

Formulation of anti-corruption agency underway

Justice and Constitutional Development Minister, Ronald Lamola, says that work on a multi-disciplinary anti-corruption agency is progressing in order to ensure that the looting and corruption that took place during the execution of the State Capture project is not ever repeated.



Image source: Andriy Popov – 123RF.com

Lamola was speaking at the RMB Morgan Stanley Big Five Investor Conference held in Cape Town on Tuesday, 13 September 2022.

“The...critical work...is ensuring that the current investigative framework evolves into a multi-disciplinary anti-corruption law enforcement agency. By multi-disciplinary agency, we are referring to an agency which has the intelligence capacity, forensic depth, digital forensic capabilities and highly skilled prosecutors.

“A number of these skills sit in the private sector, especially forensic accountants, digital forensic skills, etc. At this point in time, the state cannot compete with the financial incentives that private sector provides for such skills,” he said.

Lamola added that the National Prosecuting Authority (NPA) is also being strengthened to deal specifically with matters of ethics.

“We are establishing an Office for Ethics and Accountability for the NPA to detect and address any future unethical behaviour. After considering the necessary draft legislation, we should be able to establish this office by the end of this financial year.

“We are also in the process of putting in place all the necessary measures to ensure that the [NPA's] investigative directorate becomes a permanent feature of our anti-corruption law enforcement framework,” he said.

The Minister said it is critical that accountability and justice become the norm and not the exception.



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1 Mar 2022



“The biggest crime deterrent is that whoever commits crime should be aware that the chances of he/she is being arrested, prosecuted and convicted are very high. This is an environment the criminal justice cluster is working to create. Without the rule of law, our democracy will be derailed and ultimately irretrievably deferred.

“There are a number of areas in which progress has been made from the establishment of special commercial crime courts in all our provinces, to the ever-increasing number of civil recoveries in special tribunal of special investigating unit amounting to billions of Rands recovered through our Asset Forfeiture Unit in criminal matters,” he said.

Lamola emphasised that government is committed to ensuring that the NPA does its work independent of any influence and that the Constitution guarantees the NPA's prosecutorial autonomy.

“We've been very clear that the NPA must do their work without any fear or favour and that there will be no political interference from myself or the President. Section 32 (1) (b) [says]...no organ of state and no member or employee of an organ of state nor any other person shall improperly interfere with, hinder or obstruct the prosecuting authority or any member thereof in the exercise, carrying out or performance of its, his or her powers, duties and functions.

“Section 41 (1) [says]...any person who contravenes the provisions of section 32 (1) (b) shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding 10 years or to both such fine and such imprisonment.

“All [of] this progress is crucial to safeguard our democracy,” he said.

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