



Dr Dion Theys found guilty of contravening PFMA processes

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The Specialised Commercial Crimes Court in Kimberley has sentenced Dr. Dion Theys, Head of the Department of Health in the Northern Cape after he was found guilty of contravening Section 86(1) of the Public Finance Management Act (PFMA). Theys was the Acting HOD and accounting officer during the commissioning of the crime. He is accused of having concluded three lease agreements with JP Hugo Trading, amounting to more than R13 million, without following proper PFMA prescripts and **procurement processes.**

The trial which started on 29 March 2022, and concluded on 16 August 2023, saw the prosecution led by Senior Advocate Isaac Mphela, from the Specialised Commercial Crimes Unit(SCCU), calling on several witnesses to come and testify during the trial against the accused. One of the first witnesses called was the Director-General of the Northern Cape Provincial Government, Justice Bekebeke who outlined the processes of PFMA and how government personnel should toil when utilising the public purse, specifically applying the procurement processes. The accused was out on bail of R30 000, and one of the bail conditions was that he should surrender his passport.

The trial which took more than a year, details the seriousness the prosecution team took in ensuring that it prosecutes the case successfully, was finalised when the court sentenced the accused to a fine of R150 000 or three years imprisonment, of which R100 000 or two years imprisonment is suspended for five years, on condition that the accused is not found guilty of the same offence during the time of suspension. The fine is payable to the Clerk of the Court as follows: R10 000, should be paid before or on 07 September 2023, and after that R2 000 should be paid before or on the seventh of each consecutive months until the fine is fully paid up.

The Director of Public Prosecution in the Northern Cape(DPP), Livingstone Sakata applauds the prosecution led by Head of the SCCU Advocate Brian Mdlalose and Senior State Advocate Isaac Mphela, and the colleagues in the DPCI (The Hawks) in getting a conviction on this complicated matter. The DPP hopes this sentence will send a clear message to other perpetrators of corruption and fraud, that indeed the NPA and law enforcement agencies are serious about fighting crime.

Issued by,

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