

Anti-corruption Authorities Initiative: Survey on the Effectiveness of Anticorruption

Background Information

1. Please enter country name in the space below

SOUTH AFRICA

2. Name of the agency

SPECIAL INVESTIGATING UNIT

3. Date of establishment (please include any predecessors if relevant)

2001

4. Contact Information

012 843 0001

5. Website

WWW.SIU.ORG.ZA

Legal Framework

6. What are the main anti-corruption laws in your country? (please include year of entry into force)

- Public Finance Management Act of 1999
- Prevention of Organized Crime Act 121 of 1998
- Constitution of the Republic of South Africa
- Municipal financial Management Act 56 of 2003
- Financial Intelligence Centre Act 38 of 2001
- Prevention and combating of Corrupt Activities Act 12 of 2004
- Prevention of Corruption Act 1988
- others

7. Does your Government have a single or primary anti-corruption strategy? When was it last updated?

No, we have different agencies with different strategies. They are updated regularly as when required.

8. Does your country have right to information legislation?

Yes

9. Does your country have conflict of interest legislation?

Yes

10. Does your country have a financial disclosure system to help prevent conflicts of interest?

Yes

11. Does your country have statutory or constitutional provisions granting immunity from criminal prosecution to elected or appointed officials?

No

12. Is your agency protected from political interference by law?

Yes

Institutional Framework

13. What functions does your agency perform?

Please check all that apply

Research Prevention Investigation Prosecution Forensics Auditing Policy

14. Is there one agency in charge of coordinating AC efforts across agencies?

Yes

If yes, please specify: Government established the Anti-Corruption Task Team

15. Does your agency have the ability to share information or data with

(a) Other agencies within your Government, and

Yes

(b) Government partners from other countries?

Yes

16. Please enter the current size of permanent staff. Do you have secondees? If so, are they counted separately?

550 members and no secondees

17. Number of prosecutors (if applicable)

0

18. Number of investigators including legal advisors (if applicable)

+400

19. Number of support staff (if applicable)

150

20. Are staff positions permanent? Or subject to periodic renewal? What percentage of each?

Permanent

21. Does your agency keep records on its investigative activity? If it does not, go to question 22. If yes, please show the information you have on the following

a. Number of complaints received

Information available

b. Number of investigations conducted

Information available

c. Number of investigations completed

Information available

d. Number of cases recommended for prosecution

Records available

e. Number of cases prosecuted by –i) Your agency ii) DPP, AG, or other separate office

Records available

f. Number of convictions

Records available

22. Please state the number of learning activities and outreach events organized by your agency (if applicable)

Not applicable

23. Please state the value of assets recovered by your agency (if applicable)

Records available

24. Please enter the names of other agencies with similar functions as this ACA

In South Africa, we are unique. We specialize in recovery.

25. Does your agency have a system to monitor performance of staff?

Yes

26. Are human resource management actions, i.e., recruitment, promotion, and termination based on staff integrity and professionalism?

Yes

27. Are new vacancies for your own agency announced publically?

Yes

28. Are the results of these recruitment processes announced publically by your agency?

Yes

29. Who appoints the head of your agency?

The President

30. Who has the authority to remove the head of the ACA?

The President

31. To whom does the head of your agency report to?

The President and parliament

32. Is there any term limit for the head of the ACA?

- Yes No

If yes, please specify:

33. Is the agency subject to judicial review?

- Yes No

34. Is the agency subject to expenditure reviews?

- Yes No

35. Does your agency measure "performance"?

- Yes No

If yes, against which indicators?

- Number of investigations conducted**
- Number of investigations concluded**
- Ratio of number of investigations/staff
- Percentage of total budget allocated to outreach activities and communication.
- Number of outreach activities delivered
- Amount recovered, Number of disciplinary referred, number of criminal referred

36. In practice is your agency protected from political interference?

- Yes No

37. Does your agency keep a comprehensive skill list of its staff?

- Yes No

38. Is the staff provided with regular training and refresher training to ensure that their skills are up-to-date?

- Yes No

39. What training has your agency received from foreign organizations or international agencies in the past year?

Training provided by commonwealth

40. Are employees protected by law from recrimination or other negative consequences when reporting corruption (i.e. whistleblowing)?

- Yes No

41. Does your agency have a communication strategy?

Yes

42. Does your agency have a comprehensive corporate plan?

Yes

43. Is there a strategy for formulating a partnership with outside agencies to fight corruption?

Yes

44. Is there a strategy for dealing with the media?

Yes

45. In practice does your agency has sufficient powers to carry out its mandate?

Yes

46. Has your agency requests for additional powers or authorities pending in the parliament or before the executive?

No

Resource Mobilization

47. Does your agency have budgetary autonomy?

No

48. What is the annual budget of your agency?

+500 Million (rand)

49. The annual budget is determined by (please choose the answer(s) that best fit(s) your agency)

<input type="radio"/>	Number of staff
<input checked="" type="radio"/>	Number of investigations
<input type="radio"/>	Budget is constitutionally mandated
<input type="radio"/>	Other, please specify

50. Is there any receive any financing from donors?

- No

51. Does your agency use a computerized system to handle cases?

- No

If yes, was it developed especially for your agency or was it purchased off-the-shelf? Are you willing to recommend to others? What is its name and where did you obtain?

Social Framework

52. Does your agency provide a mechanism for citizens to report complaints anonymously or provide information on corrupt activities?

- Yes

53. Does your agency or government provide a hotline to report corruption?

- No

54. Does your agency produce regular public reports of its activities? Annually? More frequently? Less?

- Yes

Innovation

55. Does your agency use any IT tools to

- a. Facilitate reporting of corruption and fraud by citizens (like www.Ipaidabribe.org)
- b. Share information with citizens about its own activities
- c. **Share and/or obtain information for its own investigations**
- d. Other – please explain Data analysis, report writing,

56. Does your agency use social media to raise awareness on corruption among the public?

- No