a confiscation order of R138 593.

# Performance information

continued

**Table 25: Update on enrolled State Capture Commission recommendations**

No	Case name	Case reference number	Recommendation	Names of accused and number of government officials/politicians involved	Status/update
1.	Transnet Transaction Advisory Contract  (Fraud, theft, money laundering, PFMA)	JHB Central CAS 465/10/2019	ZCR0057 ZCR0081 ZCR0083 ZCR0084 ZCR0085 ZCR0086  <i>Part 2, Vol 1 (pgs. 171 – 495)</i>	1. Kubentheran Moodley 2. Albatime (Pty) Ltd 3. Eric Wood 4. Siyabonga Gama 5. Garry Pita 6. Daniel Roy 7. Phetolo Ramosebudi 8. Magandheran 'Niven' Pillay 9. Litha Mveliso Nyhonhya 10. Regiments Capital (Pty) Ltd 11. Brian Molefe 12. Anoj Singh 13. Trillian Asset Management (Pty) Ltd  <b>5 government officials</b>	On 31 January 2025, the matter was remanded to 2 February 2026 for trial.  AFU: Restraint order to the value of R1.08bn granted.
2.	Bosasa – Main  (Fraud, corruption)	Sandton CAS 302/12/2018  PTA Central CAS 1556/2/2012	ZCR0111 ZCR0112 ZCR0113 ZCR0115 ZCR0119 ZCR0121 ZCR0122 ZCR0143  <i>Part 3, Vol 2 (pgs. 362 – 925)</i>	1. Linda Morris Mti 2. Patrick O'Connel Gillingham 3. Andries Johannes Van Tonder  <b>3 government officials</b>	The matter was postponed to 10 October 2025 for the outcome of the application for living and legal expenses.  AFU: Uncapped restraint order granted on 24 July 2024.
3.	Bosasa – Vincent Smith  (Fraud, corruption)	Sandton CAS 302/12/2018	ZCR0127 ZCR0309  <i>Part 3, Vol 2 (pgs. 362 – 925)</i>	Vincent Smith  <b>1 politician</b>	The case was in court on 4 August 2025 and has been postponed to 20–31 October 2025 for trial.  AFU: Uncapped restraint order granted on 24 July 2024.
4.	Bosasa – Desmond Nair  (Fraud, corruption)	Silverton CAS 121/02/2019	ZCR0106  <i>Part 3, Vol 2 (pgs. 362 – 925)</i>	Desmond Nair  <b>1 government official</b>	The matter was in court on 29 August 2025 and postponed to 7 October 2025 for pre-trial.  AFU: Application for recovery to be lodged upon sentencing.

No	Case name	Case reference number	Recommendation	Names of accused and number of government officials/politicians involved	Status/update
5.	Denel	Brooklyn CAS 771/08/2017	ZCR100 ZCR101 ZCR0095	1. Daniel Mantsha 2. Zwelakhe Ntsepe <b>2 government officials</b>	The matter was in court on 30 July 2025 for the defence to peruse the docket. The matter is remanded to 23 October 2025 for further particulars and pre-trial dates.  AFU: The matter was referred to the AFU for asset forfeiture potential.
6.	Bosasa – Trevor Mathenjwa	Richards' Bay CAS 174/02/2019 Enq no 23/09/2022	ZCR0137 <i>Part 3, Vol 4 (pg. 911)</i>	1. Dudu Myeni (deceased) 2. Trevor Mathenjwa <b>2 government officials</b>	Prosecution withdrew the case against the late Dudu Myeni on 13 August 2024. The matter was in court on 1 August 2025 and postponed until 3–14 November 2025 for trial.  AFU: Application for recovery to be lodged upon sentencing.
7.	Eskom – Optimum and Koornfontein Rehabilitation Funds	Sunnyside CAS 427/04/2021	No specific recommendation	Joel Raphela <b>1 government official</b>	The matter was postponed to 25 May 2026 for trial.
8.	Eskom – Bedfordview Kusile/Tubular	Bedfordview CAS 345/08/17  Phola CAS 125/03/19	No specific recommendation	1. Frans Hlakudi 2. Abram Masango <b>2 government officials</b>	The matter was postponed to 20 July – 18 September 2026 for trial.
9.	Eskom – Hlakudi (Tax)	Garsfontein CAS 247/12/2019 248/12/2019 249/12/2019 250/12/2019	No specific recommendation	Frans Hlakudi <b>1 government official</b>	The matter was postponed to 20 October 2025 for continuation of trial.
10.	State Security Agency and Crime Intelligence	Lyttleton CAS 93/05/2023	No specific recommendation	1. Prince Makhwathana 2. Matome Solomon Ralebepe <b>2 government officials</b>	The matter was postponed to 4 November 2025 to set the trial date.

## Performance information

*continued*

No	Case name	Case reference number	Recommendation	Names of accused and number of government officials/politicians involved	Status/update
11.	Transnet – locomotives procurement	JHB Central CAS 384/06/2017	ZCR0058 ZCR0059 ZCR0060 ZCR0061 ZCR0066 ZCR0067 ZCR0068 ZCR0069 ZCR0070 ZCR0071 ZCR0072 ZCR0073 ZCR0074 ZCR0075 ZCR0076 ZCR0077 ZCR0078	1. Brian Molefe 2. Anoj Singh 3. Siyabonga Gama 4. Thamsanqa Jiyane <b>4 government officials</b>	The matter was enrolled on 30 June 2025 and has been postponed to 6 October 2025 for further investigation. AFU: Referred to AFU.
<b>Totals:</b>				<b>23 government officials</b> <b>1 politician</b>	

**Table 26: Update on State Capture Commission recommendations under investigation**

No	Case name	Case reference number	Recommendation	Number of government officials and/or politicians under investigation	Status/update
1.	Eskom – ABB main contract	Sandton CAS 413/07/2017	No specific recommendation	<b>2 government officials</b>	Allegations of fraud and corruption in the awarding of a R2.2bn contract at Eskom's Kusile Power Station – under investigation.
2.	SSA & Crime Intelligence	Lyttleton CAS 444/08/2020 Lyttleton CAS 93/05/2023	ZCR0229 ZCR0278 ZCR0229 ZCR0342 ZCR0241 ZCR0224 ZCR0342 ZCR0342 ZCR0288 <i>Part 6, Vol 1 (pgs. 90 – 201)</i>	<b>7 government officials</b>	Misappropriation of state funds for personal gain – under investigation.



No	Case name	Case reference number	Recommendation	Number of government officials and/or politicians under investigation	Status/update
3.	NPA (Fraud, perjury)	PTA Central CAS 1562/02/2018  Silverton CAS 622/10/2014  156/06/2016  Pietermaritzburg CAS 437/06/2016	No specific recommendation	<b>4 government officials</b>	NPA officials committing perjury, fraud and defeating the end of justice – under investigation.
4.	Estina (Fraud, corruption, money laundering, PFMA)	Parkroad CAS 200/07/2017	ZCR0288  ZCR0305  ZCR0307  <i>Part 6, Vol 1 (pgs. 90 – 201)</i>	<b>3 government officials 1 politician</b>	Corruption, fraud and violations of the PFMA committed in relation to the Vrede project – under investigation.
5.	Eskom – Tegeta (sale of shares)	Sandton CAS 507/09/2017	No specific recommendation	<b>3 government officials</b>	Three senior Eskom executives allegedly colluded with the directors and proprietors of a coal mining company and embarked upon an unlawful scheme to syphon funds from Eskom through corrupt and fraudulent activities – under investigation.
6.	Bosasa – Security Upgrade 1			<b>1 politician</b>	Under investigation.
7.	Bosasa – Security Upgrade 2			<b>1 politician</b>	Under investigation.
8.	Bosasa – Security Upgrade 3			<b>1 politician</b>	Under investigation.

## Performance information

*continued*

No	Case name	Case reference number	Recommendation	Number of government officials and/or politicians under investigation	Status/update
9.	Bosasa – Security Upgrade 4	Prestbury CAS 100/03/2025	ZCR0128	<b>1 government official</b>	A senior government official currently employed by the Department of Correctional Services in KZN has allegedly been involved in corruption regarding the processes and procedures in evaluating and awarding tenders – under investigation.
<b>Totals</b>				<b>20 government officials</b> <b>4 politicians</b>	

**Table 27: Finalised cases/recommendations**

No	Case name	Case reference number	Recommendation	Names of accused in finalised investigation	Status/update
1.	SAA Airbuses	Ortia CAS 115/08/2023	No specific recommendation	Dudu Myeni <b>1 government official</b>	Dudu Myeni allegedly made misrepresentations to the then Minister of Public Enterprises by informing him that the SAA board had resolved to transact two aircraft with Pembroke when, in fact, it was resolved by the SAA board that SAA would acquire 10 and not two.  Outcome: The investigating officer confirmed that Dudu Myeni passed away on 14 June 2024. She was the only potential suspect in the matter and there is no reason to pursue the investigation.

No	Case name	Case reference number	Recommendation	Names of accused in finalised investigation	Status/update
2.	State Security Agency (Fraud, corruption, money laundering, PFMA)	Lyttelton CAS 182/11/2022	ZCR0241 (previously ZCR0242)  <i>Part 6, Vol 1 (pgs. 90 – 201)</i>	Marti Wallace  <b>1 government official</b>	The matter relates to the misappropriation of state funds for personal gain.  Outcome: The accused pleaded guilty in terms of Section 105A of the CPA on charges of fraud, money laundering and unlawful interception. The accused was sentenced to 18 years' imprisonment, fully suspended for three years on condition that the person is not convicted of a similar offence and fully cooperates with law enforcement in investigations that fall within the person's knowledge.  AFU: A confiscation order of R1.35m in terms of Section 18 (1) of POCA was obtained and paid into CARA.
<b>Totals</b>				<b>2 government officials</b>	

## Capacity

Of an approved establishment of 212, 122 permanent members have been appointed. A further 26 posts were recommended in the last recruitment drive and the process to appoint the recommended candidates is at an advanced stage. The recruitment process is ongoing. The organisational development process is underway to evaluate investigator posts and conclude the salary dispensation process in line with the NPAA Act.

## Performance information

*continued*

### Asset Forfeiture Unit

#### Key achievements and challenges

**C-ADR recoveries:** The value of C-ADR was highlighted in the period under review. Many valuable lessons were learned, most notably that C-ADR is not quicker or less onerous than pursuing complex asset forfeiture applications in terms of POCA. Substantial and thorough preparation is required before the C-ADR process can be initiated and the process of engaging with the entity and its legal representatives is very complex and protracted. C-ADR has nevertheless proven to be a powerful mechanism to effect recoveries, with R1.15bn paid to CARA and R625.3m paid to victims in the year under review, bringing the total C-ADR recoveries to R1.74bn.

**FATF Immediate Outcome 8 assessment achieved:**

The AFU took the lead in addressing Immediate Outcome 8 (IO8) and was required to implement various initiatives to show how the country is enhancing its effectiveness. This included the implementation of C-ADR, appointment of external service providers and experts to assist with asset recovery, implementation of the Asset Recovery Hub and further collaboration with other stakeholders in the criminal justice system and beyond. After the FATF Joint Group Meeting in September 2024, FATF changed the assessment for IO8 to 'largely addressed', meaning that IO8 has not been under enhanced monitoring from then onwards.

**Meeting all agreed performance targets as amended:**

The AFU's main performance indicators were amended from the narrow scope of corruption freezing orders and recoveries only, to the wider ambit of all freezing orders and recoveries. While the value involved in corruption matters is normally high, corruption matters only represent a small number of the total number of cases pursued by the AFU. Except for the 'Value of freezing orders in corruption and related matters', an indicator that fell away with the approval of the new MTSF indicators, the AFU exceeded all other targets. Corruption specific indicators fell away on 27 November 2024.

**Legislative amendments:** The AFU was actively involved in developing and assisting with legislative amendment proposals for POCA, the International Cooperation in Criminal Matters Act, No. 75 of 1996 and POCDATARA.

**Referral process:** The AFU must constantly engage with its internal and external stakeholders to source cases. A culture where cases are referred to the AFU as a matter of course has not been established. The AFU noticed a decline in the referral of cases, particularly high-value cases. The DPCI instruction that all cases with asset forfeiture potential should be referred to the DPCI, despite having DPCI members co-located within the AFU, has posed a further challenge.

**Restraint orders:** The AFU has large values under restraint in terms of Chapter 5 of POCA – these remain in place until the accused against whom the restraint orders were obtained is convicted. When a criminal case is lost or withdrawn, the AFU has no legal basis to enforce the restraint order and is compelled to rescind it. The restrained assets then need to be handed back to the owners. The loss or withdrawal of a criminal case, over which the AFU has no influence, can have severe financial implications for the AFU as curators' fees and maintenance costs may need to be paid from the budget of the AFU.

**International recoveries:** The process of pursuing international recoveries using external service providers has proven to be very challenging. The external service providers typically enter into a contingency fee agreement as part of their appointment and then seek external investors to fund the litigation. This process is very slow, with some service providers failing to secure external investors and not prepared to self-fund the cases. The approach will have to be reconsidered in future.

**Mandate:** The AFU has competing mandates with other law enforcement and non-law enforcement agencies. This is, for the most part, related to the fact that the AFU is not specifically established and mandated in the NPA Act. This also means that AFU investigators lack defined powers. The imposition of unrealistic targets has also posed a challenge.

#### Stakeholder engagement

The AFU is required to work closely, and is extensively engaged, with many different internal and external stakeholders.

Internally, the AFU is dependent on referrals from all prosecutors in general and from the SCCU and IDAC in particular. For the Section 18 Project, the AFU also depends on prosecutors in the Magistrates' Courts to manage the applications.

There are several multi-disciplinary structures where the AFU serves with prosecutors and other stakeholders. These include the National Priority Crime Operational Committee's Case Management Committee, the Fusion Hub, the Asset Recovery Hub, the NPA Money Laundering Desk, the Shared Forensics Services Steering Committee, the Inter-Agency Working Group on Illicit Financial Flows, the Health Sector Anti-Corruption Forum, the State Capture Case Management Committee (DPCI), IDAC Task Force, the SARS/IDAC Coordinating Committee and the South African Money Laundering Inter-Agency Task Force.

The AFU is also jointly involved in several international structures to address our obligations in respect of FATF, OECD, G20 and BRICS. The AFU serves on the FATF Law Enforcement Workstream group, the G20 ACWG and the OECD ACWG. Some AFU staff are assessors for the OECD. The AFU also engages with several other international stakeholders, such as the World Bank's StAR Initiative and the International Anti-Corruption Coordination Centre, an initiative of the British National Crime Agency. The AFU's engagements with StAR led to meetings being convened with the AFU's counterparts in China. South Africa also has observer status in the Camden Assets Recovery Inter-Agency Network and has approached the Egmont Group, through the FIC, for assistance with information on cases.

The AFU continued with its active role in the Asset Recovery Inter-Agency Network of Southern Africa (ARINSA), serving in the secretariat, facilitating cross-border asset recovery and coordinating capacity-building initiatives in the region. As a lead

in ARINSA, the AFU provided training to colleagues from foreign jurisdictions in the Southern African Development Community region. The AFU conducted in-country asset recovery training for lawyers and investigators, with customised training programmes and content for each country (which required studying their statutes and case law). Twelve trainers conducted training in the Seychelles, Namibia, Lesotho and Botswana.

The Jordaan matter is a prime example of the AFU's involvement in ARINSA. The AFU Mpumalanga obtained two very large freezing orders relating to illegal coal mining. It was established that Jordaan had moved substantial assets to Namibia. The Namibian Prosecutor-General wanted to freeze those assets on an urgent basis. The AFU Mpumalanga spent several days during their December vacation leave assisting the Prosecutor-General in Namibia to draft the applications. Based on the assistance provided, the Namibian Prosecutor-General obtained a preservation order for R52m. This was an excellent example of cooperation between the AFU, FIC, the Namibian FIC and the Namibian Prosecutor-General.

In terms of civil society, the AFU has engagements with the HSF and regularly engages with BAC, cooperating on initiatives aimed at securing assistance from the private sector.

The AFU has also cooperated closely with entities such as the US Department of Justice and the US Securities and Exchange Commission in the successful conclusion of C-ADR matters.

## Performance

**Table 28: AFU performance, 2020/2021 – 2024/2025**

Indicator	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
Number of completed confiscation forfeiture cases	293	370	521	653	<b>600</b>
Value of completed forfeiture	R550m	R550m	R495m	R3.08bn	<b>R725m</b>
Value of corruption freezing orders	R611m	R5.5bn	R570m	R932m	<b>R161.8m</b>
Value of freezing orders	N/A	N/A	N/A	N/A	<b>R1.123bn*</b>
Value of corruption recoveries	R3m	R118m	R2.63bn	R787m	<b>R463.2m</b>
Value of recoveries	N/A	N/A	N/A	N/A	<b>R1.96bn^</b>
Success rate of litigated cases	99%	99%	99%	99%	<b>98%</b>

\* Freezing orders before re-tabling of the Annual Performance Plan amounted to R161.8m.

^ Corruption recoveries obtained before re-tabling of the Annual Performance Plan amounted to R463.2m.



## Performance information

*continued*

In previous financial years and a part of the financial year under review, corruption-specific indicators (which are sub-sets of the overarching indicators) are included as they were reported on in terms of the MTSF. However, these indicators fell away with the approval of the new MTSF in November 2024.

**Completed confiscations and forfeitures:** Confiscation orders are obtained in terms of Chapter 5 of POCA on conviction of the accused, targeting the benefit derived from and sufficiently related to the crimes convicted of. Forfeiture orders are obtained in terms of Chapter 6 of POCA after a preservation order has been obtained. Forfeitures target the proceeds and instrumentalities of crime. A confiscation or forfeiture order provides the AFU with the legal basis to finally seize and dispose of the assets as directed in the court orders. Both the numbers and values of orders obtained are measured. In terms of the Technical Indicator Description for these indicators, settlements in terms of C-ADR and otherwise are also recognised as forfeitures.

**Number of completed confiscation and forfeiture cases:** The number of completed confiscation and forfeiture cases is the second highest ever recorded. This was due to a focus on cases that have a high impact in the communities but do not necessarily have high value, including drug peddlers and illegal liquor dealers in the community. The Section 18 Project was initiated to target these cases in the District Courts. Against a target of 400, 600 orders were obtained.

**Value of completed confiscation and forfeiture cases:** The AFU has traditionally struggled to achieve this target. Some very large orders (amounting to R725m) were obtained in illegal mining and money laundering in Gauteng: Pretoria and Johannesburg, the Free State, North West and Mpumalanga Divisions.

**Freezing orders:** The AFU obtains freezing orders in terms of both Chapter 5 (restraints) and Chapter 6 (preservations) of POCA. The purpose of these orders is to secure the assets and prevent their dissipation. Chapter 5 restraints are not a prerequisite for obtaining a confiscation order and can be obtained at any time during the proceedings when there is a risk of asset dissipation. A restraint can even be obtained after the confiscation order.

The AFU measures both the number and value of freezing orders. The indicator is a collective representation of both preservations and restraints.

**Number of freezing orders obtained:** The AFU strategically prioritised the use of Chapter 6 proceedings and obtained 429 freezing orders against a target of 310, exceeding the target by 38%. The AFU is particularly proud of this performance, having traditionally struggled to achieve this target.

**Value of freezing orders:** The AFU froze R1.123bn against a target of R700m, exceeding the target by 61%. This was due to consistent performance throughout the year, as well as large freezing orders obtained in July (2 cases), October (1 case), November (2 cases) and March (3 cases). Owing to the AFU, R1.19bn was paid into CARA and CARA was able to disburse R2.2m to combat illegal mining and R100m to combat GBV.

**Value of freezing orders in corruption and related cases:** The unit froze R161.8m (but this indicator fell away during the financial year).

**Value of recoveries:** The AFU did exceedingly well, recovering R1.96bn against a target of R160m. This was due to extremely large recoveries made in terms of C-ADR in three cases: McKinsey (R1.115bn), SAP (R480.3m) and Tegeta/OCM/Templar (R145m). This means that R1.74bn or 98% of the total performance of recoveries were due to C-ADR. The value of recoveries includes the value of cash recovered and paid to CARA and victims, as well as movable, immovable and immaterial goods and claims returned to victims.

**Success rate of litigated cases:** The AFU achieved a success rate of 98%. This indicator is a measure of the quality of work and the skill levels of the AFU. It further indicates that the AFU uses sound case selection criteria to ensure that recoveries can be made in cases taken to court.

**Value of recoveries in corruption and related cases:** The AFU recovered R463.2m in corruption and related matters against a target of R350m, exceeding the target by 32%. This indicator fell away during the financial year.

## NOTEWORTHY CASES



### Deeds matter

Property belonging to the Mmabatho Municipality was transferred to private persons and entities for no or little value and then sold for huge personal profit. The parties obtained duplicate title deeds from the Deeds Office and used these to create the impression that the properties were duly transferred. The AFU obtained preservation orders for R244.7m in 2023 and a forfeiture order for R53m in April 2024. An amount of R12m was paid to the victim on 4 June 2024. Two further forfeiture applications are in process.

### Compensation fund matter

Corrupt employees committed fraud by moving a large amount of money from the Compensation Fund to private accounts. They created fraudulent beneficiaries on the system and then transferred the money several times to conceal its origin. The case, which commenced in 2022, is ongoing. During the period under assessment, the AFU obtained three forfeiture orders totalling R3.6m and has returned R3.58m to the department.

### Rogers matter

Rogers ran a complicated Ponzi scheme. When it became apparent that the scheme was about to collapse, he moved funds to the Isle of Man. The AFU approached the Isle of Man Financial Intelligence Unit for assistance on an informal basis. The Isle of Man assisted by obtaining a freezing order for the funds held in bank accounts there, pending the AFU's processes. After the freeze in the Isle of Man, the AFU submitted a formal request for MLA. The AFU obtained a preservation order in South Africa in support of the order in the Isle of Man. The forfeiture order obtained by the AFU in South Africa was registered in the Isle of Man and the monies were subsequently recovered and

paid to the victims on 24 January 2025. This case is a prime example of good international cooperation in the recovery of proceeds of unlawful activities.

### Aziz matter

On 3 October 2023, at King Shaka International Airport, Idris Abdul Aziz attempted to take US\$180 000 out of South Africa unlawfully. He failed to declare the currency in his possession and made two informal admissions that he was a trader in foreign currency without the authority of the National Treasury. The foreign currency is the instrumentality of the contravention of regulations 3(1), 3(3) and 2(1) of the Exchange Control Regulations of 1961. The AFU obtained a forfeiture order in the amount of R3.48m on 19 March 2024. The full amount was paid into CARA on 28 June 2024.

### McKinsey settlement

In one of the major state capture matters, some of the directors of McKinsey South Africa colluded with employees of Eskom and other entities, such as Transnet, to illegally receive tenders for consultation work without following the Public Finance Management Act and National Treasury Regulations, thereby committing fraud, theft, corruption and money laundering. With the assistance of the US Department of Justice, the AFU engaged with McKinsey to utilise C-ADR as a mechanism to disgorge the value of the contracts. Several months of intense negotiations followed, after which McKinsey agreed to pay R1.115bn into CARA. The money was deposited into CARA on 18 December 2024.

### Bennideen matter

Employees of Northern Spark Refinery in Gauteng fraudulently siphoned funds from their employer. The money was transferred to specifically incorporated entities to conceal the origin of the proceeds. The AFU in Johannesburg obtained a preservation order for R131m on 25 March 2025. The forfeiture process is ongoing.

## Performance information

*continued*



### Du Plessis matter

Du Plessis and other individuals were engaged in illicit platinum mining. After an investigation, 299 000 metric tons of platinum-bearing ore valued at R350m was preserved on 28 November 2024 in Mmabatho as the proceeds of illegal mining. The forfeiture process is ongoing.

### GM Molotshane matter

The defendants and respondents were part of an illicit scheme between senior and middle management officials at the Mpumalanga Provincial Department of Public Works and suppliers who, on a common purpose basis, extracted large amounts of money for their personal benefit. Multiple offences of corruption, fraud, theft and money laundering were committed. The matter involved Personal Protective Equipment disinfection services during the COVID-19 pandemic. The AFU Mpumalanga preserved R48.5m on 3 July 2024. The forfeiture application is ongoing, but is opposed.

### Asbestos matter

The accused manipulated procurement processes in the Free State Department of Human Settlements, paying R230m for a project relating to the audit of asbestos roofs in the Free State. Two officials received undue and corrupt payments. The AFU was able to link the money syphoned from the Department to properties purchased with the proceeds. The AFU obtained a preservation order for various properties to the value of R32m on 13 March 2025. The forfeiture process is ongoing.

### Riverhorse Farm matter

The property of the respondent, who has a long history of manufacturing drugs, was seized as an instrumentality in the manufacturing or as the proceeds of dealing in drugs. The AFU obtained a preservation order of R29.75m on 2 August 2024. The forfeiture is ongoing.

### Marang Estate matter

The accused bought immovable property from the Mafikeng Municipality but never paid the full purchase price. They later sold the land to third parties or companies owned by themselves for massive profits. The AFU obtained a preservation order for the properties in November 2019 and a forfeiture order of R360m on 31 October 2024. The recoveries are ongoing.

### Makwamba Ngoy matter

The respondent, a former defence attaché to South Africa for the Democratic Republic of the Congo (DRC) defence force, was involved in defrauding the DRC of a large amount of money meant to procure weapons. One of Ngoy's duties as defence attaché was to purchase weapons from South Africa's state-owned defence, security and related technology company, Denel. The DRC embassy made a payment of R49.6m to the Denel group for this purpose. However, the Denel Group could not process the order and arranged to pay the money back to the DRC embassy. In December 2022, the DRC government terminated Ngoy's contract, but he fraudulently represented himself to Denel as still being the delegated DRC representative and a signatory of the DRC's defence account, with the authority to instruct them on where to make the refund payment. Ngoy instructed the Denel Group to pay the money into a bank account belonging to Johan van Heerden Attorneys. The money was transferred to other bank accounts and used to purchase properties in the names of Ngoy's children. The AFU obtained a forfeiture order for R43m on 21 June 2024. The liquidation of the properties for the recovery of the funds is ongoing.

### Matimba matter

In administering a deceased estate, Zimbabwean attorney Sophie Matimba received a large amount in US dollars from Standard Chartered Bank to invest for the benefit of the deceased's son. She transferred the money into her personal FNB account in South Africa. Some of the money was used to purchase diesel for a company in Turkey. The AFU was requested by the Zimbabwean authorities to assist on an informal basis through the ARINSA network. Without insisting on a formal MLA, the AFU proceeded to preserve and forfeit the balance of the money in the attorney's personal account. The preservation was obtained on 14 August 2024, the forfeiture on 17 December 2024, and the payment is in the process of being affected. The value to

be repaid is R16.9m. This is another example of the AFU cooperating with foreign jurisdictions to recover money emanating from foreign predicate offending.

### Ngxola matter

Former clerk Nwabisa Ngxola, together with co-accused businessman Michael Chimanzi and Eskom finance clerk Cinderella Moropane were convicted on 114 counts, including fraud, theft and money laundering, in the Nelspruit SCCC. Ngxola's password and username were used to capture certain payments to Mandla Lines CC, which is a legitimate company registered in the name of Chimanzi. The three shared the proceeds amongst themselves and were arrested after the police received a tip-off. A confiscation order was obtained on 8 April 2024 for R5.6m. The recovery is in progress.

### Project Criss Cross

The accused sold water purifying units to the KZN provincial government at inflated prices and paid R1.5m to Sipho Shabalala, a former head of the

KZN Provincial Treasury as gratification for the tender. The accused were convicted in the KZN High Court and the AFU obtained a confiscation order for R60m on 5 September 2024. Recoveries are in progress, with R46.5m recovered to date.

### SAP matter

SAP South Africa, an Enterprise Resource Planning system used widely in government, engaged in corrupt transactions with entities and persons linked to state capture, such as Eskom and Transnet. SAP paid bribes to extend current contracts with the government and state-owned entities and secure further contracts. The AFU engaged with SAP, assisted by the SIU and the US Securities and Exchange Commission and Department of Justice, to settle the matter in terms of C-ADR. SAP agreed to disgorge the benefit and paid back R480.3m to victims during the 2024/2025 financial year, in addition to the R750m paid to CARA in the previous financial year. This means a total of R1.23bn has been recovered.



## Performance information

*continued*

### Office for Witness Protection

#### Key achievements and challenges

During the past 25 years, no witnesses and related persons have been harmed, threatened or killed while on the Witness Protection Programme for the reason they were placed on the programme.

In the period under review:

- Only two witnesses walked off the programme
- No related persons walked off the programme
- All witnesses in the programme attended judicial proceedings when required to do so
- All witnesses and related persons were successfully discharged and resettled
- All formal complaints lodged by witnesses against the OWP with the Minister (or any government institution, public or private organisation), in terms of section 14 of the Witness Protection Act, No. 112 of 1998, regarding their treatment while on the programme, were resolved. One witness complained to the Ministry of Police, but the complaint was addressed in the past and a report to this effect has been submitted.

The OWP faces several key challenges. The mixing of covert and overt functions poses a security risk, while the use of the Central Supplier Database for procurement means that there are limited service providers available and suitable suppliers inflate their prices.

The OWP is also severely short-staffed – approval was given for the creation of additional posts, but the level of these posts was downgraded and could not be advertised. Operational staff travel long distances to secure protected persons on a continuous basis, while management and officials are on 24/7 standby. This places strain on their health and relations with their families.

Due to delays in prosecution and a lack of prioritisation for OWP-involved cases, some witnesses have remained on the programme for a prolonged period. The allowances for witnesses and their related persons have not been increased since the inception of the Witness Protection Programme.



Most, if not all, complaints from witnesses relate to the inadequate allowance.

Protected persons often have unreasonable expectations, which have been created – unwittingly or otherwise – by stakeholders and partners making promises that cannot always be fulfilled. This can lead to complaints.

#### Stakeholder engagement

The OWP presented at on-board training for the NPA and at Trafficking in Persons training sessions. The OWP has regular meetings and training sessions with SAPS and prosecutors.

The Acting Director of the OWP and two delegates attended the International Witness Protection: Head of Experts meeting held in Hungary, where international good practices were discussed.

The Acting Director held various meetings with delegates from the International Criminal Court to promote cooperation and provide guidance in the field of witness protection.



## Performance

Table 29: OWP performance, 2020/2021 – 2024/2025

Indicator	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
Number of witness and related persons threatened, harmed or killed while on the Witness Protection Programme	0%	0%	0%	0%	0%
% of witnesses and related persons who walked off the programme	0.9%	1.4%	0.6%	0.3%	0.2%
% of witnesses who attended judicial proceedings	100%	100%	100%	100%	100%
% of witnesses and related persons successfully discharged and resettled	100%	100%	100%	100%	100%
% of formal complaints resolved	100%	100%	100%	100%	100%

## Capacity

The head of the OWP has been evaluated at a higher level – the effect of this on the remainder of the establishment is yet to be established.



## Performance information

*continued*

### Legal Affairs Division

LAD serves as the NPA's in-house legal team and is responsible for managing civil litigation against the NPA. LAD's responsibilities encompass matters initiated under the action procedure (such as letters of demand and summonses) and the application procedure (such as notices of motion).

#### Key achievements and challenges

LAD now has a regional footprint, with 34 regional positions filled to facilitate on-the-ground collaboration, reducing legal costs and liability. This initiative will optimise operations and enhance responsiveness to the needs of prosecutors. Regional capacity will ensure that business unit heads understand the factors contributing to civil litigation against the NPA (particularly if it is successful), and that they are appraised of findings relating to a lack of skills, training and mentoring, or possible misconduct.

Prosecutors continued to be targeted for removal from cases, and civil litigation proceedings are still used as a tactic to delay or derail criminal proceedings. Over the reporting period, LAD continued to support prosecutors to successfully prevent such applications.

On 19 August 2024, a civil litigation policy for the NPA was signed and implemented. This will go a long way towards ensuring uniformity and accountability.

LAD has worked hard to ensure the completeness and accuracy of the contingent liability register.

The reporting period witnessed the highest ever increase in claims, from 986 in 2023/2024 to 1 558 in 2024/2025. This increase is largely ascribed to inefficiencies in the State Attorney's Office, which allows private attorneys to exploit the system for legal costs despite their small chance of success on the merits of the claims. This places prosecutors and LAD under pressure, which the regional capacity will hopefully address.

Inefficiencies at the State Attorney's Office are exacerbated by unfilled vacancies, protracted procurement procedures and ongoing connectivity issues. The intermittent connectivity creates a risk as the NPA cannot be sure that their emails are received, while the State Attorney's Office cannot communicate with the NPA – this requires constant monitoring.

Six of the 23 matters lost were default judgments caused by inefficiencies in the State Attorney's Office. Despite LAD working to contain this, there are still a huge number of judgments to be rescinded, which wastes resources and time and has a financial impact.

There was a 97% saving regarding the amounts claimed in finalised matters.

Briefing delays caused by red tape have been brought to the attention of the DoJ&CD. LAD is setting up a database of pre-vetted counsels with the requisite expertise in both civil and criminal law – this will allow for a pool to draw from whenever matters that pose a reputational risk to the NDPP or NPA arise.

The lack of a digitised system in the NPA delays the speedy finalisation of matters as manually tracking and locating files is cumbersome. There needs to be continued engagement with ISM to procure a system that will address this need. The LAD registry is currently being updated.

#### Stakeholder engagement

In 2024/2025, LAD partnered with constituent Bar Councils to train prosecutors in civil litigation. LAD will continue to engage with the South African Judicial Education Institute on a training initiative in which judges collaborate with prosecutors to enhance their expertise in civil litigation. This initiative aims to equip prosecutors with the skills necessary to effectively navigate interlocutory applications designed to derail criminal prosecutions, as well as to understand the underlying causes of malicious prosecution and unlawful detention claims. By addressing these issues head-on, LAD can contain potential liabilities while ensuring a steadfast commitment to justice.

LAD recognises that collaboration with law enforcement is crucial, especially as the police are often co-defendants. LAD has engaged with SAPS' national head of legal services to formalise a working relationship through a structured stakeholder engagement mechanism and will continue to implement this in conjunction with the state attorneys. The initiative kicked off in Mthatha and will be expanded to all the regions/provinces to ensure uniformity. Regional Committees on Litigation, made up of colleagues from SAPS, NPA/LAD and the State Attorney's Office, have been established.

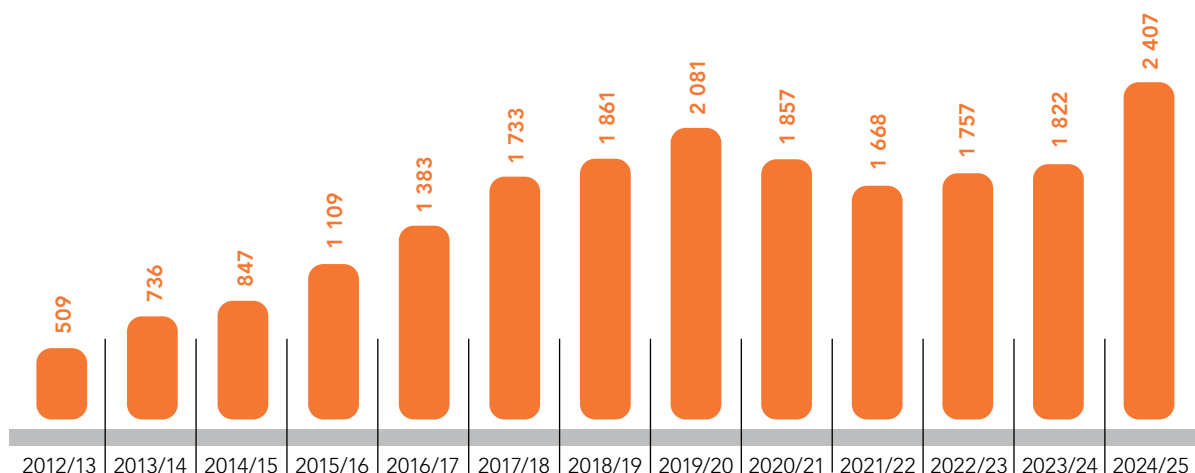
LAD ensured that ManCo and ExCo are aware of all matters that have an impact on its operations, and communication remains a critical focus area.

## Performance

**Table 30: Increase in claims and anticipated claims, 2019/2020 – 2024/2025**

Indicator	2019/20 actual performance	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
Number of claims	2 081	1 859	1 668	1 757	1 822	<b>2 407</b>

**Figure 24: Instructions including S3 notices**



Over the past 14 years, there has been a massive increase in workload, from 509 claims in 2012/2013 to 2 407 in 2024/2025. While the increase was initially ascribed to South Africa becoming more litigious and civil society stepping up to hold government accountable, it has since become a money-making scheme for plaintiff attorneys who work mostly on a contingency basis and litigate aggressively, exploiting errors and inefficiencies in the State Attorney's Office and generating cost orders. There has also been an increase of applications to release

illegal immigrants who have applied for asylum. LAD obtained punitive orders against applicants whose applications were opportunistic and assisted the state attorneys by appointing consultants to recuperate the wasted resources.

Over the past six years, new indicators monitoring trends, risks and default judgments were introduced. The required percentage of success was increased from 55% to 60%, then 65% and is currently 68%. The required percentage of savings compared to the amount claimed in finalised matters is 90%.

**Table 31: Performance against LAD Annual Operating Plan targets, 2020/2021 – 2024/2025**

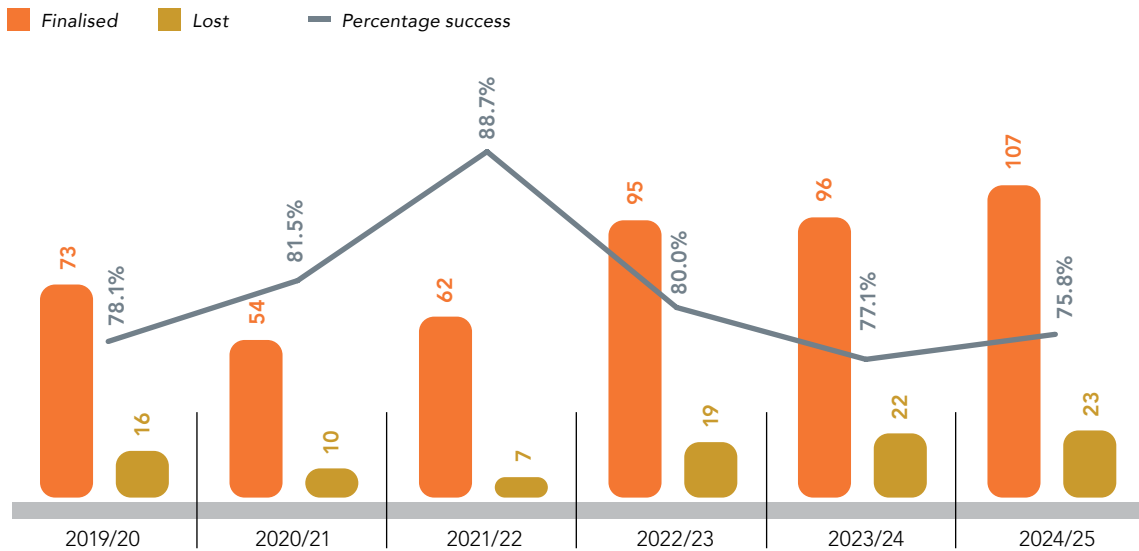
Indicator	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
% of default judgements	N/A	N/A	8% (8/95)	3% (3/96)	<b>5.6% (6/107)</b>
% of success in defended matters	81.5% (44/54)	88.7% (55/62)	80% (76/95)	77% (74/96)	<b>78,5% (84/107)</b>
% of savings on amounts claimed	99.8%	99%	98.1%	95.6%	<b>97%</b>
% of civil actions dealt with within five days	99.9% (1 128/ 1 129)	99.5% (1 028/ 1 033)	98.8% (1 039/ 1 052)	99.8% (984/ 986)	<b>100% (1 558/ 1 558)</b>

## Performance information

*continued*

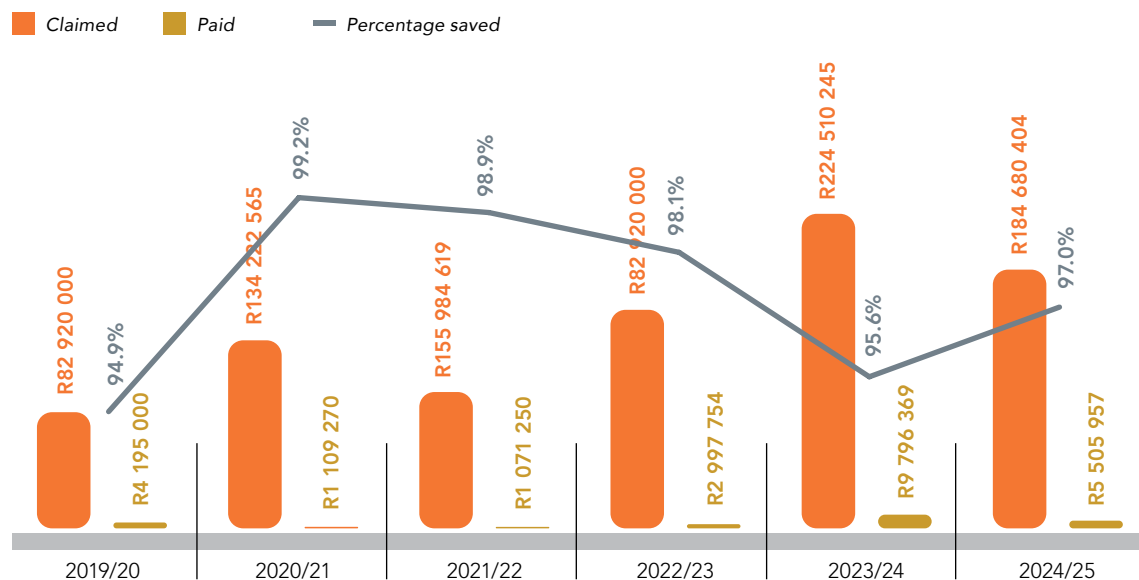
Despite an excellent containment of claim amounts, there was an increase in default judgments in 2024/2025. An analysis revealed that state attorneys failing to file notices to defend or plead, exacerbated by late notifications to the NPA, negatively affected chances of rescission. Curbing this was vital – most of the claims lost have very good prospects of being successfully defended; it also creates a lot of work and extra cost for LAD to have a default judgement set aside. LAD introduced a new performance indicator to monitor default judgments in 2022 and reduced the number of default judgments from 8% in 2022/2023 to 5.6% in 2024/2025.

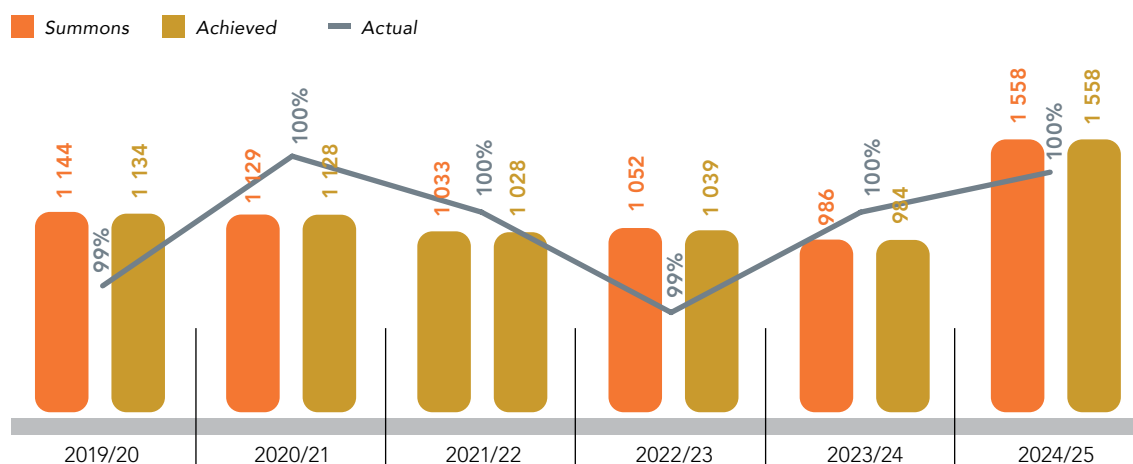
**Figure 25: Percentage success in defended matters, 2019/2020–2024/2025**



LAD maintained an average success rate of 80% in finalised matters over the past six years. This is commendable and would have been even higher if not for default judgments or mistakes leading to incorrect concessions by correspondents.

**Figure 26: Percentage savings, 2019/2020–2024/2025**



**Figure 27: Percentage claims dealt with within five days, 2019/2020–2024/2025**

In 2024/2025, there was a massive increase in actual delictual claims to 1 558. This increase was identified as one of the top five risks facing the NPA in 2025. The regional capacity will play a vital role in containing this risk.

**Table 32: Summary of matters dealt with, 2020/2021 – 2024/2025**

Indicator	2020/21 actual performance	2021/22 actual performance	2022/23 actual performance	2023/24 actual performance	2024/25 actual performance
Number of civil summonses received	1 129	1 033	1 052	986	<b>1 558</b>
Number of civil trials	285	317	412	418	<b>410</b>
Number of delictual claims lost or settled	10	7	19	22	<b>23</b>
Number of motions dealt with	300	253	263	252	<b>321</b>

The increase in civil trials places a burden on prosecutors who need to avail themselves for consultations and trials.

The main reasons for civil claims against the NPA are malicious prosecution, unlawful detention, failure to adhere to the duty of care and defamation. For a claim of malicious prosecution to succeed, the plaintiff must prove that proceedings were instituted, that the prosecutor acted without reasonable and probable cause, with malice, and that the prosecution failed. Malice is present if the defendant intended to injure; negligence is insufficient. Prosecutors have a duty to protect the constitutional rights of citizens, and a breach of this duty can lead to an award for damages. Prosecutors can be held liable for unlawful detention if they contribute to the decision to detain in breach of their duty to protect the physical liberty of citizens. Once it is established that detention is not justified by acceptable reasons, and it is without just cause, the detention is rendered unlawful for purposes of a delictual claim for damages. Prosecutors have a public duty not to violate the right to freedom by placing all relevant information before a magistrate. If this duty is breached, it can give rise to a delictual claim for damages.





# Activities of the Directors of Public Prosecutions



## Eastern Cape Division

### Key achievements and challenges

The Division's strategic focus includes increasing the successful prosecution of serious and violent crime.

Addressing the backlog in the Regional Courts resulted in a 26% reduction during this financial year.

Various challenges persist from the previous reporting period, including: interlocutory applications by defence counsels; lack of judicare counsels from Legal Aid South Africa; outbreaks of tuberculous, lice and other infectious diseases at prisons; accused in gang matters firing counsels on the trial date; witness killings; lack of suitable accommodation in all courts; and loadshedding, water shortages and lack of connectivity. The provision of Wi-Fi and data lines has alleviated the internet challenge to some degree.

### Stakeholder engagement

District Efficiency Enhancement Committee (DEEC) meetings, Regional Efficiency Enhancement Committee (REEC) meetings and Provincial Efficiency Enhancement Committee (PEEC) meetings take place regularly and address challenges with different stakeholders.

The Division continues, through the various stakeholder meetings and engagements, to actively advocate for synergy in identifying and dealing with priority matters. This has resulted in the creation of additional High Courts to deal with the serious and complex commercial trial matters that have been identified as high priority on the case selection criteria.

Engagement between senior managers, the Judge President and the Regional President resulted in circuit courts in the High and Regional Courts being established to address and reduce backlogs and blockages.

Daily feedback and a hands-on approach have eased roll planning in the High Court. Virtual pre-

trial meetings between Legal Aid practitioners and prosecutors have been successful in the Mthatha High Court, where high-profile cases are tried.

The Division actively participates in the Trafficking in Persons Rapid Response Team, the Business Safety Steering Committee and Extortion Forum.

## Performance

The accuracy of performance management information discussed during senior management meetings was enhanced by the receipt of scanned charge sheets and High Court orders to verify case outcomes, as well as several governance audits. The quarterly performance report reflects each office's performance against targets and allows the offices to compare their performance.

Flagstaff prosecutors are sharing how they approach their daily work through peer-review mechanisms. In-service mentoring has been arranged between Senior Public Prosecutors (SPPs) and control prosecutors to share best practices. District Court prosecutors are practising in Regional Courts to develop their career paths, and seconding prosecutors and advocates between units has become the norm.

Prosecutorial teams were introduced for high profile cases, including in the Lusikisiki, Qumbu and Bityi massacres.

The 'SCCU LITE' project in the Gqeberha Cluster continued, resulting in more commercial crime matters being finalised in the Regional Courts. Prosecutors who dealt with these prosecutions were seconded to the SCCU and many were appointed as state advocates in the SCCU. A new batch of SCCU LITE prosecutors have been trained to take over. This has become a best practice, and Chief Prosecutors have replicated this in their clusters.

The Division has identified community prosecution as pivotal to improving service delivery. There are nine CPI sites in the Division: Motherwell, Gelvandale and Humansdorp focus on gangs; Mdanstane focuses on illegal taverns and drugs; Msombomvo, Komani, Mount Ayliff and Gangelizwe focus on GBV, ukuthwala and initiations. Cradock was added during this financial year. The Community Prosecutors are proactive and have invested much time and effort in fostering relationships through interactive sessions with the community. The community's trust in the

NPA has increased as a result, with community members approaching the team with the crime-related challenges they experience in their areas.

Outreach programmes at schools and during the upcoming summer initiation seasons have encouraged community members to bring illegal initiation practices to the attention of SAPS and prosecutors. An awareness-raising programme was conducted at Isaac Booi primary school in Zwide to educate and empower learners attending school in high-risk areas on the dangers of gang involvement and to promote a safer school and community environment.

## Capacity

The staff establishment at the end of March 2025 was 737, an increase of 138 from the previous financial year. This increase has put a strain on accommodation.

With the Division's focus on serious and violent crime, and with the Eastern Cape being identified as the most violent province in the country, an increase in organised crime prosecutors is urgently needed.

In-house training and mentoring for prosecutors continue to be implemented. ECMS training as well as POWER BI training was prioritised, despite the challenges experienced with networks, routers and ECMS.

A practical training session was conducted for prosecutors on topics such as pointing out, arrest, application for postponements, difficult child witnesses, chain of evidence, hearsay evidence, circumstantial evidence, unconstitutionally obtained evidence, etc. Senior prosecutors reported an ongoing improvement in the capabilities of the docket screeners, and the training has also opened the lines of communication between the DPP's office and the docket screeners.

Administrative staff from Gqeberha, Makhanda, East London and Mthatha attended First Aid level 1 and 2 training. This training is required to be compliant with occupational health and safety requirements. Information sessions are held to provide staff with information on their pension, retirement etc.

An annual event was hosted in East London where the different offices engaged in several sporting activities and wellness programmes.

## Activities of the Directors of Public Prosecutions

*continued*



### Free State Division

#### Key achievements and challenges

On 19 November 2024, Adv Teki, a prosecutor in the Sasolburg Magistrates' Court, was one of five prosecutors recognised by Bidvest Protea Coin Security for his outstanding work in handling cases of fuel theft from the Transnet pipeline. Bidvest Protea Coin Security patrols and protects the National Transnet Pipeline and works closely with SAPS and prosecutors. The AFU in the Free State seized and confiscated a number of vehicles that were used in stealing and transporting Transnet products from the pipeline. As a result, the number of incidents has steeply declined.

'In the Shadow of a Prosecutor' was launched in February 2025 in partnership with the University of the Free State. The project exposes law students to the operations of the NPA, including court processes, docket preparation and the daily responsibilities of prosecutors, by allowing them to shadow prosecutors at work. Other divisions have expressed an interest in rolling out the project.

A TCC was established at Elizabeth Ross Hospital in Qwa-Qwaonn on 17 March 2025.

The high vacancy rate in the DPP's Office remains a challenge for the Division. Although the Division has undertaken to prioritise organised crime, the OCC only has one prosecutor and relies heavily on prosecutors/advocates from other units and clusters to execute its mandate, adversely affecting general prosecutions.

Power outages, water challenges, poor infrastructure and connectivity issues negatively affect court utilisation. The Chief Prosecutors engaged the Regional Court President and dicta-phones were purchased for Regional Court Magistrates to address the problem.

#### Stakeholder engagement

A project was initiated to equip schools for learners with disabilities with the knowledge of how to assist a learner that becomes a witness to navigate the criminal justice system. The component worked with Leboneng Special School for Learners with Disabilities in Welkom and Martie du Plessis School for Special Disabilities in Bloemfontein, providing quarterly



awareness sessions on topics such as bullying, safety and protection, human rights, the Child Justice Act, No. 75 of 2008, etc. The schools also offer workshops to educate CPOs and prosecutors on disabilities.

SOCA attended 104 public awareness events, reaching an estimated 14 080 people.

The Site Coordinator at Bethlehem TCC shares a monthly slot on the Dihlabeng Community Radio Station with the Sexual Offence State Advocate in the Bethlehem Magistrates' Court. With approximately 80 000 listeners, the topics covered include TCC services, sexual offences, statutory rape, the Sexual Offences Act, procedures when reporting sexual offences, pre-trial support to teenage pregnancy, bullying, domestic violence and maintenance.

The first maintenance webinar was held on 6 June 2024 and dealt with where to apply for maintenance, who can apply, how to apply, documents required for application, the court process, what to expect at court, what must be done in cases of non-compliance and disputed paternity, amongst other topics. There were 2 800 viewers on the X (Twitter) platform.

## Performance

Various task teams have been created within the Division to deal with performance blockages. The task teams are comprised of skilled prosecutors and advocates that handle and guide these matters from first appearance to finalisation. Dedicated docket screening teams have also been dispatched to identify offices where docket preparation can be improved, turnaround times reduced and conviction rates increased.

The provincial GBVF task team visited five districts. The J88 medico-legal forms completed by doctors were scrutinised, the postmortem report backlog and TCC services discussed with senior health officials, and impediments with investigations reviewed. One hundred and fifty victims were referred to TCCs for victim centric services.

As part of a collaborative effort to combat GBVF, the Chief Prosecutor, in consultation with the Regional Court President, embarked on a 100-day challenge in line with the National Strategic Plan. Sasolburg Regional Court was chosen to implement the challenge due to its high number of GBVF matters, backlog cases and escalating outstanding roll, as well as low finalisation and conviction rates. At a meeting with all relevant local stakeholders

on 26 February 2024, factors impacting the Court's performance were interrogated and the following was agreed: to increase court hours; to give preference to sexual offences cases; and to reduce the 138 backlog cases (as 56% of the outstanding roll of 245). The performance of this Court has improved dramatically and is now one of the best performing courts in the province. The 100-day challenge will be rolled out in the region.

Sentences ranging from five to 15 years' imprisonment were imposed in essential infrastructure prosecutions.

A murder project was established in Phuthaditjaba due to the low finalisation rate, backlogs and acquittals in murder matters. A team of SPPs screened 125 dockets and SAPS dedicated seven members to investigate the matters. J175 summonses were issued, seven J50 warrants authorised, 30 cases were referred to Inquest Court and 68 were returned with queries.

Various initiatives have had a positive effect on the High Court roll. A judge holds a pre-trial conference for each matter on the court roll in order to ascertain the readiness of the case and address any other issues that may cause delays. Section 105A and Section 212B of the CPA are fully utilised where appropriate. The rolls are planned well in advance and only once the matter is trial ready is it remanded for trial. The Free State was the first Division to successfully lead witness testimony virtually.

The Division currently has five operational CPI sites at Mangaung, Sasolburg, Bloemspuit, Botshabelo and Heidedal. Engagements with NGOs, community groups and various government departments assisted in identifying crime hotspots. Other activities included:

- Forming a partnership with Reyaphila, an NGO focused on GBV, to collaborate on crime fighting activities within the Bloemspuit area
- Inspecting liquor outlets to determine legal compliance
- Inspecting six initiation schools to determine whether illegal alcohol, drugs and weapons were being sold
- Conducting 39 community outreaches/Imbizos to raise awareness on GBV, drugs and substance abuse, services offered by the NPA and the role of a Community Prosecutor
- Conducting 22 school outreaches to educate learners on bullying, drugs and substance abuse, the importance of recognising and reporting

Activities of the Directors of Public Prosecutions

continued

domestic violence, gangsterism and violence within and around schools

- Conducting joint operations with SAPS that resulted in 53 alleged drug houses and 25 shops being searched, 20 people being arrested and two cases for drug possession being finalised
- Conducting radio shows with Motheo FM on violence in schools, the dangers of drug use and abuse and domestic violence, and with Metsimaholo FM on drugs and substance abuse, maintenance and GBV
- In collaboration with TCCs and CPOs, pasting informational pamphlets for victims of rape and/or sexual assault in the female toilets of taverns and night clubs, as well as on the walls of hair salons, around the areas of Mangaung, the infamous Small Street and 2nd Avenue
- Joining a Taxi Rank Imbizo to discuss family violence.

With the cooperation of SAPS, DPCI and other stakeholders, a risk assessment was conducted to determine which organised crime offences are prevalent and develop intake criteria. It was found that illicit mining, damage to essential infrastructure, kidnapping for ransom, extortion, organised robberies, organised violence, environmental crimes, illicit trafficking and drugs, illicit trafficking in persons and stock theft are prevalent in the Division. A value chain approach involving intelligence gathering, adequate investigation, successful impactful prosecution and asset recovery has been adopted. Investigations are prosecution guided and project managed.

The matters dealt with by CPOs in 2024/2025 include:

Total witnesses dealt with	13 301
District Court	1 390
Regional Court	11 292
High Court	209
Under 18 years	1 791
Over 18 years	11 510
Sexual offences	7 494
Other matters	5 807
Disabled witnesses	440
Victim impact statements	1 108
Victim impact statements used	238
Public awareness	96

The number of witnesses assisted in GBVF cases reached 2 460 in the Regional and High Courts and 540 in the District Courts.

Capacity

The Division employs 314 staff with a vacancy rate of 10.2% due to the creation of additional posts.

In April 2024, a two-day provincial joint training session for 107 delegates was held in Bloemfontein. Topics presented included the Criminal Matters Amendment Act, No. 105 of 1997, crime scene management and the Second-Hand Goods Act, No. 6 of 2009. A checklist for opening dockets was designed and has been distributed to all police stations to improve the quality of statements. A WhatsApp group for all relevant stakeholders has been used for reporting incidents of damage to infrastructure, discussing challenges and providing information on finalised cases.

In May 2024, Adv Naude, the SPP for the Bloemfontein cluster rural stations, held a one-man station training where 30 prosecutors were trained on various topics such as: NPA policy directives, protection orders, bail, maintenance, referrals in terms of sections 77 -79 of the CPA, ECMS, circulars, etc.

In August 2024, the provincial GBVF team conducted a two-day training course in the Fezile Dabi district at Sasolburg. The course focused on social context, the Sexual Offences Act and the Domestic Violence Amendment Act, No. 14 of 2021. A total of 47 prosecutors and SAPS officers from the Client Service Centre and detective units attended the training.

Civil litigation training on domestic violence matters and their withdrawal prompted the DPP to release Circular 2 of 2024 on domestic violence.

ECMS training was held in July and September 2024 to increase its usage in the District Courts. The trained prosecutors in turn trained their colleagues. Issues regarding the use of ECMS are mainly due to infrastructure challenges.





## Gauteng: Johannesburg Division

### Key achievements and challenges

Customer satisfaction is the single most important outcome by which the NPA's performance should be measured. The public is rightfully demanding justice and accountability from the NPA.

Despite reported crime statistics clearly indicating that the Gauteng Division Johannesburg is the crime capital of South Africa when it comes to serious violent, commercial and organised crime, the Division consistently endeavoured to ensure justice for all in our society, so that people can live with a tangible feeling of safety and security. To achieve this, an integrated approach consisting of meaningful partnerships with government departments and civil society was required.

The Division followed a strong victim-centric approach, with a focus on court preparation for victims of crime. An increase in the number of Victim Impact Statements prepared, compared to

the previous three years, was recorded, despite a marked decrease in the number of CPOs.

Over the past five years, the Division has embraced the use of ADRMs to dispose of menial criminal cases outside the formal criminal justice system and divert individuals with a low risk of recidivism away from the criminal justice system. A lack of adequate diversion options for adult offenders did have an impact in certain offices.

The scourge of foreign nationals being tried for being in the country illegally has been addressed with the judiciary, and the DHA is willing to deal with these matters administratively in terms of section 34 of the Immigration Act, No. 13 of 2002, as opposed to section 49(1). Despite this, it is estimated that 50% of cases on District Court rolls and approximately 70% of cases finalised with a verdict in the District Courts relate to contravention of section 49(1). This poses the risk of the remainder of the court roll becoming backlog cases prior to being heard.

Senior Management has guided the Division through some trying times over the past five years. Despite new Senior Managers being thrown into the proverbial deep end, they have proven their worth and shown tremendous growth.

Unscheduled power and water outages, caused by damage to infrastructure, led to the closure of

## Activities of the Directors of Public Prosecutions

*continued*

courts throughout the year. Unstable and unreliable network connectivity remains a challenge. The NPA data router roll-out made great strides towards addressing this challenge but there is a need for more data routers.

There is a lack of, or inadequate, resourcing and accommodation for NPA staff in the District Courts by the DoJ&CD, a lack of infrastructure maintenance by the Department of Public Works, a need for improved investigations and case docket management by SAPS and DPCI, and professional and conducive roll planning by the judiciary.

The reduction in the High Court rolls from 2019/2020 is due to four more permanent High Courts being in session, bringing the total to ten. Outstanding rolls in both the Regional and District Courts have risen exponentially over the past five years, even though the influx of cases has remained steady.

### Stakeholder engagement

The Divisional Annual Operational Planning and Stakeholder Conference offered the opportunity to engage with stakeholders in all spheres of operation and share the Division's operational targets and strategies with them.

The Divisional Law Enforcement Stakeholder Engagement meeting has proved a useful tool to address operational challenges and find tangible and measurable solutions. The meeting consists of our partners in law enforcement and the Departments of Home Affairs, Correctional Services and Community Safety. Ad hoc stakeholders such as the Gauteng Liquor Board are also invited to address specific challenges.

The Division is represented in the PEEC, REEC, DEEC and Case Flow Management meetings in all tiers and districts. As the prosecution is not involved in roll planning, the reasons for roll collapse are compiled and submitted to the Judge President monthly. Too few cases are enrolled for trial per day, leading to the regular collapse of court rolls.

The Division has succeeded in amplifying the voice of the NPA in the JCPS Cluster through participation in Provincial Joint Operational and Intelligence Structure meetings. Training officials from the Johannesburg Metro Police Department, SAPS, DPCI and the DHA is indicative of the leading role the Division's management has taken within the JCPS Cluster.

More than 130 media statements were released in 2024/2025. The majority of these received

significant media coverage, reflecting the need for unbiased engagement with the public. Several interviews were granted to members of the media on television, radio and social media. The Division's work was further highlighted through interviews with prosecutors in televised documentaries such as 'Rosemary's Hitlist'.

More than 20 outreach opportunities were attended in conjunction with the CPI, including school outreaches, ministerial Imbizos, human rights events, Child Protection Week, 16 Days of Activism against GBV, as well as the World Anti-Corruption Day initiative and university engagements.

### Performance

Performance management in the Division is prioritised through robust discussions at quarterly review meetings around performance against indicators and the performance of courts against internal measures, and remedial action is decided on.

The Division managed to attain targets in 12 of 18 indicators (with two indicators being baseline indicators). The four indicators not achieved were the conviction rates in sexual offences, complex commercial crime, organised crime and cases involving damage to essential infrastructure.

The decrease in performance in the prosecution of damage to essential infrastructure cases is of particular concern, given the priority given to this crime in the Division and Johannesburg being the economic hub of South Africa. More focused interventions and training sessions for both prosecutors and investigators will be facilitated, in consultation with stakeholders, through the Regional Training Forum.

There was a renewed focus on ensuring the auditability of performance information. An inspection team from the DPP's office undertook site visits to offices to interrogate daily court returns, supporting documents and decision registers.

Great inroads were made in tackling corruption, with the Division recording its best performance in the past five years. Most of these convictions were for private sector corruption.

An increase in murder and sexual offence conviction rates over the past five years is a testament to successful stakeholder engagements that adequately addressed challenges in the prosecution of these matters.

To make communities safe, it is imperative to address the irritants or crimes affecting them the most. The CPI was expanded over the past two years, with six fully operational sites in the Division and a further three sites in the pipeline. Community Prosecutors at Eldorado Park and Diepsloot occupy office space at SAPS.

Partnerships with new stakeholders are continuously forged and the CPI played an important role in guiding stakeholders in their respective law enforcement operations. Improved interaction with the community and the communication of positive outcomes and successes achieved has mitigated the presumption that crime and offenders are not being dealt with. A multisectoral clean-up operation of a portion of illegally invaded land next to the Booysens Magistrates' Court, which posed a serious health and security risk, was the result of various stakeholder engagements by the SPP.

Some of the successes of the CPI include the closure of illegal liquor outlets, referral of substance abuse addicts for rehabilitation, the roll out of the 'Drug Free Programme' in schools, school visits on bullying, and a roadshow to implore dealers in second hand goods to comply with legislation. Invitations from schools to address learners on various topics have increased.

The single biggest challenge to this initiative is a lack of human resources. Inadequate promotional items and educational material has negatively impacted community outreach sessions.

The following priority crimes areas in the Division were identified: murder; robbery with aggravating circumstances; GBVF (including sexual offences, domestic violence and human trafficking); complex commercial crimes; corruption; money laundering; and organised crime, with a specific focus on damage to essential infrastructure.

Each portfolio manager and Chief Prosecutor was expected to draft, implement and monitor a prioritisation plan to improve performance. The impact of these plans was evaluated in September 2024 and, where necessary, amendments were made to ensure that the plan spoke to the desired outcomes and delivered tangible results. The corruption prioritisation plan in particular had a positive impact on the finalisation of these matters.

The Division is committed to delivering service in an excellent, professional, courteous, efficient and

cogent manner, within the service standards that have been promised to the community.

## Capacity

At the end of March 2025, the vacancy rate in the Division was 11.9% (with 504 out of 572 posts filled). The highest percentage of vacancies are CPOs, Regional and District Court prosecutors and administrative personnel. The gap in CPOs detracts from the service rendered to victims of crime through court preparation services. The high vacancy rate among Regional Court prosecutors means that experienced District Court prosecutors are being used to prosecute in these courts.

Sixty-eight training interventions were conducted for NPA officials and 582 stakeholder members (including probation officers from the Department of Social Development (DSD), Gauteng crime prevention wardens, Johannesburg Metro Police Department, SAPS, DPCI, and the Department of Forestry, Fisheries and the Environment).

Training was provided on all the crime focus areas identified for the Division. Although it is difficult to measure the exact outcome of training, an improvement in the conviction rate in murder, robbery with aggravating circumstances, corruption and sexual offences was noted.

The Division initiated training on specialist topics to empower general prosecutors, including: POCDATARA and terror financing; introduction to crypto currency; and prosecuting intimate partner crimes and femicide.

There is a significant mental burden on prosecutors in the Division, and the circumstances in which they must perform their duties are often challenging. To mitigate this, a Divisional Sports Day was organised and hosted through the Employee Wellness Programme. The Division also conducted several wellness sessions and embarked on mandatory debriefing sessions for all staff.

The Division continued to make use of internal media platforms and the regional bulletins Khaso and Viva Engage were utilised to communicate successes and important information with staff.

The Division overspent by R8m on Compensation of Employees and by R4.3m on Goods and Services due to insufficient allocation to the Division.



## Activities of the Directors of Public Prosecutions

*continued*



### Gauteng: Pretoria Division

#### Key achievements and challenges

There has been a steady increase in the prosecution of GBV cases and the Division has significantly improved its conviction rate for sexual offences, which is commendable and comparable to international standards.

There has been an increase in commercial crimes. Prosecutors from the SCCU and OCC have secured the convictions of major role players in large international corporations (e.g., Steinhoff) and within the banking sector (e.g., VBS Mutual Bank). In both these matters, the victims suffered huge financial losses, with municipalities that serve the poor damaged in the fall of VBS Mutual Bank.

The Division is a trend setter in the prosecution of human trafficking cases, as demonstrated by the significantly high number of cases finalised

over the past five years. Two OCC prosecutors specialise in these cases and have achieved an impressive conviction rate and sentences that have set precedents for similar offences.

Governance processes have improved significantly, enabling the Division to conduct performance verification at all courts, ensuring that the reported information is valid, accurate, complete and reliable.

During the 2024-2025 reporting period, the Division continued to demonstrate its commitment to combating infrastructure-related crimes through effective inter-agency collaboration. In an unprecedented move, our prosecutors were nominated and awarded by Transnet for the successful prosecution of cases relating to essential infrastructure owned by Transnet. This event honoured exceptional contributions in infrastructure cases where Transnet, SAPS and the NPA worked together to safeguard strategic assets. This has had a positive impact on the morale of these prosecutors and serves as an incentive to others.

The Division successfully implemented C-ADRs to hold companies responsible for criminal activities.

The Division maintained an above average conviction rate in High Court matters, despite several lengthy trials such as that of Senzo Meyiwa and Pastor Zondo. The Division also convinced the Malawian authorities to extradite Pastor Bushiri and his wife Mary to stand trial in South Africa for the offences they committed.

Three prosecutors were selected to participate in the DPSA's Emerging Leaders in the Public Service programme. The programme promotes a forward-thinking approach to leadership development, and the prosecutors' successful completion of the programme ensures a robust and dynamic future for the NPA.

Several challenges remain, including the backlogs created by the COVID-19 pandemic, although several factors impact case finalisation.

Accused are increasingly granted bail in the District Courts before their cases are transferred to the High Court for trial. The challenge this poses is three-fold: these accused increasingly abscond and do not return to court for their trials; they often delay the start and finalisation of their trial; and, upon conviction and sentence, they apply for a bail extension pending applications for leave to appeal, special leave to appeal and reconsideration of the refusal to grant leave to appeal, delaying being taken into custody.

The shortage of foreign language interpreters materially impacts the progress and finalisation of trials.

Unjustified requests for postponements for various frivolous reasons negatively impact the effective use of court hours and the number of matters finalised.

Loadshedding, power outages (including the lack of reliable generators), water shortages, inadequate accommodation, inadequate resourcing and a lack of infrastructure maintenance remain challenges for prosecutors. The lack of court orderlies, in particular in Benoni, resulted in court closures. Unstable and unreliable network connectivity has been partly overcome with the NPA data router roll-out and the re-imburement scheme.

During the past five years, the Division lost six very experienced DDPPs, mostly due to retirement, but the new leadership has taken up the challenge.

Legal Aid South Africa frequently appoints defence counsel very late, resulting in requests by the defence to utilise the first (and often second and

third) trial day in the High Court to prepare for trial. The Judge President has intervened, and a WhatsApp group has been established to post and respond promptly to inmates' requests for information. This has resulted in a steady increase in court hours observed in 2024/2025.

## Stakeholder engagement

The Division is represented in the PEEC, DEEC and Case Flow Management meetings in all tiers and districts. The Division is also represented at the SCCU meeting on commercial and corruption cases. The Division attends monthly Provincial Projects Evaluation Committee, Provincial Major Investigations Committee and POCS meetings.

Many of the cases currently prosecuted by the OCC in the DPP's office emanate from Major Investigations.

Media houses and internal stakeholders were invited to 'DPP Speaks' in December 2024, during which the achievements realised and challenges faced by the Division in the previous and current financial year were highlighted. This was an interactive session, with media houses asking relevant questions on the factors impacting on the performance of the Division, including on the Life Esidimeni matter.

The Communications Manager embarked on many campaigns to strengthen collaboration between stakeholders and victims and reported on many high-profile matters to the media. Several interviews with the media were arranged for various media formats, with the Communications Manager keeping the Division alive on all social media platforms.

## Performance

ISM and Training and Development embarked on training prosecutors on ECMS, while ECMS champions were appointed to help roll out the system. Aging infrastructure, power outages and lack of proper resources resulted in the slow implementation and the use of the system. However, management ensured that the challenges were minimised by providing District Court prosecutors with new laptops and WIFI routers to ensure that the system is fully utilised.

The Division continued to achieve its conviction rate targets for the High Court, Regional Court and District Court. The OCC and STU achieved 100% conviction rates. There has been an increase in the number of sexual offences, murder and robbery with aggravating circumstances cases prosecuted



## Activities of the Directors of Public Prosecutions

*continued*

and finalised. There has also been an improvement in the number of corruption and money laundering cases finalised, and the Division has seen a slight increase in the number of money laundering cases taken to the plea stage.

The Division's first Community Prosecutor assumed duty on 1 March 2025. Prior to her appointment, two SPPs fulfilled this very crucial role in both clusters. This included partnering with local stakeholders (SAPS, Department of Health, DSD, etc.) to develop and implement solutions for dealing with GBV and other crimes affecting local communities. The SPPs were responsible for hosting educational programmes aimed at raising awareness on GBV and creating safer communities. Various awareness sessions were held, and the Division partnered with safe houses within its jurisdictional area.

The Division identified GBV and contact crimes, corruption and drugs as areas for priority attention and stakeholder engagement. Owners/portfolio holders appointed for these projects had to draft, implement and monitor the prioritisation project to improve performance. The projects were evaluated regularly, and amendments were made where necessary. All three projects were successful, with notable increases in the prosecution of the cases identified for each project.

A GBV and Contact Crimes Steering Committee has been established and meets on a quarterly basis. The Steering Committee is responsible for identifying factors that give rise to GBV, organising awareness campaigns to educate communities about GBV, developing solutions for eradicating GBV, identifying safe house to refer victims of GBV and identifying available rehabilitation programmes. Awareness campaigns held included the following:

- Community in Tavern Awareness Campaign and 16 Days of Activism Campaign at Mamelodi Square Mall, where members of the community were educated about the role of various stakeholders in GBV matters
- Talks on Mama Radio, Pheli FM and EK FM in November and December 2024 in conjunction with SAPS
- GBV victims were addressed as part of the 16 Days of Activism at Oukasie Hall in November 2024.

A Corruption Stakeholder Forum was established and chaired by the nodal point for corruption matters. Members include the Chief Prosecutors of the Vaal and Pretoria clusters, commanding officers

of the Commercial Crime Investigating Units in Pretoria and Vaalrand, commanding officers of the various detective branches and a dedicated Senior State Advocate from the SCCU. The Forum meets bi-monthly to identify corruption cases to prioritise and monitor. All corruption dockets were forwarded to the DPP's office, where State Advocates guide investigations and draft charge sheets in more complex matters.

Challenges in the prosecution of public officials include: a lack of enthusiasm by SAPS to investigate colleagues, resulting in poor investigations and complainants losing interest; the use of section 252A of the CPA being challenged by the defence, which causes delays; and the lack of dedicated corruption courts.

The purpose of the drugs project is to identify priority dealers/syndicates in the jurisdiction in conjunction with SAPS and develop investigative and prosecutorial strategies to address these targets. Delays remain in obtaining forensic reports from SAPS' laboratories.

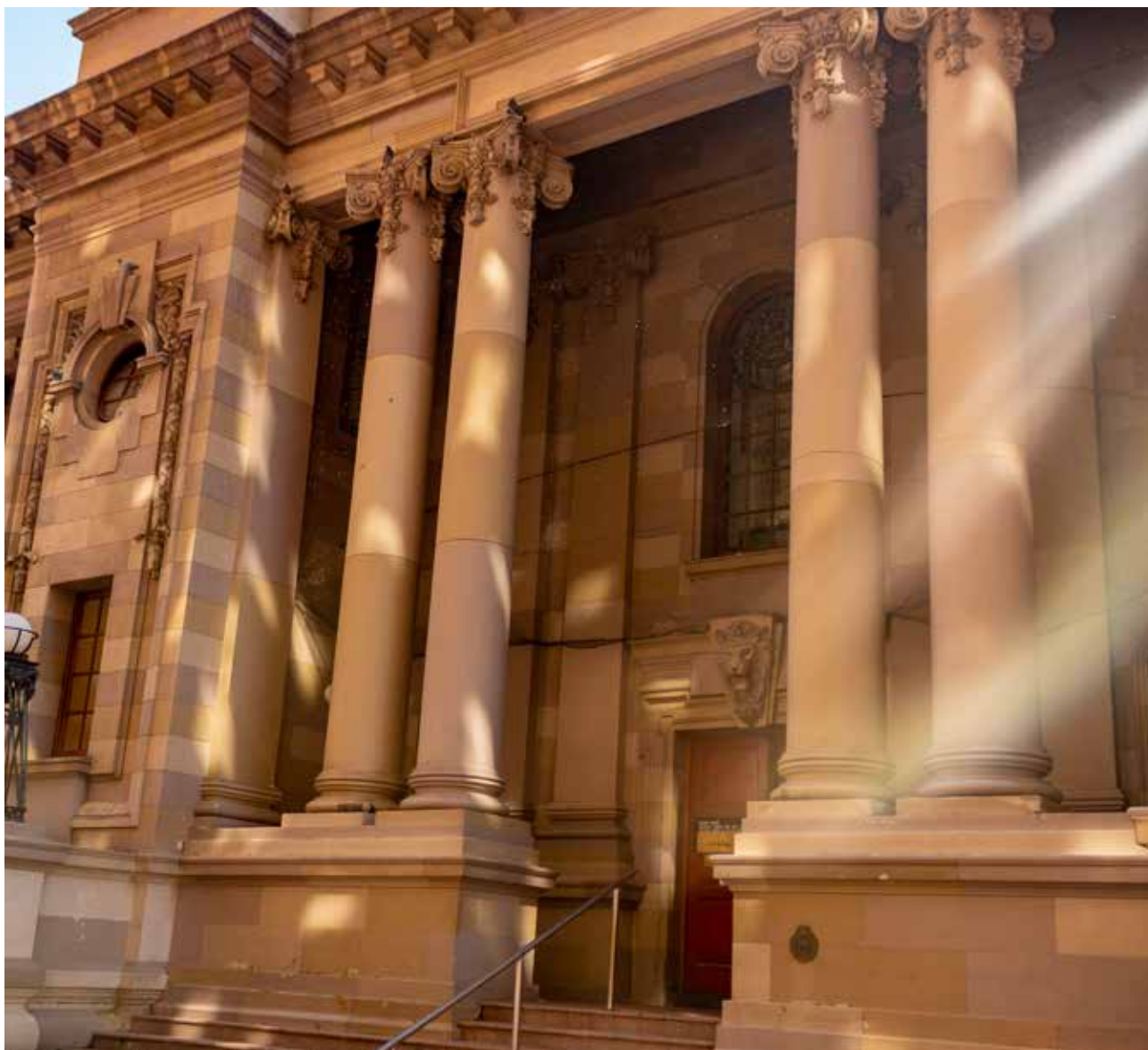
### Capacity

The staff compliment in the Division grew from 439 to 492, while the vacancy rate dropped from 11.6% to 9.8% during the reporting period.

The skills development programme in the Division was scaled up even in the midst of budget constraints. Various training interventions were conducted for both prosecutors and support staff. With the introduction of ECMS as a performance reporting tool, the Division had to ensure that all users were provided with the necessary training and tools to access and use the system.

The Division also undertook training on section 18 of POCA to increase the use of these provisions, the amendments to the Domestic Violence and Child Justice Acts, corruption and money laundering. Various officials attended a High Court bridging course to hone their litigation skills – the course covered presenting DNA evidence, case analysis, court technique, writing for litigation, and using prosecutor-guided investigations to ensure the successful outcomes of cases.

Although it is difficult to measure the exact outcome of training, it is noted that there has been an improvement in corruption and money laundering cases finalised.



## KwaZulu-Natal Division

### Key achievements and challenges

Quarterly meetings with SAPS and the Department of Community Safety and Liaison to monitor sexual offence prosecutions and increase the number of cases enrolled led to reopening the second sexual offences court in the Ntuzuma Magistrates' Court.

The DPP's office assisted with the prioritisation of inquests from the KZN floods that left hundreds of people dead and advised on the declaration of death for persons whose bodies have not been recovered.

The Division collaborated with SAPS and the Electoral Commission of South Africa (IEC) in

the run up to South Africa's General Elections on 29 May 2024. A joint SAPS/NPA training session facilitated and hosted by the IEC was attended by 15 prosecutors from across the Division. The IEC printed 200 booklets containing electoral legislation and draft charges, which were made available to all prosecutors to ease the prosecution process. Election related cases were monitored to ensure that they were effectively dealt with by the prosecution.

Information sharing sessions were held for Senior Managers on topics ranging from money laundering and understanding strategy to financial investigations and cybercrime, making them better equipped to identify these cases and guide investigations. A comprehensive database of money laundering cases has been compiled, which enables monitoring and monthly reporting on a crime that has increased exponentially.

## Activities of the Directors of Public Prosecutions

*continued*

The implementation of the provincial SharePoint platform for uploading portfolios of evidence relating to performance information was a remarkable achievement for the Division.

One of the Division's biggest challenges is the absence of an effective Forensic Science Laboratory to conduct drug analyses, despite drugs being a huge problem in KZN and facilitating more serious crime. This has resulted in cases either not being prosecuted or enrolled. Attempts to transfer these exhibits to other provinces for analysis come with their own challenges. There are also challenges with ballistic reports as not all the machines are operative. The laboratory is situated in a high-risk flood zone and exhibits have been destroyed or contaminated during floods, which results in cases being dismissed or withdrawn. The KZN Judge President has intervened, meeting with the DoJ&CD to deal with the issue.

Despite the High Court backlog being prioritised, it remains a challenge. Complex matters from the OCC and SCCU on the High Court roll are the main contributors to the backlogs and the progress of these cases is being closely monitored.

In the Regional Courts, almost 50% of the outstanding court roll are backlog cases. The finalisation rate is below target. Several courts with a high backlog number have been identified and the respective Chief Prosecutors have been requested to present their challenges so these can be addressed.

ECMS challenges are related to poor connectivity and poor value chain commitment. The case integration deviation is high, and several meetings have been held – and are ongoing – with SAPS and the DoJ&CD to address this. The top five defaulting SAPS stations were identified and visited to identify and address challenges. There has been steady improvement in the use of the Investigation Case Docket Management System instead of the Crime Administration System by SAPS, which has reduced the integration deviation. Routers procured by the NPA have minimised the lack of connectivity. ECMS training across the Division is ongoing.

### Stakeholder engagement

The DPP has ensured consistent attendance by both the High Court coordinator and the District Court representative at PEEC meetings. The DPP's office consistently presents data on the backlogs, finalisation rates and court utilisation at PEEC

meetings with the aim of driving action plans in the District Courts, Regional Courts and High Courts.

The POCS, a joint meeting with SAPS' Organised Crime Unit and the Provincial Priority Committee meeting with DPCI prioritise the investigation and prosecution of organised crime matters. Various projects are pursued and feedback from joint stakeholders is provided.

The Division continues to actively participate in the Provincial Joint Operational and Intelligence Structure as well as the PPCs. This has allowed the Division to follow up on cases related to various JCPS Cluster initiatives, such as the non-ferrous case prioritisation and election-related cases.

The Division consistently attends the Provincial Technical JCPS Cluster meetings chaired by the Head of Department of Community Safety and Liaison and forms part of the Action Work Group to generate specific reports.

Monthly meetings with the Chief Prosecutors, DDPPs, SAPS' Serial and Electronic Crime Investigations Unit and SOCA focus on coordinating efforts and prioritising matters related to serial rapists in the province.

SAPPI/MONDI were concerned with the lack of prosecutions in the Empangeni cluster. Prosecutors screened 106 dockets and found insufficient evidence in 84 but requests for further investigation were made for 11 dockets. The prosecutors struggled to understand the scenes where the offences occurred and were invited to an Awareness Day at SAPPI on 28 March 2025 – this visit allowed prosecutors to understand the operations of SAPPI and observe their security measures.

The CPO in the Ntuzuma cluster, Ms. Bongiwe Qwabe, addressed members of the Golden Steps School in Verulam on the services offered by the NPA and role of the CPO in the criminal justice system. At a crime imbizo held by SAPS Tongaat for the respective community, SPP Naidoo engaged with the community on the NPA's performance, challenges in the criminal justice system and issues surrounding bail.

In the Inanda, Ntuzuma and KwaMashu areas, the local prosecutor presented during several sessions on Vibe FM. In addition, 122 press releases were issued on the successes of the Division and to inform the public of updates in cases that attracted public attention.



With stakeholder collaboration, community members were educated and informed of the NPA's work and its services. CPO and TCC staff addressed learners during school outreach programmes.

Other initiatives included conducting GBV awareness sessions at identified schools with TRULIFE, capacitating domestic violence victims to break the cycle of domestic violence, visiting tuckshops to carry out regulatory inspections, and training SAPS on liquor legislation, J534 arraignments and domestic violence legislation.

## Performance

The Division has managed a steady, above satisfactory performance and is expected to follow an improved trajectory. In the 2024/2025 financial year, the Division achieved a 94% success rate – all strategic indicator targets were achieved except for the conviction rate in organised crime.

The Division currently has five CPI sites: Umzinto, Inanda, Plessislaer, KwaMashu and Ntuzuma. Although Mountain Rise is not a formal CPI site due to a shortage of resources, the Mountain Rise SAPS is interested in pursuing joint projects. Project Hope is the hallmark CPI murder prosecution project, which has evolved to include some unlawful possession of firearm cases. Project Hope will continue in its current form in Plessislaer.

The region prioritised the prosecution of housebreaking, murder, sexual offences, trio crimes, money laundering, FATF-related matters, MLA, terror financing, tax evasion, asset recovery and case backlogs.

The SCCU embarked on a fraud and corruption awareness drive with sister departments, while the STU implemented service excellence awards to boost confidence and reward good work.

## Capacity

The total establishment is 760 with a vacancy rate of 11.25%, which has remained consistent since the previous year. Eighty-one District Court prosecutor appointments were made during the cycle. A decline in Regional Court prosecutors was not significant.

There were several training interventions during this reporting period. The most noteworthy impact was in the increased and improved reporting of money laundering cases and the implementation of a streamlined money laundering reporting process.

The International Cooperation Component conducted training that demystified extraditions and MLA, making them easily accessible to prosecutors and resulting in:

- Prosecutors identifying new MLA matters, including five by the OCC, one of which has already reached the country of request with engagements ongoing
- The Durban cluster requesting input on several matters where possible MLAs may be requested
- The Ntuzuma cluster identifying an extradition matter coupled with an MLA, which has resulted in tracing several dockets from other provinces against the accused
- Identifying rendition matters in Mbazwana and Stanger, both of which resulted in the withdrawal of cases and mitigated unlawful arrests
- Investigating officers submitting dockets with potential extraditions to the International Cooperation Component for consideration, including four matters from Vryheid.

The OCC had training in money laundering, MLA and extradition, hawala systems and the FATF, Section 252A (undercover operations), legal affairs and civil claims. The training capacitated members to understand the legal principles involved, the impact of the charges and the consequences of bad decisions. The OCC was able to increase the number of money laundering investigations and charges and has also increased the number of MLA documents drafted and sent to foreign countries.

There have been several joint SAPS and prosecutor training sessions to address crime prevention, domestic violence and the Investigation Case Docket Management System at Plessislaer.

At the request of the DPP, the Division's SCCU trained cluster prosecutors on money laundering, documentary evidence, cybercrime, corruption and understanding the role of forensic auditors and reports.



## Activities of the Directors of Public Prosecutions

*continued*



### Limpopo Division

#### Key achievements and challenges

The Division's staff remain committed and dedicated to serving justice.

The establishment of specialised units over the past five years has allowed the Division to focus on serious and violent crimes with measured success. The Division is working on ensuring key role players in corruption are held accountable.

The District Courts continued to achieve their targets over the last five years. ADRMs are used as an effective tool in finalising matters. The output of the High Courts is commendable, with matters being expedited.

Many of the challenges of previous years continue to plague the Division.

The Division does not have sufficient dedicated sexual offences courts, which delays the finalisation of cases. These delays are compounded by the slow pace of investigations, challenges with the quality of investigations and even loss of crucial evidence. This has a negative effect on the outcome of the trial as victims' memories fade and their evidence becomes unreliable. As a result, there is a low conviction rate for sexual offence cases.

The efforts of the Division to address these issues at stakeholder engagement platforms like the Provincial and REEC meetings and case-flow management meetings have not been very fruitful.

Few officials make use of the ECMS due to challenges with the system, network access and other network related issues.



## Stakeholder engagement

Participation in the PEEC structure has resulted in the daily (instead of periodic) sitting of a Regional Court, which has improved the finalisation rate and reduced the backlog.

Proper planning in the High Court through engagement with the head of court resulted in the smooth running of cases.

The Division continues to engage through community outreach programmes aimed at educating the public about the role and work of the NPA and to address concerns about service delivery. High profile matters are reported on through various media platforms and several radio interviews were given to inform the public about these matters.

For the 16 Days of Activism, the Division collaborated with stakeholders to hold various events:

- A men's dialogue at the Mankweng TCC with Child Line and the Department of Health, which served as a vital platform for raising awareness about GBV and promoting positive change within the community
- A commemorative event at Ga-Mashishi Moshate Tribal Office with the Dilokong TCC, Marula Mine, Networking HIV and AIDS Community of Southern Africa and various government departments
- An event against the abuse of women and children at the Groblersdal TCC with the Departments of Health and Social Development
- A community event to address GBV in the Vhembe district at the Thohoyandou Recreational Hall with Realmen and Realwomen Foundation.

School outreach programmes were held at several schools, where learners were taught about cyber bullying, GBV and sexual offences.

## Performance

The District Courts continue to surpass targets and there has been a marked improvement in the performance of the Regional Courts. Engagements with relevant stakeholders to address bottlenecks and constraints continue.

The Communication Unit continued to follow and report on high profile matters across the Division. The recent addition of a communication officer brought relief to an otherwise one-person unit. Media briefings, radio interviews and social media platforms are used to give updates and outcomes on cases of interest to the public.

## Capacity

There are 375 staff in the current establishment of 418, with a vacancy rate of 10.28%. This is an increase from the 353 staff employed at the end of the previous financial year.

Training was conducted on the following areas: cybercrime, fisheries crimes, child justice, money laundering, human trafficking, sexual offences, domestic violence, Victim Impact Statements, ECMS, corruption, DNA, writing for litigation, court technique and maintenance, among others. The training addressed identified skills gaps to ultimately improve performance.



## Activities of the Directors of Public Prosecutions

*continued*



## Mpumalanga Division

### Key achievements and challenges

In November 2024, the seventh TCC in the region was established at Themba Hospital in partnership with Vodacom, to deliver justice to the most vulnerable members of society.

A key challenge affecting performance and operations remains electricity interruptions caused by loadshedding and cable theft. Loadshedding has caused court recording machines to break, resulting in lost court records that need to be manually reconstructed. Flexible time management using the Eskom loadshedding schedule has been implemented in consultation with other role players.

Water interruptions result in courts and offices being closed early, reducing court hours. The DoJ&CD has indicated that it will be providing generators and installing JoJo water tanks for some courts, and

boreholes will be drilled to address water issues.

Another key challenge affecting performance is unstable and unreliable network connectivity. To mitigate the downtime, staff are encouraged to use personal hotspots and Mimecast.

Lack of capacity in the judiciary, including acting judges, the termination of acting magistrates' contracts and retirements, are also challenging.

The outbreak of infectious diseases in prisons causes delays as legal practitioners are not allowed access to their clients for consultations, accused are not brought to court and cases are remanded for future dates.

### Stakeholder engagement

PEEC meetings are held monthly and have been broken down into two REEC meetings chaired by the Judge President to deal with challenges at the local level. An action log has been created to track progress on matters identified as affecting

performance. The Mpumalanga Division also participates in the Eskom Task Team, essential infrastructure meeting, and Copper and Mining Forum.

The OCC continues to participate in the Provincial Task Team and National Rapid Response Team, providing a coordinated and quick response to trafficking in persons cases.

The Communication Unit has become a strength of the Mpumalanga Division. On 22 August 2024, the Unit successfully hosted a Maintenance Webinar in collaboration with SOCA, which received wide media coverage. The Unit has established strong working relationships with media houses such as Rise FM, Ligwalagwala FM, VOC FM, Moutsi FM and Radio Laeveld. Through these partnerships, prosecutors are interviewed on a range of legal matters in different languages, making legal information accessible to a broader audience.

Community engagement remains a priority, with the Division continuing to educate local communities about the work of the NPA while listening to public concerns and clarifying common misconceptions. The ongoing partnership with the Safer South Africa Foundation plays a vital role in raising awareness among high school learners about the criminal justice system.

To keep staff informed, the Division publishes a regular newsletter that highlights community engagement efforts and performance. This is complemented by an internal bulletin, published frequently to update members on the latest developments within the Division.

## Performance

Divisional performance is monitored by the management team. There was a decline in hijacking, business robberies and money laundering cases enrolled and prosecuted.

The OCC, which was established in 2023/2024, is still under resourced and more senior positions are required to adequately deal with the spectrum of organised crime in the province, which includes rhino poaching, illegal mining, cash-in-transit heists and trafficking in persons. However, there has been an improvement due to collaboration between stakeholders. A joint initiative with SAPS resulted in a reduction in cash-in-transit and rhino poaching cases, as well as breaking the line of supply of firearms for robbers. With 12 of the 14 coal-fired

power stations located in Mpumalanga, the prosecution of essential infrastructure organised crime and matters relating to Eskom were a key focus area.

There was an improvement in the prosecution of sexual offence cases due to the opening of the seventh TCC in the province. Victims of crime continue to benefit from these centres and the court preparation services available throughout the Division.

The Division has four CPI sites: Witbank focuses on GBV; White River, Ermelo and KwaMhlanga focus on stock theft; and Emalahleni focuses on cable theft and essential infrastructure crimes.

Two new DDPPs were appointed in the past financial year to bolster the existing capacity of the STU.

## Capacity

The Division's staff establishment is 315 with a vacancy rate of 12.38%. LAD in the Mpumalanga Division has three posts filled, while the AFU has an establishment of 14 with five posts vacant (35.7% vacancy rate) and SOCA has an establishment of 18 with two vacant (11.1% vacancy rate).

Joint training on essential infrastructure was held in the Ehlanzeni, Gert Sibande and Nkangala regions to clearly define the role of stakeholders and establish when the NPA must intervene. Critical training on cybercrime and money laundering has been provided to all prosecutors and relevant external stakeholders – this has contributed to the conviction rate in commercial crimes prosecutions. Specialist prosecutors attended training offered by the banks on the use and provision of financial records. Training on trio crimes prosecution contributed to an improvement for this target.

A World AIDS Commemoration Day event was undertaken in collaboration with the Department of Health and the Government Employees Medical Scheme to create awareness on important health issues. Employees are encouraged to use the Employee Health and Wellness hotline to address issues that may lead to low staff morale or affect productivity.

The National Credit Regulator conducted debt counselling for staff.



## Activities of the Directors of Public Prosecutions

*continued*



### Northern Cape Division

#### Key achievements and challenges

The Division's performance has significantly improved since 2019, despite being the smallest in terms of staff capacity and resources but the largest province territorially.

Twenty-two aspirant prosecutors graduated from the Aspirant Prosecutor Programme in 2025 and are working as District Court prosecutors. This has freed existing staff to act in the Regional Court or in managerial positions.

High Court prosecutors finalised 35 matters, with 32 convictions (a conviction rate of 91.4%).

The clearance ratio for decision dockets has improved from 56% in 2022/2023 to 95.7% in 2024/2025.

Case withdrawals by complainants have decreased, especially in courts where support services were previously weak.

The AFU has made a formidable impact on illegal mining by confiscating the generators and tools used in crime. Confiscations included 114

generators and 59 jackhammers valued at R1m in Springbok, 110 generators and 120 jackhammers valued at R1m in Kleinsee, and 40 generators, and 100 jackhammers valued at R500 000 in Port Nolloth. These instrumentalities of crime were auctioned in Kimberley on 1 October 2024.

Disruption caused by the closure of the Galeshewe Magistrates' Court Building by the Department of Labour, after a union complaint about structure safety, is still ongoing, affecting service delivery and court performance.

The Division's specialist units – SCCU, OCC and STU – faced serious staff establishment challenges that negatively impacted the functioning and productivity of the units.

The vast geographical area serviced by the Division means that the District Courts are spread far and wide, with community members needing to travel great distances to access service delivery centres. Daily court hours are mostly consumed by stakeholders (such as prosecutors, magistrates, police, witnesses and accused) travelling to these remote service delivery centres.

Legal representatives cause delays with postponement requests, ill-health and the unavailability and termination of mandates.

There is also a lack of accommodation for prosecutors in the Division. Many court buildings are unable to accommodate all prosecutors, and alternative accommodation is usually some kilometres away from the court buildings – this presents several challenges for prosecutors, complainants and witnesses.

Loadshedding, water shortages, connectivity problems and the DoJ&CD server being offline are also persistent challenges.

## Stakeholder engagement

The SCCU maintains strong stakeholder relationships with relevant law enforcement agencies. Some of the Unit's investigations are conducted with the cooperation of the Fusion Centre. Investigations in bigger cases are managed through a Steering Committee composed of colleagues from different disciplines.

Other stakeholder engagements include: monthly meetings between SARS, STU and AFU; monthly PPC meetings; monthly POCS meetings; monthly meetings between the Priority Crime Specialised Investigations and AFU; monthly provincial ACTT meetings; bi-weekly Top 10 Forum meetings; quarterly Anti-Corruption/Essential Infrastructure meetings; and the Expert Task Team on State Capture cases.

## Performance

The Division achieved 13 of 17 indicators during the 2024/2025 financial year.

The performance of the Division is discussed monthly at Provincial Senior Management Meetings chaired by the DPP and attended by all senior staff (DDPPs and Chief Prosecutors) and middle managers (SPPs and Control Prosecutors). Problems and challenges are thoroughly discussed, and the necessary interventions put in place to improve performance. These meetings are duplicated in the various clusters and business units creating a positive competitive spirit.

Potential High Court matters are screened on receipt at the DPP's office, and two advocates are assigned to monitor and guide the investigation. Once a High Court trial is enrolled, the relevant advocate receives a scanned copy of the case docket to prepare for the trial and determine whether a pre-trial conference is necessary. Circuit courts of the High Court are within a radius of 300km to 800km of Kimberley. Advocates usually drive through on the Saturday prior to the trial's commencement to consult with all the relevant witnesses and ensure that no court time is lost.

Electronic registers of all circuit court information, including the next term's cases and appeals, are

available to all relevant stakeholders. Security and Risk Management and the communications officer are informed of relevant matters to allow them to provide the necessary services to prosecutors.

The Division has developed an electronic system for all High Court work, which is updated monthly and distributed to the advocates, to improve performance and reduce backlogs.

## Capacity

The staff establishment increased from 185 to 198, while the vacancy rate decreased from 17% to 15%.

Mindful of the fact that the empowerment of staff members is fundamental to their wellbeing and productivity, management adopted an Empowerment Drive Initiative that resulted in improved performance, staff morale and employee wellness.

A Social Club Committee has been formed and is spearheading team-building activities.

Highly skilled senior prosecutors and advocates, who are well-versed in criminal procedure, legal research, trial advocacy and case management, contribute significantly to prosecutorial effectiveness. However, entry- and mid-level prosecutors often lack sufficient practical courtroom experience, especially in complex cases such as organised crime, corruption and GBV, which are central to the organisation's mandate. The skill level of regional staff differs from cluster to cluster, with capacity limitations, poor expertise distribution and skills deficiencies being significant obstacles.

Some offices in the region experience higher turnover, poor mentorship structures and limited access to continuous legal training, which hampers performance consistency.

Training courses on trial advocacy, digital forensics and prosecuting complex financial crimes are frequently offered through partnerships with the Justice College as well as other legal education providers. Prosecutors reported greater confidence in leading sensitive testimony and utilising expert witnesses, contributing to an increase in conviction rates.

Peer educational initiatives and case review platforms are being used to share best practices and offer coaching and mentoring.

Each DDPP is assigned a Senior State Advocate to mentor, develop, train and identify and address areas of improvement. The same functions are applied to each Junior State Advocate, who is assigned to a Senior State Advocate as his/her supervisor.

The Division had an over expenditure of R12m caused by inadequate personnel allocation for the SCCU.



## Activities of the Directors of Public Prosecutions

*continued*



### North West Division

#### Key achievements and challenges

The 'Back to Basics' training reported on last year improved many operational areas, allowing the Division to offer a better service to its clients. As the foundation of the good performance of the Division over the past five years, the initiative and benefits derived are ongoing.

The SCCU is now fully capacitated and functional. It has shown positive results over the last two financial years.

The joint focus on corruption and organised crime with stakeholders is starting to bear fruit. The Organised Crime Strategy delivered clear and defined targets. The OCC currently has 14 registered projects, which are managed by DPCI's PPC and SAPS' POCS, where the Organised Crime Co-ordinator attends meetings on a monthly basis.

Resolutions taken at the 'Magalies Accord' in April 2023, which was attended by all senior managers in the Division, were designed to streamline the investigation and prosecution of financial crime and corruption cases.

The AFU in the Division has improved substantially since 2022. In the last year the AFU obtained 22 forfeiture orders valued at R18m, 31 preservation orders valued at R354m, and paid R14m to the victims of crime or into CARA. Recoveries to the value of R19m were made in respect of corruption cases. The Division is adjusting its strategy to ensure that higher value cases that originate from irregular procurement in government are targeted.

The STU is fairly new but has already made an impact. The national Honey Badger Project, which concentrates on failure to submit tax returns, was started by the North West Division.

The Division achieved a clean audit from the Office of the Auditor General in relation to its 2023/2024 performance information. This was a significant achievement and ascribed to the processes put in place by the management team.

The move to ECMS on 1 April 2024 came with a plethora of challenges. Prosecutors are recording performance information manually and comparing it with information captured on ECMS to ensure that the reported information is credible. Poor connectivity and having to ensure that DoJ&CD clicks are capturing results correctly on ECMS is frustrating and time consuming.

With a focus on high value, high impact matters, complex commercial and organised crime cases take time to finalise – as a result, the number of cases finalised remains low. The Division continues to prioritise corruption in government and money laundering, with typologies identified by Immediate Outcomes 7 and 9 of the FATF recommendations.

Vacancies in key positions are a challenge but the Division is working to fill these posts as soon as possible.

The lack of suitable accommodation in the District Courts hampers performance and results in lost court hours.

## Stakeholder engagement

The Division recognises the importance of good stakeholder management and actively participates in various forums, including the DEEC, REEC and PEEC. Together with stakeholders, blockages are identified and mitigation plans agreed on.

The Division has a well-planned communications strategy and, with the help of the communications officer and prosecutors, the good work of the NPA is shared with the public. The following successes were achieved:

- A media database (categorised by print, electronic, local and national media) has been developed to disseminate statements, advisories and responses to queries
- The media is updated on forthcoming high-profile cases on the court roll and media enquiries are responded to in a timely manner
- A seamless working relationship with SAPS and the Hawks has been established to share information and inform the media timeously on important cases, with joint media statements issued in some cases
- 63 media reports were issued from 1 July 2024 to 31 March 2025.

## Performance

The Division has consistently achieved its targets, with the exception of specialised commercial crime cases, which was narrowly missed. This is a marked improvement for the SCCU, which did not finalise any cases for many years.

Performance management has always been and remains one of the Division's strong points. The Governance Team has a hands-on approach and continuously monitors performance at all levels.

Regular Senior Prosecutor forum meetings discuss the performance of each sub-cluster, and managers are expected to provide action plans to address poor performance. The annual operational plan is communicated to all staff to ensure everyone understands their role in achieving the targets.

The Division has three CPI sites: Molopo, Odi and Klerksdorp. These focus on combating and preventing stock theft, GBV and drug-related offences.

The Community Prosecutors have managed to unite farmers and form structures under different forums to address their public safety concerns. These forums consist of commercial farmers, stud breeders and emerging farmers who only own a few head of cattle or small stock. Stock theft is a serious threat to the local community and has become more widespread, organised and violent. The visibility of Community Prosecutors and the SAPS' Stock Theft Unit at weekly auctions deters criminals from selling stolen stock and has significantly reduced stock theft. Two widely known suspects who targeted the livestock of farmers in Molopo were arrested, convicted and sentenced to five- and six-years' imprisonment respectively.

The AFU has played a concrete role in removing the benefit from committing crime.

Service delivery improvement remains a high priority for the Division, with all engagements on all levels continuously advocating for the delivery of a quality and professional service. Representations, which often involve dissatisfied customers, are dealt with swiftly. The Division has rolled out a rejuvenated CPO programme for witnesses and victims of crime. CPOs are valuable and play an important role in delivering a quality service to victims of crime and witnesses.

## Capacity

The staff establishment has increased from 313 to 315, with a vacancy rate of 15%.

Back to Basics training took place in Mmabatho, Vryburg, Potchefstroom, Klerksdorp, Rustenburg and Ga-Rankuwa.

The following factors contributed to a higher staff morale:

- Investing effort in filling vacancies to reduce work pressure on prosecutors
- Feeling cared for by top management
- Instituting an open-door policy for all levels of prosecution
- Advocating respect for one another at all levels
- Promoting the Employee Wellness Programme
- Training that enhances the knowledge of both prosecutors and investigators.

## Activities of the Directors of Public Prosecutions

*continued*



## Western Cape Division

### Key achievements

The focus of the DPP extended beyond achieving sound legal outcomes to directing the strategic development of the leadership cohort and enhancing staff morale. Deliberate efforts were made to invest in people, foster collaboration and build a more resilient senior management team.

The senior management team has undergone a significant transition, and a comprehensive initiative was launched to empower and upskill the entire senior management cohort. In collaboration with HRM&D, a programme was successfully implemented to address key leadership challenges and ensure that senior managers are equipped to lead with confidence, drive high performance and support organisational success. The programme provided training in the following areas:

- Managing performance: strengthening the ability of senior managers to set clear expectations, monitor progress and foster a culture of high performance. This included equipping leaders

with strategies to address underperformance while encouraging accountability and employee development.

- Managing temporary incapacity: providing the knowledge and tools to manage temporary incapacity cases effectively, balancing staff welfare with organisational needs.
- Conducting performance conversations: training managers to conduct constructive and empathetic performance conversations that align individual goals with the broader objectives of the organisation.

All senior managers undertook Aephoria assessments, which provided valuable insights into individual leadership styles, strengths and areas for growth. This process helped identify complementary skills and potential areas of conflict, fostering greater understanding and alignment within the team. The result has been an improvement in communication, trust and teamwork.

The Division's Annual Awards Ceremony, which is designed to improve team morale and cohesion while offering a moment for reflection, celebration and renewed motivation, was reinstated. On 8 November 2024, individual and team achievements were recognised, and the ceremony showcased



best practices and highlighted the impact of prosecutorial work on justice outcomes and community confidence. Ms Ruwayda Badrudeen, Regional Court Prosecutor in the sexual offences court at Cape Town, was presented with an award for Excellence in General Prosecutions for her excellent work in *State vs Nkosinathi Prim*.

The Division held an event on Women's Day to honour the strength and resilience of GBV and domestic violence survivors. The organising committee operated without a formal budget, relying on donations, civil society organisations and compassionate individuals. Each cluster invited five or six survivors to attend the event and share their experiences and personal journeys of resilience. To show appreciation for their courage, the DPP, prosecutors and CPOs presented the survivors with generously sponsored gifts. This event celebrated the survivors and reaffirmed the collective responsibility for advocating for justice, healing and empowerment.

In a landmark decision reinforcing the rule of law and the principle of accountability in public office, on 6 May 2024 the SCA ordered that the trial of Bongani Bongo commence afresh before a differently constituted court. This followed former Judge President John Hlophe granting Bongo a discharge in terms of Section 174 of the CPA without requiring him to present a defence. This ruling is a significant affirmation of the prosecution's constitutional role in ensuring that serious allegations are subjected to full and proper judicial processes. It also sends a clear message that legal technicalities cannot shield individuals from accountability where the interests of justice demand a full ventilation of evidence. The decision represents a critical step in promoting transparency and public confidence in the administration of justice.

Several high-profile organised crime prosecutions are currently underway in the High Court, including:

- *State vs N Modack and 13 others*: a well-organised criminal enterprise systematically took control of nightclub security operations in the central business district, creating an environment of fear and coercion marked by violence and extortion that culminated in the murders of Colonel Kinnear and the father of a police officer who had been involved in investigating the main accused.
- *State vs Lenting and 19 others*: this matter, which includes charges of murder, witness intimidation and illegal possession of firearms and

ammunition, highlights the violent and coercive tactics employed by organised gangs to assert control and evade justice.

- *State vs E Adams and 14 others*: members of the 28 Mobsters Gang are charged with murder, racketeering, housebreaking and firearm possession over a drug-turf war with the 28 Horribles Gang.
- *State vs M Liffman and 13 others*: while presenting themselves as lawful nightclub and security service providers in the Cape Town central business district, this criminal group is alleged to have engaged in serious criminal conduct, including illegal drug trafficking and murder. They used sophisticated methods to conceal illicit activities behind seemingly legitimate enterprises.

These matters – characterised by their complexity, multiple accused and serious charges, including racketeering and murder – represent a substantial investment of prosecutorial resources and are central to efforts aimed at dismantling entrenched criminal networks. While the outcomes of these cases are only expected in the next financial year, considerable progress was made during this period, laying the groundwork for meaningful results ahead.

## Stakeholder engagement

Proactive and sustained engagement contributed to improved operational coordination, expedited decision-making and more coherent service delivery, underscoring the value of deliberate collaboration and demonstrating the practical impact of fostering strong, trust-based relationships with our external partners.

In June 2024, SPP Neethling at Goodwood District Court began collaborating with Platteklouf SAPS Forensic Science Laboratory to expedite the processing of drug matters. Between April 2024 and March 2025, the SPP advised the laboratory on approximately 3 000 cases that did not require analysis, ensuring that the laboratory did not waste resources and focus on pending matters only. This collaboration has significantly reduced the case backlog at the Goodwood District Court – there are currently only 232 cases on the court roll awaiting drug analysis reports, all of which are expected within the next two months.

Monthly provincial Child Death Review meetings bring together high-ranking SAPS members, health officials (including pathologists and paediatricians),

## Activities of the Directors of Public Prosecutions

*continued*

University of Cape Town administrators and representatives of DSD. This engagement ensures child death cases are prioritised, strengthens interdepartmental relationships and enables quicker decision-making on urgent matters.

Since the COVID-19 pandemic, there has been an urgent need to plan the High Court criminal trial roll to address the case backlog. Stakeholders including Legal Aid South Africa meet on a weekly basis with the Acting Deputy Judge President to plan the roll. This has enabled the office to insert cases on short notice when judges become available. The result has been a 26% increase in the number of finalised cases, with 57 cases finalised compared to 45 the previous year.

One of the most significant challenges in addressing domestic violence cases is the high incidence of complainants requesting to withdraw their cases. The Mitchells Plain cluster initiated a referral pathway project designed to support and inform complainants before they make such critical decisions. The project not only provides them with comprehensive information on the legal and personal implications of case withdrawal, but educates them about the cycle of abuse, strategies for achieving independence and available support systems. It includes referrals to shelters, employment assistance services and psychosocial support structures, as well as guidance on navigating the court process, including testifying.

A central component of the project is its multi-agency collaboration. Key partners include the DSD, SAPS and NGOs such as the Network Against Abuse and Mosaic. This initiative has contributed to a noticeable reduction in the number of domestic violence case withdrawals.

The Community Prosecutor partnered with the Heideveld TCC to regularly engage with stakeholders at the Browns Farm CPI site. This TCC primarily serves high crime areas, including Gugulethu, Philippi East, Philippi (Hanover Park), Samora Machel and Nyanga. Effective stakeholder engagement in these areas contributed significantly to delivering the urgent care and services victims deserve.

The Browns Farm site expanded the Community Prosecutor's reach into communities. A major milestone was the launch of a Victim Empowerment Room at Philippi Police Station, in partnership with other stakeholders. The launch received

widespread attention, including a feature on Cape Talk radio, helping to raise awareness of GBV and support services in the area. Collaboration with the DSD saw GBV ambassadors trained, and community members equipped to support survivors, explain court processes and promote understanding of domestic violence legislation. This initiative has significantly strengthened grassroots efforts to combat GBV.

Following sustained engagement with SAPS, the Community Prosecutor also advocated for the establishment of a dedicated police station in Browns Farm, which officially opened in August 2024. Since then, crime rates in the area have shown a gradual decline, with local leadership, including the local councillor, noting a visible reduction in criminal activity.

The CPI achieved several additional impactful outcomes, including:

- A fine of R45 000 was imposed on a tavern operating in violation of liquor regulations, following a joint intervention with SAPS and the Western Cape Liquor Authority
- The Community Prosecutor facilitated extortion awareness training for officers at high-crime police stations, equipping SAPS members to better identify and investigate extortion cases
- The Community Prosecutor received an Excellent Partnership Award from Philippi SAPS.

These achievements reflect the Community Prosecutor's continued commitment to community-based prosecution, law enforcement collaboration and proactive crime prevention.

### Performance

The region did not achieve its targeted conviction rate in sexual offence cases. These cases often face challenges including delayed reporting, withdrawal of victim cooperation and insufficient forensic support. The declining trend potentially points to deeper systemic issues such as victim fatigue, procedural delays or poor case quality. Since these crimes are particularly traumatic and socially sensitive, underperformance will undermine public trust and discourage reporting.

Organised crime prosecutions are focused on the top tiers of criminal syndicates, where the leadership and masterminds operate. As a result, these cases tend to be lengthier and more complex. Fewer cases were finalised, and the six acquittals recorded had a disproportionate impact on overall performance.





Performance on essential infrastructure-related crimes was inconsistent and below target. These crimes have broad economic and public service implications, making this underperformance concerning. Given the critical national impact of infrastructure crime, prosecutorial performance in this area will be reinforced through better investigative support, training on evidentiary thresholds and increased coordination with specialised units.

The Division obtained 211 confiscation orders in terms of Section 18 of POCA, to the value of R7 970 581. The Division identified case finalisation through plea and sentence agreements as a way of addressing the outstanding court rolls and backlog cases, achieving 2 139 in this reporting period across the following sites: 1 340 in Bellville; 258 in Cape Town; 58 in George; 160 in Mitchells Plain; 315 in Wynberg; eight in the High Court.

The Division continues to prioritise the use of ADRMs as a means of effectively managing case backlogs and promoting the efficient administration of justice. During the reporting period, 47 837 cases were finalised via ADRMs (a 7% year-on-year improvement), reflecting a sustained commitment to finalising appropriate matters in this way. This approach not only contributes to quicker resolution of cases but also plays a vital role in reserving valuable court time and resources for the most serious and complex prosecutions. The consistent use of ADRMs underscores the Division's strategic intention to enhance prosecutorial efficiency while ensuring that justice is delivered in a timely and proportionate manner.

## Capacity

The staff compliment has increased from 722 to 724. The vacancy rate has increased from 9.28% to 10.35% due to the creation of additional posts.

Two key training interventions for SPPs and CPOs, undertaken to improve skills and address operational challenges, improved overall performance.

Management identified a skills gap among some newly appointed officials, specifically relating to their supervisory and management competencies. Targeted training interventions were implemented to strengthen their effectiveness within court operations. Staff also participated in a range of training programmes offered by the Justice College, as well as specialised training on ECMS.

The Division was allocated R596.7m for the reporting period. On 31 March 2025, the overall spend against the allocated budget was R599.2m. This overspend of 0.4% (R4.8m) was on Compensation of Employees due to an under allocation. In respect of Goods and Services, the Division spent 75% of its allocated budget.

The past financial year has been one of both significant achievement and profound responsibility. Despite the many operational challenges, the Division remained steadfast in its commitment to excellence, accountability and justice. Efforts extended beyond meeting performance indicators, and there was an investment in people, strengthening leadership, enhancing stakeholder collaboration and upholding the highest prosecutorial standards in complex and high-impact matters.

# Appendix

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## Composition of structures

### Advisory panel

A national panel of persons with extensive experience in the investigation or prosecution of complex commercial crime or corruption or have expertise in asset forfeiture or other relevant fields who can be called upon to provide advice, make suggestions and offer guidance regarding complex commercial crime or corruption cases presented to the panel by prosecutors and investigators. The panel was established as an output of the Integrated Task Force and focusses on commercial crime and corruption cases. It is convened by the head of the SCCU upon request. Prosecutors and prosecution or investigating teams present their cases to the panel and are advised on various aspects relating to investigation and prosecution, including further investigation, possible charges and reviewing indictments and chargesheets.

### Anti-corruption Task Team

The ACTT was a collaborative effort between stakeholders to deal with the investigation and prosecution of serious and complex cases of corruption. The case management committee consisted of members from various institutions including the DPCI, SIU, FIC, NPA, National Treasury and DPSA. As well as monitoring cases on a Priority List, the ACTT Executive Committee also tracks the progress of foreign bribery cases, unexplained wealth, risk management, integrated resource planning and strategic matters related to COVID-19 procurement corruption. This structure was dissolved with the establishment of the National Priority Crime Operational Committee (NPCOC), which has incorporated serious corruption as one of its three streams, alongside organised crime and serious commercial crime.

### Business Safety Steering Committee Forum

Businesses, NPA and SAPS form part of a group that develops strategies geared towards a safer Nelson Mandela Bay. The Eyes to Ears Project is establishing a Command Centre involving SAPS and security companies, which is funded by the farming sector. The Consumer Council Retail Industry has agreed to share their records regarding hijackings and business robberies and has offered to set up a database for the province.

### Case Flow Management meetings

Case Flow Management meetings are comprised of representatives from the NPA, Legal Aid South Africa, the judiciary and court administration (the DoJ&CD or the Office of the Chief Justice). They may also include, inter alia, SAPS and the Department of Correctional Services. These meetings are convened at the local level to identify blockages and contributing factors to poor courts performance, and to find ways to jointly address these. At the lowest level, the local Case Flow Management meetings are used for more operational discussions monthly and, where required, some aspects may be escalated to the PEEC held quarterly. Progress reports are also provided annually to the National Efficiency Enhancement Committee (NEEC) chaired by the Chief Justice.

### Copper and Mining Forum

Hosted by SAPS, monthly meetings are held to guide investigations relating to ferrous and non-ferrous metals cases and discuss challenges relating to copper and mining cases. The meetings also provide statistics and discuss criminal trends.

### Counter Terrorism Functional Committee and its sub-committees

A multi-disciplinary committee comprising of PCLU, DPCI: CATS, State Security Agency, SAPS CI, FIC, Defence Intelligence, DIRCO, DHA, etc. The role of the CTFC is to ensure that all issues relating to terrorism and terror financing (TF) are addressed. The CTFC also ensures that all TF FATF obligations and recommendations are attended to and addressed.

### District Efficiency Enhancement Committee

The DEEC is a judiciary-led structure aimed at improving efficiency in the District Courts within a province. Issues that it is unable to resolve relating to case flow management are escalated to the PEEC. The DEEC is comprised of the relevant stakeholders, including Chief Prosecutors or other representatives from the NPA.

### DPP Case Management meetings

The DPP Case Management meeting was established as a collaborative forum to oversee the management of NPS' high impact cases in the specialist components and/or units. Enhancing the skills of specialist resources and support in training and development is also high on the agenda. This meeting is convened in tandem with NOMM, and the composition of the members are the same as NOMM.

### DPP Environmental Working Group

The DPP Environmental Working Group was established in September 2022 and has since met on a biannual basis. The objectives of this Working Group include, inter alia, sharing best practice in the investigation and prosecution of environmental crime, addressing challenges, proposing legislative amendments and discussing and initiating the centralisation of cross-border cases to ultimately ensure more effective and successful prosecutions. In addition, real time information pertaining to arrests is shared, which significantly enhances collaboration between prosecutors and law enforcement agencies.

### Eskom Task Team

This operational task team analyses all the centralised dockets and identifies priority matters that deal with incidents directly impacting on the operations of Eskom. Once priority matters are identified, the dockets are referred to the Priority Crime Management Centre for further analysis and profiling, DPCI: Priority Crime Specialised Investigations for asset and financial investigations, and for investigating officers to comply with any queries raised by the NPA. The task team identifies targets for major investigations, specifically related to syndicates committing offences against Eskom.

An oversight committee reviews the progress made on dockets or cases identified by the task team and addresses any challenges that the operational committee might be experiencing regarding investigations and the finalisation of cases. The oversight committee provides feedback to NATJOINTS regarding the progress of the task team. The oversight committee also liaises with Eskom regarding any media briefings to be made.

### Essential Infrastructure

The meeting sits once a month to address the increase in chrome theft in Witbank, including identifying major targets to focus on for registering a major investigation project.

### Executive Committee

The ExCo of the NPA was established by the NDPP to tackle the high-level strategic matters of the organisation. It is comprised of the NDPP, DNDPPs and the Special Advisor to the NDPP. ExCo also leads the organisation's preparedness for accountability to the external environment, such as the media, parliament and the general public.

### Extortion Forum

With the increase in extortion cases in the construction industry and businesses being forced to pay protection fees, the Extortion Forum meetings are a collaborating between SAPS, NPA and the Bargaining Council Civil Engineering Industry aimed at sharing information and databases.

### Financial Action Task Force

FATF is the global money laundering and terrorist financing watchdog. The inter-governmental body sets international standards that aim to prevent money laundering and terror financing activities and the harm they cause to society. As a policy-making body, FATF works to generate the necessary political will to bring about national legislative and regulatory reforms in these areas.

With more than 200 countries and jurisdictions committed to implementing them, FATF has developed recommendations or standards that ensure a co-ordinated global response to preventing money laundering (ML) and terror financing (TF). They help authorities identify, detect, sanction, and prevent ML and TF. FATF also works to stop funding for weapons of mass destruction (proliferation financing).

FATF reviews ML and TF techniques and continuously strengthens its standards to address new risks, such as the regulation of virtual assets, which have spread as cryptocurrencies gain popularity. FATF monitors countries to ensure they implement FATF standards fully and effectively and holds countries that do not comply to account.

### Fusion Centre

In 2020, the ACTT established a Fusion Centre. The Fusion Centre was formed by the SIU, DPCI and NPA as a coordination point and key resource centre for dealing with all corruption-related cases and other illicit activities associated with the COVID-19 pandemic. The aims are: i) to ensure prompt coordinated action by said enforcement agencies to expedite the investigation, prosecution and recovery of assets; and ii) to provide an immediate response by law enforcement and corruption-fighting agencies to cases or incidents of corruption, fraud, abuse or maladministration related to COVID-19 procurement irregularities.



# Appendix

*continued*

## Integrated Task Force

The Integrated Task Force was established to coordinate and prioritise the responses of the relevant law enforcement agencies to the recommendations of the State Capture Commission. The members of the Integrated Task Force include the DPCI, SIU, FIC, SARS and the relevant components of the NPA (AFU, IDAC, SCCU, STU, NPS Ops and relevant DPPs).

While the IDAC was established to, inter alia, lead the investigation and prosecution of any unlawful activities identified by the State Capture Commission, some matters were already being investigated by DPCI and SIU. The Integrated Task Force brings the relevant entities together to ensure that matters arising from the State Capture Commission are speedily dealt with, duplication of efforts is avoided and progress on investigations and prosecutions is monitored.

## International Association of Prosecutors

The International Association of Prosecutors, the only worldwide organisation of prosecutors, was established in 1995 at the UN offices in Vienna. It is comprised of more than 183 organisational members from over 177 different countries, as well as many individual members. The main impetus leading to its formation was the rapid global growth of serious transnational crime, particularly drug trafficking, money laundering and fraud.

## International Cooperation Component

The International Cooperation Component is responsible for the management and coordination of incoming and outgoing requests for extradition and MLA. With its objective being efficient coordination of requests for international cooperation in criminal matters and continuously working towards enhancing collaboration and cooperation, the Component participates in a number of national and international fora, inter alia: i) interdepartmental meetings coordinated by DIRCO, DPSA and the DoJ&CD; ii) Interdepartmental Committee on MLA and Extradition coordinated by the DoJ&CD; iii) Interdepartmental Working Group on the FATF Mutual Evaluation Report coordinated by the FIC; iv) meetings with counterparts from other countries on invitation and in conjunction with the DoJ&CD, DIRCO and the DPSA or the FIC; and iv) UN meetings that pertain to international cooperation.

## Management Committee

The ManCo of the NPA was established to provide oversight and ensure delivery on key organisational responsibilities. ManCo is meant to hold the NPA's management accountable for setting operational goals and ensuring delivery. ManCo is comprised of the NDPP, DNDPPs, SDPPs, DPPs and Chief Directors.

## Missing Persons Task Team

The MPTT was established in the NPA in 2005 in terms of the approved recommendations in the TRC Final Report, which stated that government should set up a Task Team to trace the fate and whereabouts of persons who disappeared in political circumstances between 1960 and 1994. The MPTT is a small multi-disciplinary team that uses archaeology, forensic anthropology, historical research and DNA testing, and works closely with other relevant government departments and organisations. The MPTT aims to recover the remains of the disappeared for their families or to facilitate symbolic reburials where remains cannot be recovered. The MPTT has benefitted from training by the Equipo Argentino de Antropología Forense, better known as the Argentine Forensic Anthropology Team, who first applied forensic science to human rights cases of disappearances. The MPTT also has special projects including the Gallows Exhumation Project, which involves tracing the remains of political prisoners who were sentenced to death and executed, and the Exile Repatriation Project.

## National Efficiency Enhancement Committee

The NEEC was established by the judiciary and is chaired by the Chief Justice. The NEEC's primary objective is to ensure the efficiency and effectiveness of the courts. The NEEC identifies challenges that undermine efficiency and employs its collective wisdom behind closed doors to find solutions without compromising the Constitution and the law. The NEEC is comprised of the Chief Justice, President of the SCA, Judge President of the Gauteng Division of the High Court, Judge President of the Northern Cape High Court, a judge representing the Judicial Case Management Committee, Regional Court Presidents, National Commissioners of SAPS and Correctional Services, Directors-General of the Departments of Public Works, Justice, Health and Social Development, the Chairperson and Chief Executive Officer of Legal Aid South Africa, the Chief Executive Officer of the Road Accident Fund, the NDPP and Head of the NPS, Chief Magistrates, representatives of the Law Society of South Africa and the General Council of the Bar.

### National Fuel Pipeline Committee

Established to address the damage and theft of fuel from the Transnet Pipeline, the meetings are held on a quarterly basis, chaired by the DPCI and attended by the OCC.

### National Intersectoral Committee on Trafficking in Persons

The National Intersectoral Committee on Trafficking in Persons (NICTIP) is co-chaired by the DoJ&CD and the NPA. From within the NPA, members include representatives from SOCA, OCC and the Trafficking in Persons Provincial Task Teams. Other members include international partners such as the UNODC and IOM, as well as Office of the Chief Justice, SAPS, DSD, DHA, DIRCO, Department of Employment and Labour, SARS, Border Management Authority, FIC, South African Anti-Money Laundering Integrated Task Force and representatives from various NGOs such as National Freedom Network, A21 and the Salvation Army. NICTIP meets on a quarterly basis.

### National Operations Management Meetings

The NOMM was established to consider the NPA strategy, consider and agree on the Annual Operational Plan for the NPS, and coordinate and oversee progress against such plans. The head of the NPS is the chairperson and the members include all DPPs from the divisions, SDPPs responsible for specialised units within the NPS, DDPPs in the NPS Head Office responsible for cross-cutting functional areas, the NPS Operations Management component and the head of administration for the NPS Head Office. The NOMM identifies challenges, discusses and addresses issues, and develops innovative solutions and responses to improve efficiency, effectiveness and the performance of the NPS. Members discuss matters affecting human and other resources and other operational and strategic matters that need to be resolved by units outside of the NPS or to be escalated to ExCo or ManCo.

### Organisation for Economic Co-operation and Development

The OECD is an international organisation in which governments work together to find solutions to common challenges, develop global standards, share experiences and identify best practices to promote better policies for better lives. South Africa became a partner of the OECD in 2007.

### Provincial Efficiency Enhancement Committee

The PEEC is a judiciary-led structure aimed at improving caseflow management in the provinces. The PEEC is comprised of relevant stakeholders, including the DPPs. The PEEC is mandated to enhance access to justice by ensuring, among others: i) the cooperation and commitment of all relevant stakeholders in the efficient and effective adjudication of disputes in the courts; ii) the proper implementation of norms and standards; and iii) the proper understanding and support of case flow management. The Heads of Courts are required to report on the progress of the PEECs to the Chief Justice.

### Provincial GBVF Priority Task Teams

The Provincial GBVF Priority Teams are comprised of senior provincial members from the NPA DoJ&CD and SAPS. The teams have a clear mandate to enhance efficient and expeditious investigations, prosecutions and finalisations, and to reduce the turnaround time of GBVF cases in the provinces. The teams visit all the Districts and TCC's and meet with local NPA and SAPS management to discuss factors affecting investigations and successful prosecution of cases. The teams screen and review dockets withdrawn and struck off the roll with a view to re-enrolment.

### Provincial Major Investigations Committee

Chaired by the head of the DPCI in the province, this meeting focuses on major investigations that do not meet the criteria for registration as projects but are sufficiently complex to warrant dedicated focus. Many of the cases currently prosecuted by the OCC in emanate from Major Investigations.

### Provincial Organised Crime Secretariat

Attended by SAPS general detectives and chaired by the various heads of the OCCs, these meetings consider and evaluate provincial crime trends and recommend strategies to deal with these. Investigations are then conducted by the general detectives or by the DPCI if so referred.

### Provincial Projects Evaluation Committee Stakeholder

Chaired by the head of the DPCI in the province, this monthly meeting considers proposals for the registration of projects, evaluates projects, monitors progress and issues instructions to investigation teams.



## Appendix

*continued*

### Provincial Trafficking in Persons Task Teams

The teams constituted by provincial government departments and institutions are responsible for contributing to the development of a coordinated anti-trafficking response at the provincial level. The teams develop and execute provincial anti-trafficking action plans in line and compliance with the Trafficking in Persons National Policy Framework. Such plans provide for training and capacity building activities targeting all relevant stakeholders, public awareness and outreach initiatives, and research activities.

### Regional Efficiency Enhancement Committee

The REEC is a judiciary led structure aimed at improving efficiency in the Regional Courts within a province. Issues that it is unable to resolve relating to case flow management are escalated to the PEEC.

### Trafficking in Persons Rapid Response Team

Meetings are held with SAPS, NPA, DHA and NGOs, where information is shared, and prosecutorial guidance is given. Community initiatives are planned together so that the different role players are jointly involved in Imbizos and community education. When a case of trafficking in persons is reported, all parties meet to discuss the way forward and ensure that priority is given to supporting the victims, gathering evidence and enrolling the matter.



# Performance of the regions

## NPS overall

	FY 2024/2025
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	92.5% = 728/782
Conviction rate in Regional Courts	82.6% = 18 176/22 002
Conviction rate in District Courts	95.6% = 153 256/160 369
Conviction rate in murder prosecutions	77.5% = 2 836/3 657 cases
Conviction rate in robbery with aggravating circumstances	84.7% = 2 050/2 421
Conviction rate in sexual offences	70.5% = 3 723/5 282
Conviction rate in complex commercial crime	88.% = 302/343
Conviction rate in corruption (cases)	79.2% = 365/461
Number of people sentenced for corruption	365
Conviction rate in complex tax cases	97.2% = 212/218
Number of prosecutions instituted involving money laundering charges	99
Number of prosecutions finalised involving money laundering charges	36
Conviction rate in organised crime	93.5% = 158/169
Conviction rate in environmental crimes	89.4% = 422/472
Conviction rate in cybercrime prosecutions	100% = 24/24
Conviction rate in essential infrastructure prosecutions	79.% = 546/691
Clearance ratio on decision dockets received	93.8% = 929 265 dealt with
% postponements due to Prosecutor	6.6% = 9 278/13 9732

## Eastern Cape Division

	FY 2024/2025
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	97.7% = 130/133
Conviction rate in Regional Courts	84.% = 2 861/3 405
Conviction rate in District Courts	91.2% = 13 038/14 291
Conviction rate in murder prosecutions	79.3% = 525/662 cases
Conviction rate in robbery with aggravating circumstances	79.4% = 228/287
Conviction rate in sexual offences	75.3% = 845/1 122
Conviction rate in complex commercial crime	93.8% = 61/65
Conviction rate in corruption (cases)	58.8% = 20/34
Number of people sentenced for corruption	20
Conviction rate in complex tax cases	100% = 9/9
Number of prosecutions instituted involving money laundering charges	17
Number of prosecutions finalised involving money laundering charges	14
Conviction rate in organised crime	100% = 20/20
Conviction rate in environmental crimes	86.2% = 75/87
Conviction rate in cybercrime prosecutions	100% = 4/4
Conviction rate in essential infrastructure prosecutions	78.5% = 84/107
Clearance ratio on decision dockets received	80.3% = 117 239 dealt with
% postponements due to Prosecutor	5.5% = 1 064/19 268

# Performance of the regions

*continued*

## Free State Division

	FY 2024/2025
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	88.5% = 85/96
Conviction rate in Regional Courts	81.6% = 1 641/2 012
Conviction rate in District Courts	96.% = 20 079/20 917
Conviction rate in murder prosecutions	72.9% = 199/273 cases
Conviction rate in robbery with aggravating circumstances	78.5% = 139/177
Conviction rate in sexual offences	72.8% = 466/640
Conviction rate in complex commercial crime	100% = 3/3
Conviction rate in corruption (cases)	72.5% = 29/40
Number of people sentenced for corruption	29
Conviction rate in complex tax cases	91.7% = 11/12
Number of prosecutions instituted involving money laundering charges	23
Number of prosecutions finalised involving money laundering charges	20
Conviction rate in organised crime	100% = 13/13
Conviction rate in environmental crimes	100% = 15/15
Conviction rate in cybercrime prosecutions	100% = 2/2
Conviction rate in essential infrastructure prosecutions	73.5% = 36/49
Clearance ratio on decision dockets received	80.2% = 113 432 dealt with
% postponements due to Prosecutor	4.4% = 453/10 269

## Gauteng Division: Pretoria

	FY 2024/2025
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	88.6% = 62/70
Conviction rate in Regional Courts	85.3% = 1 571/1 842
Conviction rate in District Courts	96.8% = 13 296/13 734
Conviction rate in murder prosecutions	81.% = 196/242 cases
Conviction rate in robbery with aggravating circumstances	86.3% = 208/241
Conviction rate in sexual offences	72.6% = 305/420
Conviction rate in complex commercial crime	89.5% = 34/38
Conviction rate in corruption (cases)	70.6% = 24/34
Number of people sentenced for corruption	24
Conviction rate in complex tax cases	100% = 8/8
Number of prosecutions instituted involving money laundering charges	12
Number of prosecutions finalised involving money laundering charges	12
Conviction rate in organised crime	100% = 4/4
Conviction rate in environmental crimes	100% = 5/5
Conviction rate in cybercrime prosecutions	100% = 2/2
Conviction rate in essential infrastructure prosecutions	81.1% = 77/95
Clearance ratio on decision dockets received	77.6% = 133 467 dealt with
% postponements due to Prosecutor	4.4% = 420/9 641

**Gauteng Division: Johannesburg**

	FY 2024/2025
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	95.2% = 99/104
Conviction rate in Regional Courts	84.5% = 2 439/2 886
Conviction rate in District Courts	96.7% = 20 428/21 127
Conviction rate in murder prosecutions	76.5% = 195/255 cases
Conviction rate in robbery with aggravating circumstances	90.6% = 270/298
Conviction rate in sexual offences	66.9% = 295/441
Conviction rate in complex commercial crime	83.% = 83/100
Conviction rate in corruption (cases)	67.7% = 67/99
Number of people sentenced for corruption	67
Conviction rate in complex tax cases	98.2% = 54/55
Number of prosecutions instituted involving money laundering charges	17
Number of prosecutions finalised involving money laundering charges	13
Conviction rate in organised crime	95.8% = 23/24
Conviction rate in environmental crimes	83.3% = 10/12
Conviction rate in cybercrime prosecutions	100% = 2/2
Conviction rate in essential infrastructure prosecutions	81.4% = 153/188
Clearance ratio on decision dockets received	82.9% = 135 685 dealt with
% postponements due to Prosecutor	6.4% = 817/12 823

**KwaZulu-Natal Division**

	FY 2024/2025
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	91.2% = 114/122
Conviction rate in Regional Courts	82.1% = 2 751/3 349
Conviction rate in District Courts	95.9% = 21 469/22 381
Conviction rate in murder prosecutions	79.9% = 576/721 cases
Conviction rate in robbery with aggravating circumstances	85.7% = 433/505
Conviction rate in sexual offences	70.1% = 448/639
Conviction rate in complex commercial crime	100% = 17/17
Conviction rate in corruption (cases)	91.2% = 31/34
Number of people sentenced for corruption	31
Conviction rate in complex tax cases	100% = 52/52
Number of prosecutions instituted involving money laundering charges	11
Number of prosecutions finalised involving money laundering charges	14
Conviction rate in organised crime	85.7% = 18/21
Conviction rate in environmental crimes	88.6% = 39/44
Conviction rate in cybercrime prosecutions	100% = 2/2
Conviction rate in essential infrastructure prosecutions	78.3% = 65/83
Clearance ratio on decision dockets received	82.3% = 137 951 dealt with
% postponements due to Prosecutor	6.8% = 1 369/20 041

# Performance of the regions

*continued*

## Limpopo Division

	FY 2024/2025
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	85.4% = 82/94
Conviction rate in Regional Courts	75.4% = 859/1139
Conviction rate in District Courts	96.3% = 16 137/16 758
Conviction rate in murder prosecutions	69.7% = 166/238 cases
Conviction rate in robbery with aggravating circumstances	64.4% = 94/146
Conviction rate in sexual offences	60.6% = 226/373
Conviction rate in complex commercial crime	85.7% = 24/28
Conviction rate in corruption (cases)	66.7% = 22/33
Number of people sentenced for corruption	22
Conviction rate in complex tax cases	100% = 34/34
Number of prosecutions instituted involving money laundering charges	4
Number of prosecutions finalised involving money laundering charges	6
Conviction rate in organised crime	88.9% = 8/9
Conviction rate in environmental crimes	90.7% = 78/86
Conviction rate in cybercrime prosecutions	100% = 1/1
Conviction rate in essential infrastructure prosecutions	94.4% = 17/18
Clearance ratio on decision dockets received	66.6% = 60 802 dealt with
% postponements due to Prosecutor	7.5% = 933/12 366

## Mpumalanga Division

	FY 2024/2025
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	100% = 57/57
Conviction rate in Regional Courts	81.1% = 893/1103
Conviction rate in District Courts	96.6% = 9 330/9 654
Conviction rate in murder prosecutions	78.3% = 166/212 cases
Conviction rate in robbery with aggravating circumstances	82.5% = 94/114
Conviction rate in sexual offences	71.7% = 195/272
Conviction rate in complex commercial crime	66.7% = 8/12
Conviction rate in corruption (cases)	93.3% = 111/119
Number of people sentenced for corruption	111
Conviction rate in complex tax cases	100% = 11/11
Number of prosecutions instituted involving money laundering charges	8
Number of prosecutions finalised involving money laundering charges	10
Conviction rate in organised crime	100% = 13/13
Conviction rate in environmental crimes	85.2% = 23/27
Conviction rate in cybercrime prosecutions	100% = 2/2
Conviction rate in essential infrastructure prosecutions	75.5% = 33/44
Clearance ratio on decision dockets received	74.3% = 88 968 dealt with
% postponements due to Prosecutor	7.3% = 572/7825



## Northern Cape Division

FY 2024/2025	
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	91.4% = 32/35
Conviction rate in Regional Courts	81.3% = 713/877
Conviction rate in District Courts	94.% = 3 438/3 658
Conviction rate in murder prosecutions	78.8% = 130/165 cases
Conviction rate in robbery with aggravating circumstances	83.6% = 56/67
Conviction rate in sexual offences	70.1% = 185/264
Conviction rate in complex commercial crime	80.% = 8/10
Conviction rate in corruption (cases)	90.% = 9/10
Number of people sentenced for corruption	9
Conviction rate in complex tax cases	85.7% = 6/7
Number of prosecutions instituted involving money laundering charges	3
Number of prosecutions finalised involving money laundering charges	5
Conviction rate in organised crime	100% = 22/22
Conviction rate in environmental crimes	100% = 13/13
Conviction rate in cybercrime prosecutions	100% = 4/4
Conviction rate in essential infrastructure prosecutions	81.8% = 9/11
Clearance ratio on decision dockets received	61.6% = 45 760 dealt with
% postponements due to Prosecutor	7.6% = 315/4 122

## North West Division

FY 2024/2025	
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	86.7% = 13/15
Conviction rate in Regional Courts	82.2% = 789/960
Conviction rate in District Courts	96.4% = 8 904/9 238
Conviction rate in murder prosecutions	82.7% = 153/185 cases
Conviction rate in robbery with aggravating circumstances	88.5% = 77/87
Conviction rate in sexual offences	68.6% = 166/242
Conviction rate in complex commercial crime	100% = 6/6
Conviction rate in corruption (cases)	78.9% = 15/19
Number of people sentenced for corruption	15
Conviction rate in complex tax cases	100% = 14/14
Number of prosecutions instituted involving money laundering charges	2
Number of prosecutions finalised involving money laundering charges	1
Conviction rate in organised crime	100% = 2/2
Conviction rate in environmental crimes	93.3% = 14/15
Conviction rate in cybercrime prosecutions	100% = 1/1
Conviction rate in essential infrastructure prosecutions	80.% = 20/25
Clearance ratio on decision dockets received	64.2% = 53 420 dealt with
% postponements due to Prosecutor	7.2% = 408/5628

## Performance of the regions

*continued*

### Western Cape Division

	FY 2024/2025
Strategic objective	Actual performance (numbers)
Conviction rate in High Courts	96.4% = 54/56
Conviction rate in Regional Courts	82.7% = 3 457/4 179
Conviction rate in District Courts	95.% = 26 364/27 745
Conviction rate in murder prosecutions	76.8% = 504/656 cases
Conviction rate in robbery with aggravating circumstances	91.4% = 438/479
Conviction rate in sexual offences	68.% = 545/802
Conviction rate in complex commercial crime	93.8% = 15/16
Conviction rate in corruption (cases)	100% = 27/27
Number of people sentenced for corruption	27
Conviction rate in complex tax cases	81.3% = 13/16
Number of prosecutions instituted involving money laundering charges	5
Number of prosecutions finalised involving money laundering charges	6
Conviction rate in organised crime	85.4% = 35/41
Conviction rate in environmental crimes	89.4% = 143/160
Conviction rate in cybercrime prosecutions	100% = 4/4
Conviction rate in essential infrastructure prosecutions	73.1% = 49/67
Clearance ratio on decision dockets received	85.5% = 185 112 dealt with
% postponements due to Prosecutor	8.1% = 2 840/34 964







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