

Presentation to the Portfolio Committee on Cooperative Governance and Traditional Affairs (COGTA) on Corruption and Covid-19 related cases in Local Government

25 March 2022



**Presented by the National Head of the Directorate for Priority Crime Investigation (DPCI)
Lieutenant General (Dr/Adv) SG Lebeya**

PRESENTATION OVERVIEW

1. Mandate of the DPCI
2. Structure of the DPCI
3. Workforce Profile
4. Purpose and Introduction to Presentation
5. Summary of Corruption Cases in local government
6. Provincial overview of Municipalities involved and number of cases
7. Summary of Covid-19 related cases in local government



Mandate of the DPCI

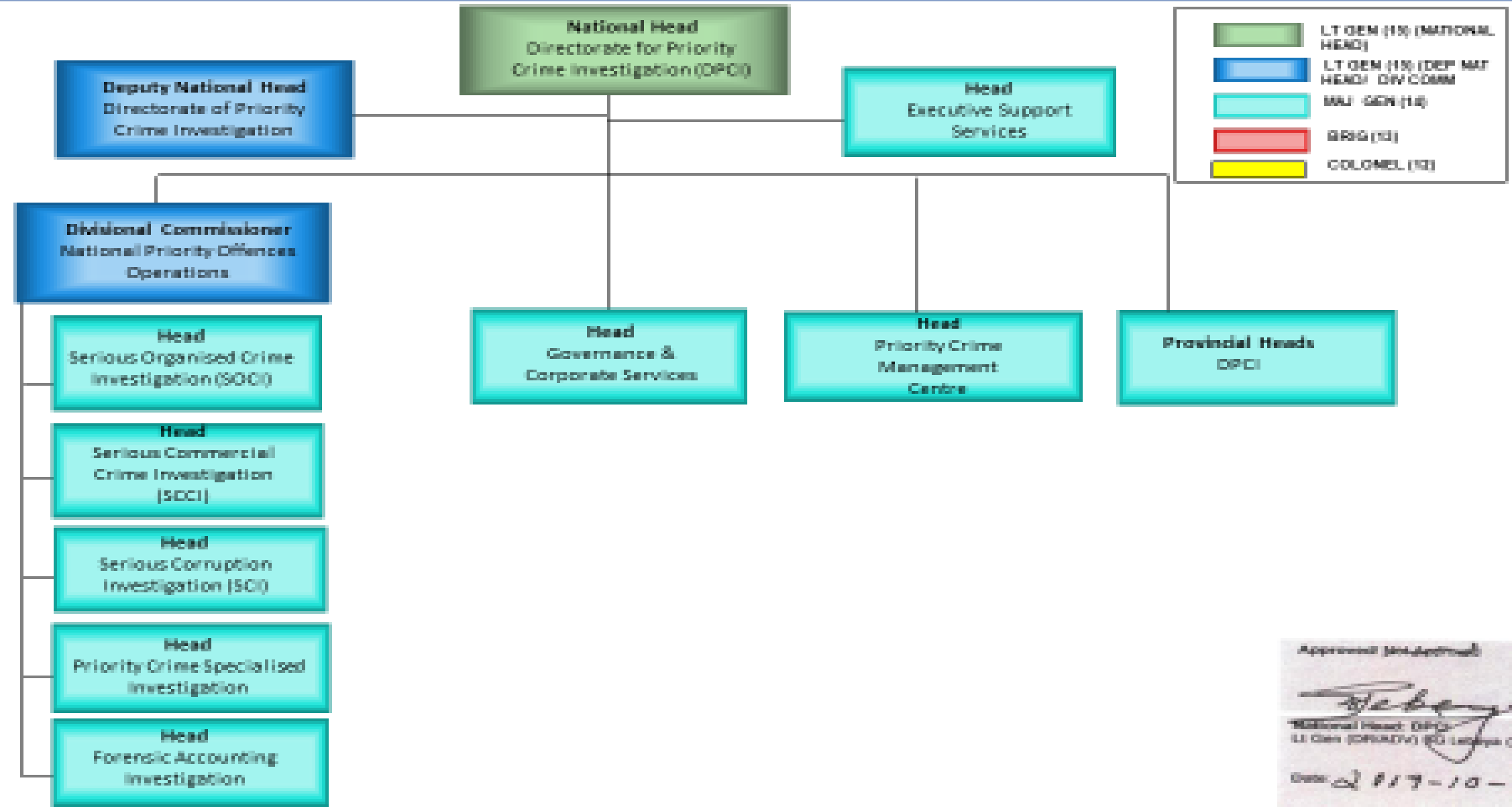
In terms of **Section 17D** of the Police Act, the mandate of the DPCI is as follows:

- (1) The functions of the Directorate are to **prevent, combat and investigate**—
 - (a) **national priority offences**, which in the opinion of the National Head of the Directorate need to be addressed by the Directorate;
 - (aA) offences referred to in Chapter 2 and Section 34 of the **Prevention and Combating of Corrupt Activities Act, 2004**;
- **The DPCI**, through a multi-disciplinary approach, **conducts major case and project driven investigations** that are based on threat assessments in the following **three strategic focus areas**:





STRUCTURE OF THE DIRECTORATE FOR PRIORITY CRIME INVESTIGATION



Approved (for Annual):

National Head, DPCI
Lt Gen (DPCI) M. L. Langa (DPCI)
Date: 2017-10-01

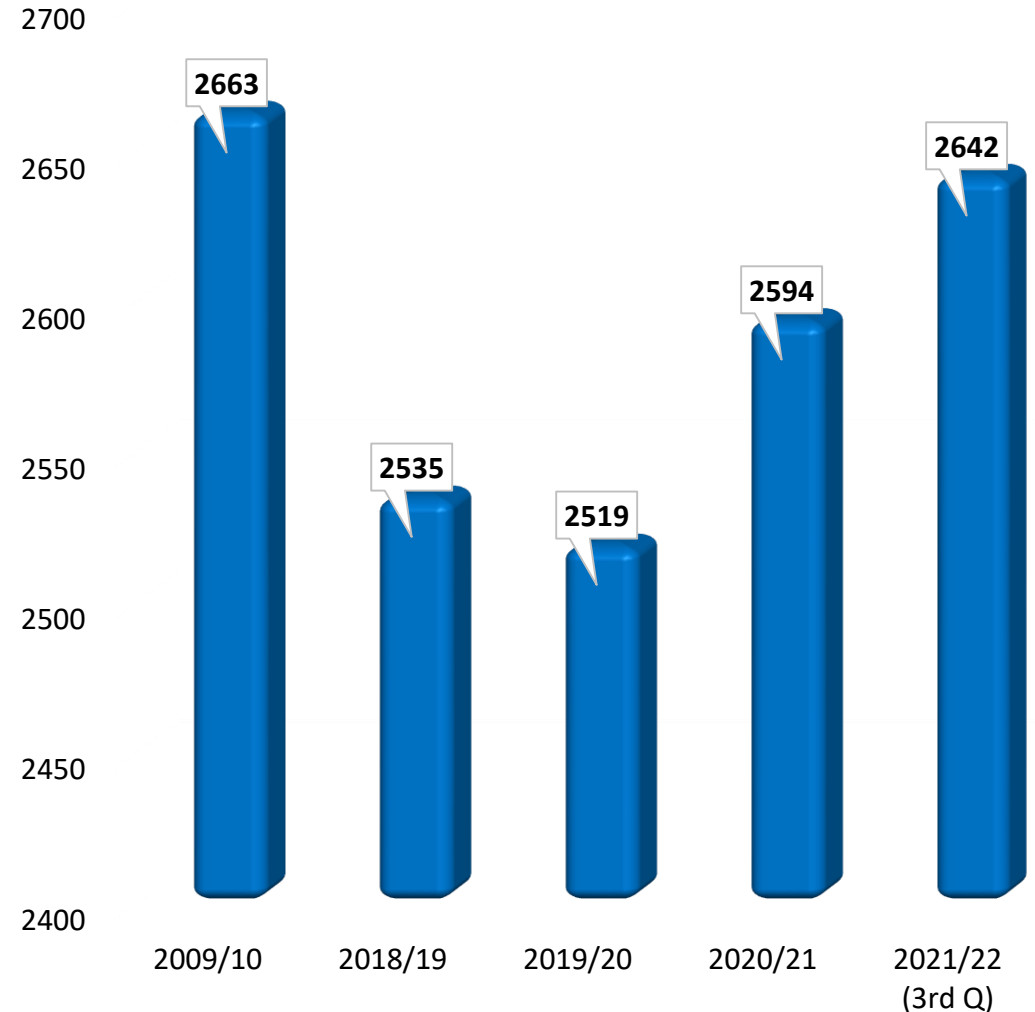
Workforce Profile of the DPCI

Against the fixed establishment of **5 332**, the DPCI currently functions with a **49,55% workforce**, an actual headcount of **2,642**, remaining with a **deficit of 50,45% (2,690)**. Of this 2,642, only **1,500** are investigating officers

It is worth noting that even though there has been marginal growth, **the DPCI is nearly at the same capacity it was when established in 2009/10.**

However, the **complexity and sophistication** of the cases investigated has over the years increased.

Lastly, as at 3rd Q 2021/22, all the cases that the DPCI had on hand was approximately **22,200**, and **1,500** investigators. This entails that there is a ratio of **1:15** (investigators to cases) with an estimated average amount involved of **R37,3 million***; this further adds on to the complexity of a case.



■ Actual Head Count

PURPOSE AND INTRODUCTION (1a)

- The purpose of the presentation is to provide an overview to the **Portfolio Committee on Cooperative Governance and Traditional Affairs (COGTA)** on investigations into corruption cases in local government including investigations into Covid-19 spending.
- May it be noted that **various factors** influence investigations, affecting both the timeframe and outcome of an investigation.
- These factors, include the nature and seriousness of the crime, interdependencies on the judicial system, validation of forensic evidence as well as the availability of witnesses.



PURPOSE AND INTRODUCTION (1b)

Example of such matters

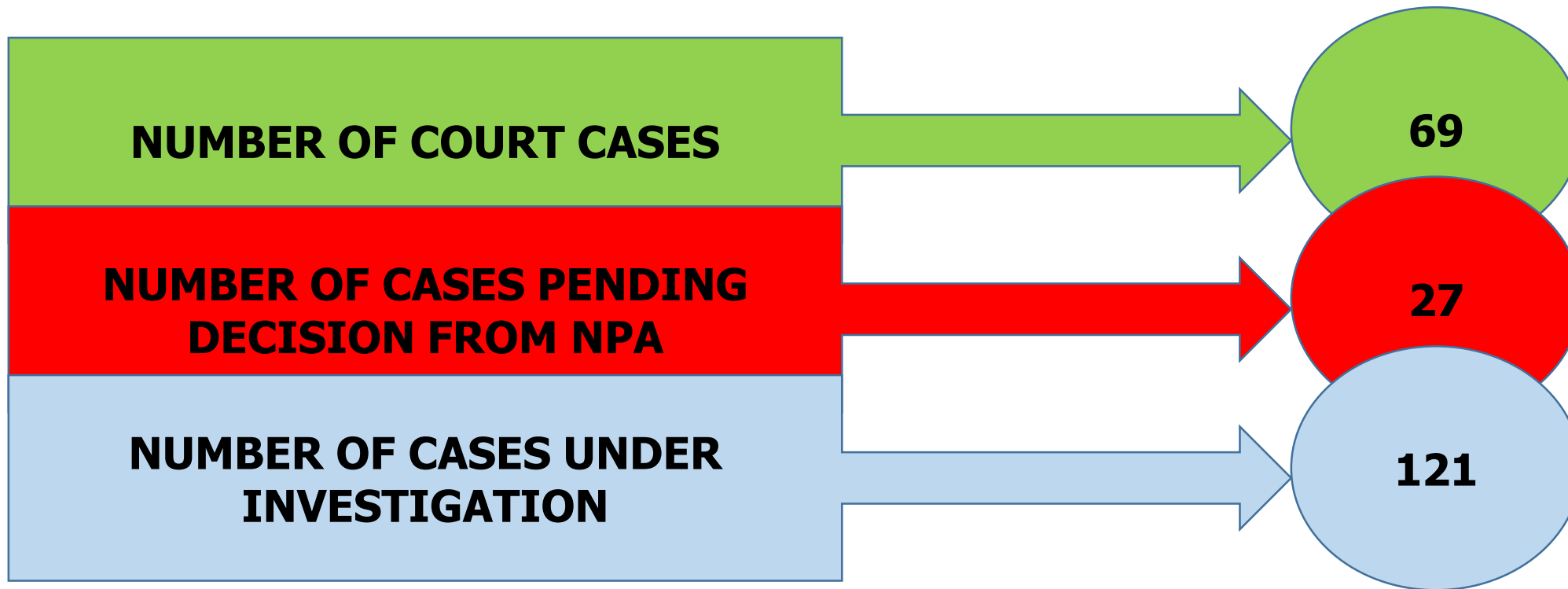
The following case is an example of one of the many cases that is investigated by the DPCI.
 The example depicts the number of charges, number of statements, arrests that have been effected and the timeline of an investigation.

Case number	Durban Central CAS 592/12/2018	<p>BACKGROUND</p> <p>It is alleged that certain senior individuals of the eThekwini Municipality (The Executive Mayor, Ms Gumede & Councillor, Mr Mthembu), in contravention of statutes and the protocols of eThekwini Municipality induced the City Manager (Mr Nzuzza) of eThekwini to appoint Robert Abbu into a position that would enable him (Abbu) to usurp the authority of his line manager. To this end, the City Manager appointed Mr R Abbu as the Head of Special Projects. Mr R Abbu is responsible for inter alia the administration and management of ongoing contracts for the provision of refuse collection services entered into between private juristic entities (suppliers) that render refuse collection service and eThekwini. Abbu was duty bound to inter alia ensure the timely initiation, processing and administration of the supply chain management (SCM) process to appoint service providers to commence the rendering of refuse collections services to the communities within eThekwini for a further period of three years, at least one year before 2016, when the contract that was entered into in 2013 was due to expire. In his submissions seeking authority to deviate from the formal SCM processes of eThekwini as aforementioned, Abbu made several misrepresentations of the facts in order to induce the administration of eThekwini to act to its prejudice in authorization to deviate. Abbu then caused the restriction of the invitation of quotations for the provisions of refuse collection services to four (4) suppliers. This irregular expenditure caused the Municipality an estimate of R389 million.</p> <p>CURRENT STATUS:</p> <p>Court case: Matter remanded to 2022-03-29 High court .</p>
Offence	Fraud, Corruption, Money Laundering & MFMA = (2791 charges)	
Financial Prejudice	R389 million	
Entity/Individuals involved	1. Uzuzinekele Trading 31 cc 2. Ilanga La Mahlase Projects Pty Ltd PLUS 20 OTHERS	
Number of Charges	2 791 charges	
Number of arrests effected	22 (including two entities)	
Number of statements obtained	1 020	

CORRUPTION CASES IN LOCAL GOVERNMENT



STATUS ON CORRUPTION CASES (MUNICIPALITIES)



Component/ Province	Court Roll / Trial	Submitted to SPP/DPP for decisions	Cases under investigation	No. of Cases
1. Eastern Cape	14	2	27	42
2. Free State	1	4	15	20
3. Gauteng	0	6	6	12
4. KwaZulu-Natal	17	2	22	40
5. Limpopo	3	0	11	20
6. Mpumalanga	1	0	7	8
7. Northern Cape	8	5	10	22
8. North West	19	2	5	24
9. Western Cape	6	6	18	29
SUB TOTAL	69	27	121	217

PROVINCIAL OVERVIEW OF MUNICIPALITIES INVOLVED AND NUMBER OF CASES



PROVINCE	NUMBER OF MUNICIPALITIES INVOLVED	NUMBER OF CASES
1. Eastern Cape	17	42
2. Free State	12	20
3. Gauteng	4	12
4. KwaZulu-Natal	12	40
5. Limpopo	8	20
6. Mpumalanga	7	8
7. Northern Cape	14	22
8. North West	13	24
9. Western Cape	15	29
TOTAL	102	217

MUNICIPALITY INVOLVED	NUMBER OF CASES
NELSON MANDELA BAY METRO MUNICIPALITY	9
AMATHOLE DISTRICT MUNICIPALITY	4
BUFFALO CITY MUNICIPALITY	3
ENOCH MGIJIMA LOCAL MUNICIPALITY	5
MNQUMA MUNICIPALITY	2
WALTER SISULU LOCAL MUNICIPALITY	1
OR TAMBO DISTRICT MUNICIPALITY	3
CHRIS HANI DISTRICT MUNICIPALITY	3
LUKHANJI MUNICIPALITY	2
MBHASHE DISTRICT MUNICIPALITY	1
SAKHISIZWE LOCAL MUNICIPALITY	1
MOUNT AYLIFF LOCAL MUNICIPALITY	1
PORT ST JOHNS MUNICIPALITY	1
COGTA	1
INXUBA YETHEMBA LOCAL MUNICIPALITY	3
NDLAMBE LOCAL MUNICIPALITY	1
SENQU LOCAL MUNICIPALITY	1

MUNICIPALITY INVOLVED	NUMBER OF CASES
NKETOANE LOCAL MUNICIPALITY	1
MALUTI-A-PHOFUNG LOCAL MUNICIPALITY	4
MATJABENG LOCAL MUNICIPALITY	2
MAP LOCAL MUNICIPALITIES	1
NKETOANE LOCAL MUNICIPALITY	1
METSIMAHOLO LOCAL MUNICIPALITY	2
KOPANONG LOCAL MUNICIPALITIES	1
MBIZANA MUNICIPALITY	1
LEJWELEPUTSWA MUNICIPALITY	1
NALA MUNICIPALITY	1
DIHLABENG MUNICIPALITY	2
MAFUBE LOCAL MUNICIPALITY	3

MUNICIPALITY INVOLVED

NUMBER OF CASES

CITY OF JOBURG

1

EKURHULENI MUNICIPALITY

5

MIDVAAL MUNICIPALITY

5

MUNICIPAL COUNCILLORS PENSION FUNDS (MCPF)

1

MUNICIPALITY INVOLVED	NUMBER OF CASES
EMADLANGENI MUNICIPALITY	2
RICHMOND MUNICIPALITY	1
ETHEKWINI MUNICIPALITY	13
MSUNDUZI LOCAL MUNICIPALITY – UMGUNGUNDLOVU DISTRICT	6
HARRY GWALA DISTRICT	4
UMDONI MUNICIPALITY – UGU DISTRICT	1
NONGOMA LOCAL MUNICIPALITY – ZULULAND DISTRICT	1
MPOFANA LOCAL MUNICIPALITY – UMGUNGUNDLOVU DISTRICT	2
MKHANYAKUDE DISTRICT MUNICIPALITY	2
AMAJUBA DISTRICT MUNICIPALITY	1
KWADUKUZA MUNICIPALITY	2
MAPHUMULO MUNICIPALITY	5

MUNICIPALITY INVOLVED	NUMBER OF CASES
EKURHULENI METRO	1
BA-PHALABORWA MUNICIPALITY	4
LEPELLE NKUMPI LOCAL MUNICIPALITY	6
GREATER GIYANI MUNICIPALITY	2
THABAZIMBI MUNICIPALITY	2
MOGALAKWENA MUNICIPALITY	1
LEPELLE WATER EMPOWERING WATER SOLUTIONS – LOCAL GOVERNMENT	1
COGHSTA	3

MUNICIPALITY INVOLVED	NUMBER OF CASES
GOVEN MBEKI MUNICIPALITY	1
MSUKALIGWA LOCAL MUNICIPALITY	1
EMAHLAHLENI LOCAL MUNICIPALITY	2
DIPALESENG LOCAL MUNICIPALITY	1
NKANGALA DISTRICT MUNICIPALITY	1
NKOMAZI LOCAL MUNICIPALITY	1
COGTA MPUMALANGA	1

MUNICIPALITY INVOLVED	NUMBER OF CASES
NAMA-KHOI MUNICIPALITY	2
UBUNTU MUNICIPALITY	2
GASEGONYANA MUNICIPALITY	1
SOL PLAATJIE MUNICIPALITY	5
SIYATHEMA MUNICIPALITY	1
RENOSTERBERG LOCAL MUNICIPALITY	1
GA-SEKGONYANA LOCAL MUNICIPALITY	1
EMTHANJENI LOCAL MUNICIPALITY	2
PHOKWANE LOCAL MUNICIPALITY	2
UMSOBOMBU LOCAL MUNICIPALITY	1
THEMBELIHLE MUNICIPALITY	1
SPRINGBOK MUNICIPALITY	1
MAGARENG MUNICIPALITY	1
LOCAL GOVERNMENT COUNCILLOR	1

MUNICIPALITY INVOLVED	NUMBER OF CASES
MAQUASSI HILLS LOCAL MUNICIPALITY	3
KAGISANO MOLOPO LOCAL MUNICIPALITY	3
GREATER TAUNG LOCAL MUNICIPALITY	2
DITSOBOTLA LOCAL MUNICIPALITY	1
JB MARKS LOCAL MUNICIPALITY	2
DR KENNETH KAUNDA DISTRICT MUNICIPALITY	6
RUSTENBURG LOCAL MUNICIPALITY	1
RAMOTSHERE MOILOA LOCAL MUNICIPALITY	1
RATLOU LOCAL MUNICIPALITY	1
NGAKA MODIRI MOLEMA DISTRICT	1
LEKWA TEEMANE LOCAL MUNICIPALITY	1
MOSES KOTANE LOCAL MUNICIPALITY	1
BAKGATLA-BA-KGAFELA TRIBE	1

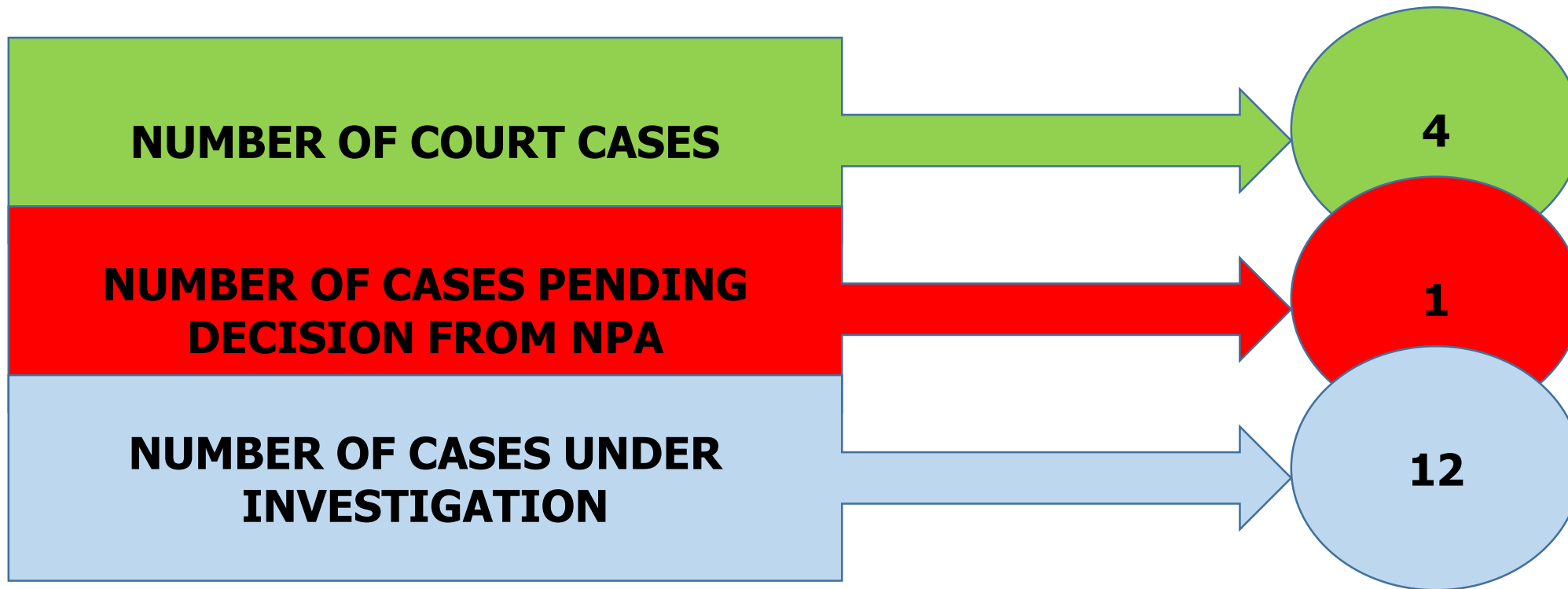
MUNICIPALITY INVOLVED	NUMBER OF CASES
KANNALAND MUNICIPALITY	1
MOSSEL BAY MUNICIPALITY	1
BEAUFORT WEST MUNICIPALITY	2
GEORGE MUNICIPALITY	2
OUDTSHOORN MUNICIPALITY	12
DRAKENSTEIN MUNICIPALITY	1
STELLENBOSCH MUNICIPALITY	1
LANGEBERG MUNICIPALITY	1
CITY OF CAPE TOWN MUNICIPALITY	2
LAINGSBURG MUNICIPALITY	1
BERG RIVER MUNICIPALITY	1
CEDERBERG MUNICIPALITY	1
WITZENBERG MUNICIPALITY	1
SWARTLAND MUNICIPALITY	1
ANC LOCAL COUNCILLOR	1

COVID -19 RELATED CASES



COVID-19 RELATED CASES MUNICIPALITIES & LOCAL GOVERNMENT

MUNICIPALITY / GOVERNMENT	NO. OF MATTERS
DEPARTMENT OF HEALTH	2
NATIONAL HEALTH LABORATORY SERVICE	2
NKOMAZI LOCAL MUNICIPALITY	1
DR RUTH SEGOMOTSI MOMPATI DISTRICT: LEKWA-TEEMANE LOCAL MUNICIPALITY	1
DEPARTMENT OF LABOUR – MPUMALANGA	1
OR TAMBO DISTRICT MUNICIPALITY	2
NELSON MANDELA BAY METRO MUNICIPALITY	2
PORT ST JOHNS; KING SABATHA DALINDYEBU; NYANDENI & MHLONTLO MUNICIPALITIES	1
E/CAPE SOCIAL RELIEF FUND	1
LOCAL GOVERNMENT LIMPOPO	4



BREAK DOWN PER BUSINESS UNIT AND STATUS OF CASES

Component/ Province	Court Roll / Trial	Submitted to SPP/DPP for decisions	Cases under investigation
1. Eastern Cape	2	1	4
2. Free State			
3. Gauteng			
4. KwaZulu-Natal			
5. Limpopo	0	0	4
6. Mpumalanga	1		2
7. Northern Cape			
8. North West			
9. Western Cape			
10. SCCI			
11. SCI HEAD OFFICE	1		2
TOTAL	4	1	12

THANK YOU

