

CONVICTED DEFAULTERS AND THE SENTENCES IMPOSED: 2018 TO MAY 2025

No.	Defaulter	Legal Practice Council	Status
1	Bester LA, 8269	Gauteng	The defaulter was sentenced to six (6) years' imprisonment, wholly suspended for a period of 5 years on condition that he pays the Fund an amount of R1 200 000 . He was ordered to pay R60 000 every 3 months from 30 August 2017.
2	Heymans GPJ, 8129	Gauteng	The defaulter was sentenced to five (5) years' imprisonment wholly suspended for 5 years on condition that he pays the Fund R125 000.00 within a period of 2 years.
3	Nkwana, MS 8377	Gauteng	The defaulter pleaded guilty to theft of an amount of R197 048.90 . He was sentenced on the 05.03.2018 to 3 years' imprisonment suspended for a period of 5 years on condition that he is not convicted of an offence relating to the Attorneys Act during the period of suspension. The defaulter was further ordered to pay the Fund an amount of R197 048.90 as follows: R2 760.00 on or before the 7 th April 2018 and R3 260.00 per month from the 7 th May 2018 until the debt is settled in full.
4	Baijnath J, 8862	Gauteng	The defaulter was convicted of theft of an amount of R644 000 . She was sentenced to 6 years' imprisonment wholly suspended for a period of 5 years on condition that she pays the said amount of R644 000 to the Fund on or before the 31.12.2019. The defaulter lodged an appeal but the appeal was dismissed and she was sentenced to 6 years direct imprisonment.
5	Nkosi STS, 8475	Gauteng	The defaulter was sentenced on the 23 rd April 2018 to a fine of R100,000.00 or two (2) years imprisonment. A further three (3) years was wholly suspended for five (5) years. He was charged with 2 counts of theft, count 1= R200,000.00 + count 2= R45,000.00 (Total R245,000.00). Both counts were taken together for the purpose of sentencing. No compensation order in favour of the Fund was made.
6	Shomang SB, 8661	Gauteng	The matter was finalised on the 22 nd June 2018. The defaulter was sentenced to 7 years imprisonment wholly suspended for 5 years. She was further ordered to pay the Fund an amount of R560 000 by way of monthly instalments of R8 300.00 commencing from the end of July 2018. The defaulter was further sentenced to 3 years correctional supervision in terms of Section 297(1)(h) of the CPA.
7	Mhangwane SC, 8607	Gauteng	The defaulter pleaded guilty to 5 counts of theft in terms of Section 112. He was sentenced as follows: Counts 1-5 taken together for purposes of sentence: The defaulter was fined R100 000.00 - or 2-years imprisonment. In addition, he was sentenced to 2 years imprisonment

			which is suspended for a period of 5 years on condition that he is not convicted of Fraud or theft committed during the period of suspension. In addition, the defaulter was ordered to pay the Fund an amount of R246 448.04 in instalments of R10 000.00 per month starting on or before the 01/06/2018 and thereafter every consecutive month until the total amount is liquidated.
8	Labuschagne FJ, 8875	Kwa – Zulu Natal	The defaulter pleaded guilty to theft of trust funds on the 25/07/2018. He was sentenced to 10 years imprisonment wholly suspended for 5 years on condition that he does not commit fraud or theft during the period of suspension and on condition that he pays an amount of R400 000 to the complainant, Mrs Zwane, and R1 655 637,83 to the Fund. Payments to Mrs Zwane to be made by way of monthly instalments of R25 000,00 with effect from the 31/01/2019. The defaulter will commence repaying the Fund once he has finished paying Mrs Zwane. He is expected to start paying the Fund in June, 2020.
9	Koobashan Naicker, 8506	Kwa – Zulu Natal	The defaulter pleaded guilty to theft amounting to R5 152 399, 80 . He was sentenced to 6 years imprisonment wholly suspended for 5 years on condition that he is not found guilty of fraud during the period of suspension. He was also sentenced to a further 3 years correctional supervision in terms of Section 276 (1)(h) of the Criminal Procedure Act. No compensation order was made.
10	Singh S,6671	Kwa – Zulu Natal	The defaulter was sentenced by the Pietermaritzburg Regional Court on the 06/09/2017 as follows: On each of counts 1,7,10 and 11 the accused is sentenced to undergo fourteen (14) years imprisonment. Counts 5,8,14,15,18 and 19 are taken together for purposes of sentence and the accused is sentenced to undergo fourteen (14) years imprisonment. All these prison terms are wholly suspended for five (5) years on conditions: 1. That the accused is not again convicted of the offence of theft committed during the period of suspension, and 2. That the accused pays an amount of R1 915 903.52 into the account of the Fund on such amounts not less than R5 000.00 per month commencing from the 1st October,2017 until the whole amount involved is fully liquidated before the expiry of the period of suspension. The said amount of R1 915 903.52 is to be deposited into the bank account of the Fund.
11	Devnarain, 8706	KZN Law Society	Found guilty of theft involving an amount of R1 146 800.00 and sentenced to ten (10) years' imprisonment.

12	Stokes I, 7484	KZN	The defaulter was found guilty of theft amounting to R5 million . He was sentenced on 22/03/2017 to twelve (12) years imprisonment of which 6 years were suspended for a period of 5 years on condition that he is not found guilty of theft committed during the period of suspension. He will serve a period of six (6) years in jail. Leave to appeal against both the conviction and sentence was denied.
13	Swartzberg M, 8281	LSNP	The defaulter pleaded guilty to theft of R2 million . He was sentenced on 17/03/2017 to 8 years' imprisonment suspended for 5 years on condition that he is not found guilty of theft committed during the period of suspension. He was further sentenced to 3 years correctional supervision in terms of Section 276(1) (h).
14	Masenamela, 8409	LSNP	The defaulter was convicted of two (2) counts of theft. He was sentenced on the 04/03/2016 to 7 years imprisonment on Count 1 and 2 years imprisonment on count 2. The sentences are to run concurrently.
16	Moshe, 7900	Cape Law Society	The defaulter was convicted of 4 counts of theft and was sentenced to 6 years on each count to run concurrently. The defaulter will serve an effective term of 6 years direct imprisonment.
17	Taljaard, E,	LSNP	The defaulter was convicted of theft of R5 222 272.48 . He was sentenced to 8 years' imprisonment of which three (3) years' imprisonment is suspended for a period of 4 years on condition that the defaulter is not convicted of any offence of which dishonesty is an element committed during the period of suspension and for which a sentence of direct imprisonment without the option of a fine could be imposed.
18	Coetzee AJ, 8036	LSNP	The defaulter was found guilty of 3 charges of fraud and theft amounting to R5 290 000.00 . He was sentenced to five (5) years imprisonment on each count for count 1 and count 2 and fifteen (15) years direct imprisonment in respect of count 6. The sentences in counts 1 and 2 are to run concurrently with the sentence in count 6.
19	Ganas LB, 8482	LSNP	The defaulter was convicted of 25 counts of theft amounting to R644 898.72 . He was sentenced on 25/10/2017 to 15 years' imprisonment of which 3 years were suspended for a period of 5 years on condition that he is not convicted of theft or attempted theft during the period of suspension.
20	Du Toit GA, 8376	LSNP	The defaulter pleaded guilty to 11 counts of theft amounting to R687 229.49 . He was sentenced to 5 years' imprisonment. No compensation order was made.
21	Trevor Drake, 8511	KZN Law Society	The accused pleaded guilty to one (1) count of theft involving R3 300 000 in terms of a plea and sentence agreement with the State. He was sentenced on 10/06/2016 to a term of 5 years' imprisonment in terms

			of Section 276(1) (i) of the criminal Procedure Act. No compensation order was made.
22	Lekoto KM,8341	Gauteng	The Defaulter was convicted of theft of trust funds amounting to R1 741 186.62. He was sentenced as follows: Count 1: 6 years imprisonment; Count 2: 1 year imprisonment; Count 3: 1 year imprisonment; Count 4: 2 years imprisonment; Count 5: 3 years imprisonment; Count 6: 4 years imprisonment. The Court further ordered that the sentences shall run concurrently in terms of section 280(2) of the Criminal Procedure Act.
23	Steyn L, 8507	LSNP	The defaulter was convicted of 15 counts of theft. She was sentenced to 12 years' imprisonment of which 5 years was suspended for 5 years on condition that she is not found guilty of theft committed during the period of suspension. The defaulter will serve 7 years' imprisonment.
24	Gregan SH, 8451	LSNP	The defaulter was sentenced on three counts of theft amounting to R7,503,901.33 as follows: - Count 2- Seven (7) years imprisonment (R7,000,000.00), - Count 3- Three (3) years imprisonment (R450,000.00), - Count 4- Three years imprisonment (R53,901.00), - Sentences on Count 3 and 4 are to run concurrently. The defaulter will serve 10 years' imprisonment.
25	Welman LS, 8661	KZN	The defaulter pleaded guilty to theft of R495 000.00. He was sentenced on the 16.07.2018 as follows: Four (4) years' imprisonment suspended for four (4) years on condition that he is not convicted of theft or fraud committed during the period of suspension; Further on condition that he repays the Fund an amount of R475 000.00 as compensation in full on or before 30th September, 2018. He was further sentenced to 2 years' correctional supervision in terms of Section 297 (1) (h) of the CPA.
26	Drobis A, 8750	LSNP	The defaulter entered into a plea and sentence agreement with the State in terms of Section 105A and was sentenced as follows: (1.) A fine of R50 000.00 or five years' imprisonment; (2). A further five (5) years' imprisonment which is wholly suspended for a period of five years on condition that the defaulter pays the Fund an amount of R1 746 124.44 as follows: R29 102.07 per month with effect from the 1st October, 2016 and thereafter on or before the first (1st) of each month until final payment. Further, on condition that the defaulter is not convicted of fraud or theft committed during the period of suspension.

27	Nkhathi WB, 7830	LSNP	The defaulter was convicted of theft of trust money amounting to R348 244.00. He was sentenced on the 25/11/2019 at the Witbank Regional Court as follows: 1. Count 2(Theft): Two (2) years imprisonment suspended for four (4) years on condition that the accused is not convicted of theft committed during the period of suspension; 2. Count 4(Theft): Four (4) years imprisonment in terms of Section 276(1)(i) of the Criminal Procedure Act; 3. Count 7(Practising without FFC): Fined R2 000.00 or two (2) months imprisonment.
28	Ntsoane TL, 8931	LSNP	The defaulter was convicted of theft in the amount of R162 000.00. He was sentenced to four(4) years imprisonment wholly suspended for five (5) years on condition that he is not convicted of theft committed during the period of suspension. No compensation order was granted.
29	Azar T, 7965	LSNP	The defaulter was convicted of two counts of theft involving a total amount of R3 000.00. He has already paid this amount into the Fund's bank account. He was sentenced to a fine of R50 000.00 or six (6) months' imprisonment.
30	Osterloh-Ackermann, 7999	KZN	The defaulter was found guilty of theft of trust funds amounting to R6 799 949.53. She was sentenced as follows: She was fined R300 000.00 or three (3) years' imprisonment. She was further sentenced to three (3) years' correctional supervision. No compensation order was granted.
31	Macheka F, 8246	FREE STATE	The defaulter was convicted of theft of trust funds amounting to R46 000.00. He was sentenced on the 19.10.2018 to thirty (30) months' imprisonment. The defaulter was however granted leave to appeal against the sentence. His appeal to the Constitutional Court was dismissed on the 30/04/2020. The defaulter has now been incarcerated to serve his sentence of thirty (30) months.
32	Dube L, 8531	KZN	The defaulter was convicted of 2 counts of theft of trust money amounting to R1 245 000.00. He was sentenced to 10 years imprisonment on Count 1 and 8 years imprisonment on Count 2. The sentences to run concurrently. The defaulter to serve an effective 10 years imprisonment.
33	Van der Merwe HJ, 8609	North West	The defaulter pleaded guilty to theft of trust funds amounting to R328 606.15. He entered into a plea and sentence agreement with the State in terms of which he was sentenced to 6 years imprisonment wholly suspended for 5 years on condition that he pays the Fund as follows: R50 000.00 on or before 29/01/2024 and the

			balance by way of monthly instalments of R7 722.00 from the 29/02/2024 and thereafter on or before the 7 th day of each successive month until the last payment is made on the 31/01/2027.
34	Peta KJ, 8629	Gauteng	The defaulter was convicted of theft of trust funds amounting to R2 775 880.00. She was sentenced to 10 years direct imprisonment. No compensation order granted.
35	Muskat S, 9459	Gauteng	The defaulter was convicted of theft of trust funds amounting to R6 238 107.77. He was sentenced to 9 years imprisonment conditionally suspended for 5 years. No compensation order was granted.
36	Lourens L, 8818	Gauteng	The defaulter was convicted of theft of trust funds amounting to R2 446 107.52. She was sentenced to 5 years imprisonment in terms of section 276(1)(i) of the CPA. No compensation order was granted.
37	Van der Schyff R, 8139	Western Cape	The defaulter was found guilty of 12 counts ranging from theft, fraud and impersonating a legal practitioner. She was sentenced to an effective 10 years direct imprisonment.
38	Van der Westhysen RK, 9151	Gauteng	The defaulter was convicted of theft of trust funds amounting to R2.1M. He was sentenced to 7 years direct imprisonment.
39	Murray WH, 8887	Western Cape	The defaulter was found guilty of theft of trust funds amounting to R967 000.00. He was sentenced to 5 years imprisonment on condition that he is not found guilty of theft of trust funds during the period of suspension. He was also sentenced to 1 year's community service. No compensation order was granted.
40	Masango SM, 8900	KZN	The defaulter pleaded guilty in terms of section 112 of the CPA to theft of trust funds in the amount of R350 000.00. He was sentenced to 5 years imprisonment in terms of section 276(1)(i) of the CPA. No compensation was granted.
41	Reynolds AP, 8473	Western Cape	The defaulter was convicted of 5 counts of theft of trust funds. He was sentenced as follows: 1. Count 1(Theft): 5 years imprisonment in terms of section 276(1)(b); 2. Counts 2 & 3(Fraud): Taken together for purposes of sentencing: 5 years imprisonment in terms of section 276(1)(b) wholly suspended for 5 years on condition that he is not convicted of theft during the period of suspension; 3. Count 4(Failure to keep proper accounting records): A fine of R1000.00 or ten(10) days' imprisonment; 4. Count 5(Fraud): 5 years imprisonment in terms of section 276(1)(b).

			The periods of direct imprisonment to be served concurrently and the defaulter will therefore serve an effective term of 5 years direct imprisonment.
42	Olinger K, 8102	Gauteng	The defaulter was convicted of theft of trust funds and was sentenced to 5 years imprisonment wholly suspended for 5 years. He was further sentenced to 2 years imprisonment in terms of section 276(1)(h) of the CPA. No compensation order was granted.
43	Louw GJ, 8527	Western Cape	The defaulter pleaded guilty to theft of trust funds amounting to R220 383.31. He was sentenced to 5 years imprisonment wholly suspended for 5 years on condition that he is not convicted of fraud or theft committed during the period of suspension and further on condition that he paid the Fund an amount of R220 383.31 as follows: R10 000.00 on or before 31/10/2022; R10 000.00 on or before 30/11/2022 and R4 674.64 per month with effect from the 31/12/2022 and thereafter on the 30 th of each successive month until the 31/12/2026.
44	Essop & Limalia, 7479	Gauteng	The defaulters were found guilty of theft of trust money in the amount of R1.8M. They were sentenced to 9 years direct imprisonment of which 4 years were suspended on condition that they are not convicted of theft committed during the period of suspension.
45	Ellis LA, 9207	Gauteng	The defaulter was found guilty of theft of trust money in the amount of R .She was sentenced to 7 years direct imprisonment.
46	Venter F, 9062	North West	The defaulter pleaded guilty to theft of trust money in the amount of R1 607 253.82. She was sentenced to 7 years imprisonment wholly suspended for 5 years on condition that he is not convicted of theft or fraud committed during the period of suspension. She was further sentenced to 3 years correctional supervision in terms of section 276(1)(h) of the CPA. No compensation order was granted.
47	Buurman & Lubbe, 8343	Gauteng	The defaulters pleaded guilty to theft of trust money in the amount of R1 125 000.00.They were sentenced to 8 years imprisonment wholly suspended for 5 years on condition that they paid the complainant an amount of R1 125 000.00. They were also sentenced to an additional 3 years correctional supervision.
48	Sandile Majavu, 8783	Eastern Cape	The defaulter was convicted of theft of trust money amounting to R1.8M. He was sentenced to 15 years direct imprisonment.
49	Jacques Van Wyk, 8934	Gauteng	The defaulter was convicted of theft of trust money in the among of R1 901 172.12. He was sentenced to 7 years imprisonment wholly suspended for 5 years on condition that he is not convicted of theft committed during the period of suspension. He was further sentenced to 3 years correctional supervision in terms of section 276(1)(h) of the CPA.

50	Fortuin W, 8667	Western Cape	The defaulter was convicted of theft of trust funds and was sentenced to 9 years direct imprisonment.
51	Hermans SA, 9181	Eastern Cape	The defaulter pleaded guilty to theft of trust money in the amount of R583 204.70. He was sentenced to 2 years imprisonment wholly suspended for 5 years on condition that defaulter pays the Fund an amount of R583 204.70 before the expiry of a period of 5 years.
52	Sechele NK, 8433	Gauteng	The defaulter pleaded guilty to 18 counts of theft amounting to R2 537 379.73. He was sentenced to 6 years imprisonment wholly suspended for 5 years on condition that he is not found guilty of theft or fraud committed during the period of suspension. The AFU also successfully applied for a confiscation order against the defaulter in terms of which the defaulter's immovable property would be sold. The Fund will receive the proceeds of the sale of the said property.
53	Mtotywa GZ, 8612	Eastern Cape	The defaulter was convicted of theft of trust funds in the amount of R532 791.00. He was sentenced to 5 years imprisonment wholly suspended for 5 years on condition that he pays the Fund an amount of R532 791 in monthly instalments of R8 879.85 with effect from 30/04/2022.
54	Mthembu VE, 8981	KZN	The defaulter pleaded guilty to theft of trust money in the amount of R702 892.04. He was sentenced to 10 years imprisonment of which 4 years were conditionally suspended for 5 years. The defaulter will serve a term of 6 years imprisonment.
55	Terblanche B, 9307		The defaulter pleaded guilty to theft of trust funds in the amount of R3.3M. He was sentenced to 2 years correctional supervision. No compensation order was granted.
56	Kunene SP, 8900	KZN	The defaulter was convicted of theft of trust funds amounting to R226 790.00. He was sentenced to 6 years direct imprisonment of which 4 years was suspended on condition that he is not found guilty of theft of trust money committed during the period of suspension. The defaulter will serve 2 years' imprisonment.
57	Malatji NP, 8595	Limpopo	The defaulter was convicted of theft of trust funds amounting to R360 000.00. He was sentenced on the 29/11/2024 as follows: 8 years imprisonment wholly suspended for 5 years on condition that he is not found guilty of an offence of which dishonesty is an element during the period of suspension. He was also ordered to pay the Fund an amount of R360 000.00 by way of monthly instalments of R10 000.00 with effect from the 31/12/2024 and thereafter on or before the last day of each subsequent month until the amount is paid in full. All payments to be made to the Clerk of the Magistrates Court, Tzaneen.
58	9281 Mariri RP	Gauteng	The defaulter was sentenced to 6 years direct imprisonment.

59	9686 Mmela MJ	Mpumalanga	The defaulter was convicted on four counts of theft of trust funds and sentenced to ten years imprisonment.
60	9223 Moleko L	Eastern Cape	The defaulter was sentenced to eight years imprisonment of which two years was suspended on condition that he does not commit similar offence during the period of suspension.
61	8994 Hooyberg CJ	Gauteng	The defaulter was sentenced to: 1. Five (5) years correctional supervision in terms of section 276(1)(h), subject to repayment as follows: 2.A fine of R120 000.0- or 5-years imprisonment. 3.A further five (5) years suspended for five (5) years on condition that the Accused is not convicted of Fraud or Theft committed during the period of suspension, and for which he is sentenced to direct imprisonment. 3.1The accused repays the complainant, The Legal Practitioners Fidelity Fund, the outstanding amount of R5 410,480.00.
62	8674 Lagardien M	Western Cape	The defaulter was sentenced to: 1. Ten (10) years imprisonment in terms of section 276(1)(b) of Act 51 of 1977, wholly suspended for a period of five (5) years in terms of section 297(1)(b) on the following conditions: 1.1 The accused is not convicted of fraud, conspiracy to commit fraud, theft, or an attempt to commit any of the latter offences, committed during the period of suspension, and for which the accused is sentenced to a period of unsuspended imprisonment without the option of a fine. 1.2 The accused does not default in the payment in accordance with the court order referred to in paragraph 2 below hereto. 2. The accused is further ordered to repay the complainant at total amount of R1, 460 000.00 in three monthly payments as follows: 2.1 That the accused pays an amount of R487 000.00 per month.