

EPISODE 24

CAN A CRIMINAL COMPLAINT CONTINUE?

Civil restrictions, criminal investigation and the presumption of innocence.

Status	LOCKED V1.0 — public-education script and production brief
Prepared for	Ephraim Mbuso Dlamini
Record current to	15 August 2026
Editorial rule	Documents, attributed allegations and unresolved matters remain distinct

Development notice

This episode is public education, not legal or tax advice and not a finding about any person or institution. Current disputes are described from dated documents and attributed positions. Viewers must obtain advice on their own facts.

1. Episode mandate

This episode explains that a complainant supplies information to SAPS, while SAPS and the prosecution control investigation and prosecution. It distinguishes a civil vexatious-proceedings order from a criminal complaint without declaring the legal effect of any particular order beyond its wording.

2. Audience learning outcomes

- A civil court door and a police-station door open onto different procedures.
- Explain statement, annexures, leads and duty of accuracy.
- Explain docket control, evidence gathering and referral.

- Explain that prosecution decisions are institutional, not the complainant's.

3. Twenty-four-minute architecture

Sequence	Function
00:00–04:00 — Two doors	A civil court door and a police-station door open onto different procedures.
04:00–08:00 — The complainant's role	Explain statement, annexures, leads and duty of accuracy.
08:00–12:00 — The investigator's role	Explain docket control, evidence gathering and referral.
12:00–16:00 — The prosecutor's role	Explain that prosecution decisions are institutional, not the complainant's.
16:00–20:00 — Preservation without publicity	Show chain of custody, native records, acknowledgements and restrained follow-up.
20:00–24:00 — The three labels	Close with complaint, investigation and finding kept visually distinct.

4. Presenter script spine

1. 00:00–04:00 — Two doors

A civil court door and a police-station door open onto different procedures.

On-screen control: identify the source, date, legal capacity and unresolved question before drawing any conclusion.

2. 04:00–08:00 — The complainant's role

Explain statement, annexures, leads and duty of accuracy.

On-screen control: identify the source, date, legal capacity and unresolved question before drawing any conclusion.

3. 08:00–12:00 — The investigator's role

Explain docket control, evidence gathering and referral.

On-screen control: identify the source, date, legal capacity and unresolved question before drawing any conclusion.

4. 12:00–16:00 — The prosecutor's role

Explain that prosecution decisions are institutional, not the complainant's.

On-screen control: identify the source, date, legal capacity and unresolved question before drawing any conclusion.

5. 16:00–20:00 — Preservation without publicity

Show chain of custody, native records, acknowledgements and restrained follow-up.

On-screen control: identify the source, date, legal capacity and unresolved question before drawing any conclusion.

6. 20:00–24:00 — The three labels

Close with complaint, investigation and finding kept visually distinct.

On-screen control: identify the source, date, legal capacity and unresolved question before drawing any conclusion.

5. What this episode does not decide

- It does not state that FRBL or any employee committed an offence.
- It does not advise evasion of any court order.
- It does not publish investigative material to pressure SAPS or prosecutors.
- It does not merge corporate, personal and estate claims.

6. OUBAS analysis

The central discipline is classification. A document request is not automatically a tax date; an attorney is not automatically the statutory office-holder; a criminal complaint is not a conviction; and an unresolved record is not proof of what the missing record would show.

7. OUBAS principle

Public accountability becomes stronger when every institution, role, date and evidentiary status is kept in its correct legal container.

8. Knowledge check

1. What is the controlling distinction in “Can a Criminal Complaint Continue?”?

2. Which document or official record would resolve the principal uncertainty?
3. Why must an allegation, a filed submission and an official finding be shown differently?
4. What should a person do when two institutions give apparently inconsistent directions?
5. Which privacy or non-interference rule applies before publication?

9. Crosswalk and lock

Crosswalk: C23–C25, C27, C29, F5 and F6. Book destination: Volume VI Holding Ledger — Criminal Process and Evidence Preservation.

LOCKED: title, controlling question, architecture, analysis, principle and safety controls.

UPDATE-GATED: all current facts, official responses, later rulings and personal particulars.

LOCKED UPDATE - 15 AUGUST 2026

This V1.1 clarification preserves the complete public court record. It does not remove the Certificate of Balance, the FRBL/RMB statement, the claim, the repayment schedules or the forensic reconstructions. It controls only the legal status attributed to each source.

10. Public-record clarification

The Certificate of Balance, the supporting claim, the FRBL/RMB account statement, the filed affidavits, annexures, judgments and orders may be shown and analysed where they form part of the public court record. Their public availability permits OUBAS to identify, quote and compare them accurately; it does not turn a party allegation, expert reconstruction or disputed calculation into a criminal finding.

OUBAS may state what a document records, what was alleged in filed papers, what a judgment or order actually decided, and what remains disputed. It must not report that a person committed fraud merely because a document was challenged in civil proceedings or supplied to SAPS.

11. CAS 525/11/2023 current-status card

As at 15 August 2026, a supplementary sworn statement has been prepared requesting that Sandton CAS 525/11/2023 be reopened and investigated. Until proof of delivery and an SAPS acknowledgement exist, the screen status is PREPARED FOR SUBMISSION - NOT YET RECORDED AS REOPENED.

After submission, only the authenticated milestone changes: submitted, acknowledged, investigator allocated, referred to prosecutor, decision received, charged, tried or determined. None of those labels may be skipped.

12. Case-specific presenter insert

The public record includes a Certificate signed by Jean Albertus du Plessis in his stated capacity as an RMB Credit Executive, a disputed account statement and claim, and reconstructions advanced by Mr Dlamini. The supplementary complaint asks SAPS to obtain the native ledger, audit trail and working papers and to test the competing figures independently. No criminal finding has been made.

LOCKED: the public-record clarification, the status ladder and the distinction between documentary fact, attributed allegation, reconstruction and criminal finding. UPDATE-GATED: proof of submission, SAPS response, investigator, prosecutorial decision and any later court outcome.