

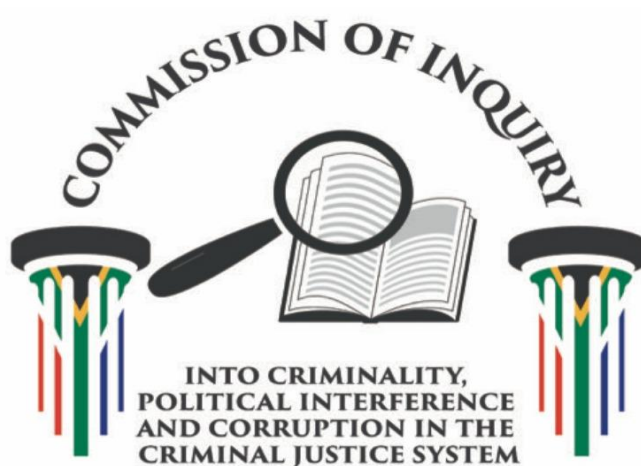
JUDICIAL COMMISSION OF INQUIRY INTO CRIMINALITY,
POLITICAL INTERFERENCE AND CORRUPTION IN THE
CRIMINAL JUSTICE SYSTEM

HELD AT

BRIGITTE MABANDLA JUSTICE COLLEGE

30 OCTOBER 2025

DAY 23



PROCEEDINGS ON 30 OCTOBER 2025

CHAIRPERSON: Good morning. Good morning, Ms Sello.

ADV SELLO SC: Morning Chair, and morning co-Commissioners.

CHAIRPERSON: Are you divesting Ms Motlhasedi of this one?

ADV SELLO SC: I could never, I could never Chair. Just to bring to your attention a little request we may have before the witness finishes. I think, was it on Monday, when,
10 whenever, Witness C first appeared. I have lost track of the days of the week. Yes, Commissioner Khumalo had specifically asked for recordings. So those have been secured and they are available. We may just need three minutes, perhaps, or stand down to sort out some technical issues. So if you could permit us ...[intervenes].

CHAIRPERSON: Now now?

ADV SELLO SC: No, not now.

CHAIRPERSON: Oh, later, before ...[intervenes].

ADV SELLO SC: The witness is going to start.

20 **CHAIRPERSON:** Playing, before playing ...[intervenes].

ADV SELLO SC: Before playing, just to make sure - technology is getting the better of us right now, but I think we are halfway there.

CHAIRPERSON: All right.

ADV SELLO SC: Thank you, Chair.

CHAIRPERSON: Thank you. Thank you very much for that, Ms Sello. Ms Motlhasedi.

ADV MOTLHASEDI: Good morning Chairperson, Commissioners. This is a continuation of the evidence of Witness C, who gave testimony before the Commission on Friday, the 24th of October and we adjourned. Witness C resumes his evidence today on page 28 of his witness statement.

CHAIRPERSON: Witness C? Witness C, can you hear me?

10 **WITNESS C**: Good morning, Commissioners. I can clearly hear you.

CHAIRPERSON: Good morning. You are still under your oath. You understand?

WITNESS C: Ja, understood.

WITNESS C (s.u.o.)

CHAIRPERSON: Yes, thank you.

QUESTIONS BY ADV MOTLHASEDI (CONTINUES): Thank you, Chairperson. Witness C, we are continuing your evidence this morning from where we left off on Friday
20 afternoon. We are on page 28 of your witness statement. Are you there?

WITNESS C: I am there, Commissioners.

ADV MOTLHASEDI: Thank you. Chairperson, I am going to read into the record the final theme. We are on theme five, which concerns the arrest of Mr Matlala. Witness C, with

reference to paragraphs 84 and 85, please tell the Commission on which date a warrant of arrest was issued in respect of Mr Matlala and your role in acquiring that document.

WITNESS C: Thank you, Commissioners. On the 13th of May 2025, I prepared an application for a warrant of an arrest with regards to Mr Matlala, and thereafter proceeded to run by court, whereby the Senior Public Prosecutor read through the application and made his recommendations to
10 the Magistrate, proceeded to the Magistrate offices, and they indeed signed the warrant of an arrest, and it was indeed issued for his arrest on the 13th.

ADV MOTLHASEDI: Witness C, Mr Matlala stands as an accused in respect of the sentencing CAS 436/10/2023. That was your earlier evidence, is that correct?

WITNESS C: That is correct.

ADV MOTLHASEDI: Thank you. Please tell the Commission what charges he is facing, and he is co-accused in respect of that matter.

20 **WITNESS C**: Thank you. He is, I mean, he is suspect number three on Sandton CAS 436/10/2024, the case that is, 2023, sorry, the case that is appearing at Alexandra Magistrate Court at the moment, and he is facing charges of attempted murder and conspiracy to commit murder, and he is co-accused is Musa Kekana and Floyd Tiego Mabusela.

And later on, other suspects were added after his arrest, which is his wife, Tsakani Matlala, and Mr Mabusela's daughter, Nthabiseng Nzama. Thank you.

ADV MOTLHASEDI: Witness C, specifically what role do you believe Mr Matlala played in the commission of this offence?

WITNESS C: Mr Matlala, we regard him as a hit-orderer, and due to the fact that the days before the commission of this crime, on the 12th of [no audio] to Mr Mabusela's
10 daughter, Nthabiseng, to her company ...[indistinct] and on the 18th, a day after the hit, he paid an amount of 100,000 to the, Mabusela's daughter again.

ADV BALOYI SC: Ms Motlhasedi, if I may just ask, just to refresh my memory, Witness C, in that paragraph 86 where you have listed names, just remind us, is Mr, is Diego Floyd Mabusela the same person that was arrested in relation to the Vereeniging case?

WITNESS C: That is correct, yes.

ADV BALOYI SC: Thank you.

20 **WITNESS C**: It is the same person that was arrested in the ...[indistinct] that was stuck.

ADV BALOYI SC: Thank you.

ADV MOTLHASEDI: Thank you, Commissioner. Witness C, you were in the course of explaining to the Commission what in, what aspects of your investigation informed the

decision to apply for a warrant of arrest for Mr Matlala. You were in paragraph 87 and 88. Please continue.

WITNESS C: Thank you. Yes, on our investigations, we conducted, we did apply for section 205 in respect of the bank accounts, one, the one for Mr Floyd Tiego Mabusela, actually for all the suspects, and the one for Nthabiseng Nzama and her company. So, then we realised that on the payment from Mr Matlala to Nthabiseng Nzama's account, it was, the reference was Tshwane Medi24, Medi24.

10 But now, when we go now deeper into the section 205, or the section 236 thereof, it was realised that it is not, the money is not coming from the Tshwane, Medi24 Tshwane district, it was coming from CAT VIP Security Services, though the reference, he put the very reference as for the, his medical company a payment.

So then we were indeed convinced that this payments were for the planning of the shooting and also then for the payment, the next payment was for, indeed for the job that has been done.

20 **ADV MOTLHASEDI**: Thank you, Witness C. Please turn to paragraph 89 of your statement and describe to the Commission the events of the 14th of May.

WITNESS C: Thank you, Commissioners. On the 14th of May in the morning as we had now already had the J50 in our hands, we now started to do the recognisance and the

surveying of Mr Matlala's movements and yes, we were able to follow him up until Midrand on the new route. When we apprehended, when we arrested him there he even said no, I was coming from Riah Phiyegais' house, so, but we did not really take cognisance of that that much, because like what we needed was only our suspect for the attempted murder case.

ADV MOTLHASEDI: Thank you, Witness C. Your second sentence of paragraph 89, could you please read that into
10 the record? It begins "we were able to".

WITNESS C: -:

"We were able to apprehend Mr Matlala, because the car he was travelling in had a car puncture and we were able to arrest him as his motorcade had been standing alongside the road."

ADV MOTLHASEDI: Thank you, Witness C. The use of the word "fortuitously" in paragraph 89 suggests that it was
20 lucky, or that you considered it lucky or fortunate that Mr Matlala had a car puncture and you were able to arrest him. Please explain to the Commission why you thought that was lucky.

WITNESS C: Okay, thank you. When we were doing the surveillance on him, as I have indicated earlier, we

surveyed him and we were standing from a bit of a distance when he proceeded to a certain estate in Midrand with which I have just indicated that he said he was there at the former Commissioner, Ms Riah Phiyegais's premises. Then when he left that premises his motorcade was driving at a very high speed and as they were driving in a very high speed we could not, like we could not catch him as it was driving at a high speed. And fortunately he, and unfortunate for him, he hit a pothole along the new road, so
10 then his Mercedes Benz came to a standstill on the side of the road. Thank you.

ADV BALOYI SC: Witness C, when you say he was driving at high speed, his motorcade was driving at high speed and you could not catch him, are you saying he was aware of you that you were trying to catch up with him and he was avoiding you? I just want to understand what is the import of that evidence.

WITNESS C: Commissioners, as a person who had always told us that he is connected, I would assume,
20 Commissioners, that he was aware that we were after him. So maybe he had meet us, Commissioner, as he, as we did the recognisance on him.

ADV BALOYI SC: You are not ...[intervenes].

WITNESS C: Remember, Commissioners, his security detail mostly they are ex-military officers and from the elite

section of the military, so they will also deploy their own skills also to check the surroundings and stuff, maybe they had, they might have meet us.

ADV BALOYI SC: But you are not saying it as a fact that there was a chase, a police chase of him, he was aware of you that you were trying to stop him and he was driving at, they were driving at that high speed while you were chasing after them. You are not saying that as a fact.

10 **WITNESS C:** No, no, no, Commissioners, we were not chasing them.

ADV BALOYI SC: Yes.

WITNESS C: We were following him in order to find a proper spot where we will stop him, but unfortunately on his part he was driving faster than one would expect him to be driving on that road. I think that road it is, the maximum speed there it is 60km, so he was driving above that 60km.

ADV BALOYI SC: Thank you.

20 **ADV MOTLHASEDI:** Thank you, Commissioner. Witness B, please continue and proceed to paragraph 90. You were detailing the events of the day.

WITNESS C: Thank you. Upon his arrest he was read, his rights were read to him and then we informed him that he was being arrested for three counts of conspiracy to commit murder, attempted murder and we proceeded to Boksburg SAPS. And whilst, upon arrival at Boksburg SAPS before

he could be charged he indicated that he would want us to talk. Then we requested an office whereby myself, Witness A and Witness B we were afforded an office and we indeed had a talk with him.

ADV MOTLHASEDI: Thank you, Witness C. Could we then proceed to discuss in some detail the informal talk as you explain it that you had with Mr Matlala after his arrest with reference to paragraph 91. Please detail any remarks you wish to make there before we turn the page.

10 **WITNESS C**: Okay, when we were talking now, remember now it is now myself, Witness A and Witness B. Witness A and Witness B were not present on the 6th of December 2024 when we did the raid. He started again telling us of his connections with the high-ranking officials of the SAPS and also started name-dropping again and indicating that it was, he was close to the Minister, Mr Senzo Mchunu, and the person named Brown Mogotsi.

As we go further he even told us that he had been used by the Deputy National Commissioner, Lieutenant
20 General Sibiya, that he wanted to get through to our boss, which is Lieutenant General Khumalo, Dumisani Khumalo. They wanted to get through to Lieutenant General Khumalo through me and my Commander who raided his house on the 6th of December, that is why there had been cases that he was persuaded to open.

ADV MOTLHASEDI: Thank you, Witness C.

WITNESS C: Thank you. That is when he also indicated that he went to Brooklyn SAPS to open a case and the case of theft, theft or house robbery, whereby he listed the items that were stolen as the firearms, cellphones and the Rolex watch to be specific.

ADV MOTLHASEDI: Witness C ...[intervenes].

WITNESS C: Thank you.

ADV MOTLHASEDI: Witness C, my apologies. Perhaps let
10 us move through the evidence systematically. Could we
turn to page 30 of your witness statement.

WITNESS C: Okay.

ADV MOTLHASEDI: Thank you. Under the heading of
Minister Mchunu, we are then at paragraph 92.

ADV BALOYI SC: Sorry, before you do that, Ms
Motlhasedi, I do not know if it is a typo that the witness
should clarify. In page 91 in the, I mean paragraph 91, I
beg your pardon, there seems to be a word missing, or
something there, just after the comma in the third line. He
20 would reference chats on his face in support of what he was
sharing with us. Is there a word missing and can you put
that to the witness?

ADV MOTLHASEDI: My apologies, Commissioner Baloyi.
That should be he would reference chats on his cellphone.

ADV BALOYI SC: May the witness confirm that.

ADV MOTLHASEDI: Yes. Witness C, can you confirm, please turn back to paragraph 91 on page 29.

WITNESS C: Yes, I confirm that yes it would make reference, it would reference to the chats on his cellphones, cellphone.

ADV MOTLHASEDI: Thank you, Witness C. Let us then turn over to page 30. We are at paragraph 92 and please explain to the Commission you know how Mr Matlala said he came to know or engage Minister Mchunu.

10 **WITNESS C**: Thank you. Through his talk he indicated that he was introduced to Minister Mchunu and that Mr Mchunu had wishes to run for Presidency in the ANC and then there were, there were people and Minister also that were going around looking for the people who will contribute to his campaign and indeed Mr Matlala was one of the people who had contributed to the campaign as he indicated that on, in January he had contributed to an amount, the total amount of 500,000 whereby he purchased flight tickets and paid for their accommodation for the members of the ANC who were
20 going to Cape Town for the July 8 statement for the ANC. So, and also that he will also refer back to his phones where he will show us the messages between him and the person named Brown Mogotsi pertaining those flight tickets and the accommodation payments.

ADV MOTLHASEDI: Witness C, at that point in the

...[intervenes].

CHAIRPERSON: Sorry. Witness C, did you say what, July 8?

WITNESS C: January 8, Commissioner.

CHAIRPERSON: January 8, thank you.

ADV MOTLHASEDI: Witness C, with reference to paragraph 94, please continue detailing to the Commission the content of your discussion with Mr Matlala and his relationship with the Minister.

10 **WITNESS C**: Thank you. Ja, I jokingly asked if he had, he believed if Minister Mchunu will succeed in the Presidency campaign in, for the ANC and he indicated that now he did not believe that he will, that the Minister will win his campaign but he was afraid of discouraging him and that he also informed us pertaining the, our raid on the 6th December 2024 that he complained to Brown Mogotsi and the Minister that yes, the police have raided his house on the 6th of December and nothing has happened as yet.

20 **ADV MOTLHASEDI**: Thank you, Witness C. Please then proceed to detail the kind of assistance that Mr Matlala says he received from the Minister. This is with reference to paragraph 95 of your statement.

WITNESS C: Thank you. Ja, in his response pertaining the assistance that he got for the 6 December raid at his house, he said the Minister had in aid with his security and they

have utilized the grabber machines in order to identify the SAPS members who had been investigating him and who had raided his house at, on the 6th of December. And that is where now Mr Mogotsi had send him the vehicle registration numbers of the cars that we were using when we went to his house. And that is where now he, then he had also made, he had also made enquiries on my identity and my Commander's identity and that is how he knew that it was us and that we belonged to a team headed by
10 Lieutenant General SD Khumalo. Thank you.

ADV MOTLHASEDI: And then following the receipt of that information what steps did Mr Matlala then take to get GCI Ops off his back or to deter the ongoing investigation into him?

WITNESS C: Okay, thank you. That is when now he was advised to do a litigation against the team that came to his house and he lied that the, we have stolen his Rolex watch, the Cartier, his wife's Cartier watch and the Apple MacBook Pro and indeed we received that litigation. And he also told
20 us that for him to go to Brooklyn SAPS to open a case, it was an advice by the, by Mr Brown Mogotsi, the Minister and the DNC.

He went to Brooklyn SAPS, then they were of no assistance to him as the items that he listed to be stolen they were reflecting on the SAP13 to show that the officers

did not steal from him and then the case was never registered. And then through the assistance of the DNC and the Minister together with Brown Mogotsi then a certain Colonel Simelane of Gauteng Crime Intelligence was assigned to assist him in opening a case and I believe that the case has been opened at Protea Glen SAPS against the team. He was also informed that he should open a case with IPID.

ADV KHUMALO SC: Before you move on from paragraph
10 95, good morning witness, it is Commissioner Khumalo here. You say in the last sentence of paragraph 95:

“Mr Matlala disclosed this is how he came to know of the identities of the two officers who played a key role in this operation.”

I am assuming you are talking about A and B, but you also said this is how he said he knew about us. I am interested in knowing whether Mr Matlala mentioned to you that he knew that you were a member of the PKTT.

20 **WITNESS C:** Thank you, Commissioner Khumalo. Yes, he indicated that that is how he knew of the key role members who came to his house and he was referring to myself, Witness C, and my Commander that I went to the house with, because they are, they did enquiries on our SAPS system and indeed they had found that myself and my

Commander were members of the PKTT.

ADV KHUMALO SC: Thank you.

WITNESS C: And he was also informed that since we are members of the PKTT, we are working under the command of Lieutenant General SD Khumalo.

ADV MOTLHASEDI: Thank you, Commissioner Khumalo.

ADV BALOYI SC: Sorry, Ms Motlhasedi. Witness C, in paragraph 96 of the statement you say he was advised by the Minister and Brown Mogotsi, but I think in your oral
10 evidence now you also mentioned the, you said DNC and I assume it is Deputy National Commissioner. Did I ...[intervenes].

WITNESS C: That is correct ...[intervenes].

ADV BALOYI SC: Did I hear you correctly?

WITNESS C: That is correct, Commissioners.

ADV BALOYI SC: And that Deputy National Commissioner is who?

WITNESS C: It is Lieutenant General Sibiya.

ADV BALOYI SC: Thank you.

20 **CHAIRPERSON**: Witness C, you should please wait for the question to be finished before you respond, because if you talk at the same time as the asker, there will be problems with transcription. Do you understand that?

WITNESS C: I do understand, Commissioners, and apologies to that fact.

CHAIRPERSON: Thank you.

ADV BALOYI SC: And then still on that paragraph, in the next page at page 31 you say:

“He was then advised to go to Soweto and introduced you to a Colonel who took his statement but that did not go anywhere.”

You have mentioned in your oral evidence a Colonel Simelane. Is that the Colonel you are referring to in that paragraph, because there is no name next to the Colonel.

WITNESS C: That is correct, Commissioners, it is Colonel Simelane who is a Gauteng Head of Crime Intelligence.

ADV BALOYI SC: Crime Intelligence, yes.

WITNESS C: [Indistinct]... Soweto side.

ADV BALOYI SC: Okay, no carry on, finish off what you wanted to say.

WITNESS C: I say I was still explaining to say that this Colonel Simelane is the Head of Crime Intelligence at the Soweto area, Gauteng Soweto area.

ADV BALOYI SC: And then you say there:

“Who took his statement but that did not go anywhere.”

What do you mean it did not go, what did he mean, did he explain what it means it did not go anywhere?

WITNESS C: Thank you, Commissioners. I think my assumption to the fact that it did not go anywhere is that maybe no further investigations were conducted on, in that respect, Commissioners.

ADV BALOYI SC: Thank you.

ADV MOTLHASEDI: Thank you, Commissioner. Witness C, can I ask you to turn to paragraph 95, please, with reference to ...[intervenes].

WITNESS C: I am there.

10 **ADV MOTLHASEDI:** Thank you. With reference to the final sentence in that paragraph, just for clarity please confirm that the reference to operation in paragraph 95 is a reference to the operation of which date?

WITNESS C: Thank you, Commissioners. It is a reference to the operation on the 6th of December where we visited his house in Pretoria in looking for the victims, Jerry Boshoga.

ADV MOTLHASEDI: Thank you, Witness C. And please also inform the Commission whether Witness A and B were
20 present at the operation that day.

WITNESS C: Witness A and B were not present as they were conducting a parallel operation at the house of Mr Katiso Molefe for his arrest.

ADV MOTLHASEDI: Thank you, Witness C. A further question for completion, with reference to paragraph 96

where you have detailed in your evidence the High Court application that Mr Matlala brought, please inform the Commission whether this is a reference to the earlier litigation concerning missing firearms, a Cartier watch and a Rolex watch, is that correct?

WITNESS C: That is correct, Commissioners. It is referring to those items that he indicated that we have stolen. The matter that was supposed to had been sitting on the 24th of December 2024, but eventually withdrawn from the court
10 roll.

ADV MOTLHASEDI: Witness C, you have also then engaged Commissioner Baloyi on the statement that Mr Matlala alleges he made to a Colonel in Soweto. If you please then continue with your evidence concerning the proposed IPID complaints. This is towards the end of paragraph 96.

WITNESS C: Thank you, Commissioners. Ja, he also, he further informed us that he was advised that for the case to stands stronger against the SAPS members, he should
20 invite his wife into opening an assault case against the members that visited his house to strengthen the case and, but he said he did not want his wife to be involved in all this things, so he would rather not involve his wife in opening a case, a false case against the members.

ADV MOTLHASEDI: Witness C, is it then your evidence

that Mr Matlala shared with you that he had taken several steps to attempt to deter the investigation, including lodging the High Court application, approaching the Colonel in Soweto as well as the proposed IPID complaint, is that correct?

WITNESS C: That is correct. That is indeed he did that eventually and in following that litigation that he admit against us then, remember, on the 18th and 19th of December we again went to his, to his offices, CAT VIP's
10 offices, for the compliance inspection. So this according to him it triggered him to say that the Minister, Brown Mogotsi and the Lieutenant General Sibiya are using him and are failing to protect him.

And he alluded to say that he then went to see the former Minister, General Bheki Cele, to inform him of this developments and that is where he was advised that he should not, he should not make false cases against the police and that he should withdraw the litigation against the police. And indeed, now on the 24th the litigation was
20 withdrawn against the police, which is the confirmation of what he had just said.

ADV MOTLHASEDI: Witness C, if we could go back to paragraph 98, please. Upon realizing that none of the measures he had taken were successful, what steps then did Mr Matlala say he took?

WITNESS C: Thank you, Commissioners. After the compliance inspection at his company there were those discrepancies with the compliance inspection and then he was to be arrested and he went to hiding. Then he indicated that he reached out to Brown Mogotsi and the Minister, informing them that we, the SAPS wants to arrest him and they wanted to, he wanted also to know how were they protecting him.

CHAIRPERSON: Witness C, your exact words in paragraph
10 98 say:

“He thereafter reached out to Mr
Mogotsi and the Minister and told them
that the SAPS wanted to arrest him.”

By this did he mean that he spoke to the Minister directly, and told them, meaning he also told the Minister? Did he mean he spoke to the Minister directly?

WITNESS C: Thank you, Commissioner. That is my apprehension to say that it means he directly spoken to him, though he did not specify, he did not specifically said
20 that yes, on this date and time I contacted Minister Mchunu and spoke to him directly ...[intervenes].

CHAIRPERSON: And what was ...[intervenes].

WITNESS C: [Indistinct]... [cross-talking].

CHAIRPERSON: Oh, I am sorry, I am sorry. Please continue.

WITNESS C: And or on this date and time I contacted Brown Mogotsi and spoke to him about it. Thank you.

CHAIRPERSON: And what was your sense, was this supposed to have been face to face or was it supposed to have been a telephone call or by what means did he make contact and speak to them?

WITNESS C: Commissioners, I would not know exactly, but what he indicated is that the most of the times that he communicated with them, it will be via WhatsApp or, and/or
10 signal. He did not specify as to when he reached out to them he, was it personal or over the line.

CHAIRPERSON: And did you ask for proof of such contact with the Minister?

WITNESS C: No, Commissioners. At that time, Commissioners, we were listening to what he was telling us as he is the one who indicated that he wanted to talk, so then now when one wants to talk, you lend an ear to that person and that is what we did, Commissioners.

CHAIRPERSON: And the last two sentences of the
20 paragraph say:

“He demanded to know how they, that is Mr Mogotsi and the Minister, would protect him. He demand direct action from the Minister who refused to help him.”

With regard to these two sentences as well I assume that you would give similar responses or answers with regard to the detail about which I just asked you.

WITNESS C: That is correct, Commissioners.

CHAIRPERSON: Thank you, Witness C.

ADV KHUMALO SC: Just before you continue, Ms Motlhasedi, Witness C, in your paragraph 95 when you gave oral testimony you left out an important word there, so maybe you should read the first sentence in full so that we
10 have it on record. I think the word preceding security you left it out when you were giving your oral evidence.

WITNESS C: Commissioner Khumalo, should I read the whole paragraph from the first line, Commissioner?

ADV KHUMALO SC: Just read the whole paragraph maybe for the record, paragraph 95.

WITNESS C: Thank you, Commissioners.

20 “He told us that the Minister engaged State Security on his behalf and utilized grabber machines in order to pick up the identities of the SAPS officials investigating him. Mr Mogotsi thereafter send him the vehicle registration numbers of the vehicles that came to his property. Mr Matlala disclosed that this is how he came to

know the identities of the two officers who played a key role in the operation.”

ADV KHUMALO SC: Thank you. I think the word you had left out is “state”, which is reference to State Security.

WITNESS C: That is correct, it is an omission, Commissioners.

ADV MOTLHASEDI: Thank you, Commissioner Khumalo. Witness C, could we then please turn to paragraph 98 of
10 your statement.

WITNESS C: I am there, Commissioners.

ADV MOTLHASEDI: You have, paragraph 98, you have given evidence that Mr Matlala demanded, contacted the Minister and Mr Mogotsi and demanded to know how they would protect him and that he further demanded direct action from the Minister. In sharing that with you, did Mr Matlala explained to you on what basis he was entitled to make those demands and why he could demand protection directly from the Minister?

20 **WITNESS C:** Thank you, Commissioners. There I will only make my own conclusions to say that he will demand as he is one of the people who are contributing towards the campaign of the Minister in becoming the President of the ANC and because he, towards the end he indicated that he had the feeling that these people are using him in order to

get to Lieutenant General SD Khumalo. That is why he was advised to open a case against myself and my Commander as the two key role-players in the operation of the 6th December in order to get through to General SD Khumalo.

ADV MOTLHASEDI: Thank you, Witness ...[intervenes].

ADV BALOYI SC: If I may. Witness C, the question to you from Ms Motlhasedi was whether Mr Matlala said to you, did he explain to you on what basis he was entitled to make the demand. You have expressed your opinion. Is your answer
10 that he did not say the basis on which he is entitled to make that demand?

WITNESS C: Thank you, Commissioner Baloyi. Yes, indeed he did not say, that is why I only made a conclusion.

ADV BALOYI SC: Thank you.

ADV MOTLHASEDI: Thank you, Commissioner Baloyi. And notwithstanding Mr Matlala's demand and notwithstanding the financial assistance you have alluded to, what steps did he take after his request for direct action was refused?

WITNESS C: Thank you, Commissioners. He indicated that
20 after he saw that this is becoming, the protection that he was supposed to be receiving from the Minister he is not receiving, so he indicated that he went to KZN to see Undosi and Undosi with which he was referring to former Minister, General Bheki Cele.

CHAIRPERSON: Did he explain what assistance he thought

he could get from former Minister Cele?

WITNESS C: Commissioners, ja he went and informed former Minister Bheki Cele to say that he indeed has a problem with the members that came to his house and he was advised to make a false case against the police and that he was, the false case included the watch, the Rolex watch that it was said that he had stolen and in actual fact on the day that he went to see former Minister Cele he also alluded that he was wearing the same watch and he showed
10 the same watch to the Minister.

CHAIRPERSON: I am not sure that that answers my question. Mr Cele is a former Minister of Police. He is no longer the Minister of Police. Minister Mchunu is the Minister of Police. What assistance did Mr Matlala say he expected to get from Minister Cele if he told you at all?

WITNESS C: Thank you, Commissioners. He did not state as to what assistance was he expecting to receive from former Minister Cele.

ADV BALOYI SC: Did he say why he went to see him, the
20 reason for the decision to go and see him?

WITNESS C: Thank you, Commissioner. The reason for him to go and see the former Minister Cele is that it is because he saw that these people were using him in order to get to Lieutenant General SD Khumalo.

ADV BALOYI SC: Thank you.

ADV MOTLHASEDI: Thank you, Commissioner Baloyi. Witness C, with reference to paragraph 99 what then was the outcome or resolution of his meeting with the former Minister of Police?

WITNESS C: Thank you. The resolution that was taken by former Minister Cele was that it is not good to open false cases against the police and therefore he should withdraw the case against the police. And also if I recall well, Commissioners, he also indicated that after his meeting
10 with former Minister Cele, he tried to reach to the KZN Provincial Commissioner, General Mkhwanazi, but unfortunately he could not get through and also he tried to reach to Lieutenant General SD Khumalo and also unfortunately he could not get through to them. So I would not know, he did not specify as to why did he wanted to get to meet them after the meeting with former Minister Cele.

ADV MOTLHASEDI: And Witness C, despite saying he did not inform you as to what the purpose of him reaching out to General Mkhwanazi and General Khumalo was, did he
20 advise you as to whether those meetings were ever successful? Did he ever secure an audience with them?

WITNESS C: When we interviewed him he indicated that those meetings never happened. He did not succeed in meeting them.

ADV MOTLHASEDI: With reference to paragraph 100,

please then inform the Commission what happened after Mr Matlala's engagement with former Minister Cele and what he shared with you there.

WITNESS C: Thank you. During this interaction with Mr Matlala I felt that Mr Matlala was very frustrated because on one hand he is funding Minister Mchunu's presidential campaign and he expected the Minister to assist him in stopping the police from investigating him and whereas now Mr Mchunu and his crew are failing to protect him on that
10 sense. And on the other hand again, after we have arrested him, he also informed us that on the previous day, which is the 13th of May 2023, his contract with SAPS had been cancelled - 13 May 2025 his contract with SAPS, his tender contract with SAPS had been cancelled and he felt very disappointed to say that yes, I am funding the person who has all the powers to can make things happen to me, for me, and that person is not giving me any assistance, but that person is just extending a receiving hand from my side.

ADV MOTLHASEDI: Witness C, with reference to
20 paragraph 101, what steps then did Mr Matlala say he intended to take in light of this double disappointment that he had experienced?

WITNESS C: Thank you. On the date that we arrested him, he had informed us that he had send a text message to Mr Mogotsi that he had recorded everything and he was going

to expose everything. So now he also indicated when we were with him that he was going to go to the High Court to make an affidavit to expose his relationship with Minister Mchunu and also incriminating him on all this, on his criminal activities.

ADV MOTLHASEDI: Thank you, Witness C. With reference to paragraph 102, you have provided testimony to the Commission about the exchange of funds from Mr Matlala to the Minister. Please then explain what he told you about
10 how funds were transferred to the Minister and Mr Brown Mogotsi.

WITNESS C: Thank you, Commissioners. Ja, when it comes to the funding of the Minister's campaign he informed us that he would transfer money through to a company, through a company that is registered under Mr Brown Mogotsi and then Brown Mogotsi would be the one who will relay the money to the Minister.

ADV MOTLHASEDI: Please proceed.

WITNESS C: And the account numbers with which he had
20 been transferring money to, had been given to us. And after he had send that, like the money to, through to Brown Mogotsi, then he will thereafter send the proof of payment to Brown Mogotsi for the confirmation of the payment.

ADV MOTLHASEDI: Please proceed to paragraph 103.

WITNESS C: Thank you, Commissioners. Ja, he gave us

an example of, for his funding that, or for his sponsorship that he had sponsored the Minister's delegates to the January 8 celebration of the African National Congress and he paid an amount close to 500,000 for the people who were going, for the members of the Parliament and the, and Minister's delegates who were going to attend to that function in, he said it was in Cape Town.

And he, for that funding he used a company known as Gothle Specialists for the flights, accommodation and the
10 entertainment for the delegates. And the list or the names of the delegates were given to him by Mr Brown Mogotsi.

ADV MOTLHASEDI: Thank you, Witness C. Chairperson, in order to set up the recordings might I ask for a brief adjournment.

CHAIRPERSON: We will hear, we will adjourn and we will hear from you.

ADV MOTLHASEDI: Thank you, Chairperson.

INQUIRY ADJOURNS

INQUIRY RESUMES

20 **CHAIRPERSON**: That is what they call live.

ADV MOTLHASEDI: Thank you. Thank you, Chairperson. Witness C, can I confirm that you are there?

WITNESS C: Thank you, Commissioners. I am here, Commissioners.

ADV MOTLHASEDI: Thank you. Chairperson, we intend to

play several recordings, but I will have the witness give the Commission the details of those recordings. Witness C, please confirm that the Commission has been provided access to these recordings that are about to be played.

WITNESS C: Thank you, Commissioners. Yes, we have provided the Commission with the recordings as they would be played. Thank you.

ADV MOTLHASEDI: Witness C, please inform the Commission of the source of the recordings and the date on
10 when they originated.

WITNESS C: Commissioners, the recordings were recorded by me with my cellphone and they were recorded on the 14th of May 2025.

ADV MOTLHASEDI: And to confirm, the specific occasion relates to the informal conversation you had with Mr Matlala subsequent to his arrest, is that correct?

WITNESS C: That is correct. The recordings were before a warning statement of Mr Matlala could be obtained.

ADV MOTLHASEDI: And Commissioners, for the record,
20 the full recordings themselves are quite lengthy. The full recordings are quite extensive, but we intend to play excerpts, limited excerpts of the recordings.

ADV BALOYI SC: Perhaps before you do that, can we just confirm this. Witness C, did Mr Matlala become aware that you were recording the conversation he was having with

you?

WITNESS C: Thank you, Commissioner. Before I started recording, I requested him that for our safety and the authenticity of whatever you would be saying, I will request to record and indeed he agreed. He consented to the recording. Thereafter I started recording after he has consented.

ADV BALOYI SC: Thank you.

10 **ADV MOTLHASEDI**: Witness C, prior to playing the relevant portion of the recording, I am going to play a few seconds in advance and then please confirm that the recording is audible on your side.

WITNESS C: Thank you.

CHAIRPERSON: I cannot quite hear. I do not know, there is something with the sound.

ADV MOTLHASEDI: Sorry, Commissioner, I did not – sorry, Chairperson, I did not hear that?

20 **CHAIRPERSON**: I am saying I cannot quite hear. There is something with the sound, something offish or whatever the correct word is.

ADV MOTLHASEDI: Perhaps I will ask the IT support team to decrease the volume just a smudge. We will try again, Chairperson.

CHAIRPERSON: Maybe lower the volume a bit. Can you hear it?

ADV MOTLHASEDI: I can hear, Chairperson, but admittedly I have listened to the recordings several times, so I do not know if I am running off brain memory. Yes, could I ...[intervenes].

CHAIRPERSON: Yes, should we get, ja some technical people to ...[incomplete].

ADV MOTLHASEDI: Chairperson, an indulgence, please. Could we ...[incomplete].

CHAIRPERSON: Ms Motlhasedi, let us continue with the
10 witness' evidence from the statement all the way to the end and at the end of his testimony you can then try to see if you can get it playing the way it should. And if you still cannot, then we may as a last resort ask that we be given a transcript.

ADV MOTLHASEDI: Thank you, Chairperson, we will proceed on that basis.

CHAIRPERSON: Yes. Yes, thank you.

ADV MOTLHASEDI: Thank you, Witness C.

WITNESS C: Thank you.

20 **ADV MOTLHASEDI:** Witness C, just to update you, we have had some challenges in the auditorium regarding the quality of the recordings and so the direction from the Chairperson is that we continue with the evidence and then we will revisit the issue of the recordings. At this juncture you have then concluded your testimony as it relates to Minister

Mchunu. Could I ask, kindly ask you then to please turn to paragraph 33 of your witness statement. My apologies, page 33 of your witness statement. The respective heading there is General Sibiya.

WITNESS C: I am there.

ADV MOTLHASEDI: Thank you, Witness C. With respect to paragraph 104, please then detail to the Commission how exactly Mr Matlala said he came to meet General Sibiya.

WITNESS C: Thank you, Commissioners. As we advanced
10 with our talk or interview, then we came to ask him to say how did you know General, Lieutenant General Sibiya, the DNC, and he indicated that he used to provide security services at the farm, the farm of Mr, the late Mr Msibi who was also known as Mr Mswazi or the old man.

He indicated that Lieutenant General Sibiya was a regular person there who would always from time to time they will meet at the farm. And at the farm that is where he had met a lot of Mr Msibi's associates who were introduced to him as the Big Five and they were also calling each other
20 brothers.

ADV MOTLHASEDI: Thank you, Witness ...[intervenes].

WITNESS C: So ...[incomplete].

ADV MOTLHASEDI: Please proceed.

WITNESS C: I wanted to say that that is how he became to know the Deputy National Commissioner, Lieutenant

General Sibiya.

ADV BALOYI SC: If I may. Witness C, you started off this section by saying as we continued with our interview. Can we just locate this, is this a conversation that is happening in what the Evidence Leader has referred to as an informal discussion or are you now interviewing him for purposes of taking a statement? I think there is a proper word for it. At which point are you now when this discussion is happening?

WITNESS C: Commissioner, this is our informal interview
10 and/or a talk.

ADV BALOYI SC: Thank you.

ADV MOTLHASEDI: Thank you, Witness C. In reference to your testimony in terms of paragraph 104, you made mention to a farm. Please tell the Commission what you know, if any, about this farm and where it is located.

WITNESS C: Thank you, Commissioners. The farm is located just after Hammanskraal at a game reserve.

ADV MOTLHASEDI: And the ...[intervenes].

WITNESS C: And this farm ...[incomplete].

20 **ADV MOTLHASEDI:** Please proceed, Witness C.

WITNESS C: And this farm is known to be the most, the most secured farm that only those who are, or who were close to Mr, the late Mr Msibi had access to the farm.

ADV MOTLHASEDI: Thank you. And the reference to the Big Five, please explain what you understand that to be a

reference to.

WITNESS C: The Big Five as we had already been in the investigations here in Gauteng we have come to know that these are the people who are in control of the activities that are happening in the Government, the SAPS, actually each and every Government department that they have full control and oversight to. It is a criminal world that has more control into the Government as we understood.

ADV MOTLHASEDI: With reference to paragraph 105 and
10 106, please share further what else Mr Matlala disclosed about his relationship with General Sibiya.

WITNESS C: Thank you, Commissioners. Mr Matlala indicated that after the passing of Mr Msibi, Lieutenant General Sibiya approached him and said to him “now since that the old man, referring to Mr Msibi, has passed away, it means that now you will continue to take care of me ...[intervenes].

CHAIRPERSON; How you ...[intervenes].

WITNESS C: And so ...[intervenes].

20 **CHAIRPERSON**: Sorry, Witness C. How you put it now is not the same as you put it in your statement. Now you suggest that General Sibiya was telling Mr Matlala that he was going to take care of him whereas in your statement you say that Mr Matlala said please take care of me and I will take care of you. Can you clarify what exactly was

said.

WITNESS C: That is correct, Commissioners. Since I am not reading word for word on the statement, it is, the way that it is put on the statement is correctly so and as the Commissioners will listen to the tapes afterwards it will be indeed confirmed that ja, his statement was that now since that Mr Msibi is no more, please take care of me and I will take care of you in return.

And for that, Commissioners, Mr Matlala indicated
10 that he understood that when General Sibiya asked him to take care of him, he meant that he should take care of him financially or to support him financially. So from there going forward, Mr Matlala would give payments to Lieutenant General Sibiya, payments for around 500,000 at a time.

CHAIRPERSON: Did you at the time or later asked for proof of this? If not you, did anyone else at a later stage asked for proof of this, the payments to General Sibiya of the amounts of around R500,000.00 at a time?

20 **WITNESS C:** Thank you, Commissioners. We asked him as to how does he make payments to General Sibiya and he informed us that General Sibiya does not accept electronic transfers, but he prefers cash. So therefore there would not be a proof of payment to him.

ADV MOTLHASEDI: Witness C, can I take you back to

paragraph 106 where your statement reads:

“Please take care of me and I will take care of you.”

You have explained that Mr Matlala relayed to you that he understood his role there to be one of financial support. But was there a point where Mr Matlala explained to you what then was the role of General Sibiya in relation to him and in exchange for that financial support?

WITNESS C: Thank you, Commissioners. Ja, the favours
10 or the taking care of Mr Matlala by General Sibiya as he had indicated, Mr Matlala indicated that General Sibiya and General Senona assisted him in getting the, in securing the ...[indistinct] [audio dip] there is a point where he also indicated that he has a problem with the, utilizing the sickbay or the clinic at the Police College, that he was supposed to have been using and General Sibiya was the one whom he went to the office to have that matter sorted out.

CHAIRPERSON: I am sorry, using the what at the College?

20 **WITNESS C:** There is a clinic there at the Police College, we normally call it sick bay. It is a medical facility at the Pretoria West Academic College, SAPS Academic College.

ADV BALOYI SC: Witness C, your paragraph 106 suggests that the payments, the alleged payments to General Sibiya happened after Mr Msibi had passed on and I say so

because it reads:

“After the old man, Mr Msibi, also known as Mswazi, died, General Sibiya came to him and said Mswazi is no longer here, please take care of me and I will take care of you.”

He understood this as a reference to financial support, so he would give him payments of R500,000.00 at a time. This reads to convey that the payments started only
10 after Mr Sibiya died. Is that – Mr Msibi, oh dear God, did I just kill General Sibiya. Is that your understanding of that relationship, that the payments, the alleged payments to General Sibiya were made, began only after Mr Msibi passed away?

WITNESS C: Thank you, Commissioners. When we started the, when he started talking about General Sibiya he kept on saying that General Sibiya is a criminal himself and I believe that when he says, is that the old man is no longer here, please take care of me, I will also assume that the
20 taking care of him by Mr Matlala would be that maybe it might be a continuation or he will be starting to take care of him as the old man had passed.

So I would not specifically be sure as he did not clarify that point as to whether he only started taking care of him after the passing of Mr Msibi or he had been taking

care of him prior the passing of Mr Msibi and the General wanted him to continue to do as he had been doing before.

My assumption comes only after he had indicated to me that General Sibiya is a criminal himself and he kept repeating those words.

ADV BALOYI SC: Thank you.

ADV MOTLHASEDI: Thank you, Commissioner. Witness C, in continuing your informal talk with Mr Matlala, what, if anything, was his outlook or overview of his relationship
10 with General Sibiya? Was it positive or negative at that moment in time?

WITNESS C: At that time he indicated that his relationship with General Sibiya was only based on money, that General Sibiya will only be on the receiving end.

ADV MOTLHASEDI: Chairperson, I notice that we have just gone over 11, before I am accused of depriving you of tea.

CHAIRPERSON: Let us continue until 11:15 and adjourn at that point.

ADV MOTLHASEDI: Thank you. Witness C, you were then
20 detailing the nature of Mr Matlala's relationship with General Sibiya and please then proceed to paragraph 108 and explain to the Commission the methods he would utilize in order to deliver money to General Sibiya.

WITNESS C: Thank you, Commissioners. With his own mouth Mr Matlala indicated that he used, he would go to

General Sibiya's house and here he did not specify which house, and whereby he will do the drop off for the money and that there is another house, a townhouse at a gated community in Sandton where also he would go there and he would, as directed by the General, he will drop off the money.

Further to this, he gave a bit of a more detail to say that when you access this gated community or this estate, then there will be a circle. General Sibiya will come from
10 the, one of the houses and stand by the circle, he does not allow any person into his house, and then he will hand over the package to him and then thereafter he will drove off. And again that the, he knows the, he did not know the name of the estate but he knows that at the same estate it is where there is a character known to him as Serge Cabonge, the fixer, who is also owning a house at that same complex. So ja, that is how he would indicate this to how he do the drop off's.

ADV MOTLHASEDI: Witness C, just for clarity sake, I
20 missed it, please identify the individual who he says resides in the complex?

WITNESS C: It is a person named Serge Cabonge. It is a Congolese national. Some people they call him the blesser, and some people they call him the fixer.

ADV MOTLHASEDI: Thank you, Witness C. And just

...[intervenes].

CHAIRPERSON: Please spell the name for the record.

WITNESS C: It is S E R G E and then the surname is C A B O N G E.

CHAIRPERSON: Thank you.

ADV MOTLHASEDI: Witness C, in addition to money dropped off at a townhouse in Sandton, please explain to the Commission with reference to paragraph 109 how else funds were advanced by Mr Matlala to General Sibiya.

10 **WITNESS C**: Thank you. He indicated that after each and every payment by the SAPS for his tender, then a portion of the payment will be given to General Sibiya and he indicated that sometimes he will pay to the total amount of R1 million a month.

ADV MOTLHASEDI: Did Mr Matlala ever relayed to you why there was a link between him receiving payment in respect of an invoice and then him transferring or sending money to General Sibiya. Why were these two actions seemingly interlinked?

20 **WITNESS C**: One would make a cross-reference back to say that General Sibiya and General Senona helped him to secure the SAPS tender, so then the only conclusion that one will come to, it is that maybe there was an agreement between them that whenever a payment is made by the SAPS, then a portion will come to me.

ADV BALOYI SC: Does he, does Mr Matlala in these recordings say that General Sibiya and Senona assisted him to get the tender? Is it something that is contained in these recordings?

WITNESS C: Yes, that is correct, Commissioners, it is contained in the recording.

ADV BALOYI SC: Thank you.

ADV KHUMALO SC: Just before we break, Witness C, you are getting this revelations about Ministers, very senior
10 Generals in the police setup, they involve exchange of money and bribery, what did you do with this information? Did you prepare a statement for your superiors so that action could be taken against this people?

WITNESS C: Thank you, Commissioners. As a junior official when this involves the senior management of the SAPS, I send a report to the senior managers of the SAPS so that I will be guided as to what steps should I take further. And the, when the July 6 happened, we were still investigating the authenticity and/or the aversions by Mr
20 Matlala.

ADV KHUMALO SC: Am I understanding you correctly that the report that you gave to your superiors directly or indirectly led to the media briefing on July 6?

WITNESS C: I am not specifically saying that it led to the July 6. I am saying that by the time July 6 happened, the

media briefing on July 6 happened, we were investigating the aversions by Mr Matlala.

ADV KHUMALO SC: Thank you.

CHAIRPERSON: You say in instances like these you prepare a report for your superiors. Did you prepare one in respect of this revelations? Did you prepare a report in respect of these revelations, a report for your, or to your superiors? These are ...[intervenes].

WITNESS C: Yes.

10 **CHAIRPERSON**: Oh, thank you. Thank you.

WITNESS C: Sorry, sorry, Commissioner, to interject you.

CHAIRPERSON: No, I just wanted to say, I wanted to say please give a direct answer, because ...[intervenes].

WITNESS C: Oh, yes.

CHAIRPERSON: Commissioner Khumalo asked a similar question and I am not sure what your answer was, so that is why I am saying please give a direct answer. I think you already have, which is a yes. Thank you very much, Witness C.

20 **WITNESS C**: Thank you, Commissioner, yes.

ADV MOTLHASEDI: Chairperson, it is quarter past.

CHAIRPERSON: It is 16 past. It is not me, it is Commissioner Baloyi, she says we must come back at 11:31. Let us adjourn and resume at 11:35.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Yes, Ms Mohlasedi.

EXAMINATION BY ADV MOHASEDI

(CONTINUES): Thank you, Chairperson. Witness C, can I confirm that you are there and can hear us?

WITNESS C: I am here and I can clearly hear you, Commissioners.

ADV MOHASEDI: Thank you. Witness C, you were engaging the Commissioners with reference to paragraph
10 109. You were discussing the issue of financial transfers. Could I ask you to please have regard to paragraph 110 and detail for the Commission a further method in which funds would be given to General Sibiya.

WITNESS C: Thank you, Commissioners. First things first, Mr Matlala has also given us General Sibiya's phone numbers. The initial time he gave us the phone numbers, it was during the visit at his house on 6 December 2024. And then secondly, when we were upon his arrest, that is when he also gave us other contact details of General Sibiya. We
20 also asked him as to how does he pay General Sibiya.

He indicated that he would do the drop-offs at the house. And then there is also a character known as Sergeant FE Nkosi, whom he indicates that he is the person who will be transporting the funds from him to General Sibiya. And he also gave us the Absa account details of

Sergeant FE Nkosi. And also indicated that he is also in constant communication with this Sergeant Nkosi. Furthermore, that this Sergeant Nkosi is working at the National Organised Crimes, which is the unit under the direct command of the DNC, which is General Sibiya.

ADV MOHLASEDI: Witness C, in an earlier part of your evidence you made reference to a Sergeant FE Nkosi. You gave evidence that this is a police official who tipped Mr Matlala off about an operation scheduled at his residence.

10 Is this the same Sergeant Nkosi that you list in paragraph 110?

WITNESS C: That is correct, Commissioners. On the 6th of December, he did show us the contact numbers of Sergeant Nkosi. But he had saved him as Warrant Officer FE Nkosi. Wherein actual fact, when we checked, because he also had his personal number on one of the screenshots that he had. Then when we checked, it was indeed determined that he is not a warrant officer, but a sergeant.

He indicated that this Sergeant Nkosi is the one
20 who facilitates the transfers of money to General Sibiya. And in one of the conversations that Mr Matlala showed us, he also indicated that this Sergeant Nkosi is in possession of Mr Matlala's bank account card. And in some instances, after the payments by SAPS to Mr Matlala, then Sergeant Nkosi will facilitate that the money gets into the hands of

General Sibiya.

CHAIRPERSON: You use the verb transfer in the context of Sergeant Nkosi allegedly transferring money to General Sibiya. Earlier you said that General Sibiya did not want electronic transfers and that he allegedly preferred or insisted on being given cash. In normal banking parlance or language, transfer is usually used for electronic transfers. So, when you say that Sergeant Nkosi would do transfers, do you mean he would transfer electronically, or
10 he would deliver physically?

WITNESS C: Thank you, Commissioners. For the lack of a better word, ...[intervenes]

CHAIRPERSON: I am very, very sorry to interrupt you allegedly of course.

WITNESS C: Yes, Commissioners, for a lack of a better word to put it I would say that he would serve as a messenger or a go-between who would take cash from Mr Matlala and transport it to General Sibiya. Thank you, Commissioners.

20 **ADV MOHLASEDI**: And just to confirm, Witness C, your evidence is that Sergeant Nkosi had access to a bank card belonging to Mr Matlala. Is that correct?

WITNESS C: That is correct, Commissioners. In one of the Mr Matlala's conversations with Sergeant Nkosi, he asked Sergeant Nkosi to send him the picture, the front and

the back part of his business account, FNB business card. Then, indeed, Sergeant Nkosi took two pictures, one which is the front part of the FNB business account, and which was the back part of the same card of Mr Matlala.

ADV BALOYI SC: Witness C, in that paragraph 110, you speak of an Absa account. Is there a different account, Absa and another one, FNB? Because now you have just mentioned FNB.

WITNESS C: Yes, Commissioners. The Absa bank
10 account, Commissioners, is an account number that belongs to Sergeant FE Nkosi, which at the time of an interview with Mr Matlala, he indicated that sometimes he would do EFT transfers for Sergeant Nkosi to utilise and some to facilitate that it reaches General Sibiya. Thank you.

ADV BALOYI SC: Thank you.

ADV MOHLASEDI: Witness C, over the course of the next few paragraphs from paragraph 111, you are going to detail instances where Mr Matlala relayed to you that he provided funds to General Sibiya. Could we work through those
20 instances one by one, beginning with paragraph 111, please?

ADV BALOYI SC: Before you do that, Witness C, you say you conducted an investigation into who is this Sergeant Nkosi and you found that he belongs to which unit?

WITNESS C: The National Organised Crime Unit, which

falls under General Sibiya and is owned by Lt-Gen Sibiya.

ADV BALOYI SC: Thank you.

ADV MOHLASEDI: Thank you, Commissioner. Witness C, you were at paragraph 111, please.

WITNESS C: Thank you. Mr Matlala also indicated that there was an instance when General Sibiya's son was getting married and he was invited to that party thereof. At that event, he had given General Sibiya an amount of 300 000 in support of that marriage or that party. At another
10 instance, he indicated that, I can rather say it also in the vernac that he used, he said, ...[speaking in vernacular] so meaning that General Sibiya loves money a lot because the time he once went to his office at the National Head Office of SAPS, whereby he wanted a resolution into the issue of him utilising the Pretoria West SAPS Academy. And then General Sibiya instructed him to place the money in the dustbin at his office. He has a bathroom attached to his office.

CHAIRPERSON: Witness C, you have been specifying the
20 amounts. Was this amount not specified? Just say, place money.

WITNESS C: Thank you, Commissioner. For this amount, it did not specify as to how much it was. And that question was never also asked as to how much was it.

ADV MOHLASEDI: Witness C, please then proceed to

explain the contents of paragraphs 112.

WITNESS C: Thank you. In January 2025, Mr Matlala indicated that General Sibiya informed him that he is buying a plot in Midrand. And the plot was to be registered under the names of his wife. And they are intending to convert that plot into a bed and breakfast. And for that, Mr Matlala has indicated that he had given General Sibiya an amount of R2 million towards the purchasing for the B&B.

And he had also indicated that these R2 million, he
10 had personally given to General Sibiya at the house in Sandton, as he was directed by the general himself. This is the same house that I have indicated earlier in my evidence that this is where a character known as Serge Cabonge also owns or resides at the same estate.

ADV MOHLASEDI: Witness C, please proceed to finalise paragraph 112 and explain to the Commissioners the manner in which the money discussed therein was handed over or dropped off to General Sibiya.

WITNESS C: Thank you. This money, R2 million, was
20 dropped off in cash at the estate in Sandton, whereby he indicated that General Sibiya came out of the house and stood by the second, where he did not go in, he just extended his hand from the car whilst he was still sitting in the car, and General Sibiya took the money. And then as he drove off, General Sibiya walked back into the house.

CHAIRPERSON: In the olden days, I would be asking about whether there is a paper trail. Of course, you have indicated that General Sibiya allegedly insisted on cash payments, so there would probably be no paper trail pointing to him. But there would be a paper trail at least showing withdrawals that are either of the exact same amounts or amounts in that region. So, these days everything is electronic, but it would still work the same way. Were you able to establish, or was someone else able
10 to establish, if indeed there was a trail tending to match or show a link with the alleged payments to General Sibiya?

WITNESS C: Thank you, Commissioners. At the moment, at the time of deposing this affidavit, Commissioners, we were still analysing the bank statements of Mr Matlala. Mr Matlala has a lot of bank accounts, Commissioners, and the activities in those accounts are a lot. So, the analysis thereof has not been concluded.

CHAIRPERSON: Thank you.

ADV KHUMALO SC: Witness C, my question is related but
20 slightly different. This estate in Stanton where General Sibiya allegedly resides, have you been able to obtain CCTV footage showing Mr Matlala going in and out of the estate around the same period that you mentioned in paragraph 112 of the statement?

WITNESS C: Commissioners, that part, since I am not fully

into that investigation, I will not be able to state as to whether the CCTV footage thereof had been viewed or secured or not.

ADV KHUMALO SC: Because I am thinking if Mr Matlala did go to that estate and did deliver a bag, we will not know obviously what's inside the bag. There may well be CCTV footage that shows him entering and leaving but also dropping off a bag or something similar to a bag. Would that not be so?

10 **WITNESS C:** Yes, if the area is CCTV covered, indeed such evidence would be available.

ADV KHUMALO SC: Thank you.

ADV MOHLASEDI: Thank you, Commissioner. Witness C, is it your evidence that the allegations made by Mr Matlala are the subject of a SAPS investigation? Is that correct?

WITNESS C: That is very correct, Commissioners. I would also like to state that on this interview, Commissioners, our main aim was to investigate the case pertaining as per Sandton CAS436/2023. But now, one could not put a cover
20 on the ear and not pay attention to what Mr Matlala was saying to us, Commissioners. So, whatever that he had said, Commissioners, it is a matter of investigation, an ongoing investigation in the SAPS.

ADV MOHLASEDI: Thank you, Witness C. To make sure that your response is properly understood, are you saying

that the primary purpose of engaging Mr Matlala upon his arrest was to obtain information concerning the Sandton case for which he had just been arrested and therefore that the additional disclosures that he made were supplementary or secondary to your primary purpose for engaging him?

WITNESS C: I will state it in this way, Commissioners. Matlala was arrested as per Sandton CAS436/2023, which is an attempted murder case. Now, our reason for taking him to Boksburg Police Station was to detain him for that case.

10 But he indicated that he wanted to talk. And yes, indeed, we gave him an ear so that he would talk and we would listen to what he was talking.

And also, another interest that I had on my side, Commissioners, it was for me I was hoping actually that he would tell me where Jerry Boshoga was, since Jerry Boshoga even today is still missing. But unfortunately, on that part he did not tell. So, as I said, we could not close our ears and avoid listening to those averments that he was making.

20 **ADV MOHLASEDI:** Thank you, Witness C. Please then proceed to discuss paragraph 113.

WITNESS C: Thank you. Of the other things that he indicated that General Sibiya benefited from him is that he had given General Sibiya a total of 20 impalas for his plot. And unfortunately, all of the 20 impalas died. Though he

did not specify as to for which plot and how did the impalas die. I still recall when I jokingly made a remark to say that maybe the impalas did not like General Sibiya and then we just laughed about it. Thank you.

ADV MOHLASEDI: For completion's sake, Witness C, the reference to impalas there, is that a reference to the antelope that lives in the wild?

WITNESS C: That is correct, yes.

ADV MOHLASEDI: Great. And where you say in your
10 statement, he gave General Sibiya 20 impalas for his plot, that is a reference to a plot belonging to or occupied by General Sibiya. Is that so?

WITNESS C: Commissioners, on that he did not specify as to whether it was for the new plot that he had bought, that General Sibiya had bought, or the plot where General Sibiya resides as in now.

ADV MOHLASEDI: But that it was General Sibiya's plot? Is that your evidence?

WITNESS C: Yes, my evidence is that it was General
20 Sibiya's plot, but he did not specify as to which of the plots.

ADV MOHLASEDI: Witness C, please then turn to the final paragraph under the subheading of General Sibiya and explain there to the Commission why you describe Mr Matlala as an upset and frustrated man.

WITNESS C: Thank you. Mr Matlala expressed a lot of

frustrations against General Sibiya to say that after the raid December 6th he was promised that the actions by the SAPS would be actually anything us to him would be defused. So, now when we went again to this workplace, company offices, on the 18th of December 2024 and the 19th of December 2024, then he became more frustrated to say that despite the fact that Lt-Gen Sibiya is the Deputy National Commissioner and he has promised him that the police will not be coming again to either his house and/or his business
10 addresses.

The team also still proceeded to his premises and conducted the compliance inspection whereby his company firearms were also seized. And now General Sibiya on the other side had failed to stop that or to assist him in that manner, in that fashion. So yes, he indicated that he was very frustrated, angry and angry at him. And he indicated that, but now for his safety, because he indicated that we call General Sibiya the pitbull.

So now he indicated that for his safety and then he
20 would just play along with him because fearing should he made it known that he is no longer on his side or whatever. I do not know how to put it. Then as he calls him pitbull, he knows that should he find out, should General Sibiya find out that Matlala has changed sides, then it means that it will be the end of his life. Thank you.

ADV MOHLASEDI: Witness C, at the end of paragraph 114, you state that Mr Matlala expressed that despite being a Deputy National Commissioner, he did not make calls to assist him when police descended on his home and business. That is of course a reference to General Sibiya, is that correct?

WITNESS C: That is correct, yes.

ADV MOHLASEDI: And in engaging Mr Matlala, did he say to you on what basis he was entitled to or demanded
10 assistance from General Sibiya when the police descended on his home and business? What was his entitlement to that intervention from the Deputy National Commissioner?

WITNESS C: Thank you, Commissioners. As I have indicated on the, I think it was paragraph 90 something, where he indicated that General Sibiya, it will be paragraph 106, whereby General Sibiya came to him and asked him to please take care of him, and he will take care of him. So since well now, General Matlala had been taking care of General Sibiya, so General Sibiya was also supposed to
20 take care of him in return for that. So now that is one of the frustrations that dawned him to say that, no, I am playing my part as in paying the general, but now the general is not assisting me in preventing all these raids by the police to his premises.

ADV MOHLASEDI: Witness C, our next subheading is

titled General Feroz Khan. Before we turn to discuss that paragraph, is there anything you would like to add in respect of the discussion we've had concerning General Sibiya?

WITNESS C: Commissioners, I think for now on that part I have said a mouthful. We can proceed to the next item.

ADV MOHLASEDI: Thank you, Witness C. Please tell the Commission what Mr Matlala shared about General Feroz Khan.

10 **ADV KHUMALO SC:** Let us start by identifying who General Feroz Khan is and how he fits within the SAPS structures.

ADV MOHLASEDI: Thank you, Commissioner. Please proceed, Witness C.

WITNESS C: Thank you, Commissioners. General Khan is a Major General in the South African Police Services, attached to the Crime Intelligence National Office.

ADV MOHLASEDI: Thank you, Witness C. Please then proceed to paragraph 115.

20 **WITNESS C:** Thank you, Commissioners. Mr Matlala had also, initially on the 6th of December when we visited his house, he indicated that one of the people that he is, one of the high-ranking officials that he is close to is General Khan. Now, he then indicated that there were disciplinary charges that were brought against General Khan in the

SAPS and that General Khan demanded an amount of 2.5 million from him.

I do not know for what, but then he only gave him an amount of R500 000. And he also indicated that the way that General Khan demanded that 2.5 million from him, he showed to be threatening or intimidating him and that made him, Mr Matlala, not being okay with it as he did not like it at all. So, he did not specify as to why the demand of 2.5 million and whether that money, is it the money that maybe
10 Mr Matlala owed to General Khan or maybe it was for him to pay for his legal fees. He did not indicate that, Commissioners.

ADV MOHLASEDI: Witness C, when we initially dealt with your evidence, you testified that when you interviewed Mr Matlala on the 6th of December, he made reference to a General Khan. Is that correct?

WITNESS C: That is correct, yes.

ADV MOHLASEDI: And on the 6th of December, he told you that General Khan would regularly utilise his penthouse
20 at Menlyn Maine in Pretoria. Is that correct?

WITNESS C: That is very correct.

ADV MOHLASEDI: And so, is the reference to General Khan, to the General Khan, in May 2025, the same General Khan spoken to you about from the December 2024 operation?

WITNESS C: That is correct, because he also repeated his statement by saying, and the same General Khan now, he demanded this 2.5 million from me, whereas he would from time to time utilise my penthouse at Menlyn Maine.

ADV MOHLASEDI: Thank you, Witness C. Our next heading is entitled General Shibiri. I am going to ask you to tell the Commission what Mr Matlala told you with reference to paragraph 116.

WITNESS C: Thank you, Commissioners. General
10 Abednego Shibiri is a Major General in the South African Police Services, attached to the National Organised Crime Unit, working under the command of Lt-Gen Sibiya. He was also close to General Shibiri, as also in the first encounter with him, he had indicated that when he was doing the name dropping, he dropped also the name of General Shibiri to say that he was close to General Shibiri.

At this point now, in May 2025, that is when Mr Matlala indicated that General Shibiri was celebrating his post-promotion and for the party or the celebration thereof
20 he had given an amount of R80 000 to General Shibiri through a company called Black AK Trading. Then he further indicated that General Shibiri was not happy with an EFT or an electronic fund transfer to this Black AK Trading, with which the money was also transferred back to Mr Matlala's account. The same amount of 80 000 was then

given to General Shibiri in the form of cash.

ADV KHUMALO SC: Ms Mohlasedi, I think you recall that in relation to other payments, Chair asked if there is paper trail. In relation to this one, I believe Witness X gave evidence and also proof of those payments. I just wanted to place that on the record.

ADV MOHLASEDI: That is indeed correct, Commissioner. Chair, this concludes this aspect of the witness's testimony. It is in fact a conclusion of our final theme, which related to
10 the arrest of Mr Matlala. I sought guidance as to whether we should attempt to play the recordings now, because they relate to this theme, or whether I should complete his testimony and then play the recordings at that stage.

CHAIRPERSON: My colleague, Commissioner Baloyi, has a question, but to respond to you directly so long, let us just finish the evidence all the way to the end.

ADV MOHLASEDI: Thank you, Chair.

ADV BALOYI SC: Witness C, about General Feroz Khan, did Mr Matlala at any point whether or the 6th or on the day
20 of his arrest explain the nature of his relationship with General Khan?

WITNESS C: Thank you, Commissioners. Mr Matlala only indicated that he was close to Mag-Gen Feroz Khan. He did not indicate the nature of the relationship or the closeness of them as to what end.

ADV BALOYI SC: Thank you. Then another question in your paragraph 91 of the statement right at the end you say our reference – it starts this way:

“In the course of this section our reference chats obtained from Mr Matlala’s phone in support of what he shared with us.”

Up to this part this end of your evidence you have not referenced any chats that were obtained from his phone.

10 What is that about, that sentence? What are you referring to?

WITNESS C: I do not have specific chats between General Khan and Mr Matlala at hand at the moment, because I did not conduct the analysis of the imaging of Mr Matlala's phones.

ADV BALOYI SC: All right, let me explain my question. That paragraph, how it starts, this is where you are talking about the chats that you say were informal chats, right? Maybe let us go back a bit. You say in paragraph 90, you

20 say:

“Mr Matlala was read his rights and arrested. He asked to have an informal talk with us, right.”

That is in paragraph 90.

WITNESS C: That is correct.

ADV BALOYI SC: In paragraph 91, you then say the chat is recorded. And then you conclude that paragraph by saying:

“In the course of this section, I will reference chats obtained from Mr Matlala's phone in support of what he shared with us.”

And when you turn to the next page, that is where you have the subheading, Minister Mchunu, and so on. So, my
10 question is not just about Maj-Gen Khan. It is your entire evidence about the subheadings, that where you say I reference chats obtained from Mr Matlala's phone in support of what he shared with us. Which chats are you referring to?

WITNESS C: There will be the chats also between Mr Matlala and Brown Mogotsi. Those are the chats that I can happily make reference to. And the chats between Mr Matlala and Sergeant FE Nkosi when they were speaking on behalf of General Sibiya. And there will also be the chats
20 between General Sibiya.

ADV MOHLASEDI: Thank you, Commissioner.

ADV BALOYI SC: Let me just try and see this. Are these the chats testified to by General Khumalo and by Witness B?

ADV MOHLASEDI: X.

ADV BALOYI SC: X, I am told. Is that what you are referring to?

WITNESS C: Yes, correct, Commissioners. The chats are the ones that have been testified to by Witness X and Lt-Gen SD Khumalo.

ADV BALOYI SC: Thank you. And then lastly.

WITNESS C: My part will be most especially the recording of the chat we had with Mr Matlala.

ADV BALOYI SC: Thank you. And then lastly, these chats
10 that are recorded between you and the evidence leader, you have referred to them as informal. You had an informal chat. What does that mean? These chats that you have recorded, are they not now part of your record or docket? When you say informal, why do you call them informal?

WITNESS C: We call them informal because the engagement between a suspect and a detained person, when we formalise it, it will be in the form of a warning statement. whereby I will first read you your rights as a detained person or an arrested person and now warn you
20 that I am going to take a warning statement from you. And I will further inform you that I have information pertaining the charges that you are facing, with which now I am giving you an opportunity to state whatever that you would want to state.

And you should know that whatever that you tell

me, then it will be written and used as evidence in the court of law. That will be the formal chat. Then, it was before he was charged and it was before a warning statement was obtained from me. That is why I said, as he said that, of the case, I wanted to talk. So now, we are not talking about the case that he was facing. We did not touch the merits of that case. We had to listen. In addition to that, Commissioners, one of the informal talks that he told us, it was that pertaining the attempted murder of Mr Sibanyoni.

10 He said to us that the car that was used there was Floyd Mabusela's BMW.

ADV BALOYI SC: Thank you. Thank you, Ms Mohlasedi.

WITNESS C: Breaking news, the source said that that car, you will never find it, because from the farm he was told to destroy that car. And he was given a Mercedes-Benz for the replacement of the BMW. Now, because he made that aversion, we investigate whatever you say. That is why I said we do not put a cap on the ear. So, we went and investigate that, because that was one of our cases that we

20 were interested in finding the solution. We investigated that up until we indeed find the car, as he had indicated. And yes, indeed, the instruction was that the car must be destroyed.

ADV BALOYI SC: Thank you, Witness C ...[intervenes]

WITNESS C: By the time he was arrested, he was in

possession of the Mercedes-Benz, with which, when we checked the history thereof, indeed, the car was coming from Mr ...[indistinct] side.

ADV BALOYI SC: All right, thank you.

WITNESS C: Thank you.

ADV MOHLASEDI: Thank you, Commissioner Baloyi. Witness C, we are now on page 36 of your witness statement. We commence a new heading entitled, 'Retaliatory Efforts Against Our Work'. In paragraph 117 of
10 your statement, you set out that the work you do is constantly the subject of constant attacks. Please detail to the Commission instances of this, starting at paragraph 118.

WITNESS C: Thank you, Commissioners. Commissioner, like myself, I told myself I took an oath to become a police official and that oath that I took is to serve and to protect. And furthermore, I said I will investigate without fear or favour, Commissioners. So, during the process of us working on these cases, in January, I think, yes, January
20 30th, 2025, I proceeded to Groenpunt Correctional Facility and there was an inmate who had invited us to say that he had been tasked.

And this person was very close also to Katiso Molefe while he was incarcerated at Groenpunt Correctional Facility. This inmate has informed us that he had been

given a duty by the accused person and ex-police officer, Warrant Officer Pule Tau, to assassinate Witness A and Witness B. And that arrangement was that he would contact a person from the outside that he knows, as a contact of Mr Tau Pule, known as Muzi, and Tau's daughter, known as Manana, that they will be the people who will be facilitating on the outside as to the payments and the resources for the assassination of Witness A and Witness B.

10 So, for organising this hit, he was promised that he will be given an amount of 50 000 and furthermore, he will be assisted in arranging the lawyer for his appeal as he was on the verge of appeal his sentencing. And this very same inmate also informed us that the legal representative of Warrant Officer Pule Tau had given or finished the copies of the docket ...[indistinct] CAS275/04/2024, to Mr Katiso Molefe.

20 And this, to me, I find it very wrong because the docket disclosure to Mr Katiso Molefe was not yet done. As Mr Katiso Molefe was still on the verge of applying for a bail. So, this, I can tell that the legal representative, Mr Frans Mashele, also knew that what he was doing is very wrong by giving Mr Katiso Molefe the copies of the docket. Mr Pule Tau knew that what he was doing in organising hitmen or to orchestrate a plan to have investigators in the SAPS, which is Witness A and Witness B, to be killed, it

was very, very wrong. So, this is one of the most disturbing parts in our lives. As I have taken an oath to serve and to protect, there is one person who will go and say that, no, you cannot do that because me, I am corrupt, you must be corrupt like I am.

ADV BALOYI SC: Witness C, in that paragraph at the end, you say and provided the two accused prior to the disclosure of the docket. Who are the two accused you are referring to there? Right at the end of paragraph 118.

10 **WITNESS C:** No, he was indicating that Mr Mashele provided the copy of the docket to Mr Katiso Molefe and to Mosake Khan.

ADV BALOYI SC: Thank you.

WITNESS C: Thank you.

ADV MOHLASEDI: Witness C, you set out in paragraph 19 that you will, in paragraph 119, that you intend to discuss further cases that have been brought against members of your team. Can I ask you to turn to paragraph 120 and 121. With reference to 120, please read that paragraph into the
20 record.

WITNESS C: I have addressed the commission on the case opened by Mr Matlala in December 2024, which was ultimately withdrawn. Commissioners, this is very disturbing, Commissioners. After our raid at Mr Matlala, he was advised by the senior members of the SAPS to open a

false case against the members in order to stop the members from conducting their duties. And I believe that this is very wrong and this is very disturbing. We are on the very low level, ranks of the SAPS ...[intervenes]

CHAIRPERSON: Sorry, is this not repetitive.

ADV MOHLASEDI: Thank you, Chairperson, has resolved the issue in this manner. Witness C, please confirm that the reference in paragraph 120 to the case opened by Mr Matlala relates to the High Court application that you have
10 already addressed.

WITNESS C: Thank you, Commissioners.

ADV MOHLASEDI: Thank you. Witness C, at this juncture then I would invite you to address the Commission with reference to paragraph 121.

WITNESS C: Thank you, Commissioners. In December 2024, there were three cases that were opened against us, which is one case was by Ms Fandiswa Mangule who is a partner of Katiso Molefe, and the and the two relatives being Lebohang Molefe and Komolo Moloi. And the cases
20 opened were Douglasdale case number 425/12/2024, another one, Katlehong 237/12/2024 Kiiptown CAS410/12/2024. All these cases, the allegations were that we have kidnapped the victims, Fundiswa Mangule, Lebohang Molefe and Komolo Moloi.

ADV MOHLASEDI: Thank you, Witness C. Just as a point

of clarity do these three cases bear any relation to your evidence given earlier concerning efforts you took in order to arrest Mr Lucky Molefe?

WITNESS C: That is correct. These cases, they came after we visited these three individuals and the two of them, we, they, they took us to Standerton to look for, Mr Lucky Molefe in order to apprehend him or to arrest him.

ADV BALOYI SC: Witness C, told us earlier and you repeat in the same paragraph 121 that these cases are
10 currently with IPID.

WITNESS C: That is correct, Commissioner.

ADV BALOYI SC: And you do not know what is happening there. What, what IPID is doing with them? Have they interviewed you?

WITNESS C: Commissioners, other members or other colleagues have been interviewed, Commissioners. I think, 2 months ago, my commander came and indicated that, the members of IPID would want to, to interview us. And, since then, my commander had been making means to have this,
20 members of IPID meet with us. But, then each and every day, there is a new excuse. So, I do not know what is happening with the cases.

ADV BALOYI SC: Thank you.

ADV MOHLASEDI: Commissioner Baloyi, if I may, assist, yes, those cases are currently with IPID. And in fact,

copies of the dockets are part of the exhibit bundle that was provided to the Commissioners. that exhibit bundle is CJC 5.2 and 5.3. It was part of the broad bundle that was, delivered with the witness statement of Witness A for use across all three witnesses. Yes, so, all the dockets are contained in that exhibit bundle.

ADV BALOYI SC: Thank you.

ADV MOHLASEDI: Thank you, Commissioner. Witness C, please then turn to the contents of paragraph 122. This, I
10 will note that this topic was addressed in detail by Witness B, but I would invite Witness C to share in his own words, his, views concerning this, this case. Witness C.

WITNESS C: Thank you, Commissioners. we, on the 7th of January 2025, we engaged with, Captain Makgotloe of Ballistics FSL, Ballistics Science Laboratory, Silverton. And, after an engagement with him, on the 8th of January, when we, went back to his office, that is where now, at the office of Brigadier Mkhabela. Brigadier Mkhabela informed us that, he advised, the member not to engage with us
20 anymore.

And that he had advised the member, which is Captain Mokgotloe to go and open a case of kidnapping against the members with which at the moment, the case is registered as case number Loate CAS118/01/2025, with which I am one of the suspects in that case. And a warning

statement had already been obtained from me. And this, I can tell that it is another way of stopping me or discouraging me and the team to conduct our, duties.

ADV MOHLASEDI: Witness C, in paragraph 119, you indicate that you consider the cases brought against the team to be meritless and to serve to distract the members. With reference to the Loate case that you have just explained, please share with the Commission why you view the case as being meritless and as serving an ulterior
10 purpose.

WITNESS C: Thank you, Commissioners. This case, Commissioners, we contacted, Captain Mokgotloe. I recall the day that on the 7th in the afternoon, around 2 in the afternoon, when we contacted him, he, it was just after I have learned that he has now been promoted to a rank of a captain. And, I congratulated him to say that congratulations for the, on your, new rank. The promotion is a good thing.

And we requested to meet with him. He indicated
20 to us that he was currently on leave, on leave, but he would like to meet with us at Loate SAPS. We proceeded to Loate SAPS. We introduced ourselves even to the shift commander there. I also handed over my, the copy of my, appointment card so that to verify, to, to verify that indeed I was a member of the SAPS ...[intervenes]

CHAIRPERSON: Witness C, the question is, why do you think that case, the case against you kidnapping charge is meritless? Do you want to answer that directly?

WITNESS C: Commissioners, I was, coming to that, to the answer, to that. Maybe I am taking a bit longer, in a lack of a direct approach to that question, or to answering that question, Commissioner.

CHAIRPERSON: Okay, please continue.

WITNESS C: If the Commissioners can allow me to
10 continue on that regard. Commissioners, at the police station, that is where now we started to have an interview with Captain Makgotloe. We indicated that he would want to access the case file. You made contacts to one Colonel Motah[?] and Brigadier Mkhabela saying that he will want to access the case file at the office.

And then, Brigadier Mkhabela gave him his blessings to say that you can contact Colonel Motah who will open the safe for the case files for you. And then he contacted again, Colonel Motah. Lt-Col Motah in return, he
20 said that it is just unfortunate that at the present moment where I am, I am drunk in such a way that I cannot drive from wherever I am to the office to open.

And after that call, he dropped it and he phoned back again to say that the case file has been transferred to KZN Amanzimtoti. So, then that is where now, Captain

Makofe[?] suggested that is where the case file has been transferred, let us head to my office because on my computer system, I have each and everything that I do, I have a backup on the system.

So that is when now we proceeded there. So now we went with him at his own free will as he is the person who directed us to there. And he is the person who asked the permission from his superiors to access the laboratory at night. Upon arrival at his office, then he was in
10 possession of his cell phone ...[intervenes]

CHAIRPERSON: Witness C, the kidnapping as I understand the allegation, are related to you travelling in your own vehicle or vehicles with Captain Mokgotloe from Loate to his office at the FSL. That is what it relates to. So, your evidence is that we did not force him. We took him in our car because he wanted to show us, his material or information at his office.

He did this of his own accord or free will. Therefore, because he did this freely and voluntarily, there
20 was no kidnapping. Is that not enough to answer the question that was put to you? Must we get all the detail relating to everything that happened during that encounter right up to the end when you left the FSL? Is it not enough to say he came to our car voluntarily to show us what information he had at his office? Is that not enough?

WITNESS C: Yes, yes, Commissioner. That is correct. It is enough, Commissioner.

CHAIRPERSON: Thank you.

ADV MOHLASEDI: Thank you, Witness C. Chairperson, that then brings us to our ultimate topic, which is essentially the conclusion of Witness C's evidence. Witness C, we are now at page 38, paragraph 124 of your witness statement. You indicate in paragraph 124 that you would like to address the Commission about the impact of
10 this case on your life. Can I ask you to begin that topic at paragraph 125?

CHAIRPERSON: And I think let us best if Witness C simply reads all of this into the record, please.

ADV MOHLASEDI: I have no objection with that, Chairperson. Thank you.

WITNESS C: Thank you, Commissioners. I will read as follows:

20 "I am a career policeman. I have never worked for an organisation other than SAPS. I have never worked in any capacity outside the law enforcement. I view my work as a member of SAPS, as a calling and not just employment. I wear my badge with pride and view my work as an invaluable contribution to

the community. In my years at SAPS, I have encountered my fair share of challenges. This includes long hours, suppressed pay, lack of recognition for sacrifices made, and the pain that comes from meeting victims of crime and bearing the responsibility to seek justice for them. However, this case has taken more from me than I ever could have imagined. I am not living a lie. I am living a shadow of my former life. On the professional front, I am no longer able to execute my duties in the manner I previously did because I cannot move freely in public without 24-hour protection. It is difficult to meet with informants or to make new connections as my current condition is not conducive to blending in and meeting people in order to get information. I cannot go to court normally and seek my orders. My movements are not free and spontaneous. On the personal front, I cannot live a normal life. I cannot go

to the gym or eat out without risking my life. I have a family that I am deeply committed to but cannot take my family to a shopping mall or arrange that we go out on holiday. I rarely see my family because doing so is a direct endangerment of their lives. This has alienated me from my family, in particular my wife and children, who I have not seen in an extended period of time. I bring this to the Commission's attention because it is important for them to know the sacrifice of ordinary SAPS members. We are in the cold phase of justice and face the raw, unfiltered reality of fighting crime in the country. But even with all my sacrifice and hard work, I am on the empty level of SAPS. My colleagues and I are ordinary SAPS members, and we need assistance in breaking down corruption and the politicisation of the SAPS. It is difficult for us to execute our duties when the corrupt individuals we have encountered are senior

ranking members in the SAPS. It is impossible to fight well-resourced, organised, and ruthless criminals when your own superiors are co-opted and complicit in criminality. With the current environment, South Africa will not win the war on organised crime, CIT, transborder hijacking, drugs, kidnappings, and extortion. Corruption within SAPS only makes it hard to do our work, but it is disillusioning. It is career-limiting and causes disassociation from our colleagues who avoid us. Our colleagues know that you are investigating these cases and I avoid you for the fear of facing repercussions. I make this statement not to seek sympathy, but to make the Commission alive to the reality of committed, ethical, and ordinary SAPS members. I am grateful to General Mkwanazi who lifted the lid on our circumstances.”

10

20

This is the conclusion of my testimony at this juncture.

ADV MOHLASEDI: Thank you, Chairperson. That is the

conclusion of witnesses' evidence.

CHAIRPERSON: Yes, of course, let us subject to us listening to the recordings.

ADV MOHLASEDI: The recordings, yes. Five minutes to one, Chairperson.

CHAIRPERSON: Should we not take the lunch adjournment at this stage? And we were told that we would be getting earphones or headphones in order to set up, get all of those. Maybe let us resume at 2 pm.

10 **ADV MOHLASEDI**: Thank you, Chairperson. We will use the lunch to attend to those.

CHAIRPERSON: Get us ready. Let us adjourn until 2 pm.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Before we start, let me apologize to the public, those with us here, and those watching remotely. We had technical glitches that made it impossible for us to start on time. Most sincere apologies for that. Yes, Ms Motlhasedi.

20 **ADV MOTLHASEDI**: Thank you, Chairperson. We are in a position to proceed with the recordings. As indicated earlier, they are short snippets of a larger audio clip. Witness C, can I confirm that you are there and can hear us? Witness C?

CHAIRPERSON: He is on mute, I am told, Ms Motlhasedi,

but he should hear us if he is on mute. Witnesses C, please unmute yourself.

ADV MOTLHASEDI: Thank you, Commissioners. You were muted on your side. I could not hear. I could see that you were talking, but I could not hear a thing.

ADV MOTLHASEDI: Thank you, Witness C.

CHAIRPERSON: Thank you.

ADV MOTLHASEDI: Witness C, in the continuance of your evidence under theme five relating to the arrest of Mr
10 Matlala, we are going to play one clip for you. You earlier indicated that the source of these clips is your interview of the 14th of May. We are going to play the clip and ask you a few questions thereafter.

CHAIRPERSON: May I place something on record, but only if what we were told outside still pertains, which is what is going to be played will still not be that audible. May I just place something on record?

ADV MOTLHASEDI: Indeed, Chair.

CHAIRPERSON: Yes, those amongst us here who can
20 without disruptions, listen to the live streaming, they are at liberty to do so. And those who are in a position to strain their ears and try to hear what they can, they may do so. And as I understand, after each clip, either before or after, you will briefly tell us what it is about, Ms Motlhasedi.

ADV MOTLHASEDI: Indeed, Chairperson.

CHAIRPERSON: Thank you. Let us proceed.

ADV MOTLHASEDI: Thank you. Witness C, we are about to play the first clip. It relates to the subheading Minister Mchunu.

WITNESS C: Thank you, Commissioners.

AUDIO CLIP PLAYED BACK - INDISTINCT

ADV MOTLHASEDI: Witness C.

WITNESS C: Yes, Commissioners.

ADV MOTLHASEDI: Witness C, were you able to hear the
10 recording? Was it audible on your side?

WITNESS C: Ja, it was audible on my side, Commissioners.

ADV MOTLHASEDI: Thank you.

CHAIRPERSON: And please do not explain what it says. Let us just continue and where we have questions, we will put questions. And those parts that are not in English, I assume will get translation ...[intervenes].

ADV MOTLHASEDI: Translation for them, indeed, Chair.

CHAIRPERSON: Yes.

ADV MOTLHASEDI: Indeed.

20 **CHAIRPERSON**: Thank you. Not all of us speaks Setswana. Some of us do.

ADV MOTLHASEDI: Witness C, thank you for confirming that.

CHAIRPERSON: Witness C, can you tell us who are speaking there?

WITNESS C: Thank you, Commissioners. That will be me, Witness C, and Witness B, and Witness A, and Mr Matlala.

ADV MOTLHASEDI: Thank you, Witness C. What was the question posed to Mr Matlala? What was the subject matter of the issue being discussed there?

WITNESS C: The subject matter there was the issue pertaining the funding of Mchunu on, pertaining the January 8 for his delegates to Cape Town.

ADV MOTLHASEDI: And what did Mr Matlala indicate in the
10 clip that he specifically funded for January 8?

WITNESS C: That he had paid for the accommodation, flights and entertainment and the bank, his bank account can show that.

ADV MOTLHASEDI: Thank you, Witness C. And the contents of this clip then accord to your earlier evidence as presented about the funding by Mr Matlala for the January 8 delegates.

WITNESS C: Can you repeat that, please?

ADV MOTLHASEDI: Not a problem. Does the excerpt of
20 the recording accord or is consistent with the testimony that you gave earlier about the funding that Mr Matlala gave for the January 8 conference?

WITNESS C: That is correct, so it corresponds.

ADV MOTLHASEDI: Okay. Thank you, Witness C. I am then going to play a second portion of the same clip.

CHAIRPERSON: Can you please take us to the beginning of this one, the one that is been played? I want, like when the first speaker speaks, I want Witness C to identify for us who that speaker is and then the next speaker, who that is, until all of the speakers in a clip have been identified. I do not know whether it is practical not to replay the whole thing. But if it is not practical, then it means a total replay.

ADV MOTLHASEDI: Chair, we are in a position to do that.

CHAIRPERSON: Please. Thank you.

10 **ADV MOTLHASEDI:** Okay, I will just ask for a second that we rewind.

CHAIRPERSON: Thank you.

AUDIO CLIP PLAYED BACK - INDISTINCT

CHAIRPERSON: There are two people speaking over each other. One sounds like a woman and the other one a man.

ADV MOTLHASEDI: Witness C, in light of the Chairperson's question, are you able to identify the two voices in the clip? One sounds like a female.

WITNESS C: Yes, Commissioners. The female is Witness
20 B and the male is Witness C.

AUDIO CLIP PLAYED BACK IN COURT

Witness: Whereas you have just told us ...[indistinct] you funded him.

Mr Matlala: Yes.

Witness: The flight and stuff.

Mr Matlala: Yes, meaning, well, he's biting me from ...[vernacular] my phone so you can open, you will see.

CHAIRPERSON: And that one?

WITNESS C: That one it is Mr Matlala.

AUDIO CLIP PLAYED BACK IN COURT

Mr Matlala: [Vernacular]... January 8 ...[vernacular] even on my bank statements I think you will see them ...[vernacular].

10 Witness C: Okay.

Mr Matlala: My bank statements you will see ...[vernacular] company, the flight, the accommodation and money ...[indistinct] entertainment, all those things.

Witness C: You will give them how, cash or you will ...[indistinct].

Witness B: [Indistinct]...

CHAIRPERSON: I can hear that is still witness C and Mr
20 Matlala. Did he count only the three?

ADV MOTLHASEDI: Witness A, B and C in the room as well as Mr Matlala, but ...[intervenes].

CHAIRPERSON: I do not remember him identifying the voice of witness A.

ADV MOTLHASEDI: I apologize, Chairperson. Maybe let

me put the question to the witness. Witness C, please then identify for the Commission the voices of the individuals that we have heard thus far.

CHAIRPERSON: Up to this point ...[intervenes].

WITNESS C: Thank you.

CHAIRPERSON: Up to this point, Witness C, have we heard Witness A?

WITNESS C: Not yet, Commissioners. If you just, from where you paused if you just proceed, Witness A will ask,
10 will make a clarity on the version by Mr Matlala there.

CHAIRPERSON: All right, thank you. Please.

AUDIO CLIP PLAYED BACK

Witness B: [Indistinct]...

Witness C: [Indistinct]... Cape Town,
obviously ...[indistinct].

Mr Matlala: [Indistinct]... [vernacular]
to this company Gothle. if you see a
company called Gothle ...[indistinct] to
take money.

20 Witness A: Gothle?

Mr Matlala: Ja, something Gothle
...[indistinct].

Witness C: Ja.

Witness A: [Indistinct]...

Mr Matlala: No, I am saying this is a

name, name of a company.

Witness A: Ja ...[indistinct] company

...[indistinct] Gothle (Pty) Ltd or what?

Mr Matlala: No, I did not, I did not pay

attention to ...[indistinct].

ADV MOTLHASEDI: Thank you, Witness C. We heard a voice that you identified as Mr Matlala make specific mention of a company called Gothle. Can you confirm that you heard that?

10 **WITNESS C**: That is correct, I heard that.

ADV MOTLHASEDI: And then please inform the Commission of the role that he says this bank account played in the issue of financial support.

WITNESS C: That is the company that Mr Matlala would make payments through to his bank account.

ADV MOTLHASEDI: And this account was then used in support of the delegates for the January 8 conference. Is that correct?

WITNESS C: That is correct, yes.

20 **ADV MOTLHASEDI**: And a final question on this score, Witness C., what is the relevance of the bank statement that Mr Matlala referred to in the recording?

WITNESS C: It is that should we go on to the bank statements, then we will get those payments for the flight tickets and the accommodation.

ADV MOTLHASEDI: Thank you, Witness C.

ADV KHUMALO SC: I thought the purpose of playing the clip that we have just heard was to identify Witness A. Is Witness A in that clip the person who is seeking clarification about the company, Gothle?

WITNESS C: Thank you, Commissioner Khumalo. Right there where the clip was paused, it is where Witness A was making clarity.

ADV KHUMALO SC: Thank you.

10 **WITNESS C**: Thank you.

ADV MOTLHASEDI: Thank you, Witness C. I am going to proceed to another portion of the recording. Please hold on.

WITNESS C: Thank you.

AUDIO CLIP PLAYED BACK – INDISTINCT

CHAIRPERSON: Just to, ja, when you go to the next clip to avoid having to repeat, once someone has started speaking, if we could again just say this is so-and-so, let the person speak to the end. And then when the next one starts, we
20 get Witness C to again tell us who that is, and then you let them speak to the end as well. I know with time we are going to get used to the voices, but for the record I think it is necessary.

ADV MOTLHASEDI: I will do so.

CHAIRPERSON: Someone has started speaking and who is

that? Is it Mr Matlala?

AUDIO CLIP PLAYED BACK - INDISTINCT

ADV MOTLHASEDI: Witness C, please identify the voice heard in that segment of the clip.

WITNESS C: The voice is that of Mr Matilda when he is saying we are not safe.

CHAIRPERSON: Please continue.

AUDIO CLIP PLAYED BACK

Witness C: I know I am not safe.

10 Mr Matlala: Because today I sent this message ...[indistinct] now I am going to make an affidavit. You must go to Brown Mogotsi, he is on my phone ...[indistinct] the Minister on my affidavit ...[vernacular] to High Court on Friday. I was supposed to go on Friday.

Witness C: Which Friday?

Mr Matlala: This coming Friday.

20 **ADV MOTLHASEDI**: Witness C, please identify the male voice that just interjected there with a question.

WITNESS C: Thank you. It was Mr Matala and the other voice it was my voice as Witness C.

ADV BALOYI SC: Ms Motlhasedi, I think unless you are going to run and complete it, I think because some of it is in

Sesotho, it might be helpful to have the witness summarize it for the record, what was being said there.

ADV MOTLHASEDI: At that specific point, Commissioner, or at the completion of the ...[intervenes].

ADV BALOYI SC: When you finish that note, I think let the witness, because not everybody understands what that conversation is.

ADV MOTLHASEDI: Thank you.

AUDIO CLIP PLAYED BACK

10 Witness C: [Indistinct]...

Mr Matlala: [Vernacular]... and then after that ...[indistinct]. I am going to mention what you guys, I was busy, you will see it is there. [Indistinct]... this morning actually.

Witness B: [Indistinct]...

Mr Matlala: Ja, ja, you see ...[intervenes].

Witness B: [Indistinct]...

20 Mr Matlala: No, I am still, I am talking to Brown Mogotsi. I was telling Brown Mogotsi about what I am going to put on the affidavit. [Indistinct]... put it, I was supposed to put it tomorrow and then Friday I was supposed to go to

High Court ...[indistinct] but I am going to put Minister there ...[indistinct] now he is playing dirty, because he cannot force me ...[indistinct].

ADV MOTLHASEDI: Witness C, are you able to summarize the content of the clip, including the portions that were in vernacular, please.

WITNESS C: Thank you, Commissioners. There, in summary, it is where Mr Matlala has indicated that the
10 morning of his, in the morning of his arrest, he had returned to Brown Mogotsi, informing him that he is going to make an affidavit at the High Court, and also that he was going to implicate the Minister because of his criminality, because the Minister, after he had refused to open a case against the team or the police, then the Minister cancelled his contract with the SAPS. He has instructed General Fannie Masemole to cancel the contract. Thank you.

ADV MOTLHASEDI: And the reference in the clip to, I am going to incriminate the Minister in the affidavit, could you
20 explain that to us?

WITNESS C: Yes, he indicated that he was going to incriminate the Minister in the affidavit as he was supposedly to be going to High Court on the coming Friday.

ADV MOTLHASEDI: Thank you, Witness C. I am then going to play a further short clip. Please just hold on.

Witness C, we were just about to play the third excerpt of the recording. Just to locate it in your evidence, it comes under the subheading of General Sibiya.

WITNESS C: Okay.

AUDIO CLIP PLAYED BACK

Witness A: [Indistinct]...

Mr Matlala: How can it be close ...[indistinct].

Witness A: [Indistinct]...

10 Mr Matlala: Yes, I am saying how can it be ...[indistinct].

ADV MOTLHASEDI: Witness C, please identify the individuals whose voices we have heard thus far.

WITNESS C: Thank you, Commissioners. There is Witness A seeking clarity from Mr Matlala as to how did he get close or how did he get to know General Sibiya.

ADV MOTLHASEDI: Thank you.

AUDIO CLIP PLAYED BACK

Mr Matlala: Now who?

20 Witness A: Sibiya.

Mr Matlala: He is a criminal ...[indistinct].

Witness A: Sibiya.

Mr Matlala: [Indistinct]... the correction now. He is a criminal

himself ...[indistinct] it is, it goes back to ...[indistinct].

Witness A: When?

Mr Matlala: For me to know Sibiya it is because of the old man who died and he said to me the old man is dead and ...[indistinct] [vernacular] the General is here and then ...[indistinct].

Witness B: [Indistinct]...

10 Witness A: [Indistinct]... Yes, yes, I am listening.

Mr Matlala: So and then ...[vernacular] the old man ...[indistinct] and then he came in ...[vernacular].

ADV MOTLHASEDI: Witness C, having identified the voices of the individual speaking in the clip, please then provide a summary of what is being stated, including the portions in vernacular.

20 **WITNESS C:** Thank you, Commissioners. In short, Witness A was seeking clarity as to how the, Mr Matlala got to know Mr, General Sibiya, and he indicated that he knew him from the old man, old man who he was referring to, Mr Msibi that is no more, and General Sibiya requested that he take care of him and in turn General Sibiya will take care of him too.

ADV MOTLHASEDI: And can you confirm that the exchange

of take care of me and I will take care of you is consistent with your earlier testimony on this subject?

WITNESS C: That is correct, Commissioners.

ADV KHUMALO SC: I also heard, some of us were born in Bophuthatswana, I also heard the early part where he said he is a criminal, he is a criminal. So can the witness just confirm that that accords with his statement?

WITNESS C: Commissioners, yes, indeed. He referred to General Sibiya as a criminal. He said he is a criminal,
10 General Sibiya is a criminal himself. He said that repeatedly, Commissioners.

CHAIRPERSON: How long is the entire recording, Ms Motlhasedi? I am not saying this to disrupt your packaging of the clips.

ADV MOTLHASEDI: No, no, Chair, not at all. My understanding is that the recording of this day goes between 5:00 and 6:00 hours. These particular excerpts are withdrawn, of course, from that broader recording, yes.

CHAIRPERSON: Ja, I think we will require a transcript of
20 the whole thing with translations where that is necessary, and in fairness to those spoken about, the full recording, or rather the transcript of it, or even the recording, copies of the recording as is, but of course, transcription, a transcription as well, has to be shared not only with us, the Commissioners, but also with those spoken about in the clip

in fairness to them.

ADV BALOYI SC: Yes, I think what we are battling with or what we are concerned about is that in this statement, and maybe let us go back to the subtopic on Minister Mchunu, that in the statement there is quite a number of allegations, a list of things that are attributed to Mr Mogotsi as having said about the Minister, about Minister Mchunu, and, so, and those are now on record, Mr Matlala said about Minister Mchunu. And those are now a matter of public record
10 because the witness has testified to them.

The point of these audio recordings is to confirm that which is said in the statement. And I understand that because it is long, you have, you are trying to be efficient and so you have selected, but I think it does carry the risk of visiting an unfairness to the people that are spoken about, because some serious allegations are being made here. For example, in his statement, 95, the witness says:

20 “He told us that the Minister engaged State Security on his behalf and utilized grabber machines in order to pick up identities of SAPS officials investigating him.”

That is not one of the clips you have played and I do have a concern that those kind of allegations that have been said to be in the clip may well be represented as if

they were not in the clip, because they were not played. You may not be in a position to deal with it now, but I think it has been raised to say you do need to have a plan to deal with them.

ADV MOTLHASEDI: Thank you, Commissioner. Indeed, due to the length of the interview itself and the vast number of allegations that were made against numerous individuals, I will say that what is being presented here today is a small sample, attempting at least to provide that fairness for
10 Witness C to speak directly to a recording where he made serious allegations.

But in order to attend to all of the allegations would take admittedly, an inordinate amount of time and would require a further extraction process back from the original large recording into a short recording and for that to be - so this was, I would say, an exercise at attempting to respond to some of the most serious allegations where the recording was the most clear, yes.

ADV BALOYI SC: Perhaps to remedy any possible risk of
20 prejudice is to make it clear that these are just some of the, this is just extracts, not everything, because I think we sort of, or at least speaking for myself, I assumed that we were going to hear snippets of everything that is listed in here. If that was not the intention, I think it should be clear so that there is no misunderstanding that he did not testify to

material that is not on the recording. Then the way you fix it is to say this is just a sample. Is that doable?

ADV MOTLHASEDI: Yes, yes. Yes, I can confirm, Chairperson and Commissioners, that the excerpts being played here today are a sample from the broader and larger recording that emanated from the informal discussion of that day and not the totality of subject matter pertaining to the individuals, yes.

ADV BALOYI SC: And meaning that anything that you are
10 not playing, but that is contained in the statement, it does not mean it is not in the recording.

ADV MOTLHASEDI: It does not mean it is not in the recording or addressed in the recording, but will certainly be part of the transcription that will be provided in due course.

ADV BALOYI SC: Thank you.

ADV MOTLHASEDI: Thank you, Commissioner Baloyi. Witness C, on the continuation of the subtopic of General Sibiya, here is a further clip.

20 **AUDIO CLIP PLAYED BACK**

Witness A: I am an investigator. I will,

I will ...[intervenes].

Mr Matlala: Yes ...[indistinct].

ADV MOTLHASEDI: Just in the routine form, please identify the individuals whose voices we hear.

WITNESS C: Commissioners, I am sorry that snippet was not that clear, so can we replay it, please?

ADV MOTLHASEDI: Yes, we are going to start it from the beginning and play it for a lengthened period of time.

AUDIO CLIP PLAYED BACK

Witness A: [Vernacular]...

[Indistinct]...

Mr Matlala: Yes.

[Indistinct]...

10 Witness A: [Vernacular]... I am an investigator, I will, I will ...[intervenes].

Mr Matlala: Yes ...[indistinct].

Witness A: Yes.

Mr Matlala: [Vernacular]...

Witness A: Ja.

Mr Matlala: [Vernacular]... 300,000 and then the other ...[end of audio].

CHAIRPERSON: Yes, the first person who spoke who says something about investigator, who is this?

20 **WITNESS C:** The first person who said as an investigator, it was witness A.

CHAIRPERSON: The second?

WITNESS C: The second person, it was Mr Matlala himself when he is responding that he was driving in a Rolls Royce when he went to the, what you say, marriage celebrity or,

for the son of, for the child of General Sibiya, whereby he gave him 300,000.

CHAIRPERSON: And in that clip, is it just the two of them?

WITNESS C: There is a voice I do not, I cannot hear whether it was me, I was far from the mic, or the other person, but ja, I think it was me.

ADV MOTLHASEDI: Thank you. Witness C, I am just going to replay the last portion so that perhaps you can identify all the voices with some certainty.

10 **WITNESS C**: Okay.

AUDIO CLIP PLAYED BACK

Witness A: Yes.

[Indistinct]...

Mr Matlala: [Vernacular]...

[Indistinct]...

Mr Matlala: [Vernacular]...

Witness A: Yes.

Mr Matlala: [Vernacular]...

Witness A: Ja.

20 Mr Matlala: [Vernacular]... 300,000
and then the other ...[intervenes].

Witness B: Did you withdraw that money on that day?

CHAIRPERSON: Please go ahead, Ms Motlhasedi.

ADV MOTLHASEDI: Thank you, Chairperson. Witness C, I

was going to ask, having heard the clip for the second time, are you able to identify any other voice in addition to that of Mr Matlala and Witness A, as you have identified?

WITNESS C: Yes, there is a voice of Witness A when she, Witness B, when she was, she wanted a clarity as to whether did he withdraw that money on that day or not.

ADV MOTLHASEDI: And please explain to the Commission the reference to the money, what is its significance or role in the context of the recording we have heard?

10 **WITNESS C**: It is the part where it shows that here Mr Matlala also supported General Sibiya when his son was getting married.

ADV MOTLHASEDI: And the significance of the reference to a Rolls Royce?

WITNESS C: The significance of a Rolls Royce, it will be for him to tell us which car was he driving when he went to that specific party or function.

ADV MOTLHASEDI: And finally, Witness C, the reference to a party, is that the reference to the wedding celebration
20 that you earlier mentioned?

WITNESS C: That is correct, yes.

ADV MOTLHASEDI: And this is, according to your evidence, the wedding celebration of the son of General Sibiya, is that correct?

WITNESS C: That is correct, yes.

ADV MOTLHASEDI: Thank you, Witness C.

CHAIRPERSON: In this clip, do we get a response to Witness B's question as to whether the money Mr Matlala is referring to had been withdrawn by Mr Matlala?

ADV MOTLHASEDI: Indeed, Chairperson, there is a response. We just cut it there for brevity, but I will ask Mr Michaels to ...[intervenes].

CHAIRPERSON: To continue.

ADV MOTLHASEDI: Yes.

10 **CHAIRPERSON:** All right, thank you. And the withdrawal being a withdrawal the same day. Please continue.

AUDIO CLIP PLAYED BACK

[Indistinct]... okay.

Mr Matlala: And then the other ...[intervenes].

Witness B: Did you withdraw that money on that day?

20 Mr Matlala: Ja, but the number, I will withdraw maybe 500 and then ...[vernacular] 300 and then ...[intervenes].

Witness C: [Indistinct]...

Mr Matlala: Ja. So ...[vernacular] 300 ...[vernacular] contributing for ...[indistinct] and then ...[vernacular].

ADV MOTLHASEDI: Okay. Witness C, could you please summarize for the Commission what was stated in that portion of the recording, including the utterances in vernacular.

WITNESS C: Thank you, Commissioners. Yes, he confirmed that he had withdrew the money on that day, but not specifically 300,000, but he withdrew an amount of 500,000, but gave General Sibiya an amount of 300,000.

ADV MOTLHASEDI: And just to confirm, this amount of
10 300,000 was given or handed over at the wedding celebration that you have earlier mentioned. Is that correct?

WITNESS C: That is correct, Commissioners.

ADV MOTLHASEDI: Witness C, I have a further clip. Please bear with us. Witness C, in the continuance of our subtheme, this will be the final audio clip. We are going to play it shortly. Please pay attention.

WITNESS C: Okay.

AUDIO CLIP PLAYED BACK

20 Mr Matlala: [Indistinct]... [vernacular]
So ...[indistinct] is someone when you mention money he stops everything. I remember when I gave him money inside his office.

ADV MOTLHASEDI: Witness C, in the routine form, please

identify the voice that we have heard.

WITNESS C: The voice that we have heard is that of Mr Matlala.

AUDIO CLIP PLAYED BACK

Mr Matlala: So ...[indistinct] is someone ...[indistinct] when you mention money, he stops everything. I remember when I gave him money inside his office.

10 Witness B: Which office?

Mr Matlala: His office ...[indistinct].
[Indistinct]...

Witness B: When was that?

Mr Matlala: That is last year I think ...[indistinct] bathroom ...[indistinct].

Witness A: [Vernacular]...

Mr Matlala: [Indistinct]... bathroom.

20 Witness B: But now why are you keep paying? We are still not satisfied with your answers.

Mr Matlala: Why am I keep paying?

Witness B: Ja.

Mr Matlala: Either I was trying to look as if no, I can look after myself ...[indistinct] help ...[indistinct] but for

now ...[end of audio].

ADV MOTLHASEDI: Witness C, in addition to the voice of Mr Matlala that you earlier identified, please tell the Commission who the other voices belong to that we have heard.

WITNESS C: Thank you, Commissioners. The voice that we can clearly hear there it is that of Witness B, the one who is saying she is not satisfied with his answers as to why will he keep on paying.

10 **ADV MOTLHASEDI**: And Witness C, several aspects of the, some portions of the clip are in vernacular. Could I ask you to give the Commission a brief summation of what was being discussed in that excerpt?

WITNESS C: Thank you. Mr Matlala there, he says that he remember once he went to the National Office or the office of the DNC whereby that, and that the DNC, when he thinks of money, he will stop everything. And there he had instructed him to place money inside the dustbin in his, because like his, at his office there is a bathroom, so inside
20 in the bathroom in the dustbin.

ADV MOTLHASEDI: And were you able to determine the amount of money that he says was deposited into the dustbin?

WITNESS C: Yes, in my oral testimony I did not give the amount. There, I got it now, he said, an amount of 200,000.

ADV MOTLHASEDI: Thank you, Witness C. Chairperson, that is the extent of the recordings that we intended to play and the extent of our questions on this subject for Witness C.

ADV KHUMALO SC: I was hoping to hear about the Impalas.

ADV MOTLHASEDI: Commissioner Khumalo, as indicated to Commissioner Baloyi, if we played everything, we would be here for a while, indeed. If there is ...[intervenes].

10 **ADV BALOYI SC**: Can ...[intervenes].

CHAIRPERSON: Upwards of four hours.

ADV BALOYI SC: Perhaps you should get the witness to confirm whether the recordings also include conversations about General Khan and General Shibiri, because you have not, you haven't played any of that.

ADV MOTLHASEDI: Witness C, are you able to inform the Commission whether the recording you took includes discussion involving General Khan and General Shibiri by Mr Matlala?

20 **WITNESS C**: Thank you, Commissioners. Indeed, the recordings that we took, it includes that, his utterances or discussions about General Khan and also General Shibiri.

ADV BALOYI SC: Can we confirm with you, Ms Motlhasedi, that you will provide a transcript of what is set out in this statement as part of the conversation, the chats, and that

transcript will be publicly available. Can we confirm that as part of the record of the Commission?

ADV MOTLHASEDI: We can confirm that, Commissioner Baloyi, subject, of course, to the fact that certain utterances in the transcript would reveal the identity of the three witnesses we have identified as A, B, and C, and so that might very well need to be redacted, as well as where the information relayed by Mr Matala relates to ongoing criminal investigations which are at a sensitive stage and could not
10 be disclosed. But outside of those exceptions, I confirm.

ADV BALOYI SC: Thank you.

ADV KHUMALO SC: Witness C, I just need you to confirm something for me, because we may never get this opportunity again. Do you have your statement in front of you, your written statement?

WITNESS C: Yes, Commissioner Khumalo, I do have the, my ...[intervenes].

ADV KHUMALO SC: Please go to page 30 and tell me once you are there.

20 **WITNESS C:** I am at page 30, Commissioner.

ADV KHUMALO SC: Yes, can you just confirm for us when we listen to these recordings on our own that what is set out in paragraphs 92 all the way to 103, can be heard in those recordings?

WITNESS C: Yes, Commissioner, definitely that will be

heard in the recording, Commissioners.

ADV KHUMALO SC: So what is set out in your written statement comes from the recordings.

WITNESS C: That is correct, Commissioners.

ADV KHUMALO SC: Thank you.

WITNESS C: Thank you very much.

CHAIRPERSON: Ms Motlhasedi, we must give an exhibit number to the recording. What do we call it? I think when Ms Pooe was leading a witness, we said that the Evidence
10 Leaders must keep a running tally. Do we have that readily available so as to continue on that and give this an exhibit number?

ADV MOTLHASEDI: Subject to correction, Chairperson, the last exhibit number would be CJC5.3, CJC5.3. So this would then be CJC5.4.

CHAIRPERSON: Does it mean we will stay within 5 throughout or is it 5 because of what again?

ADV MOTLHASEDI: Because it would fall in line with the exhibit bundles that have been utilized across the evidence
20 of witness A, B and C. So we have called those 5.1, 5.2 and the last exhibit would be 5.3. Yes, okay. Yes, but please allow me an opportunity to confirm that and consider a more effective name ...[intervenes].

CHAIRPERSON: Thank you.

ADV MOTLHASEDI: If I am incorrect about the sequencing.

CHAIRPERSON: Thank you. Thank you. For later?

ADV MOTLHASEDI: Indeed, Chairperson, I will get back to you.

CHAIRPERSON: Thank you. Provisionally, then let us call it five point what?

ADV MOTLHASEDI: 4, please.

CHAIRPERSON: 5.4.

ADV MOTLHASEDI: CJC ...[intervenes].

CHAIRPERSON: CJC5.4.

10 **ADV MOTLHASEDI**: 5.4.

CHAIRPERSON: And then what happens next, we adjourn?

ADV BALOYI SC: No, before that, Chair, perhaps just to complete that description, we should say CJC5.4 is a transcript of this, so that when you go to the record, you know what it is.

ADV MOTLHASEDI: Indeed, Commissioner.

CHAIRPERSON: Thank you. At this point, we are adjourned, and ...[intervenes].

ADV MOTLHASEDI: Chair ...[intervenes].

20 **CHAIRPERSON**: Yes, yes Ms Motlhasedi.

ADV MOTLHASEDI: My apologies. Might I thank Witness C before I hand over to you to advise the public on the proceedings tomorrow.

CHAIRPERSON: Let me do that. Witness C, thank you. Thank you very much. Thank you.

WITNESS C: Thank you, Commissioners, for giving me this opportunity, and I thank you.

CHAIRPERSON: Between Ms Sello and Ms Motlhasedi, do we know what is happening tomorrow?

ADV SELLO SC: Chair, as I understand it, the request had been to stand down for tomorrow and hearings resume on Monday. That will be, I lost track of, Monday the 3rd. So there will be no sitting tomorrow, Chair.

CHAIRPERSON: Let us adjourn then and resume at 9:30 on
10 Monday.

ADV SELLO SC: Thank you, Chair.

INQUIRY ADJOURNS TO 3 NOVEMBER 2025

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