

Nomination of member to be elected to the IAP executive committee by Retha Meintjes SC, IAP Vice President

It is my honour to nominate Billy (WJ) Downer SC to be considered for election as a member to the IAP executive committee. Billy is already well known to many of the members of the IAP executive committee and I know he will do the IAP proud. Below follows an indication of compliance with applicable criteria including an abridged CV:

Procedure for nominating persons to membership of the Executive Committee

The Executive Committee, in considering the potential nomination to its number for appointment by the General Meeting, will base its decision on the following criteria:

1. The nominee shall be an individual member of the Association or one of the formally appointed representatives of an organisational member – once elected, members of the Executive Committee are expected to become individual members;

Billy Downer is an individual member of the IAP since 1999. He was also the vice chairperson of the Society of State Advocates of South Africa at the time when the latter became a founding member of the IAP

2. The nominee shall be from the region of the world in which the vacancy has arisen, unless his/her nomination would improve the balance between the regions of the world and the representation of the principal legal systems of the world; the Executive Committee shall also take into consideration the need to establish and maintain the fair representation of female and male prosecutors.

Billy is from South Africa where there will be a vacancy. His nomination will not improve on the gender and race balance

3. The working language of the Executive Committee is English and the nominee shall be sufficiently fluent in English to take an active part in the Committee's discussions.

Billy is a master of the English language

4. The nominee shall be either:
 - a) the head of a prosecution agency or a member of such an agency's senior management team, who would accept appointment with the approval of the head of the agency;
 - b) the head of an association of prosecutors organised on a country or a jurisdictional basis or a member of the senior body of that association, who would accept appointment with the approval of the head of the association: or

Billy is a former chairperson of the Society of State Advocates of South Africa and a member of the senior body of the society.

- c) the head of an organisation, agency or foundation established for the promotion of crime prevention measures, or a member of the senior management team of such an organisation, agency or foundation;
- d) an individual member who, through demonstrable work on behalf of the IAP or more generally on behalf of prosecutors, has shown that he/she is worthy of membership of the Executive Committee.

Billy is also an individual member of the IAP and has demonstrated to be a worthy candidate in a number of ways: attendance of many of the IAP conferences, also having made presentations; assistance in having an IAP conference in Cape Town; motivated for the award to Pikoli for reasons firmly in line with the IAP Standards;

- 5. The Executive Committee should not nominate any person whose political or other functions or responsibilities create doubts as to the nominee's ability to work in a manner consistent with the Constitution of the Association.

There is no reason to doubt Billy's ability

- 6. The nominee should normally be currently active in prosecution work or in an organisation as referred to in Article 2.2 of the IAP Constitution.

Billy is a Deputy Director of Public Prosecutions and holds Senior Consultus status. He is currently active in prosecution work

- 7. Any nominee must be able to show:
 - a) commitment to the IAP's Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors; and
 - b) demonstrable work on behalf of the IAP and/or in support of its objectives; or
 - c) other significant work on behalf of prosecutors.

See above and also the CV below

- 8. The nominee must be prepared to devote time to and to work actively in the activities and programmes of the IAP.

Billy is so willing

Abridged CV: Advocate WJ (Billy) Downer SC

BA (1977) LLB Cum laude (1979) – Stellenbosch University

1980 Editor LAWSA Annual Cumulative Supplement: Butterworths

1980 Part-time lecturer: University of the Witwatersrand: Bills of Exchange

Rhodes Scholarship to Oxford (Brasenose College) (1980)

Graduated BCL from Oxford (1982)

Author: LAWSA 1st Ed: Sundays and Public Holidays (1985)

Prosecutor: Department of Justice since 1982 - Kuils River, Wynberg and Attorney-General: Cape Town

Prosecuted many commercial cases in the lower and High Courts, including the three consecutive High Court prosecutions arising from the collapse of Fundstrust (Jan S Marais, Engelbrecht and Ansie Kamfer) and the Mervyn Key/Tollgate prosecution

Initiated asset forfeiture cases in the Western Cape prior to the establishment of the Asset Forfeiture Unit

Worked on the first money-laundering prosecutions in the Western Cape and RSA

Helped pilot the first plea agreement cases through the courts and establish a country-wide plea agreement procedure

Deputy Director of Public Prosecutions since 1999

Since 2003, led the investigation and prosecuting team in the successful prosecution of Schabir Shaik and his companies, together with the series of Shaik's unsuccessful appeals to the SCA and the CC.

Led the team in the investigation and aborted prosecution of Jacob Zuma and THINT

Promoted to the rank of senior counsel in 2004

Sometime chairperson of the Society of State Advocates of SA

Awarded the Society's prosecutor of the year award: 2006

Member of the IAP since 1999. Attended the IAP Annual Conferences in Ottawa, Dublin, Beijing, Sydney, Cape Town and London as a representative of the Society of State Advocates. On a number of occasions chaired working groups and acted as rapporteur. At the London conference, presented a paper on the investigation and prosecution of serious commercial crime to the plenary session.

Member of the Corruption Hunters' Network (Norway)