

KHASHO

NEWS

13th Edition



FEATURED

- > Justice for Ngcobo Police Station attack victims after seven years
- > Family murderer sentenced to four life terms and fifteen years imprisonment
- > Human Trafficking kingpin and co-accused handed heavy sentences
- > NPA reaffirms its commitment to advocate for children's best interests



National Prosecuting Authority
South Africa

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Letter from the Managing Editor

We continue to battle the scourge of rape and other heinous gender-based crimes, as borne out by the many rape cases that our prosecutors finalised recently. As usual, our prosecutors are always available to provide perspective to these cases, to share their prosecution prowess and dedication to the work of putting criminals where they belong – behind the bars. In this edition, we share their successful cases as this showcases the caliber and quality of our prosecutors to motivate up and coming prosecutors.

We also have articles that speak to the importance of patience, highlighting the need for persistence and faith in the justice system. The article on page 6 is a typical example that no matter how long justice may take to be realised, its importance may not be diminished. Advocate Nomapa Mvandaba highlights the complexities of justice that she had to navigate to get to the successful prosecution of this case.

Human trafficking is another serious issue that affects millions of people worldwide. It is a complex problem that requires a multifaceted approach to prevent, protect and prosecute. The NPA is doing its part in holding traffickers accountable through law enforcement and judicial systems. Page 10 of this edition is proof that the NPA will leave no stone unturned in dismantling human trafficking syndicates. In this case, the family will now spend their lives in jail for their participation in the exploitation of the young, poor and unemployed women.

We hope that you will enjoy going through the variety of articles in this edition.

Best wishes!



Ms Salome Baloyi:
Chief Director:
Strategy
Management Office

Leadership Corner

The year 2025 marks a defining chapter for the National Prosecuting Authority (NPA) as we launch our new 5-year Strategic Plan for 2025–2030. This plan outlines two bold and ambitious strategic outcomes that will guide our direction over the next five years:

1. Improving public confidence in the NPA and the broader criminal justice system.
2. Enhancing access to NPA services across the country.

To ensure these outcomes are translated into measurable impact, the Strategy Management Office (SMO) will continue its pivotal role in supporting the integration of these priorities into Annual Performance Plan (APP) and Annual Operational Plans (AOPs) across all units.

As a central player in the criminal justice value chain, the NPA's strategic vision is closely aligned with the Government of National Unity's Medium-Term Development Plan (MTDP) 2024–2029. Through this alignment, the NPA contributes directly to three overarching national priorities:

- Driving inclusive economic growth and job creation,
- Reducing poverty and addressing the high cost of living, and
- Building a capable, ethical, and developmental state.

Our focus areas under this plan include:

- A modernised, integrated, and reformed criminal justice system;
- Enhanced community safety, especially for women and children, through the vigorous prosecution of violent crimes and gender-based violence, and

The intensified fight against priority crimes, including economic crimes, organised crime, and corruption.

As we conclude the organisational planning cycle, the SMO is also leading preparations for the final audit by the Auditor General. We are working closely with business units and divisions involved in the Electronic Case Management System (ECMS) to resolve data inaccuracies and ensure comprehensive documentation. Our drive toward a clean audit is more than a compliance exercise—it is essential to maintaining the integrity and credibility of our internal and external reporting.

A Historic Transition: 2024–2025 Annual Report

Another immediate focus is the compilation of the NPA's Annual Report, as mandated by section 22(1)(g) of the NPA Act (Act 28 of 1998). This report offers a platform for the National Director, Deputy National Director, Directors of Public Prosecutions, the Investigating Director, and Special Directors to reflect on key progress, challenges, and strategic advancements over the past year.

The upcoming 2024–2025 edition holds particular significance. It marks the final report under the leadership of the NDPP and will also serve as a handover report to the incoming leadership, capturing not only achievements but also setting a strong foundation for the next era of the NPA.

FREE STATE MAN SENTENCED TO LIFE FOR BRUTAL RAPE OF GIRLFRIEND

Mojalefa Senokoatsane
Acting RCM: Free State Division

The NPA remains steadfast in its mission to combat the scourge of Gender-Based Violence (GBV) in South Africa. As part of its broader efforts to protect women, children, and vulnerable individuals, the NPA is committed to ensuring that perpetrators of such heinous crimes are held accountable through rigorous and successful prosecution.

Everyday, prosecutors work tirelessly to bring justice to victims, providing a voice for those who are often silenced by fear, trauma, and societal stigma.

The NPA has intensified its focus on addressing GBV, recognising the devastating impact it has on individuals and communities. Through a combination of dedicated prosecutors, specialised units, and close collaboration with law enforcement and victim support services, the NPA has been able to secure numerous convictions, sending a strong message that violence against women and children will not be tolerated.

By prosecuting perpetrators to the fullest extent of the law, the NPA plays a critical role in breaking the cycle of violence, creating a safer environment for all citizens, and contributing to a broader societal shift toward



Regional Court Prosecutor Siviwe Mdazuka

equality, justice, and respect. The fight against GBV is far from over, but the NPA's commitment to this cause, continues to drive progress, bringing hope and justice to those affected by violence.

A case in point is the matter of a 28-year-old man from Mokowallo, Vredefort, a rural town near the tourist destination of Parys in the Northern Free State, who was sentenced to life imprisonment after being convicted by the Parys Regional Court for the brutal rape of his 23-year-old girlfriend. The incident, which was fueled by jealousy and suspicion, serves as a sobering reminder of the destructive power of unchecked emotions and the importance of holding perpetrators of GBV accountable.

The crime took place after the accused became convinced that his girlfriend was cheating on him. This suspicion led to an unprovoked attack on the victim, which resulted in her enduring a brutal and traumatic assault. The victim bravely came forward and testified in court, helping to secure the conviction. Her courage was pivotal in ensuring that justice was served.

The case was successfully prosecuted by Siviwe Mdazuka, a dedicated prosecutor within the NPA. Mdazuka presented compelling evidence, including the victim's testimony, which highlighted the severity of the assault. Mdazuka argued that the accused's actions were a violent breach of trust, emphasising that jealousy and suspicion are no excuse for such cruelty.

In his closing remarks, Mdazuka emphasised the importance of holding perpetrators of GBV accountable and sending a strong message that such crimes would

not be tolerated. "This life sentence is a victory for the victim and for the entire community," Mdazuka said. "It reinforces the message that GBV has no place in our society, and perpetrators will face the full consequences of their actions."

The court's decision to impose a life sentence ensures that the accused will be removed from society, preventing him from committing further harm. While the victim will carry the emotional and psychological scars of this traumatic experience, the conviction provides a sense of justice and closure.

This case also underscores the ongoing need to address GBV in South Africa. It highlights the importance of continued efforts by law enforcement, prosecutors, and communities to protect women and ensure that perpetrators are held accountable for their actions.

As the Northern Free State grapples with the effects of GBV, this sentencing serves as a reminder that justice can prevail and that perpetrators will face severe consequences. The commitment of prosecutors like Siviwe Mdazuka plays a critical role in ensuring that victims' voices are heard and that perpetrators of violent crimes are brought to justice.



JUSTICE FOR NGCOBO POLICE STATION ATTACK VICTIMS AFTER SEVEN YEARS

Luxolo Tyali

RCM: Eastern Cape Division

It has taken more than half a decade for the High Court of South Africa, Eastern Cape Division, Mthatha to sentence Andani Monco (36), Kwanele Ndlwana (28), Siphosomzi Tshefu (29) and Phumzile Mhlatywa (51) to five life imprisonment terms for the murder of five police officers during a brazen attack at Ngcobo Police Station on 21 February 2018. The court sentenced the four men who were arrested a few days after the attack, to additional sentences ranging between 25 and 40 years for their roles in offences including 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, committed on and before the massacre.



The accused appearing in court

The convicted murderers were members of a cult known as Seven Angels Ministry Church, which operated from Nyanga village near Ngcobo. Before attacking the police station, they first went to Butterworth where they robbed a police officer who was directing traffic and forcefully took his firearm on 21 November 2017. Two weeks later on 05 December 2017, the same group went to Cala town where they took a gun from an off-duty police officer at gunpoint. Before the Ngcobo attack, the group, including some members of the cult who were killed during a shootout with police during their arrest, observed the movements of Ngcobo police and planned how to attack them. They assigned roles to each other. Mhlatywa's role was to drive to Ngcobo town and commit a traffic offence that would attract the attention of the police. When the police were attending to that, he would drive away and stop where his accomplices were hiding, armed with the firearms they had robbed earlier.

As planned, on the fateful night, two on-duty police officers fell for the trap and were ambushed and killed on the R61 road near Nyanga High School. After killing the two officers, the group drove the police van to Ngcobo Police Station where they shot and killed two more police officers and a data typist. The assailants raided the police safe and took more firearms and bulletproof vests. When another police van that was on patrol duty returned to the police station, the officers were shot at and robbed of their firearms by the bandits. Upon hearing over the radio that Ngcobo Police Station was under attack, police officers from the neighbouring Dalasile Police Station drove to Ngcobo town to investigate, and they also came under attack from

the now heavily armed group. The police van was found dumped in a ditch around Khanya village the following day.

Intense police investigations led to the arrest of 15 men inside the cult's compound at the Mancoba homestead. However, the prosecution charged only six of them. They abandoned bail and chose to conduct their own defence during the trial, stating that it was against their religious beliefs to be represented by attorneys. That decision proved to delay the trial as the court and the prosecution, represented by Advocate Nomapa Mvandaba, had to slowly assist the accused men who did not have legal backgrounds.

Before the trial commenced, Phuthumile Mancoba (32), who was the sixth accused, pleaded guilty to a less serious offence of unlawful possession of a firearm and ammunition. Interestingly, he had elected to be represented by an attorney. He was duly sentenced to undergo 24 months imprisonment with an option of a R10 000 fine, which he paid. During the trial of the remaining five, one of their co-accused, Siphesihle Tatsi, who was only 19 years old during the attack, pleaded guilty and was sentenced to an effective 18 years direct imprisonment as some counts in his collective 241 years sentence were ordered to run concurrently. In his plea explanation, he stated that he was not exposed to any life other than that of serving the cult.

The court sentenced the four attackers as follows: Andani Monco with some sentences running concurrently, will effectively serve 35 years direct

imprisonment, Phumzile Mhlatywa also with some sentences running concurrently will effectively serve 25 years direct imprisonment, and Kwanele Ndlwana and Siphosomzi Tshefu will each serve 40 years direct imprisonment. All the effective sentences for each of them were ordered to run concurrently with the five life sentences.

Adv Nomapa Mvandaba had this to say about the case:

As a Senior State Advocate attached to Organised Crime, I was roped into the matter as soon as the 15 suspects were arrested at the Mancoba compound. After properly screening the docket and drawing from knowledge on how common purpose goes, I decided on charging only six of those brought to court. Understandably, emotions were high from our brothers in blue, who would have preferred to charge everyone who is linked to the cult. I had to stand my ground and proceed as dictated by evidence in the docket.

As the men decided not to be legally represented, I was faced with the exceptional challenge of being a prosecutor and still watch on fairness of the trial for the accused persons. That simultaneously tested if I still knew the procedure which was imparted during my time in the Aspirant Prosecutor Programme, which emphasised doing everything according to book to avoid chances of losing a case on appeal. At the end, justice was served.



FAMILY MURDERER SENTENCED TO 4 LIFE TERMS AND 15 YEARS IMPRISONMENT

Monica Nyuswa
RCM: Mpumalanga Division

The Mpumalanga High Court sitting in Breyten, sentenced Siyabonga Richard Sangweni (32) to four life terms and 15 years imprisonment for the brutal murder of four family members in Piet Retief.

On the evening of 15 June 2023, Sangweni fatally shot his 73-year-old grandmother, two brothers, and a niece and, attempted to kill his 22-year-old cousin at their home in Mafret, uMkhondo. The accused was also convicted of attempted murder. The shocking incident prompted immediate police action, leading to Sangweni's arrest on the same day. The successful prosecution and sentencing of the accused demonstrates our commitment to combating violent crime and ensuring that perpetrators face the full might of the law.

During the trial, the accused denied the allegations, claiming that he was not present at the time of the incident, asserting that he was in Newcastle, KwaZulu-Natal. However, Senior State Advocate Themba Lusenga, presented compelling evidence against him, including testimonies from several eyewitnesses, one



Senior State Advocate Themba Lusenga

of whom was the surviving victim. This witness testified that she found her grandmother and the children inside the house while Sangweni was seen standing outside holding a bag. The eyewitness' accounts revealed that he followed her inside and began firing shots at the victims.

The arresting officer provided critical testimony, highlighting his observations at the crime scene and confirming that he found the accused in possession of a firearm. The post-mortem examination determined that all victims sustained multiple gunshot wounds, confirming the lethal nature of Sangweni's actions.

Advocate Lusenga emphasised the prevalence of violent crimes in South Africa during the sentencing phase, urging the court to impose the prescribed minimum sentences. Victim Impact Statements compiled by the Court Preparation Officer, Lindokuhle Sithole depicted the devastating aftermath of the murders for the remaining family members, who expressed their confusion over the motive behind the tragic killings and their ongoing struggle to find closure. The court ultimately sentenced Sangweni to life imprisonment for each count of murder and 15 years for attempted murder, with all sentences set to run concurrently.

Adv Themba Lusenga had this to say about the case:

These crimes rattled the community of eMkhondo and drew significant public interest.

It was important to display to the public that the criminal justice system is working in this country. The Sangweni

family had to watch one of their own displaying an unprecedented level of arrogance even after he was convicted. Sangweni continued to profess his innocence throughout the trial. He was requested during cross-examination to explain to the family why he killed their loved ones, and he did not accept that invitation.

Did you encounter any challenge in the case, if so, explain?

The biggest challenge I had with this matter was to establish the motive for these brutal killings. The first person I consulted with was the father of the accused and he couldn't give or think of any motive for the killings. According to the family, the accused was a quiet person who stayed in his room. He was using drugs and sometimes will not greet family members.

The accused was brought up by the 71-year-old and their relationship was good. The motive for her killing is still a mystery.

What message did the prosecution hope to send with this conviction and sentence?

That violence against women and children has reached unacceptable levels, the NPA will not fold its arms and watch vulnerable groups of our society annihilated by ruthless killers like Siyabonga Richard Sangweni.

Are you happy with the sentence imposed on the accused?

Yes, the court did not deviate from the minimum sentence. It further declared the accused unfit to possess a firearm under Section 103(1) of the firearms Control Act 60 of 2000.



HUMAN TRAFFICKING KINGPIN, HIS WIFE AND BROTHER HANDED HEAVY SENTENCES

Eric Ntabazalila
RCM: Western Cape Division

The High Court of South Africa: Western Cape Division: Cape Town, sentenced trafficking in persons mastermind, Edward Tambe Ayuk, to six life sentences and 200 years direct imprisonment, his wife, Leandra Ayuk, to 45 years direct imprisonment and his brother, Yannick Ayuk, to 135 years direct imprisonment after convicting them on a string of charges which include trafficking in persons, using the services of a victim of human trafficking, living on the earnings of prostitution, kidnapping and assault with intent to cause grievous bodily harm.

The court sentenced the Cameroon national, Edward Tambe Ayuk, to six life sentences for six counts of trafficking in persons. He also received a conviction of 75 years direct imprisonment on five counts of using the services of human trafficking, and 25 years direct



Adv Maria Marshall and Adv Saarah Buffkins

imprisonment for five counts of profiting on prostitution, 50 years direct imprisonment for five counts of kidnapping, 35 years direct imprisonment for five counts of assault with intention to cause grievous bodily harm, 10 years direct imprisonment for possession and confiscation of documents and five years direct imprisonment for dealing in drugs. The court ordered his sentences to run concurrently, effectively sentencing him to life imprisonment.

His wife, Leandra Ayuk, was sentenced to 20 years direct imprisonment for each of the three counts of trafficking in persons, with 5 years suspended on each count. The court ordered all three sentences to run concurrently, effectively sentencing her to 15 years of direct imprisonment.

His younger brother, Yannick Ayuk, was sentenced to 20 years direct imprisonment for each of the three counts of trafficking in persons, with five years suspended in each count. He was sentenced to 15 years direct imprisonment for each of the three counts of using the services of a victim of human trafficking, five years direct imprisonment for each of the three counts of living on the earnings of prostitution, and 10 years direct imprisonment for each of the three counts of kidnapping. The court ordered his sentences to run concurrently, effectively sentencing him to 15 years direct imprisonment. The court declared all of them unfit to possess firearms.

The trio exploited young women who were poor, unemployed and had drug abuse problems. Four of them were from Matjieskloof in Springbok, and were recruited by Leandra to come to Cape Town for work. Two were recruited by Ayuk from East London and Gqeberha.

Police cracked the case on 12 September 2017, when they visited the property looking for a young woman who was believed to have been kidnapped. They found two women who were held in a room at the back of the house.

The state called 25 witnesses including the victims to build its case. All three accused pleaded not guilty to all the charges laid against them. The common thread in the victims' testimonies was that they were recruited in early 2017, and when they arrived at 26 Piet Grobler Street, Brooklyn, the house Edward was renting, they were told that they would work for him as prostitutes and that they should wash and get ready as clients were coming for business, meaning to have sex and pay for it.

At night, they would be dropped at a street corner to seduce clients, and either bring them to the house for sex or be taken to a guesthouse or hotel. He would provide them with drugs such as the "rock" which gave them energy and made them want to have more sex. They had to work 24 hours daily while he took all the money they made and bought them clothes, soap and deodorant. Those who tried to escape, protested or wanted to go home, would be severely beaten with either a broomstick or electric cord.

In their defense, the accused claimed that the charges against them were fabricated by the police who were in cahoots with or under the influence of a Sergeant Felix whose brother, Zain Samuels, was implicated in an armed robbery or car hijacking which Edward

reported at the Maitland Police Station on 19 August 2017. They claimed the charges were laid against them to put pressure on the accused not to proceed with the charges against Zain.

At the close of the state's case, the accused applied for a discharge of all charges in terms of Section 174 of the Criminal Procedure Act. Deputy Director of Public Prosecutions, Adv Maria Marshall and Adv Saarah Buffkins, successfully opposed some parts of the application while the two brothers were successful in getting acquitted on a few charges. Leandra's application was dismissed. In her judgment, Acting Judge Alma De Wet, said: "human trafficking is a dehumanising crime that reduces people to commodities. In my analysis of the evidence, the state has proved beyond reasonable doubt that the accused had trafficked the complainants as alleged and further that Edward and Yannick had lived from the proceeds of prostitution."

Applauding the sterling work of the prosecution and the investigation team of Warrant Officer Pamplin and Captain Mpayipeli, Western Cape Director of Public Prosecutions, Adv Nicolette Bell, said: "All cases of sexual violence encroach on the rights to dignity and privacy of the victims as enshrined in our Constitution, hence the NPA aggressively prosecutes these cases. These cases provide some justice and closure for the victims and their families and remove violent criminals from our streets. Each of these successful prosecutions, is the culmination of months and even years of painstaking investigative and prosecutorial work and exemplifying hundreds of similar cases prosecuted successfully daily."



KILLER SENTENCED TO THREE LIFE TERMS FOR TRIPLE MURDER

Mashudu Malabi-Dzhangi
RCM: Limpopo Division

The Limpopo High Court, sitting in Polokwane, sentenced Immanuel Charles Maboko (35) from Burgersfort to three life terms for three counts of murder, alongside additional sentences of 15 years for aggravated robbery and three years for possession of an unlicensed firearm and ammunition. The life term will not run concurrently, however, the sentences for robbery and possession of an unlicensed firearm will be served concurrently. Despite pleading not guilty and electing to represent himself, Maboko chose to remain silent throughout the trial. The state presented compelling evidence detailing how Maboko, under the guise of purchasing a car, entered a BMW dealership in Nirvana, Polokwane. During an altercation with the salesman, Maboko fatally shot Muofhe Luvhimbi (56), an educator from Tshikuwi village in the Vhembe district. Maboko fled in a stolen BMW X6M but was later apprehended near Peter Mokaba Stadium with two firearms recovered from the vehicle. Further evidence linked Maboko to two other murders. On 01 April 2022, he shot and killed Malatji Putana Lucas outside his home in Mabocha village. Additionally, he was implicated in the death of Professor Mohamed Saber Tayob, who was shot while jogging on Munnik Street in Sterpark, Polokwane.

Adv Lethabo Mashiane had this to say about the case:

The first problem was that due to some of the things and choices the accused was making, I doubted whether or not he was mentally fit for trial. We had to refer him for mental observation in terms of section 77 & 78 of the Criminal Procedure Act, Act 51 of 1977.



Deputy Director of Public Prosecutions, Adv Lethabo Mashiane

The other challenge was with regard to him refusing to get assistance with legal representatives. On two previous occasions, we postponed the matter for the accused to reconsider his choice.

How was the accused linked to the three counts of murder?

The accused was linked to two murders through eye witnesses. For the other murder, he was linked through circumstantial evidence. We could link his car to all the crime scenes. We further linked the firearms found in his possession to the various crime scenes.

How were the families of the deceased affected by these offences?

The families were left devastated by the crimes. All the deceased victims were bread winners. The victim at BMW was a teacher, and the victim in Bendor was a Professor in the school of Accounting at the University of Limpopo, his aged mother's health deteriorated due to the death of the victim. The victim in Praktiseer is a builder, who was looking after his frail aged father who has since passed away because he struggled to accept the passing of his son.

How did you secure the conviction?

The convictions were secured by eyewitnesses. The accused was arrested shortly after the robbery at a BMW dealership whilst still in possession of the stolen BMW X6M. He was identified through a police parade and his vehicle was placed at the crime scene in Bendor.

Was the sentence imposed satisfactory?

The imposed sentences were argued for by the state and are very satisfactory and the families of the victims were equally pleased.

A CHURCH DEACON AND PUBLIC SERVANT GOT THE FULL MIGHT OF THE LAW

Tshegofatso Makhudu

Communications Officer: Gauteng Division:
Pretoria

Annalize Stiles, a Regional Court Prosecutor based at the Pretoria Magistrates' Court, began her career as an aspirant prosecutor in 2002, a year later, she was appointed District Court Prosecutor, and in 2007 was appointed Regional Court Prosecutor still at the Pretoria Magistrates' Court. When asked what prosecution, means to her she said that in her 22 years of being a prosecutor, she has had the privilege of helping people get justice and make sure that perpetrators face the consequences of their actions. Recently, Stiles successfully prosecuted a case where a 10-year-old girl child was raped by her uncle, a 61-year-old former employee of the Department of Public Service and a deacon at the International Assemblies of God church. The man was sentenced to life imprisonment, declared unfit to possess a firearm, and added to the National Register of Sexual Offenders.

When asked how she felt when prosecuting this matter, she said that she deals with many children-related sexual offense cases all the time, and such cases torture her emotionally because "as a prosecutor you get to see the pain that the victims are feeling". However, in this case, the emotional trauma was caused by the fact that the victim had to constantly come to court for 6 years before the case was eventually finalised since I was not the only prosecutor that dealt with the case. Initially the case was handled by another prosecutor and was later given to me because the prosecutor was moved to another court just after starting the trial, while the child was still on the stand. This meant that transcripts needed to be requested so that I could understand the matter and properly prepare myself for the continuation of the trial. The second reason the case took so long was because the evidence of the victim took time due to the limited



Prosecutor Annalize Stiles

availability of intermediary services in court, since the services were only available once a week. Furthermore, Stiles said, she believes that the multiple cross-examinations of the witness might have drained the victim emotionally as it forced her to relive the incident when testifying.

When asked what challenges she faced while prosecuting this case, Stiles said, the challenges were that the victim had a family dynamic whereby the children of the perpetrator testified against her by saying that their mother, who is also the wife of the perpetrator, orchestrated the entire incident. Furthermore, she said that the victim who is a minor was the only witness in the case who testified, and was also cross-examined by an adult more than once. However, I overcame these challenges by being patient and persevering throughout.

When asked how she felt about the sentence handed down to the perpetrator, she said she was happy because the perpetrator received a sentence that matches the crime he committed. "The sentence sends the right message to society at large that no matter where you work and the position you occupy in church, if you commit a crime, you should know that you can never be above the law". Moreover, Stiles said what made this sentence profound is that it was handed down on the victims' birthday.

What also excited me about the case is that it made its rounds on a social media platform such as TikTok where the aunt to the victim who was her caretaker and wife to the perpetrator at the time, described how the incident happened and expressed her gratitude to the prosecution for their job.

The Acting Director of Public Prosecutions, Adv Marika Jansen Van Vuuren, applauds the work of the prosecutor and said, "this case serves as a demonstration and reminder that although wheels of justice turn slowly, they eventually do turn".

9 LIFE TERMS FOR SERIAL RAPIST AND KILLER

Monica Nyuswa
RCM: Mpumalanga Division

Justice prevailed as the Secunda Regional Court sentenced a serial rapist and a killer, Themba Prince Shongwe (36), to nine life sentences after the court convicted him on five counts of rape and four counts of murder, committed against minor girls in Embalenhle. The court sentenced Shongwe to life imprisonment on each of the counts of murder and rape. It further ordered that the accused's name be entered into the National Register for Sexual Offenders, that he be declared unsuitable to work with children and unfit to possess a firearm, under Section 103 of the Firearms Control Act 60 of 2000.

All these crimes were committed during the period between 2016 and 2018 in Embalenhle, Secunda, where Shongwe would target predominantly young girls who knew him because he was acquainted to their families. The victims were between 11 and 16 years of age. He would target these girls as they walk on the street, lure them to an undisclosed location and rape them, before strangling them to death. Four of Shongwe's victims were raped and murdered and one was raped



Adv Tracy Keen Horak

and survived to testify in court. The surviving victim was taken to Secunda Thuthuzela Care Centre for medical and psychosocial support. One of the victims' lifeless body was discovered by a security officer near the Municipal Offices on 28 June 2017. In another incident which happened on 05 June 2016, a six year-old victim was sent to buy some items at a local shop at Extension 14 in Embalenhle when she came across Shongwe, who threatened her with a knife, dragged her to a nearby field and raped her twice before robbing her of her cellphone.

Moreover, on 11 August 2016 an eleven-year-old minor victim came back from school, changed her clothes and went to play with her friends but, was never seen again. Her family reported her missing and a search ensued. The victim's lifeless body was discovered lying in the neighborhood the next morning.

On 07 November 2018, a 14-year-old victim accompanied her aunt to a local salon at Extension 17, she left her aunt to go back home because she was hungry. Later when her aunt arrived at home, the young girl was not there. The worried aunt informed family and reported her missing to the police. During a continuous search, her lifeless body was found next to the street adjacent to Shongwe's homestead. The accused was linked to three of the murders through DNA.

Adv Tracy Keen Horak had this to say about the case:

1. Did the accused plead guilty to the charges and if not, how was the accused convicted?

During the trial, Shongwe pleaded not guilty to all nine counts, instead he elected to remain silent and the state had to prove his guilt thereof. Consequently, the state and defence were involved in a long and arduous trial. Notwithstanding, the state succeeded in getting the defence to make several admissions, which were not in dispute. The state was still compelled to give considerable evidence to prove the DNA results and lead extensive circumstantial evidence relating to explicit details surrounding each case to emphasise and prove the identical modus operandi.

2. What did you learn from this case?

This case gave me new insight into the impact which Thuthuzela Care Centers and community outreaches have, not only on survivors, but on communities. Also, the formation of SAPS task team and the involvement of all role players yielded positive results in investigating unsolved murders with identical modus operandi. This played a vital role in presenting a strong case, in which the accused was convicted and sentenced severely for the heinous crimes he committed.

3. What message do you have for the community regarding this case?

To the families of the deceased victims, my heart breaks for their loss, but I am grateful for the trust they had in me to secure justice for their loved ones. To the community, never give up on justice. Regardless of how long it takes to apprehend and prosecute a perpetrator, with prayer, hard work and diligence,
JUSTICE ALWAYS PREVAIL!

4. Do you have information you want to share with us regarding this case?

To every prosecutor who will prosecute in serial rapes or murders of children, don't take the easy way out and only proceed in matters where there is positive DNA. Remember, every victim and his or her family are entitled to closure and justice, even if it means that you have to fight just a little bit harder to prove an identical modus operandi and secure a conviction.

KIMPAMPA 3RD PARTY SENTENCE LINKED TO BLOOD ORANGE

S v F Kimpampa (linked to S v Lekhuleni and 16 others: Project Blood Orange

This conviction stems from a proactive money laundering investigation launched by the DPCI which unravelled a syndicate responsible for illegal rhino poaching, self-laundering, 3rd party laundering and stand-alone money laundering, inclusive of the kingpin, a municipal worker (Lekhuleni), and to the lower levels of the syndicate being family members of Lekhuleni, rangers, police officials and their family members spanning over the period from 2016 – 2021 to the value of more than R10 million.

Kimpampa, a foreign national, who entered RSA as a refugee, was convicted as a third-party money launderer, inclusive of the predicate crimes that he was charged for. He was sentenced to 18 years direct imprisonment (6 years was suspended, making it an effective 12 years imprisonment). He rendered services to a rhino syndicate by facilitating the selling of the illegally acquired rhino horns to Chinese nationals and arranged accommodation for the seller (Lekhuleni) during the transactions. He delivered the rhino horns and received payment in cash from the Chinese nationals. Whereafter, he handed the cash, over R10 million, to the seller or deposited the money in the seller's bank account with false descriptions to hide the origin/source of the cash. He retained commission of R5 million as payment for this money laundering services from 2016 – 2021, which he utilised to buy properties.

The AFU has successfully obtained a confiscation order to the value of R5 million against Kimpampa.

It must be noted that Lekhuleni also features in another project, previously reported as Project Blood Orange involving Lekhuleni and 16 others, which has also progressed from investigations to prosecutions during the reporting period. They are indicted on charges of self-laundering and stand-alone money laundering.

SUPREME COURT JUDGES NOW SUE JSC TO FIGHT OFF REMOVAL ATTEMPTS

Legalbrief

Deputy Chief Justice Philomena Mwili and Chief Justice Martha Koome during the presidential petition at the supreme court, Nairobi

Supreme Court judges have now moved to court to fight petitions filed to remove them from office.

Chief Justice Martha Koome, her deputy Philomena Mwili and three others have filed separate cases before the High Court against the Judicial Service Commission (JSC).

Koome, Mwili, and Justices Njoki Ndung'u, Mohamed Ibrahim and Isaac Lenaola are seeking to quash petitions filed by lawyer Nelson Havi, former Rarieda Member of Parliament Raphael Tuju, and lawyer Ahmednasir Abdullahi's associates, who want them out of office over alleged gross misconduct and incompetence.

The CJ asked the High Court to quash the decision requiring her to respond to the two petitions Havi and Ahmednasir's associates filed.

In her separate case, Njoki asked the court to find that the commission has no power to entertain petitions that would amount to reviewing a judge or magistrate's judgment or ruling. Mwili has also objected to the commission.

Constitutional crisis

Mwili argues that the authority to determine whether a judge had violated a litigant's rights can only be determined by the High Court.

The three were separately responding to an order by JSC requiring them to answer to the petitions revolving recusal from a case filed by Tuju's firm, Dari Limited's against East Africa Development Bank (EADB), and a decision to ban Ahmednasir and his law firm from appearing before them.

Justice Koome told the court that petitions filed to remove her alongside her six colleagues were meant to create a constitutional crisis by creating a vacuum in the apex court.

While terming the decision by JSC to order her to respond to the removal petitions, Koome argued that it was an overreach of its powers.

The CJ further said the commission was illegally sitting as an appellate court of the Supreme Court.

The CJ is the head of the Judiciary and is also the JSC chair.

She said that after studying the petitions, the Supreme Court and all cases before it will be suspended.

"This will have attendant (and grave) consequences on the state organs and the people of Kenya," she said in her case filed by senior lawyer George Oraro. Justice Koome filed her case before High Court Judge Lawrence Mugambi.

She argued that the Constitution's framers did not anticipate a situation where the country could operate without the apex court.

"I verily believe that by dint of two petitions, the first respondent has purported to initiate a situation through which a constitutional vacuum can be created merely by recommendation of a tribunal to investigate all Supreme Court judges. This situation is contrary to the Constitution and the expectation of the people of Kenya," argued the CJ.

Justice Koome said the commission is playing to lawyer Nelson Havi's tune.

She said that Havi had posted on his X account his intent to 'bomb' the Supreme Court and destroy everything.'

Judge Njoki also filed a separate case before the same court.

Njoki sued JSC, arguing that the commission cannot review court decisions to determine whether a judge should be removed from office.

In her case filed before High Court Judge Lawrence Mugambi Friday, the senior judge said that the petitions filed by lawyers Ahmednasir Abdullahi and Nelson Havi were a concerted effort to demonise the Judiciary and weaken it.

Justice Njoki, in her case, took on Havi and Ahmednasir for their online campaign against the top court.

According to her, Havi's grievance before the commission borders on a warning by the apex court to lawyers against disparaging and casting aspersions against judges on social media.

The senior judge said Havi filed JSC Petition No. 3 of 2025 against all Supreme Court judges. According to her, Havi invited the commission to review their judgment and caution advocates and parties before them from using social media to muddy the court.

Nevertheless, she said that Havi and the other two lawyers mentioned in the judgment were not barred from appearing in the apex court.

On Ahmednasir, she said that the court unanimously agreed to ban him from litigating before them and, therefore, had to recuse themselves in cases where he was appearing for litigants.

According to her, the city lawyer had on several times besmirched the top court in his tweets.

She further stated he has consistently claimed that four judges of that court are corrupt, but he has never given the names or adduced evidence.

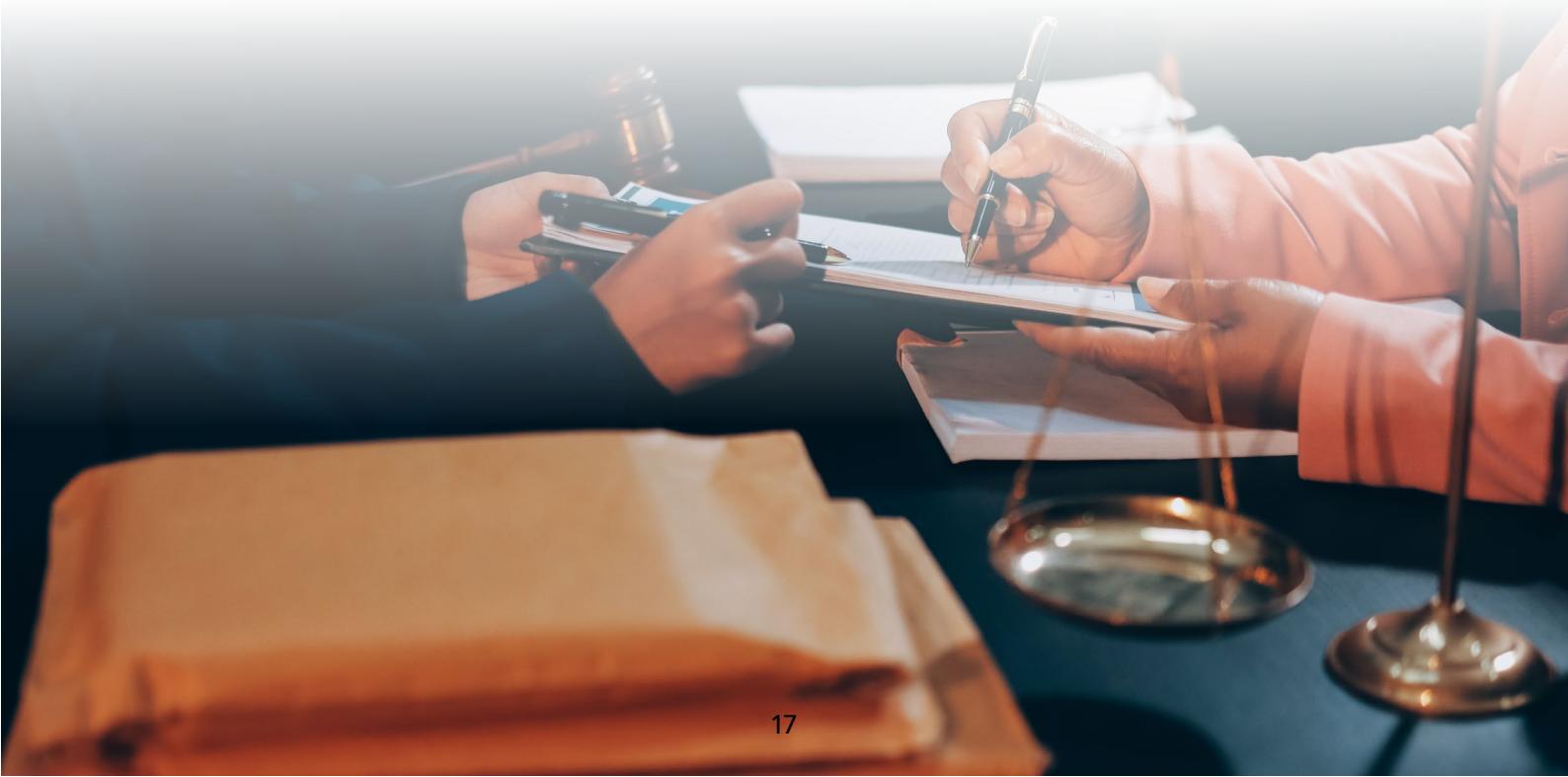
Individual's right

In the meantime, DCJ Mwilu argues the commission had no power to hear petitions based on a litigant's violation. According to her, no law dictates that a judge be removed from office based on a complaint that he or she infringed an individual's right while exercising his or her judicial powers.

The DCJ said that one can approach the High Court if aggrieved.

"The Commission unequivocally lacks the jurisdiction to address allegations concerning violations of the rights as outlined in the instant complaint. Such complaints must be directed to the High Court, as explicitly outlined in Articles 165 (3) (c) and supported by Articles 22, 23, and 258 of the Constitution of Kenya. Violation or infringement of an individual's rights does not of itself constitute a ground for removing a judge from office, as specified in Article 168 (1) of the Constitution," said Justice Mwilu.

She argued that the complaints against the apex court were an attack on the independence of the Judiciary.



ADV CONNIE ERASMUS HANGS HIS ROBE

Research Management: Knowledge Management Team

The advancement of any sphere of our everyday life often relies on the foundation laid by those that came before us, the trailblazers. For this to happen, it requires us to constantly pick the brains of those trailblazers who devoted their lives and played a key role in the conceptualisation of standards and procedures, some of which we may now see as a norm. It is from their wisdom that we can learn how far we have come and how far we still need to go and when the time comes, we take the baton and run with it. Adv Connie Erasmus, Deputy Director of Public Prosecutions at DPP: Pretoria officially hung his robe and passed the torch on the 28 February 2025 after serving the NPA for 38 years.

Career Trajectory

Adv Connie Erasmus qualified with a BA LLB at the University of Western Cape in 1987. He served articles of clerkship with Olivier & Fourie, Parow, a commercial civil law practice for 18 months between 1986 -1987. In 1987, he was appointed as a prosecutor at the Bellville Magistrates' Court and quickly became the Medical Inquest Prosecutor in the office of the then Assistant Senior Public Prosecutor (SPP), a post akin to today's Control Prosecutors' office. After about four months, he joined the traffic court where he worked for one month and moved to Bellville conducting prosecutions in the Dishonesty Court and later in Athlone, Wynberg and Cape Town and was eventually transferred to Mitchell's Plain during 1988. He served in the regional court from 1990 where he regularly prosecuted violent crimes including murder, rape, robbery, hijacking, illegal possession of firearms and ammunition, house breaking, etc. In 1996, whilst serving as the Regional Court Control Prosecutor, he got admitted as an Advocate, and later in the same year was appointed Senior Public Prosecutor in Mitchell's Plain.

In the year 2000, he was appointed as a Deputy Director of Public Prosecutions (DDPP) at the Investigating



Adv Connie Erasmus

Directorate for Organised Crime (IDOC): Cape Town. He was transferred to the Investigating Directorate for Serious Economic Offences (IDSEO) in 2001 in Pretoria. This is where he remained until the merger between IDOC, IDSEO and Investigating Directorate of Corruption (IDCOR) occurred to form the Directorate of Special Operations (DSO) in 2002. After the disbandment of the DSO in 2007, he was transferred to the DPP: Gauteng (Pretoria) in 2012. He successfully established the environmental crimes portfolio in the office of the DPP: Gauteng (Pretoria) in 2013.

Notable contributions

The late Adv Dullah Omar, who was the first Minister of Justice in democratic South Africa requested him to assist in professionalising the prosecution service. At the beginning of 1997, he established the Reception Court in Mitchell's Plain and from 1998, it became a national norm in the big centres in South Africa. He also ensured that on the last day of each month, only new cases are dealt with, as prosecutors would do their monthly statistics and training on those days – this also became a national norm since 1998. Furthermore, he also recommended to the then Minister of Justice, the late Adv Dullah Omar, the appointment of Chief Prosecutors to ensure that lower court prosecutors could also aspire to become DPPs, which he accepted.

In 1998, Adv Erasmus dealt with a matter that would trigger a great need for social workers in courts. It was a rape case in Mitchell's Plain, where a girl was raped by 18 gangsters for a whole week. When that case was trial ready, Adv Erasmus consulted with the victim because she had refused to testify. After talking

to the victim, he managed to convince her to testify, and she testified. The perpetrators were convicted and received hefty sentences. Two weeks after that trial, the mother brought the girl to Adv Erasmus's office. She was in distress and did not want to live any longer. She didn't want anybody else to assist her, but him. He did not know how to handle that situation and eventually persuaded her to consult a social worker. It was at this point that Adv Erasmus persuaded the late Adv Dullah Omar to appoint a social worker at each court, which he approved. This concept morphed into what is today known as the Court Preparation Officer.

Another notable contribution that Adv Erasmus made, follows his first Asset Forfeiture Preservation Order application in terms of POCA which is the case that led to the establishment of the AFU. This is where he was tasked to prepare the job requirements for AFU lawyers which are still being used today. Moreover, he served on a three-person committee comprising a Special Director of Public Prosecutions (SDPP), a Chief Magistrate and himself, that investigated the abuse of the after-hours bail application system. The investigation ultimately resulted in the recommendation that prosecutors' salaries should be adjusted so that they earn more than their civil servant counterparts, to reward them for having to work after hours all the time. This was accepted and is still observed today.

Reflection on the essence of prosecution

Adv Erasmus posits that the most important aspect to any person that joins the NPA as a prosecutor, is that they must realise that their job is essentially about taking decisions. He further points out that those decisions have a life-changing impact because they involve people on either side. Whatever decision the prosecutor takes, it affects at least two people (accused and the victim) directly. Therefore, there's a responsibility of always taking a fair prosecution decision.

Importance of self-capacitation

Adv Erasmus stresses on how important it is for any person who becomes a prosecutor to master the processes involved, i.e. the provisions of the Criminal Procedure Act of 1977 which had been put into practice through DPP circulars, the NDPP directives and prosecution policy. He further argues that the training programmes that the NPA offers must not be seen as the main source of empowering oneself. Self-training is inherent in the prosecution profession, therefore, one of the most important responsibilities of being a

prosecutor is to conduct research continuously to stay abreast of criminal law developments. "A prosecutor must be able to prosecute any type of crime. Therefore, constant self-capacitation is a must", he said.

He argues that the NPA has capacity to prosecute any type of offense but is hindered by the desire of prosecutors to 'specialise'. He recalls a murder and sexual abuse matter he once dealt with where a victim accused of witchcraft was sexually abused and murdered by a mob. When the crime was committed, an amateur photographer took pictures of everything. What made the case to be very challenging, was that he (Adv Erasmus) was now dealing also with the admissibility of documentary evidence. "I had to acquaint myself on the admissibility of photos as documentary evidence and amateur photographers as expert witnesses by conducting research thereon i.e. the relevant provisions of the Criminal Procedure Act and the law of evidence", he said.

Hope/Wish for the NPA

He is of the view that the NPA is not sufficiently asserting itself in the broader legal industry. He argues that, in fact, the legal industry sees prosecutors as the juniors within the legal profession, even though they go to court every day and win cases against these private practitioners almost all the time. For the NPA to assert itself, he indicates that the Legal Practice Act is in the process of being amended with the aim of excising the NPA from its provisions. However, this does not mean that, the NPA must act in isolation but should rather, through the Legal Practice Council, foster close relationships with the Bar and Side-Bar Councils to be correctly recognised for the role it is playing within the criminal justice system. That recognition will automatically restructure the legal profession and when that happens, the NPA or the prosecutor will be at the top of the hierarchy, and everybody in the legal profession would want to come and work for the NPA, including Judges and seasoned Silks.

Words of wisdom for prosecutors

"As a prosecutor, from day one, your power increases because you take decisions that impact the lives of at least two people; the victim and the accused. As you go through the ranks, your power broadens. The important thing is to stay humble. We must never abuse the power that we have as prosecutors. Always remember that those names in that file or docket that you are reading, are real human beings.", he said.

LIMPOPO DIVISION HOLDS A TECHNICAL SESSION

Chegofatso Maabana
Communications Officer: Limpopo Division

The Limpopo DPP office held a Divisional Audit Technical Session which was coordinated and facilitated by Ms Salome Baloyi, Mr Makgomo Thupana, Mr Simon Sebata and Adv Jannie Schutte,

from the Strategy Management Office and NPS at head office, in collaboration with Adv Nkhetheni Munyai, Governance Coordinator at the Limpopo Division.

Attendees of the workshop included Deputy Directors of Public Prosecutions, Chief Prosecutors, Senior Public Prosecutors, Control Prosecutors, Director Administration, and admin support staff from across the division.

The Director of Public Prosecutions in Limpopo, Adv Mukhali Ivy Thenga, set the tone of the workshop in her opening remarks, emphasising participation in the workshop and continued efforts to achieve performance targets, and keeping accurate and proper records.

The key focus areas of the workshop were lessons learnt from the 2023/24 audit findings and the preparation of the upcoming 2024/2025 audit. The presenters shared findings



of the previous audit, shortfalls, and the steps which should be taken to address the identified shortfalls. There was a meaningful and constructive participation by the attendees.

The presenters were well vested in the subjects of their presentation and imparted much needed understanding of how performance management should be handled going

forward. The workshop was a success, and the effect thereof will certainly translate into improved overall performance of the division and the management of performance data.



Limpopo Division leadership and staff during their strategic workshop

NPA REAFFIRMS IT'S COMMITMENT TO ADVOCATE FOR CHILDREN'S BEST INTERESTS

Khethukuthula Sangweni
Communications Officer: KZN Division

In South Africa, child maintenance is a legal obligation for both parents to provide for their children's needs. The NPA once again re-affirmed its commitment to advocating for the best interests of the children by hosting a webinar on child maintenance, featuring a panel of expert prosecutors.

To amplify the reach of the information disseminated, the webinar was broadcast live to members of the public from the oThongathi community, at the Tongaat Central Library. This hybrid session was the second time that the NPA in KwaZulu-Natal opened the Maintenance Webinar to members of the public and the response was once again a positive one.

Community members were able to ask questions, which were communicated to the panel and answered accordingly. In addition, material on Maintenance and NPA services was also on display at the library allowing the attendees to take away the information.

Khasho spoke to Senior Maintenance Prosecutors Stephane Erasmus and Nokukhanya Gcwabaza who were members of the panel.

Give us a brief background on the NPA Maintenance Webinar, what it is all about? When and why was it introduced?

The role of the SOCA Unit includes improving services to gender-based violence survivors and prioritising of gender equality in the justice system. Consequently, stakeholder management and public education about the role of the NPA on the maintenance system is part of the mandate.

The maintenance webinar is an initiative aimed at educating officials and the public, particularly parents



**Senior Maintenance Prosecutor,
Stephane Erasmus**

and caregivers about maintenance legislation, processes to be followed and the role the NPA plays in the maintenance system. The webinar focuses on breaking cycles of violence and ensuring that children receive the financial support they need from both parents, as mandated by law. Many parents lack the knowledge of their legal obligations or are unaware of the processes involved in applying for maintenance. This initiative seeks to bridge this gap, empower caregivers and hold defaulting parents accountable.

The webinar was introduced as part of the National Strategic Plan (NSP) Pillar 5, which prioritises supporting survivors and holding perpetrators accountable by promoting economic empowerment for women and strengthening the child maintenance system. It was launched as a National Maintenance campaign on 18 May 2023 at Head Office and the SOCA Unit's Senior Maintenance Prosecutors thereafter committed to hosting provincial webinars. On 24 November 2023, KZN was the first province to hold a Maintenance Webinar at provincial level.

Has the campaign proven to be effective?

We had a lot of positive feedback - refer to NPA post on Facebook. Awareness raising on any platform can only yield good results. The Communications Unit within the NPA will be doing a feasibility study soon, which will advise the way forward.

As an experienced Maintenance Prosecutor, what would you say are common reasons for failure to pay child maintenance?

Some fathers of children born out of wedlock blame the mother for getting pregnant, consequently using this as a reason to shy away from accepting liability in paying maintenance.

Some allege that maintenance paid is not spent for the benefit of the child, but rather used by the caregiver in



NPA officials along with various stakeholders during the maintenance webinar at Tongaat Central Library

wasting money on luxury items rather than spending it on what is needed.

Personal conflict between the parents is a contributing factor with parents disregarding the court order as retaliation.

Disputes over paternity or custody: some fathers complain of being denied access to their child causing them to cease maintenance which is incorrect.

Wilful disregard: some parents view maintenance as optional and not a legal duty.

Administrative delays in the system can also cause frustration.

Understaffed and under resourced maintenance courts also pose a huge barrier.

Anything you would like to share about child maintenance, any message to parents?

Persons taking care of minor children, and who are not being assisted by the parents in doing so, are encouraged to approach the maintenance court in the area where they are residing or working, for order of maintenance payment to be made by a magistrate.



Tongaat community members gathered at the local hall to participate in the NPA Maintenance

The staff dealing with maintenance matters should advise complainants about processes to be followed and progress. If applicants do not receive feedback, or if the case is delayed unnecessarily, they should speak up when the case is postponed before the magistrate or lay a complaint with the Court Manager. They may also submit a complaint in writing to the senior Maintenance Prosecutor stationed at the offices of the DPP: KZN in both Pietermaritzburg and Durban offices.

To all dedicated parents, we extend our sincerest gratitude for your unwavering commitment to supporting your children without hesitation. We invite parents to attend webinars like this that can provide valuable understanding in navigating the complexities of maintenance obligations. As Senior Maintenance Prosecutors we reaffirm our commitment to advocating for the best interests of the children as enshrined in the Constitution and are dedicated to supporting parents by helping them navigate the maintenance court system and working together in ensuring they can invest in their children and secure a brighter future for them and a



Senior Maintenance Prosecutor, Nokukhanya Gcwabaza who was one of the panelists

IN CONVERSATION WITH ADVOCATE NTSIKA MPOLWENI

Monica Nyuswa
RCM: Mpumalanga Division

Khasho understands that the Mpumalanga Division has established a task team that deals with damages to essential infrastructure cases, i.e. theft of copper cables, coal or diesel. Could you please give us detailed information on that?

That is correct, a task team was established in the division to attend to cases relating to damages of essential infrastructure. The task team also has an operational leg that screens dockets and determines which charges to be laid.

Who forms part of the task team?

The team comprises of:

- Representatives from the National Prosecuting Authority (Organised Crime Component, the Specialised Tax Unit, and the Asset Forfeiture Unit),
- A representative from Crime Intelligence,
- Officers from the South African Police Service, in particular, the Directorate for Priority Crime Investigations units; Priority Crime Management Centre (PCMC), and Priority Crime Specialised Investigation (PCSI),
- Representatives from state owned entities
- Stakeholders in the private sector who are affected by the specific offence such as Bidvest Protea Coin.
- Representatives from the Border Management Authority
- The task team also has ad-hoc members that are invited when the need arises, such as government departments which include the Department of Home Affairs.

What are the strategic objectives for the task team?

The strategic objectives of the committee include having prosecution-guided investigations to achieve effective investigations and impactful prosecutions. The task team is established to:



**Deputy Director of Public Prosecutions,
Adv Ntsika Mpolweni**

- Receive information from Crime Intelligence relating to these specific offences and to strategically address offences and criminals.
- Identify and address key criminal actors operating across different criminal markets.
- Identify and address criminal actors operating in these specific criminal markets.
- Reduce the incentives for involvement in criminal activities through strategic prosecution, Asset Forfeiture Unit ensures this through preservation and confiscation orders as well as forfeiture orders of proceeds obtained through unlawful activities.
- Strategic use of laws and legal reform
- Improve stakeholder engagements.

What impact does the task team have on the community and prosecutions?

The establishment of the task team has impacted positively on both the community and prosecutions. It is imperative to note that the offences being addressed by this committee, impact directly on the basic service provision to the community, for example, cable theft and theft of coal affect the provision of electricity in the community, whereas theft of fuel affects the prices of fuel, etc.

The task team has therefore been successful in decreasing these offences which has in turn produced good outcomes, not only in the division but nationally. The country has not had loadshedding in the past couple of months and it is as a result of the positive contributions from task teams such as this, the theft of fuel in the province has decreased from 47% to 11% in the last few months and it is as a

result of the collaborative efforts of all stakeholders. The establishment of the task team also contributed extensively to ensuring the strategic use of legislation by preferring charges that ensure the harshest sentences to persons convicted of these offences, for example, since the establishment of the task team, the province has recorded direct imprisonment sentences of 15 years to convicted offenders who damaged essential infrastructure.

Any additional information you want to share with Khasho?

The task team in the division is committed to combating offenses relating to the damage of essential infrastructure. Although the Mpumalanga province is not the biggest

when compared to others geographically, it plays a crucial role in ensuring that basic services are provided to the country. The province has 9 out of the 11 power stations in the country, the national pipeline runs through the province, the very same province borders 2 countries, Mozambique and the Kingdom of Eswatini and the two countries contribute to the crime that is handled by the division. Our successes have been achieved against many challenges, including capacity, the division will, however, continue to be committed in fighting crime related to damage of infrastructure and ensure basic services are provided to our citizens.

TACKLING VIOLENT CRIME IN SOUTH AFRICA—A UNIFIED EFFORT FOR SAFER COMMUNITIES

Mojalefa Senokoatsane
RCM: Northern Cape Division

South Africa continues to grapple with alarmingly high levels of violent crimes, with innocent citizens often caught in the crossfire of brutality, murder, theft, and Gender-Based Violence. From murders and assaults to domestic violence and armed robberies, the daily headlines paint a grim picture of a nation in the throes of ongoing crime crisis. Yet, amidst this darkness, the South African Police Service (SAPS), the National Prosecuting Authority (NPA), and the broader justice system are forging a united front, working relentlessly to combat violent crime and restore a sense of safety to South African communities.

The partnership between these key justice institutions has become a crucial pillar in the fight against crime. Together, they form part of the South African Justice Cluster, a coordinated body focused on ensuring that violent crimes, particularly those affecting innocent South Africans, are met with swift and decisive action. The SAPS takes on the critical task of investigation and law enforcement, while the NPA is charged with prosecuting offenders and ensuring that justice is served. The courts, in turn, impose sentences that reflect the severity of the crimes committed, sending a strong message to would-be offenders that such violence will not be tolerated.



Senior State Advocate Ronewa Makhaga

With a shared commitment to a safer South Africa, the justice cluster's combined efforts are focused on several key areas: strengthening the effectiveness of investigations, ensuring fair and efficient prosecutions, and fostering trust between the police, the public, and the courts. As part of this ongoing collaboration, initiatives are being launched to address both the root causes and the immediate consequences of violent crime. Together, these agencies are working towards a future where all South Africans can live without the constant threat of violence, knowing that those who harm others will be held accountable.

In a landmark ruling that highlights the seriousness with which South Africa's justice system tackles violent crimes, two men, Vuyisile Bidi (26), and Josef Stryner (23), have been sentenced to life imprisonment for the brutal murder of 29-year-old Warren Swartz. The High Court of South Africa, Northern Cape Division, sitting in Upington, convicted the men after a thorough trial that revealed the extent of their violent and callous actions.

The case involved a violent attack on the night of October 04, 2018, when Bidi, Stryner, and two other accomplices, Theo Muller (30), and Thebogo Modise (22), went to the home of Neville Garosab in New Heaven, a suburb near Upington. Upon arriving at Garosab's residence, the group found the homeowner and several others, including Swartz.

According to the court proceedings, Bidi kicked open the door to the house, allowing the group to enter. Once inside, they immediately began attacking the occupants of the home, with Bidi and Stryner specifically pursuing Swartz. In a horrific act of violence, the two men threw stones at Swartz and then proceeded to stab him repeatedly with half of a pair of sheep shears. Despite

the victim's attempts to escape, he was severely injured and succumbed to his wounds at the scene. A post-mortem examination later confirmed that the cause of Swartz's death was blunt trauma to the head, a result of the vicious beating and stabbing he endured.

The shocking nature of the crime prompted a swift response from the police. After receiving information about the murder, authorities arrested the accused and charged them with a range of serious offenses, including housebreaking with the intent to commit an offense, attempted murder, and ultimately, murder.

The case took a tragic turn with the death of the fourth accused, Thebogo Modise, before the trial reached its conclusion. His passing left Bidi, Stryner, and Muller to face the court for their roles in the brutal murder. Muller was sentenced to three months in prison for assault, but this sentence was wholly suspended for five years, provided he did not commit a similar offense during this period.

During the sentencing phase, Senior State Advocate Ronewa Makhaga, presented a powerful argument in aggravation of sentence. The prosecution called for life imprisonment, emphasising the deliberate and callous nature of the crime. Advocate Makhaga argued that the accused had gone to the victim's home with the clear intent to inflict harm, and their actions in chasing down and murdering Swartz were both premeditated and brutal.

In sentencing, the High Court agreed with the state's argument, sentencing both Bidi and Stryner to life imprisonment for murder. Additionally, Bidi was handed a three-year sentence for housebreaking, which will run concurrently with the life sentence, as well as a three-month sentence for assault, also suspended for five years. Muller's sentence, as mentioned earlier, was limited to a three-month imprisonment term for assault, suspended for five years.

The conviction of Bidi and Stryner for the murder of Warren Swartz is a stark reminder of the violence that continues to plague South African communities. Femicides and murders like this one have become disturbingly

common, often fueled by rage, jealousy, or the desire to exert control. This case exemplifies the serious consequences of such violence, with perpetrators facing lengthy prison sentences.

The state's vigorous prosecution of the case, led by Senior State Advocate Ronewa Makhaga, underscores the importance of holding criminals accountable for their actions, particularly when it comes to violent crimes like murder. In a society plagued by crime, the role of the (NPA) is crucial in ensuring that justice is served, and that those who commit heinous acts are removed from society.

The violence in South Africa, especially in the context of murder, continues to be a pressing issue, as the country faces alarmingly high rates of violent crime. The brutal killing of Warren Swartz is just one example of the many violent deaths that occur in the country each year. In recent years, there has been an increasing focus on the role of the NPA in prosecuting violent crimes, with a particular emphasis on cases of murder and Gender-Based Violence.

As the country continues to grapple with the challenges of crime and violence, the sentencing of Bidi and Stryner serves as both a warning and a reminder of the state's commitment to addressing violent crime head-on. The life sentences handed down to the accused send a strong message that such brutal acts of violence will not be tolerated and that those who commit them will face severe consequences.

However, the road to addressing violence in South Africa remains long. The NPA's work is ongoing, intending to reduce violent crime and ensure that justice is achieved in every case. The fight against violent crime, including murder, is not only about securing convictions, but also about changing the underlying social issues that contribute to such behaviour. From greater community engagement to targeted efforts in addressing the root causes of violence, South Africa's legal system must continue to evolve in its response to the country's crime crisis.

In conclusion, the life imprisonment sentences for Bidi and Stryner are a significant step toward ensuring justice for the victims of violent crimes in South Africa. While their sentences will never bring back Warren Swartz, they serve as a reminder of the state's unwavering commitment to holding perpetrators accountable and ensuring that justice prevails in the face of senseless violence.

NEW FORMIDABLE FORCES IN ISM: MEET THE TWO WOMEN WHO ARE SET TO REVOLUTIONISE THE ICT SPACE IN THE NPA

Kelopile Tlhodi

Communications Officer: Head Office

The rapid global advances in technology come with great threats and risks that call for organisations to constantly be a step ahead, and the NPA, an organisation that deals with highly sensitive information, is not immune to those threats and risks.

ICT infrastructure, security and service delivery remain a high priority for the NPA and the new managers in ISM are certainly geared up for the challenge.

Motshedisi Kapola, is the service delivery manager responsible for managing all operations related to IT Infrastructure and service delivery. Kapola has great plans to revolutionise NPA processes which include among others, launching automation tools to replace manual processes such as PMDS and leave system, as well as the implementation of a self-service portal where users will be empowered to resolve issues independently and remotely.

Her vision is to ensure that technology decisions and initiatives support and enhance business strategies helping the NPA to achieve its goals efficiently and effectively.

Kapola's management approach is people-centered, promoting open and transparent communication among the team and fostering an environment where new ideas are welcomed and explored collaboratively. Currently studying towards a post graduate diploma in IT, she encourages her team to continuously study as IT is constantly evolving, which will alleviate underperformance and develops confidence and high morale within the team.



Ms Motshedisi Kapola & Ms Matsobane Senyatsi from ISM

"I joined the NPA with the aim of introducing new technologies and streamlining processes to enhance the efficiency of legal operations, modernising legacy systems, integrating systems and improving user experiences," said, Kapola.

ICT Security Specialist, Matsobane Senyatsi, is responsible for managing the ICT security infrastructure, protecting the organisation against cyberthreats as well as responding to vulnerabilities and risks that emanate from the ever-evolving ICT space.

Matsobane holds a Master's Degree in Business Information Systems and has built a commendable career that spans almost 20 years in both the private and public sector.

One of her greatest achievements is having implemented a user awareness programme with her former employer, the Department of Public Enterprises and this programme yielded benefits such as the ability of users to recognise threats and risks, the increased use of stronger passwords, improved incidents responses and the overall increased confidence in ICT security posture of the organisation.

Matsobane deems joining the NPA as an opportunity to become part of a team of great minds that handle ICT security in an organisation that deals with sensitive information. Her aim is to ensure that her team is able to identify and mitigate risks before they occur, keep abreast of new technologies and use modern tools to combat threats.

"My vision is to ensure that we are a strong and productive security unit that not only safeguards the organisation's digital assets, but also creates a culture of innovation and growth," said, Senyatsi.

The NPA family welcomes the two ladies and looks forward to their meaningful and innovative contribution to the fight against crime.

HONEY BADGER PROJECT LAUNCH

Sivenathi Gunya

Communications Officer: North West Division

The Tax Unit in the North West Division, headed by Advocate Jika, launched the Honey Badger Project. This project is a collaboration of various stakeholders namely, the South African Revenue Service (SARS), the Directorate for Priority Crimes Investigations (DPCI) and the National Prosecuting Authority (NPA). The Honey Badger Project began in September/ October 2022, as a pilot project in South Gauteng. It was officially launched recently in the North-West province, to focus on encouraging taxpayers to file their tax returns.

It was discovered through investigations that SARS has over 53 million outstanding tax returns of all tax types. The numbers suggests that non-compliance in submitting tax returns requires the attention of all relevant stakeholders as filing is pivotal to ensure efficient revenue collection, not forgetting the possibility of the public perceiving SARS as lacking the required skills and competency to enforce tax compliance. This project was formed to ensure that defaulters are held accountable through criminal prosecution. To ensure that these objectives are met, SARS would be responsible for investigating and handing over case files to DPCI. DPCI would then register the docket at relevant police stations within three days. Within seven days of receipt of the case dockets from the Investigating Officer, the STU head will then refer the case to the relevant lower court for the attention of the Senior Public Prosecutor for further handling.

In addressing the attendees, The Director of Public Prosecutions in the North West Dr Rachel Makhari, commended the relationship between the stakeholders in the province. The (DPP) emphasised the need to work together and make a difference in the North West province for all who live there.



From the left: Deputy Director Tax Unit Adv Jika, Mr Seroke from SARS, Mr Tiro from SARS, Adv Mbadu DD for Representation and Training, Adv Duduzile Ndlovu Robertse (DDPP-Tax Unit-South Gauteng), and Colonel Grobler from DPCI.

DPP KZN HOSTS ESWATINI DELEGATION FOR CHILD JUSTICE INFORMATION SHARING SESSION

Natasha Kara
RCM: KZN Division

In early February 2025, the Director of Public Prosecutions (DPP) in KwaZulu-Natal (KZN), Adv. Elaine Harrison, hosted a delegation from Eswatini which was led by the DPP from Eswatini, Adv. Mvula Hlophe. The Eswatini delegation also included representatives from the Prime Minister's Office, the Judiciary, and the Royal Eswatini Police. The engagement aimed to address the topic of Child Justice, with the NPA sharing best practices and approaches. Proceedings began with a three-day information sharing session hosted by the United Nations Population Fund (UNFPA).

The NPA-facilitated programme for the three-day Information Session consisted of presentations from various stakeholders including the UNFPA, Judiciary (Magistrates), Legal Aid SA, Department of Social Development, Department of Correctional Services, South African Police Services, Department of Justice and Constitutional Development, University of KwaZulu-Natal, Department of Education, and Lawyers Against Violence. The business units who represented the NPA were the Sexual Offences and Community

Affairs (SOCA) Unit with Adv. Vuyokazi Ketelo – joining via Teams, the Court Preparation Unit, and the International Cooperation Component.

Adv. Harrison opened the session by welcoming the Eswatini delegation. She added that the topic of Child Justice is one that touches all our lives, as well as our social values. The DPP thanked the UNFPA for their commitment and offer to fund the session. She said that it was concerning that drugs, alcohol and gangsterism have seemingly become social norms for young people. Adv. Harrison also noted that issues such as unemployment, poverty and child-headed households make children more vulnerable to these social ills.

Dr. Linda Naidoo, from the UNFPA said that the UNFPA fully supported dialogues and engagements of this nature as the United Nations (UN) is a leading agency in prioritising issues affecting children. She said that the UN's focus is to ensure that young people reach their full potential.

Each of the stakeholders present enlightened the group on the roles and responsibilities of their Department/Organisation in respect of Child Justice.

Summary of some of the presentations:

The Department of Social Development: discussed their roles and responsibilities including preliminary inquiries, age assessments, probation officer assessments, placement, and pre-sentence reports.

The Department of Correctional Services: spoke about their role and responsibilities within the Criminal Justice System. Topics discussed were Youth Facilities, Education and Training in respect of the 14 – 25 -year-old offenders, Social Integration, Restorative justice programmes, stakeholder involvement, and community projects and programmes.

The Court Preparation Unit: spoke about the work of the Court Preparation Officers and their engagement within the court environment. The importance of Victim Impact Statements was also mentioned – where the complainant is given the opportunity to voice the impact of the crime on them and their families.

The SAPS: told the group how they deal with cases involving child offenders. They spoke about the relevance of documentation such as immunisation cards.

The Department of Education: said that in their approach to Child Offenders, they are bound by legal prescripts and the South African Schools Act. They have processes for disciplinary actions, dealing with bullying (including cyber bullying), drug-related issues,

illegal weapons, etc. The aspect/topic of crime has been introduced into the school curriculum via the Life Orientation subject. For school safety – they use the National School Safety Framework.

The NPA Discussed the Child Justice Act, No. 75 of 2008, saying that the Act:

- Establishes a Criminal Justice System for children who are in conflict with the law
- Provides a minimum age of criminal capacity
- Makes special provision for securing the attendance at court and the release or detention and placement of children
- Formalises diversion and encourages diversion of children away from the Criminal Justice System
- Introduces preliminary inquiries and child justice courts
- Extends sentencing options
- Entrenches the notion of restorative justice.

The presentation also went into topics of Criminal Capacity and Diversion.

Following the three-day session, delegates and participants visited the Thuthuzela Care Centre (TCC) at the Dr. Pixley Ka Isaka Seme Memorial Hospital in Ntuzuma. This provided the opportunity to see how the TCC is situated within the hospital environment and how the role players work together to provide the essential service. The TCC visit was followed by a visit to a Place of Safety.

The delegations visit culminated in a visit to Eshowe on the final day, where delegates visited a tribal court, which is under the leadership of Inkosi Thandisizwe Mpungose. Here the delegation was informed about how traditional leadership deals with matters involving children. Further they were advised of the relationship between traditional courts and the criminal justice system.

This information sharing session with the Eswatini delegation was the first of many such visits, aiming to promote cooperation, stakeholder collaboration and knowledge sharing between South Africa and Eswatini.



Stakeholders at the information sharing session

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