

4.5 Limited Skills and Resources

The DPP, through the Asset Forfeiture Unit (AFU) in the DPP, has five attorneys trained in confiscation laws.³⁵ Given a total workload of 28 000 cases and a total of 166 prosecutors in the year 2013, five prosecutors in the AFU may well be too few. With the DPP set to take over prosecutions from the BPS, the workload will only become more onerous.³⁶ Furthermore, the DPP does not have any seconded or co-located financial investigators. The DCEC has investigators and attorneys trained in confiscation proceedings. This study, however, could not establish the number of the skilled personnel. But it suffices to note that one of the DCEC officers holds the presidency of ARINSA and is well equipped in the field. The BPS and BURS do not have dedicated forfeiture units and have acknowledged that their personnel require substantial training in the field. Other government bodies discussed above simply lack personnel trained in the area of forfeiture. It is apparent that the country has limited resources to train officers from the various agency simultaneously in the numbers required to make their agencies efficient in implementing their confiscation mandate.

4.6 Conclusion

The DPP, as the only office empowered to implement conviction based forfeitures, is indispensable to the asset forfeiture framework. In order to alleviate the possible constitutional constraints, the constitutional mandate of the DPP should be extended to include civil cases. This could be achieved without disturbing the current constitutional arrangement according to which the DPP is under the administrative supervision of the Attorney-General. However, to effectively solve the conundrum of allocation of resources

³⁵ ARINSA, Annual Report, (2016: 40).

³⁶ *Sunday Standard*, 'DPP Bursting at the Seams' available at <http://www.sundaystandard.info/dpp-bursting-seams> (accessed 15 April 2017).

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