



# INSTITUTIONAL ARCHITECTURE

# FUNCTIONS OF NEW ANTI-CORRUPTION AGENCY

Gaps in states anti-corruption arsenal:

- Prevention
- Policy advice
- Public advocacy, education and mobilization
- Implementation of NACS
- M&E of NACS
- Investigating and remedying systemic corruption
- Managing lifestyle audits
- Managing disclosures of interests

# INSTITUTIONAL AND LEGAL FORM OF NACA

- Independence from executive
  - Appointment of office bearers
  - Disbanding of NACA
  - Security of tenure of office bearers
- Reporting responsibilities
- Budget
- Board
- Constitutional Protection Chapter 9
- Ordinary statute
- Merger with other anti-corruption organizations

# CRIMINAL INVESTIGATION AND PROSECUTION

## CURRENTLY

- 'Serious corruption' – Hawks investigation
- Serious commercial crime and organized crime – Hawks investigation
- 'Serious corruption' – NPA/ID prosecution with seconded investigators
- SIU referrals

## PROPOSED

- Serious corruption investigation and prosecution – NPA/ID
- Serious commercial and organized crime investigation – Hawks/SAPS
- Serious commercial crime and organized crime prosecution – NPA
- SIU referrals – SIU/ID investigation and prosecution

## PROPOSALS PREDICATED ON...

- Support for prosecutor led investigation and prosecution
- Shortage of skilled criminal investigators and prosecutors
- Centrality of investigation of systemic prosecution for criminal referrals

# STRENGTHENING EXISTING ANTI-CORRUPTION ARCHITECTURE

- Independence of NPA/ID
- Independence of SIU
- Independence of NACA
- Dysfunction of key SAPS units – IPID and Crime Intelligence
- Dysfunction of Public Service discipline management
- Coordination
- Yet to engage with anti-corruption intelligence gathering agencies

# NEW INSTITUTIONAL ARRANGEMENTS

- Permanent Commission of Enquiry
- Anti-Corruption Procurement Agency
- Whistleblower support agency
- Appointment of senior public officials

THANK  
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