



COUNCIL
FOR THE ADVANCEMENT OF THE
SOUTH AFRICAN
CONSTITUTION

Public Corruption & Corporate Malfeasance – What needs to be done?

**Southern Africa Metals & Engineering Indaba
20 September 2018**

Lawson Naidoo

“In the changing circumstances of our times, a conservative assault on the constitution from the very powerful in our society is raising its ugly head. It is beyond doubt that corruption and patronage are so pervasive, rampant and crippling in our society that we are on the verge of being deemed a dysfunctional state.”

24 September 2010, Chairperson of CASAC

STATE CAPTURE

Looting of state resources through an orchestrated campaign of undermining procurement processes, patronage and rent seeking

BUT its success depends equally on hollowing out state institutions to evade accountability

It can only do this with the connivance of key state actors:

- Members of the Executive (national, provincial and municipal)
- MP's, MPL's and Councillors
- Civil servants
- Officials at SoE's (Boards & management)

Decimation of State Institutions

National Prosecuting Authority

Directorate of Priority Crimes Investigation – Hawks

SA Police Service

SA Revenue Service

Intelligence Services

Parliament

ZONDO COMMISSION

Public Protector's State of Capture Report 2016

Review of Report – High Court judgment, December 2017

Appointment of Commission of Inquiry, January 2018

Terms of Reference and Timeframes gazetted

Start of hearings, August 2018

Extension of timeframes – to end August 2020?

State Capture needs to be dealt with urgently to restore public confidence in the State, the Constitutional framework and the Rule of Law

What is to be done?

A fit for purpose anti-corruption agency

Corruption - Towards a Comprehensive Societal Response - CASAC study in 2011

A dedicated, independent agency with a 3 pronged approach:

- Enforcement
- Prevention
- Education

Buttressed by strong political will

Extraordinary times call for extraordinary measures!



COUNCIL
FOR THE ADVANCEMENT OF THE
SOUTH AFRICAN
CONSTITUTION

THANK YOU

www.casac.org.za