

National prosecuting appointment is welcomed

Mbuso Kunene

VARIOUS entities have welcomed the recent appointment of Advocate Andy Mothibi as the new national director of public prosecutions (NDPP).

The appointment was announced this week by President Cyril Ramaphosa, with the Public Servants' Association (PSA) and several political parties voicing their support.

IFP national spokesperson Mkhuleko Hlengwa said the party believes Mothibi is the right person for this critical responsibility at a time when the country requires firm, principled and capable leadership within the National Prosecuting Authority (NPA).

"Advocate Mothibi's track record speaks for itself. Throughout his career, he has demonstrated integrity, independence and a resolute commitment to the rule of law. His experience in combatting corruption, strengthening accountability and restoring public confidence in key institutions makes him well suited to lead the NPA at this pivotal moment in our democracy," said Hlengwa.

"The IFP further wishes to recognise the good work that Advocate Mothibi has carried out at the Special Investigating Unit (SIU). Under his leadership, the SIU has been strengthened as a key instrument in the fight against corruption, maladministration and the abuse of public resources. He leaves the institution in a strong and solid position, one that inspires public confidence and embodies public trust. This legacy of institutional renewal and ethical leadership will be invaluable as he assumes his new responsibilities at the NPA.

"The appointment of Advocate Mothibi presents an opportunity to further rebuild the credibility of the NPA and to ensure that those who have undermined our State and economy are held fully accountable," said Hlengwa.

The PSA described Mothibi's tenure at the SIU as one of 'stability, institutional renewal, and strengthened public confidence in the work of the unit', and that the

impact of his work 'has been visible and recognised nationally'.

"The PSA is confident that Advocate Mothibi will bring the same level of integrity, decisiveness and stability to the NPA, at a time when strong leadership is essential to restore trust in the criminal justice system and ensure accountability without fear or favour," said the association.

The PSA went on to say Ramaphosa must ensure the NPA is provided with enough resources and that sufficient prosecutors are appointed.

"The NPA, without enough budget, even Advocate Mothibi would find it difficult to succeed in this critical task. Prosecutors across the country are working under immense pressure, in dilapidated, unsafe buildings that are not fit for purpose," said the PSA.

"The lack of basic resources, including functional office infrastructure, technological tools and sufficient administrative support, severely hampers their ability to effectively perform their duties.

"Compounded by unmanageable caseloads and chronic understaffing, these conditions affect the quality of work, impact on staff morale and contribute to burnout."

The association also aired its concerns over 'glaring salary disparities' between State prosecutors and their counterparts in private practice.

More prosecutions

Also welcoming the developments, Advocate Glynnis Breytenbach, DA's spokesperson on Justice and Constitutional Development, said the appointment must be intended to translate into better management of the NPA, more prosecutions, and a reduction in crime.

"Criminality has taken hold of the country, and the NPA needs a leader who will recapitulate the hollowed-out institution and reform the prosecutorial service into a crime-fighting machine," said Breytenbach.

"It comes as no surprise that the panel tasked with finding Shamila Batohi's replacement was unable to make a recommendation. The panel lacked any form of prosecution



Advocate Andy Mothibi

experience. It was devoid of criminal justice experts, and its inclusion of disgraced former NPA boss Menzi Simelane showed just how incapable the panel was."

Breytenbach added that the president's handling of the process of finding a new NDPP was marred with unnecessary delays.

"Advocate Mothibi assumes this position at a time when the positions of the deputy national directors are also vacant, a problem that needs urgent attention," she said.

"The DA urges Advocate Mothibi to make this a priority, and we urge the president to initiate, immediately, a public and transparent process to deal with these appointments. It is crucial that there is long-term consequence management developed at the top level in the NPA."

Breytenbach said, as the SIU head and with experience as a prosecutor and magistrate, Mothibi was well-suited to lead the NPA.

However, she added that a major stumbling block is his age.

"At 63 years of age, he has an extremely limited opportunity to make any impact at all, and will have his work cut out for him. It is somewhat concerning that the president has seen fit to appoint someone of Mothibi's age, given the serious and systemic issues within the NPA. The job itself is a much bigger one than that of head of the SIU. His appointment comes at a time when the NPA faces many difficulties," said Breytenbach.

[Full Page Image](#)