

EXECUTIVE SUMMARY

The launch of the “Scorpions” was announced in September 1999, in the context of a world extremely concerned about the phenomenon of organised crime. The Scorpions became formally known as the Directorate of Special Operations (DSO), when the DSO officially came into existence 16 months later, in January 2001. The DSO is the investigative arm of South Africa’s National Prosecuting Authority. South Africa is quite distinctive in having this investigative component to a national prosecuting authority, as well as a national police force.

Although international attention has shifted away from organised crime somewhat since September 2001, onto the threat of terrorism, organised crime remains the focus of the DSO. High-profile since its inception four years ago, the organisation and its staff are generally viewed by the South African public as the ultimate crime fighters. The DSO investigation into the “arms deal” concluded by the South African government in 1999, and its investigation of the role of the deputy president in this deal, upped this public profile considerably.

In the course of these investigations, the powerful position of the national director has come into the spotlight, and questions originally raised at inception of the DSO have re-emerged. How does the DSO take on cases? Is it constitutional that the DSO is part of the National Prosecuting Authority and not part of the South African Police? Are there sufficient safeguards?

Despite a high public profile, these uncertainties, along with limited public information about the DSO, have resulted in some confusion and misconception. For one, the national director of public prosecutions has been conflated in the public mind with the DSO. The aim of this monograph is to correct misconceptions about the DSO, and to provide information about an organisation which has rapidly become extremely important in South Africa.

While the DSO is often likened to the US Federal Bureau of Investigation, South Africa is quite unlike the US in terms of its political and law enforcement structure. International comparison and overview suggests some ways in which

oversight and accountability over the DSO could be better achieved. The information presented here was gathered through interviews with DSO staff and external stakeholders, and through research into internationally comparable institutions.