

19 September 2019

Dear Sir/Madam,

**APPLICATION FOR POSITION: DEPUTY PUBLIC PROTECTOR**

I hereby express my interest in the position of Deputy Public Protector.

The unique combination of experience as an attorney that has worked for regulatory institutions such as the South African Institute of Chartered Accountants and the Western Cape Gambling and Racing Board, together with specialised academic credentials in Criminal Justice and Public Law, make me the ideal candidate for the above-mentioned position. I also have relevant experience as the Research Director of a continental professional membership organisation.

As a young academic who is in the final stages of a PhD degree (Public Law) at the University of Cape Town's Faculty of Law, I believe I will offer the Office of the Public Protector and the South African public, valuable insights and a wealth of knowledge and expertise. The work I have done also extends beyond South Africa's borders, as I have contributed to various consultancies and research projects in Africa notably the:

- Development of an advocacy tool detailing regional mechanisms to combat Illicit Financial Flows (IFFs) in Africa for Tax Justice Network Africa;
- Training provided to the African Union on Human and People's Rights staff members on trial advocacy;
- Legislative assessments of Tanzania and Zanzibar's compliance with the United Nations Convention on Transnational Organised Crime, on behalf of the United Nations Office on Drugs and Crime; and
- Development of an anti-money laundering and compliance tool for banking, financial and regulatory institutions in Southern Africa.

I have participated in professional events with industry leaders and thinkers as a speaker and panel discussant at the annual Gambling Indaba, where discussions were held alongside the South African Reserve Bank and the Financial Intelligence Unit of South Africa. I have also been privileged to have this research and other articles featured in leading media outlets in South Africa, namely, Fin24 and Mail & Guardian, including an article with analysis of the work of the Office of the Public Protector published in 2017.

I have spent several years gaining both practical and academic expertise in administrative law, public law, criminal justice, investigations, anti-corruption and anti-money laundering, and I am confident that these skills are best suited to serving my country and its people.

I hope my application will receive your utmost favourable consideration.

Yours Faithfully

Ms Olwethu Majola-Kinyunyu

# CURRICULUM VITAE OF OLWETHU MAJOLA-KINYUNYU

## PERSONAL HISTORY

**First and Last Names** : Olwethu Maiola-Kinyunyu  
**Identity Number**  
**Date of Birth**  
**Gender** : Female  
**Place of Birth** : Mthatha, South Africa  
**Nationality** : South African  
**Country of Residence** : South Africa  
**Marital Status** : Married  
**Home Languages** : isiXhosa – speak; read and write  
**Other** : English – speak; read and write  
: isiZulu – speak; read and write  
: Afrikaans – speak; read and write  
**Drivers Licence** : South African  
**Contact Details** : Mobile Number  
: E-mail Address

## ACADEMIC HISTORY

### TERTIARY EDUCATION

**Name of Institution** : University of Cape Town (2015-present)  
**Qualifications** : PhD in Public Law  
**Research Topic** : An Assessment of the Implementation of International, Regional and National Legal and Policy Responses in the Fight against Transnational Organised Crime in Africa: A Case Study of Kenya, Tanzania and Uganda

**Name of Institution** : University of the Western Cape and Humboldt University zu Berlin (Germany)  
**Qualifications** : LLM (Master of Laws) Transnational Criminal Justice and Crime Prevention: An International and African Perspective

**Subjects**  
: International Anti-Money Laundering Law  
: International Anti-Corruption Law  
: International Criminal Law  
: Transitional Justice  
**Year obtained** : 2011

**Name of Institution** : LSSA (Law Society of South Africa)  
**Qualifications** : Attorneys Board Examination  
**Papers** : Attorneys Book-keeping (Accounting)  
: High and Magistrate's Court Rules and Practice  
: Commercial Drafting and Negotiation of Contracts and Agreements  
: Dissolution of Deceased Estates  
**Year obtained** : 2008

**Name of Institution** : University of the Free State  
**Qualifications** : LLB (Bachelor of Laws)  
**Year obtained** : 2007

### SECONDARY EDUCATION

**Name of Institution** : Umtata High School  
**Qualification** : Matriculation Endorsement with Merit  
**Year obtained** : 2001

## PROFESSIONAL MEMBERSHIPS

- August 2016** : Association of Certified Compliance Professionals in Africa (ACCPA)
- April 2012** : International Bar Association (IBA)
- January 2011** : Pan African Lawyers Union (PALU)
- February 2009** : Admitted Attorney of the High Court of South Africa

## PROFESSIONAL TRAINING

- November 2012 : Strategic Corporate Legal Risk Intelligence, Marcus Evans
- April 2012 : Scholarship with the International Bar Association World Women's Conference in London, England with training sessions 'In Recent Trends in International Arbitrations and Corporate Governance' (April, 2012).
- February 2012 : Training on the Companies Act 71 of 2008 South Africa.
- February 2012 : Labour Relations Strategies and Collective Bargaining in 2012 – Combining Equity with Efficiency – facilitated by Mike Beaumont.
- September 2011 : International Anti-Corruption Law 'International Co-operation and Asset Recovery' by Adv. Phyllis Atkinson, Head of Training Basel Institute of Governance, Switzerland.
- September 2011 : 'Compliance and Risk Management: International Anti-Money Laundering and International Anti-Corruption' by Prof Mark Pieth - Chairman of the OECD Working Group on Bribery in International Business Transactions.
- June/July 2011 : Participated in the Third Summer School of the South African-German Centre for Development Research and Criminal Justice - Criminal Justice Division at Humboldt University in Berlin, Germany.
- May 2011 : Complex International Commercial Negotiations and Litigation organised by the Pan African Lawyers Union (PALU) and The African Legal Support Facility (ALSF).
- November 2010 : Forensic and Risk Assessment Training from BDO Spencer Steward Risk Advisory Services (SAICA).

## ACADEMIC AWARDS

- Awarded Full Scholarship by the South African National Research Foundation (NRF) for PhD Studies (January 2015, 2016, 2017, 2019)
- Awarded scholarship to attend and present at the World Social Science Forum Conference, Durban, South Africa, 2015
- Golden Key International Honours Society - University of the Western Cape (Top Academic 15% of the Law Faculty) (2011)
- Awarded Full Scholarship by German Academic Exchange Service (DAAD) to pursue a Master's of Law programme at the University of the Western Cape in cooperation with Humboldt University Berlin (2011)
- Chairperson, the Juridical Society Management - University of the Free State (2005)
- Portfolio Academics and Programmes, Juridical Society Management- University of the Free State (2004)
- Law Facilitator/Lecturer -University of the Free State (2004, 2005)
- Golden Key International Honours Society - University of the Free State (Top Academic 15% of the Law Faculty) (2003)
- Financial Planning Institute of South Africa Academic Merit Bursary (2002)

## COMPETENCIES

**Skills Developed** : Problem solving skills  
: Attention to detail  
: Excellent verbal and written communication skills  
: Interpersonal skills  
: Team player  
: Presentation skills  
: Excellent organizing skills  
: Ability to work under pressure and to adhere to strict deadlines  
: Negotiating skills,  
: Research skills  
: Analytical skills  
: Drafting skills  
: Management skills  
: Leadership skills

## EMPLOYMENT HISTORY

**Name of Institution** : Faculty of Law, University of Cape Town – Centre of Criminology

**Location** : Cape Town

**Period of Employment** : January 2015 to present

**Position** : **PhD Researcher**

- Currently registered for full-time PhD studies at the Law Faculty of the University of Cape Town. The title of the PhD project is:  
*“An Assessment of the Implementation of International, Regional and National Legal and Policy Responses in the Fight against Transnational Organised Crime in Africa: A Case Study of Kenya, Tanzania and Uganda”*

**Name of Institution** : **S-RM**

**Location** : Cape Town

**Period of Employment** : January 2018 to March 2019

**Position** : **Analyst**

- Employed by a UK-headquartered global risk advisory and consulting firm as a specialist in conducting investigations and due diligence reports which include analysis of concerns relating to financial crime, corruption, bribery, adverse media and litigation.
- Performing compliance, fraud and risk assessments on concerns raised by international corporate clients such as private equity and law firms, financial services, banking and oil and gas companies, as well as public sector and government clients.
- Further work related to the drafting of country anti-money laundering and anti-corruption legislative framework reviews.
- Conducting research and investigations in litigation-related asset tracing and recovering the proceeds of crime;
- Providing contextual background and analysis to research material and data gathered from open source and human intelligence sources in Sub-Saharan Africa;
- Participating in business development opportunities by identifying and engaging with prospective and new clients;
- Contributing to research meetings, quarterly and annual industry specific publications on compliance, regulatory and legislative developments.

**Name of Institution** : Association of Compliance Professionals in Africa (ACCPA)  
**Location** : Cape Town  
**Period of Employment** : December 2016 to September 2017  
**Position** : Director of Research

- Responsible for managing the research output of an international and continental compliance professional's organisation;
- Conducting the Anti-Money Laundering and Compliance Survey of Africa and publishing the results and data;
- Publishing articles on the country and chapter events of the organisations in the ACCPA Compliance Magazine;
- Consultant in the development of an anti-money laundering and anti-corruption compliance tool for banking, financial and regulatory institutions in Sub-Saharan Africa.

**Name of Institution** : Anti-Money Laundering Journal of Africa (AML Journal of Africa)  
**Location** : Cape Town  
**Period of Employment** : August 2016 to September 2017  
**Position** : Assistant Editor-in-Chief

- Responsible for managing a 10-member Editorial Board of Anti-Money Laundering professionals and scholars from 8 African countries, namely South Africa, Kenya, Uganda, Tanzania, Ghana, Cameroon, Nigeria and Zimbabwe;
- Commissioning of research into emerging topics on Anti-Money Laundering trends in Africa;
- Receiving and reviewing research papers and articles;
- Editing and publishing of Africa specific articles and research on anti-money laundering regulation in Africa.

**Name of Institution** : KNR Legal Tanzania in partnership with CRB Africa Legal  
**Location** : Arusha  
**Period of Employment** : September 2013 to January 2015  
**Position** : Associate  
**Job Description**

- Responsible for providing corporate legal advice to corporate clients;
- Providing legal opinions and conduct research on behalf of clients;
- Facilitating company and trademark registrations;
- Performed a lead role in the following international and regional projects:
  - Policy Report on Illicit Financial Flows from Africa on behalf of Tax Justice Forum Nairobi, Kenya
  - Legislative Assessment of the Implementation of the United Nations Convention Against Organised Crime in Tanzania and Zanzibar on behalf of United Nations Office on Drugs and Crime, Nairobi, Kenya.
  - Report on the Threat of Transnational Organised Crime in the Intergovernmental Authority on Development (IGAD) Region on behalf of the Global Initiative Against Transnational Organised Crime, Geneva, Switzerland.
  - Conducted Training for African Union's Commission on Human and Peoples' Rights on Trial Advocacy Skills in Addis Ababa, Ethiopia.

**Name of Institution** : Western Cape Gambling and Racing Board  
**Location** : Cape Town  
**Period of Employment** : 21 November 2011 to June 2013

**Position** : Professional Assistant: Legal Department  
**Job Description**

- Responsible for compiling and preparing legal submissions, research and providing opinions to the Board Members;
- Attending Board meetings and the Legal Committee meetings and advising on matters of Corporate Governance, Due Diligence, Risk Management and Anti-Corruption;
- Advise the Board on the legal implications of strategic decisions;

- Attend to requests for information under the Promotion of Access to Information Act (PAIA) and deciding on appeals and reviews in accordance with the Promotion of Administrative Justice Act (PAJA);
- Advising the Executive Board on organisational rights agreements, disciplinary proceedings, labour law litigation and dispute resolution;
- Advise the Provincial Executive and Provincial Treasury on policy determinations with regard to changes in gambling and other related legislation;
- Prepare hearings before the Board meetings in the case of contraventions of the Act or Regulations in accordance with Administrative Law provisions;
- Ensure that all correspondence with legal implications does not pose a risk for the Board as per direction of the CEO;
- Advising on the investigation and probity of domestic and international gambling companies before licences may be awarded, and ensuring compliance with the legislation and regulations;
- Enforcing Financial Intelligence Center Act and Anti-Money Laundering Directives in accordance with the FICA Act;
- Rendering legal opinions and advice to the Board, its office and various committees;
- Liaising with national and international gambling regulators and stakeholders;
- Drafting of Provincial Legislation, Rules and Regulations in accordance with the National Gambling Act, Constitution of the Republic of South Africa and International Standards;
- Ensuring the Board's compliance with the provisions of the Public Finance Management Act (PFMA) and Anti-Corruption measures;
- Negotiation, drafting and management of contracts on behalf of the Board;
- Coordinating and managing all litigation instituted by or against the Board;
- Assist with administrative and secretarial functions within the Executive Department;
- Performing ancillary duties as assigned by the Executive management;
- Monitoring and Evaluating compliance with provincial, national and international legislation within the gambling industry;
- Provide specialised legal training to internal departments;
- Reviewing, researching and effecting amendments to provincial gambling legislation.

**Name of Institution** : South African Institute of Chartered Accountants (SAICA)  
**Location** : Johannesburg  
**Period of Employment** : April 2009 – January 2011  
**Position** : Project Manager: Training Regulations  
**Job Description**

- Responsible for the development and enforcing of the internal regulations in relation to national legislation i.e.: labour legislation, tax legislation, competition law and administrative law;
- Mediation of disputes emanating from the contravention of the regulations;
- Drafting of arbitration and settlement agreements;
- Preparation and presentation of the case files at the Professional Conduct and Ethics Committee disciplinary hearings;
- Investigate, consider and decide on legal exceptions, objections and appeals to the regulations in terms of administrative law i.e.: PAJA and PAIA;
- Investigation of the contravention of legal provisions;
- Reviewing of the files, documentation and drafting of legal opinions;
- Drafting and review of contractual agreements with third parties and stakeholders;
- Investigation of complaints and the violation of the regulations including making pronouncements and/or referrals where appropriate;
- Assess, investigate and decide on unusual regulatory and legislative requests;
- Provide telephonic and written advice and interpretation queries relating to the regulations and labour law.

**Name of Institution** : MacRobert Incorporated Attorneys  
**Location** : Pretoria  
**Period of Employment** : January 2007- March 2009  
**Position** : Candidate Attorney  
**Job Description**

- Duties and responsibilities included the drafting of legal pleading documents which were to be used during trials.

- Drafted correspondence and held consultations with the bank.
- Attended court appearances in the Magistrate's Court for Section 65 Enquiries and taking default judgments against bank's defaulting clients etc.
- Making payment arrangements with the banks clients, with the aim of settling the outstanding accounts.
- Attending to the taxation of the Bill of Costs at the Magistrates Court.
- Drafting of pleadings in the Third Party Compensation Department of the law firm.
- Attending to negotiations for settlement agreements in Road Accident Fund cases.

## **PUBLICATIONS AND RESEARCH PROJECTS**

Lesser-known Stories of How Ordinary South Africans Felt the Effect of an Active Public Protector, Mafaro Kasipo and Olwethu Majola-Kinyunyu – The Conversation/Mail and Guardian, January 2017.

The Effects of the Panama Papers in Africa: Tax Avoidance, Money Laundering or Illicit Financial Flows? Olwethu Majola-Kinyunyu - The Anti-Money Laundering Journal of Africa, 2016, Volume 2, Issue 3, p. 23-28.

Policy Briefing Paper, Towards Real Ownership and Cooperation: Increasing Africa's Voice and Influence in Addressing Transfer Mispricing Challenges published by Tax Justice Forum Nairobi, Kenya, 2014.

Legislative Assessment on the Implementation of the United Nations Convention Against Organised Crime in Tanzania and Zanzibar on behalf of United Nations Office on Drugs and Crime, Nairobi, Kenya, 2014.

Report on the Threat of Transnational Organised Crime in the Intergovernmental Authority on Development (IGAD) Region on behalf of the Global Initiative Against Transnational Organised Crime, Geneva, Switzerland, 2014.

## **CONFERENCE PRESENTATIONS AND MEDIA FEATURES**

The Role of Justice and Rule of Law in Overcoming Inequality and Poverty in Africa: Insights from the United Nations Millennium Development Goals and the African Union's Agenda 2063, at the World Social Science Forum, 2015.

Emerging Trends in Illicit Money Transfers in Online Gambling at the Annual Gambling Indaba, 2016.