

Landmark ruling: Bheki Cele held liable for heist linked to R101m Nedbank loss

The Gauteng High Court in Pretoria has ruled that Police Minister Bheki Cele's office is responsible for nearly R94m in losses incurred during a cash heist almost a decade ago, a case deeply intertwined with Nedbank's dealings with SBV.



Source: Nedbank QIB.

The heist, orchestrated by officers Lekele Rekson Lekola and Tamsanqa Gladstone Khukeka, targeted SBV's Witbank premises in April 2014, resulting in the theft of R101,207,456.28 from SBV's vault, with only about R6m recovered.

Lloyd's of London, SBV's insurer, sought compensation from the South African Police Service (SAPS) for the stolen amount, citing the officers' involvement in the robbery and subsequent hindrance of recovery efforts.

The court's decision to hold the Minister vicariously liable for the officers' actions underscores the close connection between their criminal conduct and ministerial duties, as established by a Constitutional Court precedent.

Despite the Minister's argument that the officers acted independently, the court upheld their duty at the time and the direct link between the robbery and their police responsibilities.

Furthermore, evidence revealed SBV's liability to Nedbank, the primary owner of the stolen cash, under service agreements, prompting Nedbank to settle claims for all affected parties.

Consequently, the Minister's office is now mandated to compensate Lloyd's of London nearly R94m, based on the principle of vicarious liability and the specific service agreements between SBV and its clients.

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