



## IMPLEMENTING STATE CAPTURE COMMISSION RECOMMENDATIONS

### CONFERENCE

A follow-up conference on the Zondo Commission  
and steps taken to address state capture

25-26 October 2023

## Speakers

**Justice Raymond Zondo** is the Chief Justice of the Republic of South Africa. He served as the Chairperson of the Judicial Commission of Inquiry into allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State (“the Zondo Commission”).

**Phindile Baleni** is the Director-General in the Presidency and Secretary of Cabinet. Ms Baleni is an admitted attorney and conveyancer who holds a B. Proc and an LLB from the University of the Witwatersrand. She was appointed legal advisor to the then Gauteng MEC for Housing and Local Government from 1994 to 1996. In 1996, she joined the City of Johannesburg where she played a strategic role in strategic planning, high-level project management and the development of local-government policy. Ms Baleni later joined Electricity Distribution Industry (EDI) Holdings as Chief Executive Officer and was instrumental in the establishment of regional electricity distributors (REDs) in the country. In April 2011 Ms Baleni was appointed as the Chief Executive Officer of the National Energy Regulator of South Africa (NERSA) – a position she held until she became Director-General in the Office of the Premier in Gauteng. She has served on the boards of the Manufacturing, Engineering and Related Services SETA (MERSETA), the CSIR as well as the Council of Wits University.

**Firoz Cachalia** is the chair of the National Anti-Corruption Advisory Council (NACAC). The Council will advise the President on the effective implementation of the National Anti-Corruption Strategy by government, civil society and the private sector, and on strengthening of South Africa’s anti-corruption architecture. The Council will also provide advisory input on matters related to the recommendations of the Zondo Commission. Firoz is a Professor in the School of Law at the University of the Witwatersrand, Johannesburg and Director of the Mandela Institute.

**Advocate ME Phindela** is the Secretary to the National Council of Provinces. He served as Lecturer and Deputy Dean of the School of Law at the then University of the North. He was previously a researcher at the Constitutional Court, a Commissioner at the Commission for Conciliation, Mediation and Arbitration, a Senior Legal Adviser to the Mpumalanga Provincial Legislature, an Interim Clerk of the Pan-African Parliament, and Chairperson of the Society-of-Clerks-at-the-Table (SoCATT) Africa Region. He has recently been elected as Chairperson of the Forum of Secretaries of South Africa. He started working in Parliament of Republic of South Africa in 2007 as the Undersecretary to the National Council of Provinces. He was appointed as Secretary to the National Council of Provinces with effect from June 2010 to date.

**Dr Sithembile Mbete** is the Director of Programmes of Futurelect, a non-profit and non-partisan political training programme for emerging public leaders in Southern Africa. She is also a Senior Lecturer in the Department of Political Sciences at the University of Pretoria (UP) where she teaches international relations and South African politics. She serves on the Council of the Private Security



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Industry Regulatory Authority (PSiRA). Her research interests include global governance with a focus on the United Nations, global populism and South African electoral politics and political parties.

**Lawson Naidoo** is the Executive Secretary of the Council for the Advancement of the South African Constitution (CASAC), an organisation committed to the principles of progressive constitutionalism, democracy and the rule of law. He has held this position since CASAC's inception in 2010. During 2007-08 he served as the Secretary of the Presidential Enquiry into the fitness of the National Director of Public Prosecutions to hold office (the Ginwala Enquiry). He previously held the position of Special Advisor to the Speaker of the National Assembly from 1994 to 1999. He spent many years in political exile in the UK, and worked at the ANC Mission in London, serving, inter alia, as a Spokesman for the ANC.

**Advocate Andrea Johnson** is the Investigating Director at the National Prosecuting Authority (NPA). She is an admitted advocate and has been in the employ of the NPA for 28 years having commenced as a junior prosecutor at the magistrate's court in Alberton on 1 June 1996. She has throughout her career prosecuted in all the levels of court in the land on various types of matters. She was the National Head of Organised Crime, and has also acted as the Special Director of the unit dealing with Terrorism matters in the NPA. She was appointed by the President to head the Investigating Directorate which looks at all state capture matters. She is a passionate, robust and well-respected advocate. Her stakeholder management skills are beyond reproach and expectation and she is respected by law enforcement, her peers, judges, the legal fraternity, business and the everyday man/woman on the street.

The Head of the Special Investigating Unit (SIU), **Advocate Andy Mothibi** was appointed by the President of South Africa with effect from May 2016. He is tasked with leading the SIU to execute its mandate to investigate Maladministration, Malpractice and Corruption within the State Institutions and the Private Sector as authorised by Proclamations issued by the President of South Africa. The ultimate goal is to recover money and assets lost by State Institutions and to refer perpetrators for prosecution and responsible officials for disciplinary action. Adv Mothibi is currently appointed as the Vice President of International Association of Anti-Corruption Authorities (IAAACA) and Chair of Southern African Development Community (SADC) Anti-Corruption Committee.

**Lizette Lancaster** manages the South African Crime and Justice Information and Analysis Hub ('Crime Hub') of the Institute for Security Studies' Justice and Violence Prevention Programme. Her focus is collecting, analysing and disseminating data and information to promote evidence-based crime- and violence-reduction policies and strategies. Lizette has 30 years of experience in criminal justice matters and qualitative and quantitative research. She has worked with criminal justice departments and donor agencies. She holds a BCom(Law), LLB and a Masters in Development Studies.

**Clare Ballard** is the Head of the Legal Unit at Open Secrets. She has a BA and LLB from the the University of Cape Town and a Masters Degree from the University of Cornell. Clare has an interest



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and experience in the areas of constitutional law and criminal justice. She is a former clerk of the Constitutional Court and, after having worked as a researcher at the University of the Western Cape's Community Law Centre, established Lawyers for Human Rights' prisoners' rights litigation programme.

**Iraj Abedian** is an economist with a keen interest in public policy and good governance, and his field of research is in public finance and macroeconomic stability .

**Khaya Sithole** is a chartered accountant, academic and activist with a passion for human development and social justice.

**Dr Lumkile Mondli** is a senior lecturer in the School of Economics and Business Science at the University of the Witwatersrand. He was previously chief economist at the Industrial Development Corporation. He serves on the Presidential Economic Advisory Panel.

**Prof Michael Sachs** is Adjunct Professor at the Southern Centre for Inequality Studies at the University of the Witwatersrand. He leads the centre's Public Economy Project, a research program on fiscal policy and public finance. He teaches at the Wits School of Economics and Finance and serves as Deputy Chair of the Finance and Fiscal Commission, an independent constitutional body that advises government. Michael has worked for many years in public policy and political strategy in South Africa. He is a former head of the budget office at National Treasury. Prior to this he was based at the national headquarters of the African National Congress, where he coordinated economic policy and led the party's research agenda

**Carol Paton** is writer at large for News 24 Business. She writes on state-owned companies, public finance, and economic reform. She also writes a weekly column on the political economy that has a substantial following among the business community and those concerned about the impact of politics on economic policy and growth.

**Motlatsi Komote** is a Legal Researcher based at Corruption Watch who holds an LLB degree and has extensive experience in the civil society. She previously worked at CASAC and the Dullah Omar Institute, UWC. Her focus areas currently include advocacy, public procurement, gender, and monitoring legislative processes. She is also the current Chairperson of the Budget Justice Coalition and sits on the board of a Centre for women and children.

**Simon Eppel** is a trade unionist within the SA Clothing and Textile Workers' Union (SACTWU). He is involved in a range of policy-related and practical activities that aim to produce more secure, sustainable, meaningful and growing employment for the union's members based on the principle and practice of decent work. Simon serves as a COSATU and SACTWU representative on several industry as well as Nedlac task teams and bodies.



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**Caroline James** is the advocacy coordinator at amaBhungane Centre for Investigative Journalism. A lawyer by training, she has worked in various civil society organisations on freedom of expression, access to information, privacy, anti-corruption, and good governance issues. She has engaged with state and non-state actors on procurement reform and increasing transparency of the procurement process, and has been a member of the Procurement Reform Working Group (in various capacities) since its formation. At amaBhungane, Caroline is responsible for coordinating the response to draft bills and in looking at the broader law reform environment and how current law reform projects reflect and contribute to the current state of our democracy.

**Jeff Wicks** is an investigative journalist at News24 and the joint winner of the 2021 and 2023 Taco Kuiper Award for Investigative journalism. He covers a wide variety of topics, with a broad focus on intelligence, the underworld, as well as law and order. He is the co-author of *Eight Days in July – Inside the Zuma Unrest that set South Africa alight* published by NB in 2021. He has held senior positions at The Sunday Tribune, The Witness, News24 and The Sunday Times, before joining News24.

**Rehana Cassim** is a Professor in the Mercantile Law Department of Unisa. She holds a BA, LLB and LLM degree, all awarded cum laude from the University of the Witwatersrand, and an LLD from Unisa. She worked as a research assistant at the Constitutional Court of South Africa where she clerked for the Honourable Justice Albie Sachs and the Honourable Justice Zak Yacoob. She is an admitted attorney and notary public and has practised as such at Bowmans, specialising in Company Law. She lectures Company Law to undergraduate and postgraduate students at Unisa. She is the author and co-author of five scholarly books on Company Law, and an NRF-rated researcher. Her research interests are company law and corporate governance, and her research has focused particularly on the accountability of boards of directors, delinquent directors and whistleblowing. She is a Deputy Editor of the South African Mercantile Law Journal and Chair of the Editorial Board of the Comparative and International Law Journal of South Africa.

**Cherese Thakur** is a technical advisor within the Transparency, Integrity and Accountability Programme at the Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ). Her focus area is corruption reporting systems, including developing and implementing projects to help create a safe and conducive environment for whistleblowers. Cherese has a background in civil society, having worked at the Helen Suzman Foundation and as the advocacy coordinator at the amaBhungane Centre for Investigative Journalism. She has worked consistently on whistleblowing issues during this time, including a detailed comparison of South Africa's whistleblowing legislation against Transparency International's best practice guidelines for whistleblower protection legislation. She is an admitted attorney, having practised in corporate law and served as a research clerk to Justices Thembile Skweyiya and Edwin Cameron of the Constitutional Court. She holds LLB and LLM degrees from the university of Kwazulu-Natal, and a BCL degree from the University of Oxford. Cherese provided insights into the role of professional services industries in state capture PARI's book, *State Capture in South Africa: How and Why it Happened*. She is a PhD candidate at the University of the



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Witwatersrand, where her thesis focuses on the judiciary's response to cases of state capture, corruption and maladministration.

**Neeshan Balton** is the executive director of the Ahmed Kathrada Foundation. He has been a community and political activist with involvement ranging from teacher unionism, civic organising, youth activism and formal and underground ANC activism.

**Tessa Dooms** is a Director at the Rivonia Circle. The Rivonia Circle is a political think-tank that works to unlock the political agency of communities, using their power to act to create a better future through direct action, civics and electoral politics. Trained as a Sociologist, development practitioner and political analyst, Tessa started her career in academia. She has worked in diverse sectors including government, NGOs and the private sector, where she did work that aligns the objectives of various institutions and programmes with developmental objectives for the advancement of Africa. She has 15 years' experience as a development worker, trainer and researcher with expertise on governance, youth development and innovation, and has worked in over 10 African countries. In 2015 she was appointed to the National Planning Commission to advise the President on the implementation of the National Development Plan of South Africa. Tessa is a Trustee of the Kagiso Trust. She holds a Masters of Arts from the University of the Witwatersrand.

**Thandiwe Matthews** is an admitted attorney and academic with experience in law and human rights in South Africa, The Netherlands and the USA. Currently completing a joint PhD between the International Institute of Social Studies of Erasmus University Rotterdam (under the Chair in International Law and Development) and the University of the Witwatersrand's School of Law (under the South African Research Chair in Law, Equality and Social Justice). Through an interdisciplinary and intersectional lens, her research explores the relationship between constitutionalism, socio-economic rights and social policy to address systemic inequalities in South Africa.

**Noncedo Madubedube** is a black, queer, feminist-Marxist and pedagogist, and social justice activist. She is currently the General Secretary of Equal Education (EE), a youth-led social movement focusing on the right to education in South Africa, she is the first woman to hold this position since the formation of EE. She has a Bachelor's degree in Education with a focus on Mathematics and Language, from the University of the Western Cape (UWC). She currently also serves as a trustee of the Bookery Project. As a long-standing student activist and feminist organiser, she also co-founded the Siyakhula Project in Cape Town, focusing on learners and social cohesion.

**Prof Themba Maseko** is the Acting Head of School at the Wits School of Governance. Former Superintendent-General of the Gauteng Department of Education, former Director General of the Departments of Public Works and Public Service and Administration, former Government Spokesperson and CEO of Government Communications and Information Systems (GCIS), former Secretary General of the NECC; and former Member of Parliament.





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Prof Mbongiseni Buthelezi is the Executive Director of PARI and an associate professor in the Department of Anthropology and Development Studies at the University of Johannesburg. Working in various academic and activist capacities, Mbongiseni's work has focused on how the state interfaces with citizens in areas that include land restitution, the role of traditional leaders in governance, heritage and public archives. He has also written on land and citizenship rights in rural areas and the role of traditional leaders in the realisation of these rights, as well as the dire state of public archives and its implications for accountable government. He is the co-editor of the recent book (2023) *State Capture in South Africa: How and Why It Happened*, with Peter Vale (Wits Press). Mbongiseni is a board member of the Rural Democracy Trust (South Africa) and Agora Energiewende (Germany). He holds a PhD from Columbia University, New York.