



Society of State Advocates and Prosecutors of South Africa  
(A Trade Union registered in terms of the Labour Relations Act, 1995)  
[www.ssapsa.org.za](http://www.ssapsa.org.za)

**4 SEPTEMBER 2021**

### **CHAIRPERSON'S REPORT: SSAPSA AGM 2021**

Colleagues, we are meeting virtually for the first time ever because of the persistent Covid-19 pandemic. It has robbed us of our gallant colleagues, who, amongst them, were members of our Society. We convey our heartfelt condolences to those amongst us who have lost friends, family members and colleagues who succumbed to this deadly pandemic. We must continue to engage with members through the Regional Representatives in ensuring that we are visible and supportive to the bereaved families when losing a member. We are a family of Prosecutors and such a loss is also our loss of a colleague and family member in SSAPSA. This pandemic slowed down the wheels of justice as now and again we had to be moved to different alert levels under the Disaster Management Act, impacting adversely to our court time and ability to finalise cases.

While grappling with Covid-19 and its variants, we are facing another devastating PLAGUE of gender-based violence. We are inundated with reports of these matters on a daily basis. We're however equal to the task. As the people's lawyers, we are indeed fortified to win the battle against this plaque. Our theme of SSAPSA's 37th AGM is a call to encourage ourselves to vigorously fight this GBV pandemic.

The end of this pandemic and/or improvement in the way we deal with it, will again call upon us to physically gather in joy for our victory in keeping the scales of justice balanced and upholding the rule of law. Our call is to continue to walk the talk of the constitution, working towards freedom and security of our society.

We honour our forebearers, who burned the torch from all corners of our beautiful country to converge and initiate the Society of State Advocates and Prosecutors, a Voice that contributed to the formation of the National Prosecuting Authority in their quest for an independent Prosecution Service. The battle is continuing to achieve full



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independence from the country's political leadership and the business world. We must continue the battle honouring their fight for the recognition of "A Prosecutor" and displaying their mettle against our colleagues in the private sector. Our honorary members worked for this cause and received global recognition; their efforts led to the affiliation of SSAPSA as a member to the International Association of Prosecutors; some of them became members of this global association's Executive Committee.

We acknowledge our erstwhile members who have retired as SSAPSA members, namely, **Wendy Greeff and Dorian Paver (KZN), Jannie Botha and Carel Van Der Merwe (FS), Anne-Marie Smith, Mutuwa Nengovhela, Christo Steyn and Zaais Van Zyl SA (GLD)**. We further acknowledge those who are today attending their last AGM as active members, **Billy Downer (WC) and Meera Naidu (KZN)**. We believe that they will continue to attend our upcoming AGM's as honorary members. The baton is now in your hands, joined as SSAPSA, to make our beautiful country work by appreciating and applying the prescripts of our country's Constitution, i.e. freedom and security.

Congratulations to **Carine Teunissen** for the Usiba publication prize, sponsored by Juta. We are encouraged to see the names of our own in publications that contribute to the knowledge depth for the betterment of our people. We trust that your contribution will go a long way, also in encouraging other members to author valuable pieces of work, to share their knowledge and skills. We are most grateful to Juta for their continued sponsorship and support for SSAPSA over the years. This partnership is priceless and we will continue to work with Juta and support each other.

To the winners of the Ukuqwesa Prosecutor of the year award, **Zaais Van Zyl SC and Deon Barnard; Juliet Makgwatha and Bakedi Maoke**, please continue doing the good work. We are honoured to have our honorary members like **Zaais**, and trust that his retirement will not rob us of his skills and knowledge being shared to the members of the Society. We will continue to seek guidance from him in prosecuting matters with which we are tasked. **Juliet and Bakedi**, please continue to search for



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ways to prevent this scourge of GBV based on your experience gained from a case like the **Mooi Nooi** gruesome murders of the two Van Niekerk ladies. Talking to our theme, let us protect our country from this violent behaviour, reaching out to our communities and teaching them what we learnt in prosecuting these cases. We are very grateful to our sponsor, **ENS Forensics**, and their ongoing support to SSAPSA. Members from the Magistrate Courts are encouraged to nominate colleagues for jobs well-done. The treasury of SSAPSA must avail funds for this prize whilst we continue to find credible sponsorship.

We appreciate the long-term service rendered by **Rolene Barnard** as our secretary; she has sacrificed her family time doing the work of the Society and without her commitment the Society could have possibly collapsed, particularly after the challenging 2020 of Covid pandemic, non-compliance to labour and theft of SSAPSA funds, the two latter ones attributable to our former colleague, Treasurer and Chairperson of SSAPSA. We thank you so much **Rolene** for being our secretary for almost five years. You have been the engine of the society and made it easy to run this institution. Your assistance will be sought now and again - please do not get weary in assisting the new incumbent. A very special **THANK YOU**.

The Free State province became a dominant feature in our AGM's and all this was possibly because of the dedicated Regional representative, **Thato Ntimutse**. Your work to the benefit of the Society and the prosecution services is laudable, we truly appreciate you **Thato**. We plead with you, don't be lost to the Society as we will need your assistance time and again. Thank you, big brother.

In **Meera Naidu**, KZN had a special regional representative, dedicated to the cause of the Society and the prosecution services in general. You hosted us so well at Scottburgh before the pandemic stopped us from enjoying our physical gathering in the joy of being members of SSAPSA in particular, and the NPA in general. We believe that the love that you have shown the Society will continue and you will from time to time be seen in our **AGM's**. We will miss your priceless contributions to our EXCO meetings. We wish you a joyful retirement and looking forward to seeing you at our upcoming AGM at Saldanha Bay.



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It was a great honour to host our National Director of Public Prosecutions, **Adv. Shamila Batohi**, as a keynote speaker at our first virtual AGM. It is encouraging that the NPA leadership is now receptive to the Society. Let us take this opportunity to strengthen the bridges so that our objectives can be realized. The words of encouragement by our Deputy National Director of Public Prosecutions, **Adv. Rodney De Kock**, was music to the ears of the members of SSAPSA. His promise of keeping the door open for us is what we have been yearning for in the past years. It was indeed good that he appreciated the work done by the prosecutors despite the messy situation in the NPA leadership. The attendance was not as much as we expected but we are grateful to the organizers of the MS Teams meeting for running it so well without glitches. Thanks to **Bronwen and Justin (our IT host)** for their efforts and dedication in ensuring that this very first virtual AGM was a success. **Bronwen**, your newly acquired IT expertise will be required from time to time; please continue to be of such great assistance to SSAPSA. A very special thank you to all the SSAPSA Executive Committee members for your determination and dedication to ensuring the success of the Society. Let us hold hands and continue to serve SSAPSA and indeed the general public the best way possible. **Yes, we can and will do justice to our calling.**

It's sad that many of our colleagues, are still asking, "what is in it for me if I join the Society of State Advocates and Prosecutors?". Each one of us have a role to play in bringing change for the realization of the import of our Constitution. Ours is a very noble profession that calls upon us as noble men and women, to serve not to be served. The victims of crime look upon us to fight for their freedom and security. Let us encourage all that are still outside the Society to join hands with us in ensuring a truly independent prosecution service that will fight crime without fear, favour or prejudice, which transcends all socio-economic barriers and rebuffs any political interference.

The human weakness has factored in now and again and we find ourselves fighting corruption and other crimes committed by our own. We believe that SSAPSA can make an immense contribution, together with the NPA leadership, in instilling discipline within our ranks.



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It has been a very sad experience for the Society to find ourselves battling with the unexpected embezzlement of funds by one of our own. We had to open a criminal case against him because an offence has been committed and Civil proceedings have been instituted to recover those funds. Colleagues, please rest assured that we have put more systems in place to ensure that this incident never happens again.

Our country emerged from the apartheid past and now and again this monster shall continue to rear its head. We should be pleased though with the initiative by the NPA via a webinar on racism and inclusion on the 4<sup>th</sup> August 2021. It is through discourse that we can no longer be reading unpalatable issues about our NPA in the media. It is in our hands to work together against all forms of discrimination. In SSAPSA's physically attended AGM's, we have an opportunity to know and understand each other; this is but one way of finding each other and together burying the ugly past.

As Prosecutors we are the frontline workers, the foot soldiers and the shields to our people striving to ensure that freedom and security is for all in the Republic of South Africa. We cannot allow our past to stand in the way of our mission. Let us continue to cloth ourselves with the Robe of the State and ensure that the scales carried by lady justice remain balanced thereby building the confidence of our people in the criminal justice system.

**Lawrence Makhubela**  
**Chairperson SSAPSA**