

**AGENDA ITEM 4**

**PROGRESS REPORT IN RESPECT OF IMPLEMENTATION OF THE RECOMMENDATIONS SET OUT IN THE FORENSIC REPORTS COMMISSIONED BY THE PROVINCIAL DEPARTMENT AND / OR RESPECTIVE MUNICIPALITIES.**

**1. PURPOSE**

* 1. The purpose of this report is to brief the Portfolio Committee on the progress regarding the implementation of the recommendations emanating from forensic reports for the period April 2009 to September 2014.

**2. BACKGROUND**

* 1. The Department conducted an assessment of forensic reports commissioned by municipalities for the above mentioned period. In October 2014, the Department requested provincial CoGTAs and municipalities to submit copies of forensic reports commissioned since April 2009. The failure by municipalities to implement recommendations emanating from forensic reports still remains a matter of concern.
  2. The assessment of forensic reports will assist in terms of facilitating criminal, civil and disciplinary actions emanating from the forensic reports. The assessment was conducted with the assistance of law enforcement agencies such as the Asset Forfeiture Unit (AFU), Special Investigating Unit (SIU), Directorate for Priority Crime Investigation (DPCI); the National Treasury and office of the State Attorney.

**3. DISCUSSION**

3.1 So far, 115 copies of forensic reports from provinces and municipalities have been received. Out of the 115 copies received, 106 have been assessed. Most of the forensic reports made recommendation that certain remedial or other corrective measures should be taken. However, the outcomes of the assessment in some of the reports points to the need for further investigations. The table below show forensic reports assessed per province.

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| **Province** | **Number of reports** |
| Eastern Cape | 34 |
| Free State | 05 |
| Gauteng | 01 |
| KZN | 18 |
| Limpopo | 10 |
| Mpumalanga | 15 |
| Northern Cape | 03 |
| North West | 04 |
| Western Cape | 16 |
| Total | **106** |

3.2 The Asset Forfeiture Unit (AFU) has identified that there is potential for AFU in 18 forensic reports, such reports have been referred to the AFU to ensure the recovery of losses. In some instances, the AFU is still tracing criminal case dockets in order to make final decision regarding the forfeiture of assets.

3.3 Further, 9 forensic reports have been referred to the SIU for further assessment to determine if the cases meet the requirements to be investigated under the Presidential Proclamation.

3.4 Some of the cases are already being investigated by Directorate for Priority Crimes Investigations (DPCI). Some of the cases are already in court, while other cases are awaiting decision by the Senior Public Prosecutor (SPP) / Director of Public Prosecutions (DPP); and some are currently under investigation.

3.5 Further, letters and annexures of recommendations have been sent to all MECs requesting them to provide progress report in respect of the recommendations set out in the forensic reports. The feedback from the provinces will be assessed in order to determine the extent in which Provinces and municipalities are implementing the recommendations.

**4. RECOMMENDATIONS**

It is recommended that the Portfolio Committee notes the progress regarding the implementation of the recommendations emanating from forensic reports for the period April 2009 to September 2014.