

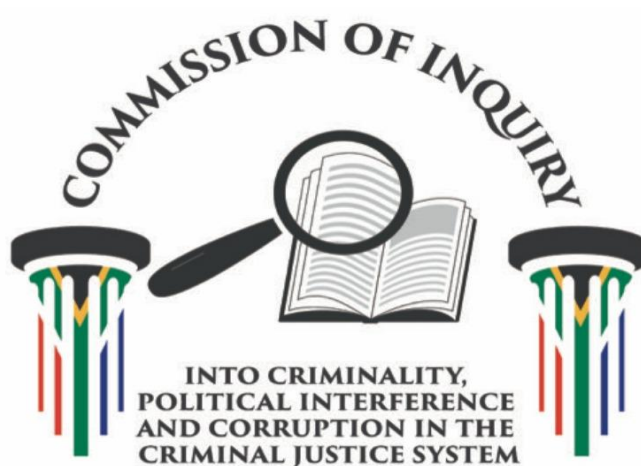
JUDICIAL COMMISSION OF INQUIRY INTO CRIMINALITY,
POLITICAL INTERFERENCE AND CORRUPTION IN THE
CRIMINAL JUSTICE SYSTEM

HELD AT

BRIGITTE MABANDLA JUSTICE COLLEGE

5 NOVEMBER 2025

DAY 26



PROCEEDINGS ON 5 NOVEMBER 2025

CHAIRPERSON: Good morning, general. Good morning, Ms Hassim.

ADV HASSIM SC: Good morning, Chair.

CHAIRPERSON: Good morning, general.

LT-GEN KHUMALO: Good morning.

LT-GEN DUMISANI KHUMALO: (still under oath)

EXAMINATION BY ADV HASSIM SC (CONTINUES):

General, when we left off yesterday, we were dealing with
10 the events of the 6th of December, and specifically we were
dealing with the questioning of Mr Matlala. Before we move
off from that series of events, after the questioning of Mr
Matlala on the 6th of December, is it correct that Mr Matlala
instituted an application in the High Court for the return of
goods that were taken from his property?

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: When did he bring that application?

LT-GEN KHUMALO: Mr Matlala filed his motion of notice
at Pretoria High Court on the 17th of December 2024.

20 **ADV HASSIM SC:** Do you recall what the items were that
he included in that application that he said had been taken
from his home?

LT-GEN KHUMALO: It was basically the demand for the
return of his 5 firearms that we had confiscated, as well as
two iPhones, one MacBook, one Rolex watch, and another

ladies watch.

ADV HASSIM SC: Why would those items, particularly expensive jewellery, be seized from his home?

LT-GEN KHUMALO: I can confirm, Commissioners, that during that search, it was discovered that there were suspected allegations of contravening of some sections of the Firearms Control Act. As a result, the team confiscated those 5 firearms and enquiry for further investigation was registered. Also, the 5 cell phones were also confiscated
10 from him. The other items, the MacBook, Rolex, and another watch, were not part of the confiscated items.

ADV HASSIM SC: So, you are saying it is not true that those were confiscated?

LT-GEN KHUMALO: It is not true, yes.

ADV HASSIM SC: So what happened with this case?

LT-GEN KHUMALO: The enquiry is still under investigation because it involves us investigating from the registration of the security company to the acquisition of the firearms. So, the enquiry is still on. But the case that he
20 had filed at High Court, we did file our answering affidavit. And then the case was scheduled to sit on the 24th of December, and indeed it sat. And the judge dismissed the application with cost, citing that it was not an urgent matter. And then after that, on the same day, Mr Matlala communicated with us that he was withdrawing the same

application.

ADV HASSIM SC: Okay, so it was removed from the world on the 24th for lack of urgency, and then it was later withdrawn entirely.

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: And so, is there anything further to say about that application before we move off it?

LT-GEN KHUMALO: Yes, maybe, Commissioners, to add that before the sitting, or before the matter sat on the 24th ,
10 I had met with the former Minister of Police, General Cele, who informed me that he had been approached by Mr Matlala, informing him that Lt-Gen Sibiya advised him, Matlala, to submit or to write an affidavit. And he also drafted such affidavit on behalf of Mr Matlala to open a false case against myself and my members that we had stolen the watches and a MacBook, which then proved that what we saw on the founding affidavit that he had submitted to include these 3 items that were not confiscated, it confirmed that indeed it was true, the information that I got
20 from the former Minister.

ADV HASSIM SC: So, you say you met with the former Minister. On what date did you meet with him?

LT-GEN KHUMALO: It was on the 23rd of December, if I am not mistaken.

ADV HASSIM SC: And where did you meet him?

LT-GEN KHUMALO: In Pretoria.

ADV HASSIM SC: And so, this was the information that he provided to you?

LT-GEN KHUMALO: Yes, that he provided to me, which was corroborating the information that we had seen in the founding affidavit that he had filed before the 23rd, that in the items that he was demanding to be returned, he had included these 3 other items that were not part of what was confiscated by the team, but the affidavit that he was
10 expected now to compile was for him to open a criminal case for the missing of these items, of which then he confirmed to the Minister that that was not the case. Those items were not taken by the team, and also, he even indicated that he was still wearing the same Rolex watch that he was influenced to claim that it has been stolen.

ADV HASSIM SC: So, the meeting with the Minister took place on the 23rd of December. Do you know when the meeting – did the Minister tell you when he met with Mr Matlala on what ...[incomplete].

20 **LT-GEN KHUMALO:** No, he did not tell me as to when and where the meeting took place.

ADV HASSIM SC: Okay, so after the 6th of December operation with the questioning of Mr Matlala, there was then a second event, which is your team arriving at his offices on the 18th and 19th of December. We saw this when you first

testified before the Commission, the video clips of the team arriving at Mr Matlala's office. Can you just remind the Commission what that was about?

LT-GEN KHUMALO: Thank you. Commissioners, as I have indicated, during the operation on the 6th, there were suspicious activities around the control of the firearms. Hence, we seized the 5 firearms that were present that day. We had to make an arrangement with him for the complete compliance inspection of all his firearms, which was then
10 set and agreed between the team and himself to take place on the 18th of December. But then it did not continue.

The team did arrive, but then it did not continue because the responsible person who must be present, the responsible person according to the Act, is someone that is appointed by the security company owner to be responsible for the control and management of firearms. So that individual was not available on that date, the 18th. Hence, then the compliance inspection was rescheduled for the following day, the 19th of December. Indeed, the team went
20 back on the 19th, and the compliance inspection was successfully conducted.

ADV HASSIM SC: And were firearms seized during this inspection?

LT-GEN KHUMALO: Yes, 18 one eight more firearms were seized for ballistic testing and the furtherance of the

investigation of the enquiry that was registered.

ADV HASSIM SC: Was anything else seized during this operation?

LT-GEN KHUMALO: No, on the 19th it was only these outstanding 18 firearms.

ADV HASSIM SC: And were those then returned?

LT-GEN KHUMALO: Yes, the firearms were returned to Mr Matlala on the 27th of December.

ADV HASSIM SC: And was, is there anything more to be
10 said about the firearms when you sent it for ballistic testing? Was there anything of import?

LT-GEN KHUMALO: No, the investigation is still ongoing in terms of ballistic analysis because we do it in two-fold. We identify the cases that will need to compare with the samples from the firearms or then we allow the IBIS system then to assist us in identifying the links. So that investigation is still ongoing.

ADV HASSIM SC: Okay, and then we know that from there what happened next, at least from your involvement, was
20 the arrest of Mr Matlala on the 14th of May. Is that right?

LT-GEN KHUMALO: It is right. The investigation continued on other cases that the team had identified that were linking Mr Matlala. The investigation continued then for the rest of January and up to February. And then around March, April, the team then was ready to enrol some

of those cases. And then there were discussions that took longer than we expected to finalise the issuance of a warrant of arrest.

ADV HASSIM SC: Discussions with whom?

LT-GEN KHUMALO: With the National Prosecuting Authority.

ADV HASSIM SC: And after those discussions you finalised the warrant?

LT-GEN KHUMALO: We did then get the warrant of arrest.

10 **ADV HASSIM SC:** Only in May?

LT-GEN KHUMALO: Only in May, yes.

ADV HASSIM SC: And then on the arrest on 14 May 2025, that is when you seized the cell phones that became the evidence of the chats that we have led before this Commission. Is that right?

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: The WhatsApp chats, yeah. Thank you. General Khumalo, can we then turn now to Part C of your statement?

20 **ADV KHUMALO SC:** Adv Hassim, before you turn to Part C, I just want to deal with the chronology up to the end of December. I understood from evidence led by other witnesses, presented by other witnesses, that there was an attempt to open a criminal case against you, first in Pretoria and then in Soweto, but both were unsuccessful. Are you

aware of that?

LT-GEN KHUMALO: Yes, Commissioner, thank you. I am aware of that. It is linked with the same information that I have provided, an attempt to open the case, the false case then, with regards to the missing watches during the raid. One can say from our side, and also Mr Matlala's, December was really not a festive period. We were very busy from the 6th of December, one can say, up until the 31st of December.

10 So, for the whole month, looking at the engagements, investigations and operations and compliance inspections that we were busy with during the month of December. And then on the other side, lots of attempts also from his side to approach the High Court with the interdict and attempt to open those cases against myself and the team. So, both sides were very busy during the month of December. Unfortunately, or coincidentally, the month of December ended with the disbandment letter, the very same busy month ended with the disbandment letter on
20 the last day of December.

ADV KHUMALO SC: General, do you know if statements were taken in either the Pretoria Police Station or the Soweto Police Station relating to the criminal case that they wanted to bring against you?

LT-GEN KHUMALO: One cannot be hundred percent sure,

Commissioner, whether statements were indeed taken, starting with the information from the former Minister that there was a draft statement that was provided, but then of which, according to Mr Matlala, he did not continue with the plan. But we have since picked up from the WhatsApp chat analysis that we did after May that another institution that was approached with an attempt to register cases is the IPID, where there was communication about them needing a very strong person, a fearless person from IPID who can
10 open the case. So, the evidence that we have, there were attempts, but they were struggling with the finalisation of that process.

ADV KHUMALO SC: Thank you. Thank you, Adv Hassim.

ADV HASSIM SC: Thank you, Commissioner. Okay, so let us turn to Part C then, and we will begin at paragraph 134. No, we will not. Before we begin with paragraph 134 and 135, which deals with from 7 January onwards and the events that involved you from 7 January, can we begin with the letter of 31 December? And you will find the letter in
20 the Annexure Bundle at SDK24, and it is page 203. Do you have it?

LT-GEN KHUMALO: Yes, Commissioner.

ADV HASSIM SC: Right, so we have seen this letter several times before in the Commission, but we have not heard you speak about the letter. And what the Commission

has heard quite a lot about is particularly paragraph 3 of the letter dealing with the disbandment of the PKTT. But I would like you to start with paragraph 1, the first instruction from the Minister, and that is about the filling of posts in the Intelligence Division. And it is a very specific instruction, and you are the head of Crime Intelligence, so this would have affected you, right?

ADV KHUMALO SC: Yes, thank you, Commissioners. Although the letter was not addressed to me as the
10 Divisional Commissioner of Crime Intelligence, but then two of the issues that are raised in the letter had direct link with my positions of firstly being the Divisional Commissioner of Crime Intelligence, as well as the project leader of PKTT. Then maybe to steal this moment for a few seconds, before then I get to the question by the SC. It is the 31st of December.

The letter, we see it circulating on the social media, I think from the afternoon of the 1st which is the happiest day of the year. Everybody is in a jovial mood. Then, from
20 my personal perspective, it was indeed not the happy New Year's Day, because I had to expect or receive calls from more than 110 people that I thought I am their leader, asking me one and the same question, all of them.

Unfortunately, I could not answer any of those people that were asking, what is happening? Because in a

normal situation, they would expect any communication affecting them to come via myself or my office. But this time around, this letter just started to trend. Also, the language used, most of them were worried about the language used to say, how can we sacrifice and leave our families for 6 to 7 years, and then we are told that we are valueless and all other words that were there.

I am just touching on that, maybe because I have this platform to raise it. No one has asked me as an individual as to how I felt about the letter itself, but I did not feel right. That is why, after I realised that I am not enjoying the 1st of January like everybody else, I think in the afternoon, I had to request Lt-Gen Mkhwanazi to bring the team together and try to also him to explain something that he does not understand.

The only thing that he could do was to motivate the team and tell the team that they must continue doing what they are there for. The rest then will be dealt with by the National Commission. But indeed, Commissioners, it was not a happy New Year's Day because of the letter. Going to the question ...[intervenes]

ADV HASSIM SC: Before you go to my first question, let me just interpose this, judging by your answer. You were not consulted about the decision to disband the PKTT?

LT-GEN KHUMALO: I had never been given an opportunity

to brief the Ministry. I have never received any complaints or signs of unhappiness. I was never consulted when the letter was drafted and finalised. It came as a surprise even to myself.

ADV HASSIM SC: We will come to that aspect of the third instruction, the disbandment of the task team. But for now, on the first instruction, obviously you had not been consulted on that either, correct?

LT-GEN KHUMALO: That is correct, Commissioners. That
10 is why I should think that the only person, according to me, my view, the only person who can understand the letter is the writer himself. All of us that are reading the letter, I have tried to read it more than 10 or maybe 50 times, trying to make sense and understand. But one is failing to understand each and every paragraph, even the words, the choice of words.

But going to the first one, because it touches my environment, one had to try and understand as to what might have led to this decision. One can say the only
20 possible reason for now will be during 2024 the division had advertised two batches of senior management posts that included provincial heads of crime intelligence as well as the other section heads at head office level.

So, on both occasions, as we follow the process, once the Human Resource Management Division of SAPS

approves your request for the post that you want to advertise, they will then indeed advertise the post and then they will receive applications. They will screen the applications and applicants and then they will send to you those applications that they see that they meet the requirements.

And then they will request you then to make a submission or a proposal for the panel. So, on both occasions - or maybe let me start with the first batch. I did
10 it on the first batch of posts. Then the line of communicating that proposal, I will send it to the immediate supervisor, the Deputy National Commissioner of Crime Detection, for his support of the proposed panel.

Who will then sign it off and process it further to the division Human Resource Management for approval in consultation with the National Commissioner. So, my proposal for the panel for the first batch then was not supported by the Deputy National Commissioner. Instead, then he proposed his own panel of which then he had to do
20 it in consultation with myself.

And then I did not agree with his set of panel. And then there was then that stalemate that now myself am proposing a certain panel, he is proposing another panel. Then the division Human Resource Management is not expecting to receive two sets of proposals. They have to

get one proposed by myself, supported by immediate supervisor, so as they can approve it in consultation with the National Commissioner.

So, the process of filling those posts remains stagnant there. It did not move. And then another request was sent now for another batch of senior management posts. The same process happened and then it also reached that point of stagnation. One then, as I am saying, this is my view. In my view then will be - okay, before I get
10 to my view.

I had had a discussion with the National Commissioner around this issue of which then I maintained my position that the panel that I have put together is according to me as the accounting officer of the division in terms of all the legal framework that is there governing the existence of the division, my panel needs to be supported. And then that discussion then did not give the way forward. So, the stalemate remained.

So, it is my view that then maybe the Lt-Gen
20 Lebeya escalated that stalemate, that situation, to the Office of the Ministry. Hence then it informed the decision of halting the filling of posts because the examples that are cited there, posts in provinces including those of provincial heads of crime intelligence and currently available vacant posts, it refers to the posts that were vacant that were

supposed to be filled. That is my view as to why maybe that formed part of this let.

ADV HASSIM SC: Okay, so ...[intervenes]

CHAIRPERSON: General, is there not one accounting officer within SAPS who is the National Commissioner? I am asking because you just referred to yourself as the accounting officer within your division.

LT-GEN KHUMALO: Maybe then, thank you Commissioner, maybe then is the choice of word giving myself the wrong
10 title. It was referring to being responsible for all activities, the performance, the management of the division instead of being an accounting officer.

CHAIRPERSON: Thank you.

ADV HASSIM SC: Thank you Chair. So, you mean to say a responsible officer?

LT-GEN KHUMALO: Yes.

ADV BALOYI SC: General, ordinarily if there is a disagreement between you and your immediate superior about how to proceed on matters, where does it get
20 escalated to for resolution?

LT-GEN KHUMALO: The situation or the incident of this case, one has checked on all the prescripts and policies. It is maybe then an oversight, maybe because the drafters of the policy had not thought that it might happen in future in the department. We also do not have any decided case.

One will just think that because the approval is with the Divisional Commissioner of Human Resource Management, one will presume that in a situation like this, it is the Divisional Commissioner of Human Resource Management in consultation with the National Commissioner who must then take the two proposals and approve one or they come up with their own because the final word rests with them, the final decision.

ADV HASSIM SC: I was distracted and I did not hear what
10 you just said. The final decision rests with whom?

LT-GEN KHUMALO: The Divisional Commissioner of Human Resource Management in consultation with the National Commissioner.

ADV HASSIM SC: Thank you. If that is the case, why was it not then resolved? Maybe take a step back. You said that those two batches remain stagnant. Why was it then not resolved by the Divisional Commissioner of Human Resources together with the National Commissioner? Why could not that stalemate be broken?

20 **LT-GEN KHUMALO:** Thank you, Commissioners. Also, again, it is my view because of the timeline. As these unsuccessful processes were continuing, it was towards the end of the year. Hence, then, I said it is my view that maybe then my immediate supervisor escalated the matter to the Ministry. Hence, it informed, possibly informed

decision or directive number one of the letter.

ADV HASSIM SC: Thank you.

ADV BALOYI SC: May I stay on the topic? Before this letter of the 31st of December, were you informed or did you ever come to know that there was a difficulty or a problem about the filling of these vacancies? Were you ever told that?

LT-GEN KHUMALO: Thank you, Commissioner. One was aware because we understand the process that after you
10 have submitted your proposal, after some weeks, then you expect the approval of the panel. Now, hence, I indicated that there was a first batch of posts. Now, the second batch is now advertised before even the first batch of posts is dealt with. So, that was showing that there is a bottleneck and then this second batch came in and joined the first batch and then they both remained stagnant. Towards the end of the year, we had still not received the approval. Hence, then, I formed that view on this directive.

ADV BALOYI SC: But more specifically, were you ever
20 informed that the Minister has a difficulty with the filling of these posts that you were wanting to fill? Were you ever informed of that?

LT-GEN KHUMALO: Not at all. I was not informed. Hence, Commissioners, I am drawing inference, and I say it is my view. The only level that I was aware that it is

informed of the situation is up to the National Commissioner's Office.

ADV BALOYI SC: As matters stand, you do not know why the Minister gave this instruction?

LT-GEN KHUMALO: That is correct, Commissioner.

ADV BALOYI SC: Thank you, Ms Hassim.

ADV HASSIM SC: Thank you, Commissioner. So, you were not consulted but you were also not informed?

LT-GEN KHUMALO: Yes.

10 **ADV HASSIM SC:** Were these posts then subsequently advertised and filled at any point?

LT-GEN KHUMALO: Not yet.

ADV HASSIM SC: So, they remain vacant?

LT-GEN KHUMALO: They remain vacant.

ADV HASSIM SC: And what is the impact of this on crime intelligence?

20 **LT-GEN KHUMALO:** It is very huge, Commissioners. The impact, as it is confirmed also in the directive or the letter, that those posts, they include provincial heads of crime intelligence that are currently vacant. As we have nine provinces, the vacant provincial heads posts are not less than four. So, between four and five, one can confirm that. So, if you have no leadership in close to 50 percent of your environment in the country, then you have a problem.

ADV HASSIM SC: Thanks. Is there anything else you

want to say regarding the first instruction on the posts?

LT-GEN KHUMALO: No, no. I have said it all.

ADV HASSIM SC: So, the second instruction concerns ports of entry, and it is specifically a request that a new plan must be developed. Can you comment on this paragraph?

LT-GEN KHUMALO: Yes, thank you, Commissioners. At first glance, looking at the heading of the letter, a directive on matters relating to crime intelligence, yes, you bring it
10 closer home. And then the second one, ports of entry, you become a little bit confused because it is the responsibility of the Division Visible Policing and Operations. And then going to the third part, it talks to the Political Killings Task Team.

So, reading the heading was then confusing a bit because one would expect that when you draft a letter, the heading helps you to understand the content of the letter and the logic so as then you are able to understand. But then this part, the inclusion of ports of entry, of which I
20 think it is the one that is more tabulated or explained in the letter, then one has had to go through it and try to understand.

The directive is clear that it talks to the review as well as the review of the deployments in that particular environment as well as the operational plans to deal with

the threats that are being addressed at the point of entry. But it is worth mentioning that as a division, that is also part of the deployment in the ports of entry as well as having a plan that we are implementing, one can safely indicate that we are happy with our current set up and also the plan itself.

And we have seen a lot of improvement in that space when it comes to cross-border drug trafficking, more especially the cooperation that we have within SADC as well as through INTERPOL and other country to country agreements with identified countries that we are working on drug trafficking. One can say as a division we do not see the need to review our plan in that space because it is still effective. But then as and when the time comes for that review process now for the whole of SAPS, we will be part, but we will not change our plan that is working. Instead, we will try to improve on it. That is what one can tell or comment on the second part of the directive.

ADV HASSIM SC: General, you would agree with the Minister, the former Minister, when he says that the efficiency of the plan should be reviewed from time to time. Would you agree with that?

LT-GEN KHUMALO: I would agree because in that environment it is not the space that is dealt with by just SAPS, if I make an example, it is interdepartmental. So, if

there are gaps that are identified then they will have an impact to the whole interdepartmental deployment in the space of a port of entry. So, I will agree on that reason.

ADV HASSIM SC: And do those reviews take place by an interdepartmental body?

LT-GEN KHUMALO: Looking at the directive, it was talking to those reviews taking place at the beginning of the year, but one has not been appraised or invited or informed of the reviews that they had started.

10 **ADV HASSIM SC**: I am just saying as a matter of course, those reviews would take place by the interdepartmental structure. Is that what would normally happen?

LT-GEN KHUMALO: What normally happens, it is not like review or interdepartmental review. All the departments that are occupying the space, they have clear defined roles which needs then to be coordinated in terms of activities. As it stated in that paragraph, that the main stakeholder now in that space is the newly established border management authority that is supposed to be leading even
20 the interdepartmental review. Although all of us, we are playing our roles, but then that is the BMA that is expected under normal circumstances to coordinate the activities including maybe the need to review.

ADV HASSIM SC: And were you aware of any challenges that needed to be addressed from a SAPS perspective?

LT-GEN KHUMALO: Hence I limited Commissioners my comment on our environment because as stakeholders we also have our role and responsibility and we have the deployment in the space, and we are operating. So as the division we are implementing our plan, we are monitoring our activities and up until now we were still satisfied with our plan that is in place as well as our performance.

ADV HASSIM SC: Thank you. One of the instructions in that paragraph 2 is that in the development of a new plan
10 that the former Minister was requesting, he said it should include a comprehensive operational and remedial action plan based on a policy of rotation of staff members among others. Which suggests that there might have been an issue regarding the rotation of staff members. Are you aware of this?

LT-GEN KHUMALO: Thank you Commissioners. I am aware because of my previous deployments. As I introduced myself, I referred to myself as an all-rounder or a complete police officer who has been everywhere within
20 SAPS. I spent a lot of years within the division visible policing and operations. By then it was separated. I was within the operational response services where I was coordinating operations and the deployment in the port of entry was part of our responsibility as a division.

So, this was something that in other ports of entry

we have the rotation, the month-to-month deployment so as then we avoid weaknesses that are coming along with a person who is permanently in the border environment. So, there will always be discussions. Now I am referring to my previous life. Hence then I want to be clear that there will be those discussions that the same needs then to happen at all other ports of entry. So as then we avoid the challenges that are related to integrity issues when you have a permanent deployment.

10 **ADV HASSIM SC:** But as you understood it as of 31st December 2024 you were not aware of challenges in this regard?

LT-GEN KHUMALO: No, I am not aware.

ADV HASSIM SC: You were not informed of any of these challenges?

LT-GEN KHUMALO: No Commissioners.

ADV HASSIM SC: So, anything else you wish to say on paragraph 2?

LT-GEN KHUMALO: No that is all.

20 **ADV HASSIM SC:** So, we can go to paragraph 3 then which is the heading Political Killings Task Team. And I want to first confirm that you have been involved with the PKTT from its inception is that correct?

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: And when was that from?

LT-GEN KHUMALO: From July 2018.

ADV HASSIM SC: From July 2018?

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: And in this letter the former Minister refers to the formation of an inter-ministerial task force. And you confirm that the PKTT was that inter-ministerial task force?

LT-GEN KHUMALO: As I indicated Commissioners that the terms and choice of words sometimes used in the letter,
10 they are confusing and sometimes they talk to maybe not from a well-informed part. Because we do not have a task force, we do not use that language in whatever processes and activities with regard to PKTT. But we do have the inter-ministerial committee that we have referred to it most of the time even during this commission.

CHAIRPERSON: General, there are witnesses who have referred to the national task team referring to the PKTT. Would that characterisation be correct?

LT-GEN KHUMALO: Thank you Commissioner. The choice
20 of adding 'an' at the beginning again will be maybe an individual choice. Why I say so? Because from us that started the whole thing our understanding is within SAPS there are lots of task teams within SAPS. A District Commissioner might decide to establish his district task team for a specific purpose. The same as the Provincial

Commissioner, the same as the National Commissioner.
That is then the task team.

And then the Political Killings Task Team was established by the National Commissioner. The Political Killings Task Team. Now the choice of using 'an' might come when then we talk of an inter-departmental. Because on my previous testimony I tried my best to explain the route that we took to get to where we are. When we moved from SAPS only task team to inter-departmental that is
10 when the national departments came in. So, the choice of using 'an', of adding 'an' might come if then you want to understand that inter-departmental part of the PKTT.

ADV HASSIM SC: Thank you, Commissioner. It was a national task team in the sense that it was set up by the national executive. Would that be right to describe it in that way?

LT-GEN KHUMALO: Yes, it can be right.

ADV HASSIM SC: Okay, so it was established by the national executive, and it was funded from the national
20 budget. Not from the provincial budget, is that right?

LT-GEN KHUMALO: Yes, it was established by the National Commissioner. There is an 'an' there of National Commissioner. It is funded from the national budget. There is an 'an' there. Then the part that I was explaining was the one that talks to it now being guided and overseen

at national level. Starting with the inter-ministerial to the directors general of the national departments. So hence then I say the choice of adding 'an' unless if it is meant to confuse. But if it is meant to explain, one can explain it like that.

ADV HASSIM SC: Thank you.

CHAIRPERSON: So national task team is not descriptive enough. Especially if you say there are several task teams at various levels. So national task team could be any
10 national task team. So that is not descriptive enough. Whereas PKTT is descriptive.

LT-GEN KHUMALO: Yes, as we speak now, according to my limited information, we have two more national task teams that are running in the northern part of KZN as well as one in the Western Cape.

CHAIRPERSON: Thank you, general.

ADV HASSIM SC: Thank you, Chair. So then to go back to what you were just saying, the inter-ministerial committee that you say had this overall view on the work of the task
20 team. Is that right?

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: Chair, we have been able to obtain the minutes of the inter-ministerial committee and to have them declassified. May I ask leave to submit them formally for the record as an exhibit bundle. And the exhibits number

from CJC8 all the way to CJC17.

ADV KHUMALO SC: File 1.

ADV HASSIM SC: File 1 exhibits bundle. And if I could ask the witness and the Commissioners to turn to that bundle now. CJC8, Commissioners, is the confirmation of receipt of the request for the declassification. And CJC9 is the letter from the authority that was required to declassify the minutes, which is the presidency, confirming the declassification and attaching the minutes. So, if we could
10 please turn to CJC10. That is where the minutes begin. And it is at page 4 of that bundle. General Khumalo, that set of minutes is dated 21 May 2018. Do you have it?

LT-GEN KHUMALO: Yes, Commissioners.

ADV HASSIM SC: Is this the first meeting of the inter-ministerial committee?

LT-GEN KHUMALO: Yes, Commissioners, that is correct. It is the first meeting that was convened after the establishment of the IMC, which took place on the 21st of May 2018.

20 **ADV HASSIM SC:** So, in other words, immediately upon its establishment, a meeting was held.

LT-GEN KHUMALO: Yes, Commissioners.

ADV HASSIM SC: And if you turn to page 5 of the bundle, which is page 2 of the minutes, can you confirm who was in attendance?

LT-GEN KHUMALO: Thank you, Commissioners. I can confirm that in attendance was the Minister of Police, Minister Bheki Cele, the Minister of Defence and Military Veterans, Minister N Mapisa-Nqakula, and the Minister of Justice, Constitutional Development and Correctional Services, which has combined by then, Minister T Masutha, the Minister of State Security, Minister Dipuo Letsatsi-Duba, the Premier of KZN by then, Mr Premier Mchunu, and the Member of Executive Council of KZN, Mr Kaunda, who was
10 the MEC of Transport, Community Safety and Liaison.

ADV HASSIM SC: Just for clarification, do you confirm that the premier at this time, Premier Mchunu, is not, and we do not want to confuse this person with premier – with former Minister Mchunu?

LT-GEN KHUMALO: Yes, I can confirm that this was Premier Willis, as he is normally referred to, Mchunu.

ADV HASSIM SC: Thank you.

LT-GEN KHUMALO: Not the current Minister of Police.

ADV BALOYI SC: Ms Hassim, maybe for correctness,
20 there is the mistake that is repeated of referring to Minister Mchunu as the former Minister, he is not former Minister, at least not yet.

ADV HASSIM SC: I take the correction, Commissioner Baloyi. Okay, so these were the - this is what made up, these were the heads of the Inter-Ministerial Committee, is

that correct?

LT-GEN KHUMALO: Yes, Commissioners.

ADV HASSIM SC: So, these departments then, and ministries, continued to have involvement in the oversight of the PKTT throughout its existence, would that be correct?

LT-GEN KHUMALO: That would be correct, as directed and established by the President.

ADV HASSIM SC: Thank you. So, we do not need to go to exhaustive detail, but just so that we can get the main
10 aspects of these minutes. The first serious presentation was a political presentation by the premier, is that right? And that is on page 6 of this bundle.

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And in that presentation, if we look at the second bullet, the minutes state that:

“A task team was established in 2011
to find the causes of the political
killings.”

What task team was that?

20 **LT-GEN KHUMALO:** Although one was not part of the meeting and the process itself by then, because the task team that was being assessed during this first sitting of the IMC was the then provincial task team of the police that was dealing with political related cases. So, if the reference here on this second bullet is made towards the now Political

Killings Task Team, then one would say the premier meant then the provincial team that was in place by then.

ADV HASSIM SC: Okay. I should have asked you when we were confirming the attendance whether you were in attendance at this meeting.

LT-GEN KHUMALO: Although I do not see the attendance list, but I was still not part of the now PKTT in May. I only became part around June when we were then brought in to start compiling the new strategy and the plan that was going
10 to be implemented from July onwards. But why then I say Commissioners that one would have to rely on the attendance register?

It is because it was during the period when one is not having the dates. It was during the period when I was either deployed as a brigadier in the province together with the then acting Provincial Commissioner, Lt-Gen Mkhwanazi, as he testified, or because as a brigadier one of my main responsibilities was on national intervention operations.

20 So, every time there is an IMC, there is a national intervention that is directed, I will then be expected to be part because it is my line function. Hence then confirming that I might have been part of this meeting either because I was deployed in KZN or because of my line function at national level. But in terms of being involved in the form of

the PKTT now, I was not yet.

ADV HASSIM SC: No, I accept that. So, are you saying you do not remember whether you were at this meeting?

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: Okay, and that if you were at the meeting, it would have been for whatever your role was, you were not at that point involved in the PKTT?

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: Okay, and you do not remember. That
10 is fine. So, the point of the bullet 2 is that there was a provincial task team within SAPS to deal with political related killings.

LT-GEN KHUMALO: That is correct.

ADV HASSIM SC: Okay, so if you turn over the page to page 7, there is then a presentation by Maj-Gen Chiliza and it is entitled Progress Report on Political Related Killings to the Minister of Police. So, it would have been Maj-Gen Chiliza then who would have been responsible for that provincial task team. Is that right?

20 **LT-GEN KHUMALO:** The minutes suggest that because he is the one who presented the progress report on political related killings to the ministers on that day.

ADV HASSIM SC: Okay, so, if we go then to, we see that there was a second presentation by Minister Chiliza as well. And we see that on page - I think that was page 7. That

was his report. And then there is a - yes, there is a second presentation on page 11 at item 2.3.1. Do you see that?

LT-GEN KHUMALO: Yes, Commissioners.

ADV HASSIM SC: And in that report, there is a list of cases, those that are finalised, those dockets that are ready for trial, et cetera, et cetera. Are those the political related dockets that were being handled by the team at the time, the provincial team?

LT-GEN KHUMALO: On the minutes where these reports
10 were presented, it will not be easy for one to clearly distinguish between the two presentations because the first presentation by Maj-Gen Chiliza refers to an overview of political violence related cases. And then from 2011, 2012, 2016, and then given the stats and the status of those cases. And again, under 2.3.1, another presentation by Maj-Gen Chiliza again, now with the type of murders involving politicians. So, it is not easy, especially as I have explained that I was still not part of the process as to what is the difference between the two presentations on the day.

20 **ADV HASSIM SC**: Okay, so if we go to page 13, we see that there was a discussion following the presentations and the ministers listed a series of concerns. I am not going to read through all of these concerns, but would it be correct to say that one of the concerns raised by the ministers was that the political killings in the province was escalating?

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: And could you just read out the first two bullet points of the decisions on page 14?

LT-GEN KHUMALO: On page 14, under the heading decisions:

“The meeting resolved that the task team coordinate its work and minimise working in isolation to each other.”

Then bullet 2:

10 “The task team should have purpose, objectives, role and responsibilities, as well as the frequency of meetings [terms of reference].

ADV HASSIM SC: And the third bullet?

LT-GEN KHUMALO: On page 15.

ADV HASSIM SC: On page 15. The first bullet on page 15.

LT-GEN KHUMALO: The first bullet on page 15:

20 “The task team should develop an investigation and prosecuting strategy that will mitigate all the risk factors associated with the investigation and prosecution, such as ...[intervenes].”

ADV HASSIM SC: Pause there, and then there is a list.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: Now, this investigation and prosecution strategy, is that the strategy that you began to develop when you became involved in June?

LT-GEN KHUMALO: That is correct, Commissioners. It is one of the recommendations that we had to attend to as we came in in June.

ADV HASSIM SC: Okay, thank you. And then if you turn over to page 16, there is a presentation made by the NPA, Adv S Abrahams. Do you see that?

10 **LT-GEN KHUMALO:** Yes, Commissioner.

ADV HASSIM SC: And then there is a further set of discussion and decisions by the IMC, which is recorded at page 17. Can you just read out for the record the two bullets that contain the discussion and decisions?

LT-GEN KHUMALO: The second discussions and decisions on page 17 of the minutes, the first one:

20 “Ministers expressed similar concerns that NPA is providing statistics which are conflicting the statistics which were presented by SAPS detectives team. And this is attributed to the fact that the task team members are working in isolation [no coordination].

The second decision:

“A dedicated team of prosecutors

should be part of the task team to guide the investigation team in order to improve the quality of cases put on trial and improve the conviction rate.”

ADV HASSIM SC: Do you have any comment on those decisions?

LT-GEN KHUMALO: Thank you, Commissioners. Indeed, the decisions were pointing towards real challenges that was facing this task team, this provincial task team. The
10 lack of coordination was demonstrated by the fact that within one meeting, there are three different task team reports that are presented, which shows that there is no coordination of both activities and accountability. Which then one would say the interministerial committee were not wrong in their findings as well as recommendations as to what needs to be corrected.

ADV HASSIM SC: Thank you. So then if we go to the next set of minutes, which is CJC11, the date of this meeting is 12 June 2018. So, this is the second meeting, one month
20 later of the IMC.

LT-GEN KHUMALO: Yes, Commissioners.

ADV HASSIM SC: And were you present at this meeting?

LT-GEN KHUMALO: Yes, Commissioners, I was present.

ADV HASSIM SC: So, at this meeting, we see the attendance and adoption of agenda, et cetera. What I

would like to turn to is page 22. And there we see a briefing by the acting KZN Provincial Commissioner. And this was Lt-Gen Mkhwanazi, is that correct?

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And what was the gist of his presentation or his briefing? It is a lengthy briefing, so I do not want you to go into the detail. But if you recall the gist of it, can you explain to the Commissioners?

LT-GEN KHUMALO: Thank you, Commissioners. The gist
10 of the presentation by the Acting Provincial Commissioner by then was first the fact that the way the new team was - not the new team. The plan to establish the new team had started. So, he referred to the number of dockets that had been collected and analysed already and also referred to the investigation and prosecution plan on page 25 that had already been provisionally approved by the National Commissioner pending the endorsement by the IMC.

That was the most critical issues. And also, he reflected on the issue that the strategy and the
20 investigation plan will be given a full budget and resources from national level, and then the team will be restructured. So, he was announcing to the IMC, looking at the challenges identified in the first previous meeting. So, he was attending to most of them with the plan that was in place as to how all those weaknesses were going to be

attended to.

ADV HASSIM SC: And the conclusion then was the proposal that was made by the National Commissioner at the time, and that is on page 25. So, it was the restructuring and a development of this strategy or investigation action plan. If we turn over the page, the last bullet of the proposal by the National Commissioner, which was National Commissioner Sithole at the time, is that the task team will be reinforced by a team of tactical
10 intelligence and strategic intelligence. Why was that necessary?

LT-GEN KHUMALO: The National Commissioner was proposing his structure at national level that was going to oversee. Because if we start from the previous page, he is talking of the last bullet on page 25, when the National Commissioner said, as part of monitoring and overseeing the task team, Lt- Gen Lebeya and Lt-Gen Tsumane, who was the Deputy National Commissioner Crime Detention by then, would be responsible for that task of overseeing the
20 team.

So, he was briefing the IMC that the oversight would be at national level. Yes, the team would be operating in the province. Hence, then, on the next page, 26, the point that he was stressing, because intelligence capability is a national competency. They are not the

responsibility of a district or a Provincial Commissioner. So, the National Commissioner was bringing in the then divisional Commissioner of crime intelligence to be part of the overseeing team at national level.

ADV HASSIM SC: Thank you. So, we can then conclude these minutes with reference to the resolutions that were adopted on page 27. There are several aspects of these resolutions that speak to the work of the PKTT going forward. The first I would like to refer you to is the second
10 bullet, that the investigation strategy and prosecution should have cost or budget targets and timeframes. Did that take place? Was that strategy costed and budgeted?

LT-GEN KHUMALO: Yes, that is correct, Commissioners.

ADV HASSIM SC: And was that subject to constant review?

LT-GEN KHUMALO: Yes, Commissioners.

ADV HASSIM SC: The second is that the task team is to be restructured and reinforced by additional 13 investigators from other provinces. Did that take place?

20 **LT-GEN KHUMALO:** Yes, it did take place, Commissioners, and the number of investigators kept on increasing as the number of cases allocated to the team were also increasing.

CHAIRPERSON: And for the record, you are reading from bullet number 4, Adv Hassim?

ADV HASSIM SC: Bullet number 4. Thank you, Chair.

And then bullet number 5 reads as follows:

“The revised structure of the task team and the strategy with the budget should be and be - to read it as it is, presented to Minister of Police by 15 June 2018.”

Was that done?

LT-GEN KHUMALO: It was done if we are going to go to
10 the minutes of the next IMC. You will see it.

ADV HASSIM SC: It was presented in the next IMC meeting.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: And then the sixth bullet is that:

“As part of monitoring and oversee the task team, General Lebeya and General Tsumane will be responsible for such tasks.”

Were they responsible and did that, in fact, take place?

20 **LT-GEN KHUMALO:** Yes, indeed. General Lebeya was the chairperson of the National Steering Committee, which was made up then of General Jacobs of Crime Intelligence, General Tsumane of the DNC by then of detection, as well as other DDGs from other national government departments like NPA and state security.

ADV HASSIM SC: Thank you. So, then that would, well, sorry, one more item just to confirm. And that is the third bullet from the bottom. But the last sentence:

“A dedicated team of prosecutors should be part of the task team to guide the investigation team in order to improve the quality of cases put on trial and improve the conviction rate.”

Did that take place? Was a dedicated team of prosecutors
10 assigned to the PKTT?

LT-GEN KHUMALO: Yes, Commissioners, it did take place as we were progressing with the implementation of the plan.

ADV HASSIM SC: Thank you.

ADV BALOYI SC: General, in that second bullet point, where it reads:

“Investigation strategy and prosecution should have cost budget targets and timeframes.”

The timeframes referred to here, where it says there must
20 be timeframes, what are these timeframes for? Is it the life of the task team or is it the timeframes for targets?

LT-GEN KHUMALO: Our interpretation was it is the timeframes of the targets because we were presenting the strategy and the plan that will talk to the turnaround time on investigation, turnaround time on prosecution. Hence then,

other recommendations moving forward were talking to the issues of dedicated courts so as then the timeframe is not affected.

ADV KHUMALO SC: Can I just get clarity? In the first meeting, we have looked at the minutes. One of the recommendations is that the Department of Correctional Services must form part of the task team. Was that recommendation implemented, as far as you are aware?

LT-GEN KHUMALO: As we were presenting the new
10 strategy, it was exactly like that. It was the interdepartmental multidisciplinary task team where SAPS and NPA are playing a leading role, supported by State Security, Correctional Services and the Department of Justice.

ADV KHUMALO SC: So, the task team was not just about investigating political killings, it was also about ensuring that they are successfully prosecuted and once people are successfully prosecuted, those that are found guilty are incarcerated and that would be Correctional Services' role.

20 **LT-GEN KHUMALO:** That is hundred percent correct, Commissioner. One of the noteworthy contributions of the Department of Correctional Services was to dedicate the Kokstad Prison as the PKTT prison where we will keep our most dangerous prisoners.

ADV KHUMALO SC: Was that in fact the case?

LT-GEN KHUMALO: It was and it is still the case, Commissioner.

ADV HASSIM SC: Thank you, Commissioner. So, the third set of minutes then is CJC12, and it is dated 3 August 2018. So, this is the third meeting now of the IMC in 2018. Are you there?

LT-GEN KHUMALO: Yes, Commissioner.

ADV HASSIM SC: Were you present at this meeting?

LT-GEN KHUMALO: Yes, I was present.

10 **ADV HASSIM SC:** And it was chaired again by Minister Cele at the time.

LT-GEN KHUMALO: Yes, that is correct.

ADV HASSIM SC: The important aspect of this minute is the item 2.2 on page 31. If we can begin there, it begins at that point. And is it correct that this began with a presentation by the National Commissioner who confirms that the approach of the task team was changed? The composition was revised, and new members were added. That is the third line from the bottom on page 31. Was that
20 the confirmation that was provided by the National Commissioner at the time?

LT-GEN KHUMALO: That is correct, Commissioners. If we compare with the previous IMC where the National Commissioner gave lots of promises of what will be happening. Because it was the meeting where the

investigation and prosecution strategy was presented. And there were then issues that were raised by IMC like budget and resources.

So, the team then was officially on the ground from the 18th of July. So, this we can say is the first official IMC where they were expecting to get feedback on the performance of the newly established task team from July because this was August. So indeed, the points that were raised by the National Commissioner were talking to the
10 decisions that were taken on the previous meeting. Hence the first one is confirming that the task team was changed, reconfigured and the composition was revised with additional members added on the team.

ADV HASSIM SC: Thank you. Chair, it is 11 o'clock.

CHAIRPERSON: Let us adjourn and resume at 11:15.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Thank you, Commissioners.

ADV BALOYI SC: Ms Hassim, before you proceed, let me
20 ask this one. General, at that page 31, paragraph 2.1, in the third line, in fact, this is where the Chairperson indicates the history of this team after the President visited the province. And then in the third line it says:

“To urgently attend and solve all high-profile cases and the ongoing political

killings.”

Where it refers to high-profile cases, what was contemplated there? That is at page 31.

GENERAL KHUMALO: Thank you, Commissioners. Yes, according to our interpretation, the high-profile cases will refer to, because the criteria of allocating a political-related case will have a list of categories, with the last category being a political activist, a member of the political party. And then the high profiles, according to us, are those
10 political figures that are office bearers and those that are also serving in local government, especially. That was our understanding of high profile.

ADV HASSIM SC: Thank you, Commissioners. So just after 2.1 is 2.2, and it is the briefing by the National Commissioner, the first one which we just dealt with about the approach of the Task Team. And then if you turn over the page, there is a presentation that is made by the Acting Provincial Commissioner, and it begins with the introduction. And then the first heading is operational
20 coordination and it speaks about the joint operational centres. Is it correct to say that the description here, under this heading, is what you have presented to the Commission when you testified, when you were here before?

GENERAL KHUMALO: Commissioners, can I be reminded on the CJC number?

ADV HASSIM SC: It is page 31 and it is CJC12. Page 31.

GENERAL KHUMALO: Yes, I am there. So 31 was where we had ended off and then, sorry 32 is now the presentation by the Acting Provincial Commissioner. The second heading is operational coordination. And I just wanted to confirm with you whether what is presented here is the same as what you presented to the Commission when you testified earlier.

GENERAL KHUMALO: That is correct, Commissioners, I
10 can confirm. These were accountability levels and structures that were set up and were then part of the briefing of the IMC, starting with the tactical joint operational centres that I referred to as four of them that were established, that were meeting and accounting on a daily basis to the mission area right up to the National Steering Committee.

ADV HASSIM SC: Thank you. That then is described fully. And then the next thing I would like you to turn to is page
20 34, where the Acting Provincial Commissioner at the time described the composition of the team. Is this now in terms of the revised structure?

GENERAL KHUMALO: Yes, Commissioners. That was in terms of the revised structure and the command and control, as was presented previously. Looking at the mission area joint operational centre, the first box on the

left, the Task Team leader referred to as Maj-Gen Ramatswele, as we have presented before. And the project manager referred to as the then Brigadier Khumalo, which is myself, and then other tactical Commanders for different disciplines. And those four operational teams below that were implemented.

ADV HASSIM SC: Thanks. And then page 36, which deals with the table of case dockets. Is this presentation an analysis of the dockets that were within the control of the
10 Task Team at the time?

GENERAL KHUMALO: That is correct, Commissioners. At the initial stages of the Task Team, we had to indicate the cases that were presented during the previous IMC, so as then we can show the additional cases. And in that page or slide, we are reflecting that on the previous report the cases allocated to the team were 98. But then during this meeting, there were now 126.

ADV HASSIM SC: Thank you. And then if we go to the end of these minutes, it is page 41, item 2.4, the
20 resolutions. Just before we go to the resolutions, is there anything more to be said about the discussion? Was the approach, let me put it this way, was the approach that was being presented by the Acting Provisional Commissioner supported by the members of the IMC?

GENERAL KHUMALO: Ja. Maybe one can sum up the

response to that answer by referring to page 40 under the comments by the Chairperson. The last bullet from – the second bullet from last, which reads:

“The Minister praised the Task Team and encouraged them to put more effort so that a message is sent that there are consequences for breaking the law.”

So those were sentiments that were shared by the IMC
10 during this initial meeting of the new team that was put in place.

ADV HASSIM SC: Thank you. And then finally, the resolutions. The first bullet point is for the Task Team to provide a progress report. Did the Task Team do so on that 126 cases?

GENERAL KHUMALO: Yes. Those 126 cases that were reflected during this meeting. So the resolution was on the next meeting, the team is expected then to give a progress report on each and every one of those cases, also 81 of
20 them that were still under investigation.

ADV HASSIM SC: So there was a continuing report on these cases to the IMC. Is that right?

GENERAL KHUMALO: That is correct, Commissioners. That was the structure of all our accounting sessions. There will be a report on whatever that was reported during

the previous meeting to show the progress.

ADV HASSIM SC: Now, can you read the third bullet, please?

GENERAL KHUMALO: The third bullet under resolutions?

ADV HASSIM SC: Under resolutions.

GENERAL KHUMALO:

10 “The Task Team in the next meeting
 will provide progress reports on the
 progress made on the following priority
 cases. Mr Mchunu, the killing of Mr
 Mchunu, Mr Sithole, and Mr
 ...[indistinct] Magaqa.”

ADV HASSIM SC: Why were these cases singled out?

20 **GENERAL KHUMALO**: As per my response to the question
 by Commissioner Baloyi, that the cases will be rated as
 high profile, depending then on the deceased. So these
 three, the first one is the one that was a reason for the
 establishment of the Task Team. This crime scene that was
 visited by the President. That is Mr Qashana Mchunu. And
 Mr Sithole was also another high-profile politician, as well
 as Mr Magaqa, who was the former ANC Youth League
 secretary.

ADV HASSIM SC: Thank you. The next set of minutes, if
we can go there, then is on page 42. That is CJC13 and
that is dated 13 September 2018. And were you present at

this meeting, General Khumalo?

GENERAL KHUMALO: Yes, I was present, Commissioners.

ADV HASSIM SC: And again, was it chaired by former Minister of Police Cele?

GENERAL KHUMALO: That is correct.

ADV HASSIM SC: And as similar with the structure of the previous minutes, we see on page 44, items 2.2 and 2.3, where the National Commissioner opens a briefing and then
10 hands over to the Acting Provincial Commissioner. Is this where the Provincial Commissioner then did the progress report on the cases as required in the previous minutes?

GENERAL KHUMALO: That is correct, Commissioners. As I explained on the coordination slide, that the meeting will take this format. What will happen in preparation for the IMC, we at the level of PKTT, we will prepare the report and present it to the Provincial Steering Committee chaired by Lt-Gen Mkhwanazi. And then as the National Steering Committee comes in a day before IMC, led by the National
20 Commissioner, then the Provincial Steering Committee will then brief them. And then on the day of the IMC, it will take that order.

The National Commissioner will introduce the briefing note, and then the General Mkhwanazi will then present as briefed by the Political Killing Task Team at

operational level. It was later on when then I joined the elite level, when then it was myself now who was briefing the IMC, not the Provincial Commissioner. By that time, I was still a Brigadier flying very low. My responsibility was to prepare the report and brief the Provincial Steering Committee. But then after I became a Maj-Gen, that is when then they allocated the responsibility to me to brief all the levels, the National Steering Committee as well as the IMC.

10 **ADV HASSIM SC**: So this briefing is extremely detailed and it goes all the way to page 56, in fact. And we do not need to go through the details, but I just want to confirm that this was a presentation that was made by the Provincial Commissioner with your assistance.

GENERAL KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: So if we turn to page 55 of the bundle, in the middle of the page it says the need of fast-tracking ballistic and biology analysis, that paragraph, and then the following bullet points. Is it correct to say that at this point
20 in time, so this meeting is now September 2018, is this when the need was identified for expert analysts to be included in the team?

GENERAL KHUMALO: That is very correct, Commissioners. From our initial plan, we had planned the Task Team to have this expertise. But because it was a

new thing in the SAPS, it took time for us to convince the Commanders of those respective environments to allocate dedicated, initially as the KZN team was. And even now, the Task Team in the SAPS is established and formed by looking at what needs to be done.

If it is an investigative Task Team, only detectives will be assigned to the team. So we were implementing our plan step by step by first indicating the challenge that we have, and then we will put a request that if we can have this
10 dedicated capacity. I have an example that I can cite on cold data analysts.

Because we were utilising DPCI cold data analysts that are in Pretoria, and we are in KZN, they did come and we celebrated that at last we have. Then they said, no, we are here to pick up the discs and go back to Pretoria. They disappeared with those discs up to date. So it was not working for us to have analysts or experts that are not part of the team.

So with these recommendations, we were trying to
20 influence that our plan is properly implemented, including the ballistic experts. All these experts were not yet part of the team. But I think from 2020 onwards, that is when then we had the full capacity.

ADV HASSIM SC: Thanks. And so that meeting followed, so it was a detailed report and it concluded with

resolutions. And that is on page 57. And again, as per the previous minutes, the request was for continuing reports on the progress of cases.

GENERAL KHUMALO: Yes, that is correct.

ADV HASSIM SC: And for a specific report on the high profile cases as well.

GENERAL KHUMALO: Yes.

ADV BALOYI SC: General, in that page 57 in the resolutions, can you just explain that first bullet point,
10 which requires a progress report on 22 case dockets not related to the Task Team mandate? Why that was being included for discussion in the work of the Task Team?

GENERAL KHUMALO: Thank you, Commissioners. Initially, the use of parallel investigation was an internal exercise. We were doing it to assist our investigation. But then the time came when, because if we have a main case that is linking ballistically with another case that is not politically related, we were only reporting on the politically related main case. So the resolution was, let us also report
20 on those parallel ones because they talk to the performance of the Task Team.

ADV BALOYI SC: It was a performance issue.

GENERAL KHUMALO: It was a performance issue.

ADV HASSIM SC: Was any question raised at any point by the IMC about the fact that these parallel dockets were

included in the work of the PKTT?

GENERAL KHUMALO: There were mainly comments that were coming from, because our report was structured such that we touch on all the activities of the team. So when we get to the ballistic analysis, that is where we will show the linkages that the firearms that we have confiscated, they were linked with other cases that we had then requested from the stations to investigate them parallel to the main case.

10 Now, because now our statistics were not tallying at all the segments of the report, that is when it was a resolution that as we report, if we check our reports moving forward, even the report that we presented as part of the testimony in the Commission, it has those categories, political-related cases, parallel cases, and ad hoc cases. Initially, before these resolutions, we were only reporting on main or political-related cases only.

ADV HASSIM SC: Okay. Thank you, Commissioners. So let us move on then to March 2019, 28 March 2019. That is
20 CJC14, and that is the minutes of the next meeting of the IMC. Were you present at this meeting?

GENERAL KHUMALO: Yes, that is correct.

ADV HASSIM SC: And again, it is a very lengthy briefing, am I correct, that was provided by the acting PC?

GENERAL KHUMALO: Yes, Commissioners.

ADV HASSIM SC: And the update, which is very detailed, is an update on all of the cases under investigation and in court.

GENERAL KHUMALO: That is correct, Commissioners. Maybe then to draw the attention of the Commissioners on page 64, where we were complying with the recommendation of the previous meeting, where we started then reflecting on parallel case dockets that were not part of the previous reports.

10 **ADV HASSIM SC:** And on page 65, you report on ad hoc cases.

GENERAL KHUMALO: Yes, as I explained, Commissioners.

ADV HASSIM SC: And those related to the unlicensed firearms.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: And that meeting ...[intervenes].

ADV BALOYI SC: Sorry, can I just ask? Is it then correct, would it be correct then to characterise the position this
20 way, that although the team was set up and its mandate is to investigate political killings, these parallel and ad hoc investigations means that at least operationally the mandate sort of expanded because with the parallel cases, you are not necessarily looking at political-related matters. I think somewhere earlier on there was a report, for example, of a

reckless driving case, and there are robberies here. So in practice, the mandate sort of expanded. Would that be a fair and accurate characterisation, General?

GENERAL KHUMALO: That would be very correct, Commissioners, because it was an operational decision, not needing the extension of the mandate. I am trying to separate the two, because we are investigating political-related cases. And then there is a case that is linked with the other case that is not political-related. Maybe it is
10 because it is the same suspects. Maybe it is because it is the same firearm used.

Now, for us to strengthen our main case, there is a lot of evidence that we can get from this other case, and then we will then investigate it parallel to this other case. Same applies to the firearm related cases, because we will have operations where we are looking for specific firearms. Now, when we register a possession of unlicensed firearm for that particular firearm, that case will be investigated by the team because it is linked sometimes with a parallel
20 docket that is linked with the main political-related case, because this firearm was used in both these cases.

So initially, it was an operational decision, which was part of our methodology. Hence, then when we were reporting, we were reporting on the mandated group. But then as we were explaining how we are so successful, then

it was then requested that we bring also those cases in our report.

ADV HASSIM SC: Thank you. And am I correct to say that in all of these reports, you began to then report in terms of those categories? So you separated out the categories in your reports?

GENERAL KHUMALO: That is what we did throughout up until the last 27-page report of January 22.

ADV HASSIM SC: 2025.

10 **GENERAL KHUMALO:** Yes.

ADV HASSIM SC: Okay, so I am going to just move on to the next. The resolutions here, just for the sake of completeness, to wrap it up, are similar to the previous resolutions, which is to continue your reporting on the cases and to intensify efforts on certain cases. Correct?

GENERAL KHUMALO: That is correct.

ADV HASSIM SC: Okay, so the next meeting then is 30 July 2019 at CJC15, page 73. Were you present at this meeting?

20 **GENERAL KHUMALO:** That is correct, Commissioners.

ADV HASSIM SC: And can you tell me whether this meeting followed the same format as the previous meetings, meaning a very detailed report by the Acting Provincial Commissioner?

GENERAL KHUMALO: Yes, indeed, it followed the same

format where the National Commissioner on Paragraph 2.2, page 73, will introduce and General Mkhwanazi will take the IMC through the prepared presentation, starting with the introduction, as well as the cases allocated and giving the status report on each and every one of those cases.

ADV HASSIM SC: Thank you. If we can then, again, a very detailed record of the presentation that is included in the minutes. But let us go to page 82, and there is a section that is headed remarks by a member of IMC and
10 others.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: Okay, so the first bullet point, it says the meeting noted the incorporation of 78 cases which are not related to political killings. Can you just explain that bullet, please?

GENERAL KHUMALO: It is referring to the explanation that I have been giving, that these cases, because they were increasing, and then as they are reflected on each report, then the IMC was also starting to take note of them
20 because that will influence even the resources and the budget for the Task Team.

ADV HASSIM SC: And it notes that the meeting indicated the team should pursue those cases.

GENERAL KHUMALO: Yes, as I explained, that if it could, the meeting indicated that the team should pursue these

cases as if they indirectly have relation to their mandate. So it started as an operational decision, but then during this meeting it was then accepted as an indirect mandate, although it is not talking to the mandate of political killings dockets.

ADV HASSIM SC: Can you comment on the second remark by the IMC?

GENERAL KHUMALO:

10 “The meeting also stressed the importance of strong and better coordinated intelligence operations as the key to successful investigations and prosecution.”

That was the time when we had the team that was at least 98% capacitated, sufficient, and we were then able to deliver in line with the plan in terms of activities and the timelines because we had better coordination from within the expertise.

20 And there was also by that time now an understanding, as I explained yesterday, that when we call people up, they come in with their understanding of how things are done. So indeed, it took time for the team to gel and understand that the methodology here is in a process format. Hence, then, there was this comment.

ADV HASSIM SC: Okay, and the third bullet? Can you

comment on the third bullet?

GENERAL KHUMALO:

“The involvement of private security firms is concerning, and the meeting indicated that the team should work with Private Security Industry Regulation Authority to do the inspections on compliance.”

The team had adopted a concept of compliance inspections
10 because we had since realised that the firearms that are normally used are belonging to the private security companies as well as municipalities. That is why we were struggling then to get the firearm that would link with a political killing case.

Then we started the compliance inspection. The criteria would be, when we identify the hit orderer, then we would profile the hit orderer until we get to an – I must choose the word now – an associate who is having a private security company owning firearms. That is when then we
20 would go for compliance inspections. And in most of the compliance inspections that we conducted, we would find that the calibre, because you would first profile the security company to identify and understand the firearms that the company is owning.

Then when you go for compliance inspection, your

focus is on a calibre that is fitting the one firearm that you are looking for. So when you get there, in most cases, the firearm that you are looking for is reported stolen two weeks ago. So that was an indication then for us to say we need to widen the scope.

We have another example in the municipalities, one of the municipalities who were looking for the firearm that was used in killing the councillor. On records, that firearm then was found to have been booked to a particular security
10 guard who was employed by the municipality. We did find that firearm from that security guard, but we found it was sliced like a bread. So as then need cannot be used for ballistic purposes, but we did find the firearm.

So this was during the time when we were realising that the struggle for us to find the firearms that are used is because they are most of them within the private security companies and municipalities.

ADV HASSIM SC: Nevertheless, the meeting noted progress made on recovering firearms, and if you could just
20 read the fourth bullet?

GENERAL KHUMALO: More especially, the increase of the firearms, the number 281, it was mainly because of that compliance inspection, because we will find a lot of unlicensed firearms within private security companies and municipalities.

ADV HASSIM SC: So it was 181 firearms, ammunition and magazines recovered.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: And that was since, it says the re-establishment of the Task Team, not the establishment.

GENERAL KHUMALO: Since July 2018.

ADV HASSIM SC: So that is July 2018. Okay, and then again request for more progress reports. And what we see after this is that there are no minutes for the years 2020
10 and 2021. Can you explain that?

GENERAL KHUMALO: Yes, Commissioners. As we are all aware, those years were years when we had a problem of Covid. So the meetings and movement was limited. So that is the only reason that we can provide.

ADV HASSIM SC: So the next meeting then is 2022, and that is CJC16?

GENERAL KHUMALO: Yes, that is correct, Commissioners.

ADV HASSIM SC: It is dated 2 February 2022. Were you
20 present at this meeting?

GENERAL KHUMALO: Yes, I was present, Commissioners.

ADV HASSIM SC: And again, we see the similar format, a very detailed briefing. And this briefing was by the Acting Provincial Commissioner again, is that right?

GENERAL KHUMALO: Yes, that is correct.

ADV HASSIM SC: If we can just go then to the resolutions, which is on page 96? There are five resolutions, five bullet points. Can you explain the first bullet point?

GENERAL KHUMALO: Thank you, Commissioners. The resolutions, in most cases the resolutions will be linked with the challenges that will be brought to the attention of the IMC by the team. So the first one that talks to the must-be specialised or dedicated court for political-related cases,
10 that was during the time when we were experiencing delays at court.

We had so many trial-ready cases. But now, because they were competing on the court roll with other local cases, looking at the Task Team being time-bound and being a project, then there was that recommendation, request or recommendation that the dedicated court be provided, of which then the Ministry had identified that ...[indistinct] court case, that after a threat-and-risk assessment and other processes, mainly because of the
20 conditions of the cells in that court, then the interdepartmental, especially the Provincial Steering Committee decided against the use of the court.

Then the next one talks to the dedicated prosecution team at lower courts to deal with firearm-related cases. The main problem there was, as the team

will register a case of possession of unlicensed firearm, then the dedicated team of prosecutors are dealing with politically related, more especially if the firearm is not linked with the case.

Now, those cases were also suffering a lot, and then the team thought that maybe they must also put up that request for their cases that are at lower courts to have the dedicated prosecution team.

ADV HASSIM SC: And did that happen?

10 **GENERAL KHUMALO:** Unfortunately, it did not happen, Commissioners.

ADV HASSIM SC: Okay. If you can just then finish with reference to the third bullet point on these minutes?

GENERAL KHUMALO:

“The Department of Correctional Services should improve on security, especially unlawful access to cell phones by inmates, and report in the next meeting.”

20 This has been an ongoing problem up to date, but it was something that was also brought up by the Task Team for the IMC to assist on. There were lots of proposals that were put on, but were not implemented. That is why we still have the same problem. And it is one of the reasons why the request that was approved, and the recommendation to

use Kokstad Prison, because communication within that prison is impossible.

ADV HASSIM SC: So, that concludes those minutes. The next set of minutes is CJC17, and that meeting took place on 5 September 2023. Were you present at this meeting, General Khumalo?

GENERAL KHUMALO: Yes, Commissioners.

ADV HASSIM SC: Now, this meeting, again, followed the similar format to the previous meetings, except that the
10 report of the work of the PKTT was presented by you, and not the Provincial Commissioner, is that correct? Page 100.

GENERAL KHUMALO: Yes, that is correct, Commissioners.

ADV HASSIM SC: And, again, as with the previous reports, it is a very detailed briefing and it goes on for quite a number of pages. I do not know if there is anything specific you want to highlight in relation to this meeting. If not, we will just go to the end of the minutes.

GENERAL KHUMALO: There is nothing more than to flag
20 that on this report we had included a threat-and-risk assessment, because it was a build-up to the upcoming local government elections.

ADV HASSIM SC: So, can we then go to page 123, and you will see this is a section dealing with remarks by other members present in the meeting.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: There are a number of comments here. Some that are notable. Some of the issues that are addressed here are issues that seem to recur. The importance of dedicated courts, for example. But we also see that the Deputy Minister indicated that he agrees with the recommendations of the Task Team and that the team should be enhanced. What did that mean, that the team should be enhanced?

10 **GENERAL KHUMALO:** It was referring to the increasing workload and also in preparation for the upcoming local government elections. Hence, after the TRA was presented, that formed part of the remarks and resolutions by the IMC.

ADV HASSIM SC: Okay, so it was linked to the threat-and-risk assessment and then the upcoming elections?

GENERAL KHUMALO: Yes.

ADV HASSIM SC: The need for enhancement. So, there is a bullet that says some members have been taken back to their original station. Why is that?

20 **GENERAL KHUMALO:** It was one of the challenges that we were starting to experience where some environments would then want their members to return for various reasons, which was then identified as, one, it was affecting our capacity looking at the work that we had on hand, but also it was affecting our turnaround time, because now as

you receive a new person who is not familiar with the methodology, it will take some time for that person to turn in. But that was basically what we were experiencing.

Maybe to add, there is a point above that talks to the Minister Cele indicating that the Task Team is also now involved in the investigation of Fort Hare University cases. That was after the extension of the mandate. Now, that also affected our capacity because we had to move other members of the team to relocate to the Eastern Cape. That
10 was one of the reasons why then the capacity was a problem.

ADV HASSIM SC: Thank you. I note that two bullets from the bottom that the Minister Lamola commended the work of the Task Team. Then on the next page, page 124, we have the resolutions. Can you read out the last two bullet points?

GENERAL KHUMALO: The last two bullet points of the recommendations, the first one being:

20 “The success of the Task Team should be communicated to the nation via press briefing.”

The second one:

“The Task Team cannot be dissolved. It must continue.”

ADV HASSIM SC: And that is the end of the minutes of the

meeting for September 2023. Was there any other IMC meeting after that? Maybe we do not have minutes.

GENERAL KHUMALO: There were no other IMCs because this one was the last IMC towards elections. Hence, then it had also a recommendation or a threat-and-risk assessment and a recommendation of enhancing it and also the decision not to dissolve it. I should think that maybe in line with the change of administration, this is the last decision taken by this IMC that it should not be dissolved. So as the next
10 IMC, when it comes in, it continues this good work that this current IMC has seen.

ADV HASSIM SC: So I have a question about that because if the meeting takes this resolution that it must not be dissolved, is it because there were discussions before that contemplating that the PKTT should be disbanded?

GENERAL KHUMALO: Not as far as I understand it. It can only be that in our reports we will also look at the timeline. If it is towards the end of the financial year, then the Provincial Steering Committee, the National Steering
20 Committee and the IMC will have that as a point of discussion and a resolution to take at all levels so as then when the new financial year starts, the team knows that they have to prepare for the extension.

ADV HASSIM SC: Okay. So in addition to this regular meetings or this oversight by the IMC, they were also

monitoring by the Provincial Steering Committee and the National Steering Committee.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: And by this point in time then, September 2023, were you informed of concerns? I just want to confirm that this is what you are saying. Maybe put it differently. You were not informed of concerns of the work of the PKTT and the need to close it?

GENERAL KHUMALO: No, I was not informed of any
10 concerns or complaints. I was only aware of the commendations of the good work by the team because this is the last unminuted meeting where the team had to brief the President himself on the progress. That was then the last meeting before elections.

ADV HASSIM SC: So as far as you were aware, the Task Team was conducting itself in a manner that there were no concerns that were raised with you as far as its performance goes. And as far as the monitoring goes, was that monitoring of the work and the achievement of your
20 objectives as well as your finances? Was there monitoring over your budget?

GENERAL KHUMALO: Yes, that was done simultaneously at all levels from the Provincial Steering Committee up to IMC. But then the financials were monitored at national level by the CFO.

ADV HASSIM SC: By the CFO at national level?

GENERAL KHUMALO: Yes.

ADV HASSIM SC: Okay. So we will return then to the 31 December letter.

ADV BALOYI SC: Before you do that, General, you have a meeting. The last meeting is in September 2023 and the meeting before that is in February 2022. And your explanation for the gap from 2019 to 2022 is that is the Covid intervention. Now, the next meeting is then in 2022,
10 and then more than a year later, September 2023, it seems that is when you have your next meeting. If that is correct, why is that so? Why was there such a long gap?

GENERAL KHUMALO: Thank you, Commissioner. Although it is not my meeting, because it is the IMC and we were not in control of their calendar. So at tactical level, as per the plan, the meetings were taking place every day, accounting meetings. And then the same applies to MAJOC level, Provincial Steering Committee. There was then, I will not say a problem, but the regular meetings at National
20 Steering Committee as well as IMC between 22, after Covid, between 22 and 23, they were not as regular as they were. One then can maybe, because their main role was to monitor and evaluate and assess that the team is performing. One would say maybe they did not see the need to meet as regular as before, because they had since

assessed the situation and confirmed that indeed the performance is as they are expecting.

ADV BALOYI SC: Thank you for that explanation. And then secondly, the team is constituted for the first time in 2018, right?

GENERAL KHUMALO: Yes.

ADV BALOYI SC: I just want to make sure that the chronology, as I understand it, is correct. And then in 2018, where you started, you have given a list of the
10 different Ministers who were involved in that department. And maybe let us just start there. I will not take you through each one of them. I will just skip along as we go on.

So you had Minister Cele there as the Minister of Police. You had Minister Mapisa-Nqakula, Minister Masutha, and Minister Letsatsi-Duba. And then you had the Premier Mchunu and MEC Kaunda. That is in 2018, when you have your first meeting. And then you have your second meeting. It is CJC11 at page 19. Again, you have
20 the same people.

If you look at that page 19, you have Minister Cele, Minister Letsatsi-Duba, and then you have Premier Mchunu, and then in apologies, you have Minister Letsatsi-Duba, somehow. But it is all the same names. You have Mchunu and you have Kaunda. It is all the same names. And that

is in 2018 still. And then in 2019, if you would just go to CJC14, which starts at page 59, that you continue there the same Ministers.

But then at some point, this is 2019, and then at some point there is a change of Ministers, and that is the point that I just want to make sure I get right. This is now in 2019 July, at page 73, CJC15. You still have Minister Cele and then you have, under apologies, Minister Mapisa-Nqakula still Defencs. And then now you have a different
10 Minister, Minister Lamola for Justice. And then you have, for the first time, Deputy Minister Makwetla for Defence and Military Veterans, and then Deputy Minister Kodwa. Makwetla is deputy as well.

And then you have Deputy Minister Kodwa. Makwetla is Deputy as well, and then you have Deputy Minister Kodwa as Deputy Minister of State Security, and then MEC Kaunda. You see where I am reading? It is at page 74.

GENERAL KHUMALO: Yes.

20 **ADV BALOYI SC:** That is in 2019. I just, and perhaps Ms Hassim can assist, I am just trying to locate when we have elections where there is change of leadership. I am told that in 2019, that is when we had the next election.

ADV HASSIM SC: National elections, ja.

ADV BALOYI SC: Yes, now we have a new Minister

Lamola for Justice. We have a new administration, basically.

GENERAL KHUMALO: Yes.

ADV BALOYI SC: And the Ministerial Committee continues to exist. Was there ever a break about it, that a new Ministerial Committee still has to be constituted after that election in 2019?

GENERAL KHUMALO: Thanks, Commissioner. There has never been a break. The IMC has been continuing with its
10 meetings since the establishment. The elections came, and then the political leadership will change, but the Ministries will continue. That is why you will see the new names of the Ministers coming on board after elections.

ADV BALOYI SC: Yes. And you see that in 2022 as well, at page 84, this is your February meeting. And then if you turn to 85, you now have Premier Zikalala as a Premier. And then you have Deputy Minister Mathale. And under apologies, you now have Minister of Defence Modise and Lamola. So the Departments and Ministries continue to be
20 represented, even though there was a change of administration and Ministers.

GENERAL KHUMALO: That is correct, Commissioner. Even at provincial level, the first premier who started with the initial was Premier Mchunu. Then as we move on, Premier Zikalala, because of elections again. So the

political figures will change, but the Ministries will remain within the IMC.

ADV BALOYI SC: Thank you, General. Thanks, Ms Hassim.

ADV HASSIM SC: Thank you, Commissioners. General Khumalo, the National, did the member of the National Steering Committee change over time?

GENERAL KHUMALO: Yes, Commissioners, as it was the case with IMC, also within the steering committees there
10 will be those changes. If we recall at the beginning of the Task Team, reconfigured one in 2018, the Deputy National Commissioner was General Tsumane, who retired after some few years, and then Lt-Gen Msikidi was appointed the Deputy National Commissioner of Crime Detection, and then she continued serving in the Steering Committee, National Steering Committee. So it was the case at all levels.

ADV HASSIM SC: Thank you. We were dealing with Part C of your statement, and Part C of your statement deals with the disestablishment of the Task Team, and we began
20 with the letter of 31 December. Can we now move to paragraph 135? You have explained to some extent that you had not been informed about the concerns about the PKTT before the 31st of December, and you were also not consulted about any decision to disband before the 31st of December. You received the letter – no, did you receive

the letter? When did you become aware of it? We have dealt with the contents, but when did it actually come to your attention?

CHAIRPERSON: Perhaps before the General deals with it, and please, please hold your thought on that. General, I just want to ask you a couple of questions relating to how matters ought to have unfolded. I am not suggesting that they did not unfold the way they should have. In your experience, could Minister Mchunu have been in a position
10 to take the disbandment decision without being briefed?

GENERAL KHUMALO: Thank you, Commissioner. Based on my experience since 2018 as to how the processes and the project itself has been managed, as I explained how it came about in 2018, and then also the impact or the effect of elections, one would say, because after the last IMC of 2023 that took a decision that the Task Team should not be disbanded, it was also meaning that the IMC will continue overseeing even after elections. So my response would be, according to my view, it was not supposed to be like that.

20 **CHAIRPERSON**: And again, in your experience, who ought to have briefed Minister Mchunu?

GENERAL KHUMALO: There was a standing procedure, Chairperson, of briefing the principals. Maybe if I may answer that, starting with the last briefing on the last administration that was given to the IMC in 2023, and then

a few months before elections to the President. So one would have thought that with the new administration coming in, and then there will be the either reactivation or continuation of the IMC like it happened in 2019, and then we brief the new Ministries the way we have been doing. But coming closer home within SAPS, because PKTT was and still one of the important projects of the department now, so it was also supposed to be part of the important briefings by SAPS management to the Minister.

10 **CHAIRPERSON**: And who would those managers be? You say management.

GENERAL KHUMALO: Looking at the minutes as we have been going through, that will be my ...[intervenes].

CHAIRPERSON: I am focussing within SAPS now.

GENERAL KHUMALO: Yes, yes.

CHAIRPERSON: Let us forget for a minute about the IMC.

GENERAL KHUMALO: Yes, Chairperson. Looking at the minutes, as I am saying, all the briefings will start with myself preparing the briefing note as the project manager.

20 But then that would have been informed by either the Provincial Steering Committee Chairperson, who will say I have a request to brief the new Minister, or the National Steering Committee Chairperson, the National Commissioner, who will say I have this request or have initiated. So I will prepare the presentation, but I will be

the one doing the briefing itself to the Minister.

CHAIRPERSON: Perhaps let me invert my question and ask this. If it was the Minister's idea, as indeed it was here, to disband the PKTT, who should the Minister have consulted or sought a briefing from? So that is now, because you are telling me about a situation where you would be the initiator in terms of briefing, which briefing would then go upwards. Now I am saying if the Minister, as it did happen, wanted to disband the PKTT, who did he have
10 to consult? Who must he have consulted?

GENERAL KHUMALO: Thank you, Commissioner. According to my understanding and my view, it first needed the Minister to have the understanding of the background, which will then automatically say let me go to the Ministries that have been busy with this up until 2023, before elections. And then now we are new political figures in these ministries. Then according to me, that was supposed to be the first stop in terms of consultation. Of course, then looking at the background, of course, then also in
20 consultation with the President, and thereafter the message then will go down as it happened when it was established.

CHAIRPERSON: On the information that you must have received by now, did the Minister take any of the steps that you are referring to? Did the Minister make contact with any of the members of the IMC? Did the Minister consult

the top management of the SAPS, which I assume would obviously include the National Commissioner, and perhaps even you as the project manager? Did the Minister do any of those?

GENERAL KHUMALO: Thank you, Commissioner. Based on the information that I have received up until now, the Minister did not consult any of the incumbents of the ministries that are making up the IMC. And also to add, even the information also received up until now, even the
10 current Deputy Ministers were not consulted, of which then with the previous IMC, by then we had one Deputy Minister of Police who was now and again in attendance on some of the IMCs.

So at that level, I would say based on the information that I have received up to now, there was no consultation at that level. And then on the second level below, I will confirm that we have never have been given an opportunity to brief or also to be consulted before the decision was taken.

20 **CHAIRPERSON**: The Minister knows best why he did not do any of that, if, as you say, he indeed did not do it. But I will still ask you this, do you know why the Minister did not do any of these?

GENERAL KHUMALO: I will not definitely know as to why that consultation did not happen, Commissioner. But

according to my view, that I will hold on to it up until I am given the real reason. I will hold on to the view of what was happening during December, the busiest month of them all in terms of PKTT, their support and assistance to the GCI Ops, all that can be supported by our operation that took place on the 14th of May when we had to analyse the communication, which was starting to give us more supportive information as to why we say the reason was because of the activities of December.

10 I pointed towards the format of the letter. According to me, it is my view again, it was not a letter that was giving the attention that it deserves, that needs to be crafted as such. So it talks to the letter that had to be speedily finalised. Now looking at the happenings of December, I will stick to my view up until I get the official reasons for not consultation and for disbanding it.

CHAIRPERSON: Lastly, do you not find it strange that on something so important, with as much history as it had, that what the Minister says is so terse or so brief and without
20 much substantiation? Do you not find that strange? I am referring to page 204, paragraph 3 of the letter, and that is Annexure SDK24. Do you not find that strange?

GENERAL KHUMALO: Indeed, Chairperson, I find it very strange. Hence my comment that my assessment of the letter is a letter that had to be fast-tracked, not really

having the strategic view of the issues that are raised, because there are areas that are supposed to be detailed. So those details will only be informed by the briefings that are received prior to the crafting of the letter.

Also, the other reason that one can put forward is that it is something that we are still going to touch on in my further evidence. When we got an opportunity to give a very detailed briefing in the form of a report, a 27-page report, that is almost giving my whole evidence in this
10 Commission in terms of the background, all the steps, what has been happening from the legal framework, the legality of the team to the oversight activities.

So the report is containing everything, but that report was submitted on the 22nd of January. It is not back and signed with any comments up to date. So that I can use it as another reason why one would hold the view that the mission was to disband in December before I am briefed. Even if I am briefed afterwards, I do not show any interest. That is my interpretation.

20 **CHAIRPERSON**: Thank you, General. I hope you still remember your question, Ms Hassim.

ADV HASSIM SC: Thank you, Chairperson ...[intervenes].

ADV KHUMALO SC: Adv Hassim, before you continue, it is not a question, just to confirm for the record, because there are two Deputy Ministers of Police. The Deputy Minister I

believe General was referring to is Deputy Minister Mathale. And we see that in the IMC minutes of 2 February 2022, CJ16, he was in attendance. And the last IMC of 5 September 2023, CJC17, he was in attendance, just so that there is no confusion when we read the transcript later.

GENERAL KHUMALO: Yes, that is correct, Commissioners.

ADV KHUMALO SC: Thank you.

ADV HASSIM SC: Thank you.

10 **ADV BALOYI SC**: Ms Hassim, if I may, it is a follow-up on the Chairperson's discussion with the General. General, we looked at that minute of September 2023, and you read into the record under resolutions that last bullet point at page 124, and I will read it to you. It says:

“The Task Team cannot be dissolved.
It must continue”

You read that as one of the resolutions. Why would such a resolution have been passed? And specifically, my question is, was there, before this resolution was passed,
20 or in that meeting, was there ever discussion about the Task Team being dissolved?

GENERAL KHUMALO: Thank you, Commissioner. The report, especially at the end of the financial year of government, will have a TRA and a recommendation from operational level, and then which will then be endorsed by

the Provincial Steering Committee, as well as the National Steering Committee. So, at IMC, it will go as a resolution that has been taken at operational level, because the operational level is at Director General's level, those that are financing and resourcing the team.

So, my understanding, the resolution was informed by the end of the term of the current IMC representatives, that it was the last one before the elections. So, that is my understanding, but I can only talk to at the lower level,
10 which is the process that was happening annually, so as then it can inform their decisions as Director Generals.

ADV BALOYI SC: Thank you for that. If you go back one page, and I must apologise, Ms Hassim. I had meant to get clarification on this, and I realise now. If you go back one page, 123, and then the fourth bullet point from the bottom, 123, and then the fourth bullet point, it says, from the bottom, sorry, it says:

“Some members have been taken back
to their original station.”

20 Can you see where I am reading? Page 123? Under the heading remarks by other members present in the meeting.

GENERAL KHUMALO: Yes, Commissioner.

ADV BALOYI SC: You see that? And then if you start from the top, it is bullet point six. If you start from the top.

GENERAL KHUMALO: Yes, yes, Commissioner.

ADV BALOYI SC: Then it says:

“Some members have been taken back
to their original stations.”

Can you just explain what was going on there? Because on the face of it, it may feed into the idea that the team already was being dismantled at this point.

GENERAL KHUMALO: Yes, Commissioner. There was a period where we had a problem where different environments and/or units wanted their members back for
10 various reasons. So we raised it as a concern as we were reporting at all levels that that is affecting the performance of the team. Sometimes the Unit Commander would say, I need this member back, I will replace this member with this one, which was then, as I have said, was taking us backwards because now you have to start a two-year training on a new person that is new. But sometimes also it was not with replacements.

But the issue of it being clear was the extension of the mandate that was affecting the capacity, as I have made
20 an example of the Forte Hare deployment, where we had to take about 15 to 16 members now to be on that side, Commissioner.

ADV BALOYI SC: Lastly, General, between the September 23 resolution and this letter in the busy month of December, the 31st of December letter, in that intervening period, was

there ever discussion within the SAPS management or between the SAPS management and the previous Minister Cele about dissolving the PKTT? Was there ever such formal discussions?

GENERAL KHUMALO: No, there has never been any discussion during the time of the former Minister Cele.

ADV BALOYI SC: Yes.

GENERAL KHUMALO: Between that period.

ADV BALOYI SC: Thank you. Thank you, General. Thank
10 you, Ms Hassim.

ADV HASSIM SC: Thank you, Commissioner Baloyi. If I can just follow up on your trend of questions with one more to confirm this? While there was not that discussion on dissolving, is it correct understanding that every year there was a discussion on whether to extend the life of the team? So it was, it is another way of – the flip side of the question is, while there was not a discussion on dissolution, every year there was a discussion on extension. Is that correct?

GENERAL KHUMALO: That is correct, Commissioners, but
20 that discussion will be at a National Commissioners' level, or I will say at National Steering Committee level. I have said the reason is, as the financial year is coming to an end, the Directors General must plan for the new year. So it will be, because each and every department that is part of this interdepartmental was and is carrying the cost by itself.

So that is why there will be that discussion. They will mainly request for the threat-and-risk assessment, the progress made, and then a detailed report so as then they are able to take that informed decision at their level.

ADV HASSIM SC: Okay, thank you. So it was not a discussion at the Ministerial level?

GENERAL KHUMALO: No.

ADV KHUMALO SC: In fact, in bullet point four on the same page, the recommendation was the enhancement
10 rather than the winding down of the Task Team as I understand it, on page 123. And that was supported by Deputy Minister Mathale. Bullet point four.

GENERAL KHUMALO: Yes, I am there, Commissioner. That is correct. So hence, in my response from the Chairperson's question, I had said if the process that led to the disbandment letter had followed the normal process, it was not supposed to be that difficult because the Deputy Minister of Police, who is still the second Deputy Minister of Police, was in the last IMC present and these resolutions
20 taken.

So if then there was consultation, I am made to believe that he was going to refer to the minutes of the meeting that he had attended so as he can be able to brief the new Minister accordingly in terms of the resolutions.

ADV KHUMALO SC: Thank you.

ADV HASSIM SC: Thank you. Okay. I am struggling to get movement with this. I am still on the same paragraph, and I am not even going to get there yet. I have another question, which is you were informed, you said, about the concerns. You were not consulted about the decision before the letter of 31 December despite the fact that you are the project manager of the PKTT.

Were you, once the decision was made and this letter was prepared, was the letter then forwarded to you
10 seeing as it affects you, at least two of the paragraphs affect you because the first is on the freezing of posts within Crime Intelligence and then the third is the PKTT disbandment? So did you – when did you become aware of the letter formally? I know you said you saw it in social media, but was it sent to you formally in your capacity as Divisional Commissioner of Crime Intelligence?

GENERAL KHUMALO: Thank you, Commissioners. The only time the letter was shared with me officially was on the 14th of January, which is like two weeks after it has been
20 out, when the National Commissioner came back from leave and then called me in for the discussion of this letter and then he handed over the file with the letter. So that was the first time I will say I confirmed that it is not fake news, it is indeed an official communication between the Minister and the National Commissioner. That was the 14th of January.

ADV HASSIM SC: That was the first time the letter itself was formally provided to you?

GENERAL KHUMALO: Yes.

ADV HASSIM SC: So let us go back then to your statement because your involvement in the beginning of the notification to you, as I understand it, is on the 7th of January. And if we can start there with SDK23? And this is an email that is sent to you on the 7th of January 2025. Can you explain what this email is saying to you?

10 **GENERAL KHUMALO:** Let me go there and just see.

ADV HASSIM SC: It is page 201. Is it not in your bundle?

GENERAL KHUMALO: It is an empty page.

ADV HASSIM SC: Missing page. Okay, we have two options. One is you could look at the screen, if you are able to see the screen, and while we locate a replacement for you, because it is just one page that we need to provide you with.

GENERAL KHUMALO: Yes, that is correct, Commissioners. On Tuesday, the 7th of January, I received
20 the email from a Lieutenant, from a Colonel ...[indistinct]
from the Office of the Deputy National Commissioner Crime Detection, that had the heading, deactivation of the Political Killings Task Team. So looking at the heading, I associated the heading with one of the points that I have seen on the letter that is on the social media. Then the message was:

“The DNC Crime Detection has directed the training email be forwarded for your attention, and the closing report for sign-off by the 13th of January.”

That is the email as received, and it had no attachment. It was just this email that, officially, I could not understand it, hence there was no further action to it, because it is just having that one line without any attachment for me to have a proper understanding of the background of the directive.

10 **ADV HASSIM SC:** And if we just scroll down, please, what - all right. So what was being forwarded to you was an email that was sent to the Deputy National Commissioner Crime Detection. Is that right?

GENERAL KHUMALO: That is correct.

ADV HASSIM SC: And can you just read the last paragraph of that email?

GENERAL KHUMALO:

“Your office...”

Which is the office now of the Deputy National
20 Commissioner:

“...is further requested to submit a close-up report to be submitted on the 14th of January 2025 for NATCOM’s...”

Which is the short way of National Commissioners:

“...consideration and sign-off to the

Minister.”

ADV HASSIM SC: Okay, so this email was forwarded to you, and the request was for you to prepare a closing report for sign-off by 13 January.

GENERAL KHUMALO: That is correct.

ADV HASSIM SC: And did you have any communication at this point in time with the National Commissioner about a closing report?

GENERAL KHUMALO: Yes. In fact, I did have the
10 communication even before the 7th, as I have indicated that from the 1st, when this letter was trending, I was receiving lots of questions and calls from the team members, from the stakeholders, the NPA, from Correctional Services, from everybody, and I could not answer them. Hence, then I had made a call to the National Commissioner whilst he was on leave to help me with the information, so as I am able to respond.

Then, I got the response that he is also in the dark. The best thing is just wait until I come back. That is exactly
20 what I did. I disowned the letter from the 1st, when it started trending, up until the 14th, when I received it officially and we had an opportunity now to discuss and try to understand it with the National Commissioner.

ADV HASSIM SC: And did you raise your concerns with the National Commissioner at that point in time?

GENERAL KHUMALO: Indeed. My first call was a complaint to say I am receiving lots of calls and I do not know what to tell people from the Task Team members to the stakeholders. Now, help me, what must I say? And the advice was tell them, as I am telling you, that we do not know what is happening. We are still going to try and clarify the issues, and then we will come back to them.

ADV HASSIM SC: So when you get this email from General Sibiyah's office saying that you need to prepare a closing report by 13 January, what did you do? Did you
10 begin to prepare the report, or did you do nothing?

GENERAL KHUMALO: I did not do anything, Commissioners, because as I have indicated, there was no attachment. I did not want to legitimise and think that the letter that is trending, this email is referring to it. For one main reason, the heading of the email is talking to one subject matter amongst the three subject matters that are in the letter that is trending. That was the first reading, the first reason.

20 But secondly, without the attachment itself, it was not easy to understand the directive from the Deputy National Commissioner, because it is one line. Then for me to be able to understand this one line, there must be this attachment that I must go through and understand. So hence then my decision not to do anything, instead to wait

for the National Commissioner to come back from leave, as per our agreement.

ADV HASSIM SC: So then if we go to paragraph 138 of your statement.

ADV BALOYI SC: Before you do that, General, this 201, these emails, the bottom email of the 3rd of January from Brigadier Lethoko, now we know from the National Commissioner's evidence that on the 3rd of January he was on leave, and you have confirmed that. That is correct?

10 **GENERAL KHUMALO:** That is correct, Commissioners.

ADV BALOYI SC: Who was the Acting National Commissioner at this point?

GENERAL KHUMALO: The appointed Acting National Commissioner was Lt-Gen Msigidi.

ADV BALOYI SC: It was not General Sibiya?

GENERAL KHUMALO: No, it was not General Sibiya.

ADV BALOYI SC: Okay, and then in that email of the 3rd, it is addressed to, and you do mention in your statement at paragraph 135, the email is addressed to Captain Keketsi
20 Sibongile and Mabula TR, and then copied to General Sibiya and General Sibula [?]. Who is – where in terms of office does Captain Keketsi sit, in whose office?

GENERAL KHUMALO: Captain Keketsi is in the office of the Deputy National Commissioner at Crime Detection, Lt-Gen Sibiya.

ADV BALOYI SC: And Mabula TR, do you know?

GENERAL KHUMALO: I will not know, Commissioners.

ADV BALOYI SC: And then Sibula FM? General Sibula?

GENERAL KHUMALO: Sibula FM is in the office of the Deputy National Commissioner. She is the executive manager.

ADV BALOYI SC: Yes. And then in the email to you, which is the email of the 7th of January, it is addressed to you and then – it is addressed to you and to Captain
10 Sibongile. And it does not appear that anyone from the Office of the National Commissioner is copied on that email. Am I correct?

GENERAL KHUMALO: That is correct, Commissioner.

ADV BALOYI SC: Thank you. Thank you.

ADV HASSIM SC: Thank you, Commissioner Baloyi. So, let us go to the 14th of January. This is when the National Commissioner returns from leave. And can you just tell the Commission about the discussion you had with the National Commissioner on that day?

20 **GENERAL KHUMALO:** Thank you, Commissioners. I am not going to repeat what I had explained because the understanding and the confusion that one had when the letter was still unofficially trending continued even during this meeting. Because both of us, we could not really understand the letter itself as to what might be informing

these directives.

But when it comes to the timelines that were on point number three, there was also a long discussion between myself and the National Commissioner as to what is the meaning of a preliminary report that is required on the 20th, because now that discussion came after the National Commissioner had said go and prepare the preliminary report.

I said but when I read, I do not understand as to
10 what is the preliminary report. So, I want the understanding so as whatever that I go and draft, it is what is required on the 20th. Is the preliminary report that talks to how are you going to disband? Or is the preliminary report that talks to how this Task Team came about, or the progress report, or what is happening?

So, we had a long discussion. Hence, then the preliminary report that was submitted ended up having both. So, at least if you are wrong, you are wrong but you have given. Because the first part of the 27-page report is giving
20 a detailed briefing. That has never happened before of the Task Team, the performance, the challenges and other issues that one felt that maybe the Minister is – in that report, we are addressing even the issues that were on the media space around the Political Killing Task Team.

So, because of the confusion and lack of

understanding, we ended up compiling the mother of all preliminary reports that will cover everything. And then, at the end, then it talks to what the National Commissioner also understood to be might be the preliminary report in terms of the disbandment process.

CHAIRPERSON: You say, General, it was a two-part report. The first part, where I think you were justifying to the Minister why the PKTT existed, how did you conclude that part? We went through that report, I think, when
10 General Masemola was testifying. But I do not think that we focused on what you have just mentioned now, which is that the report was a two-part report. So how did you conclude on the first part?

GENERAL KHUMALO: The reason why we ended up agreeing to have a report in that format, we had a long discussion on what is informed ...[intervenes].

CHAIRPERSON: No, General. I am very sorry, General. I am not asking why you decided to have a two-part report. I am asking what, in the end, you said in that report with
20 regard to or in relation to the first part. Did you conclude that the PKTT therefore ought not to be disbanded? That is what I want to hear you on.

GENERAL KHUMALO: Thank you, Commissioner. If I understand the question very well, if one tries to summarise the last part of the report?

CHAIRPERSON: The last part of the first part. Did I understand you to say that your report was in two parts? Did I understand you correctly?

GENERAL KHUMALO: Yes.

CHAIRPERSON: The first part explaining why the PKTT existed, is that correct?

GENERAL KHUMALO: Yes, Commissioner.

CHAIRPERSON: So what I am asking you is, let us just focus on that part, the first part. What was your conclusion, if any, on the first part? Did you reach a conclusion at all, perhaps a conclusion that said, Minister, the PKTT ought not to be disbanded because of all the reasons that we give above? Or did you not conclude specifically on the first part or with regard to the first part?

GENERAL KHUMALO: When it comes to the discussion, we concluded that the Task Team ought not to be disbanded, but one then has to refer to the report itself and confirm. But at no stage where there was an agreement between the two of us in that discussion that the team needs to be disbanded.

CHAIRPERSON: Thank you. Thank you, General. I see that it is 13:03. Let us adjourn and resume at 14:05. Let us adjourn.

ADV HASSIM SC: Thank you, Chair.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Yes, Ms Hassim.

ADV HASSIM SC: Thank you, Chair. General Khumalo, we were talking about the report, a preliminary report. So you met with the National Commissioner on the 14th of January and he requested that you prepare a preliminary report and you said you began to work on that and it was a two-part report. Have I summarized that correctly?

LT-GEN KHUMALO: That is correct, Commissioners.

10 **ADV HASSIM SC:** So there is something else at paragraph 139 before we move off this discussion with the National Commissioner. You say that you were both concerned that this decision seem to come out of the blue and then you say:

“I am aware that the National Commissioner made numerous efforts to brief the Minister on the PKTT, but that the Minister never followed through on setting up these briefing sessions.”

20

Do you see that?

LT-GEN KHUMALO: It is paragraph?

ADV HASSIM SC: It is paragraph 139. It is the last sentence.

LT-GEN KHUMALO: Yes, yes.

ADV HASSIM SC: Okay, so how do you know this, that the Commissioner made numerous efforts?

LT-GEN KHUMALO: The meeting of the 14th it was around mainly our realization that the decision was not based on any briefing that had been provided by us, so we realized the need of maybe providing that belated briefing so as we can get to the understanding of the reasons, because the main issue was about the reasons that are not clearly put on the letter of the 31st. So now and again when we talk,
10 we will talk about him trying to set up that appointment for the briefing.

ADV HASSIM SC: So you began working on the report, but even before you presented ...[intervenes].

CHAIRPERSON: Sorry, before you go on, do you have any knowledge whether these numerous efforts to secure a briefing session where, do you know whether those efforts were made in writing or orally by the National Commissioner?

LT-GEN KHUMALO: Thank you, Commissioners. I will not
20 be able to know as to whether it was in writing or verbally.

CHAIRPERSON: Thank you.

ADV HASSIM SC: Thank you, Chair. So you say you began to prepare the report, but even before you completed that report, and submitted it to the Minister, you had a meeting with the Minister on the 16th of January 2025.

LT-GEN KHUMALO: Yes, Commissioners, the meeting on the 14th as I have indicated that we were discussing and speculating on lots of reasons for the letter, more especially with regard to the two issues that are part of the letter, hence then we decided that the National Commissioner initiate another meeting where we can be able to brief the Minister on the issues that were all over the social media regarding the division Crime Intelligence and also to brief the Minister on the GCI Ops that had already at the
10 advanced stage and it was the takedown, takedown stage so as then he can get the background as to how it came about. So those were all the discussions that we were having, hence then the request for the briefing on the 16th of January.

ADV HASSIM SC: So the request for the meeting with the Minister was made by the National Commissioner?

LT-GEN KHUMALO: That is correct.

ADV HASSIM SC: And who else was present at this meeting?

20 **LT-GEN KHUMALO**: In this meeting, because it was going to include the discussion on the GCI Ops the request was specific that it will be the three of us, the Minister, the National Commissioner and myself only.

ADV HASSIM SC: Okay, so at this meeting you made a presentation and that presentation has been made available

to the Commission, at least a part of it has been made available to the Commission and that is at CJC21. It is the exhibits file, file 1.

ADV BALOYI SC: Sorry, Ms Hassim, you say CJC21?

ADV HASSIM SC: CJC21. Let me know once you found it.

LT-GEN KHUMALO: Yes, I have it.

ADV HASSIM SC: Right, so the first page is the title of the presentation and the next few pages can you tell us what these concern before we look at each page?

10 **LT-GEN KHUMALO**: The next pages are containing the, mainly the motive behind the, or the activities of the Big Five cartel, respective roles as well as their identification. And then also the second slide talks to the identification of the senior officers within SAPS that had been identified to be working with the cartel.

ADV HASSIM SC: So it is the GCI Ops briefing?

LT-GEN KHUMALO: GCI Ops briefing.

ADV HASSIM SC: So the first slide, can we turn to the first slide and just after the title slide.

20 **LT-GEN KHUMALO**: Yes.

ADV HASSIM SC: This is the briefing on the Vereeniging case.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: Okay, so I see that on the right-hand side of this slide there are a number of names that run

down of police officers.

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: Now can you just explain that to the Commission.

LT-GEN KHUMALO: Yes, we were painting the picture of the support structure of the cartel, concentrating mainly within SAPS, those officers that had been identified to be working with the cartel.

ADV HASSIM SC: So would you like to name them? It is
10 the column on the right-hand side.

LT-GEN KHUMALO: Yes, some I will be able to name them. Some I will be able to name them, because they have come up in the evidence that has been led to the Commission. Lieutenant General Sibiya, Major General Shibiri, Brigadier Nkhwashu, Captain Makgotle by that time were the names identified.

ADV HASSIM SC: So these were the names identified by the 16th of January already.

LT-GEN KHUMALO: Yes.

20 **ADV BALOYI SC**: The fourth name that you are not naming, what is the reason for that, as it appears here?

LT-GEN KHUMALO: The reason is because there are still investigations that are at a critical, ja, stage.

ADV HASSIM SC: And then if you turn over this page to the next slide, what is this, what is the purpose of this

presentation?

LT-GEN KHUMALO: The next slide it is going into details on the same but talking to the structure of the SAPS officers identified to be working with the cartel, but on a standalone.

ADV HASSIM SC: So I, okay, so I am assuming when you are briefing the Minister on this, you are providing the Minister with details ...[intervenes].

LT-GEN KHUMALO: Yes.

10 **ADV HASSIM SC:** As to why you have these members of the SAPS as potential implicated persons in your investigations.

LT-GEN KHUMALO: That is correct. On our verbal briefing and also now ...[indistinct] we had all the facts as well as evidence that had been collected by them that are linking the identified to the cartel.

ADV HASSIM SC: And what was the response of the Minister to this presentation? I would imagine this must have been quite shocking for the Minister.

20 **LT-GEN KHUMALO:** It is supposed to be shocking, hence then I will say it was shocking, but then with the comments that we can continue with the project or investigation and also we will provide him continuous briefings as we move on.

ADV HASSIM SC: Sorry, just to clarify that. So he

confirmed that you can continue with the investigations into those ...[intervenes].

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: Suspected implicated members.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: So that was on the 16th of January and the next thing that happens according to your statement is the very next day and you receive a letter from General Sibiya and we can go to that letter. It is SDK25. Now this
10 letter is dated 17 January. Had you had any communication with General Sibiya between the first e-mail you received on the 7th of January from his office for the closeup report. So between 7th of January and this letter did you have any communication with General Sibiya?

LT-GEN KHUMALO: After I received the e-mail on the 7th there were a few calls that I received from him trying to find out as to how far, then those questions will be met from my side with the same explanation that I have given that I do not understand what is it that I need to do, because you just
20 forward it to me an e-mail without an attachment so as then I can understand what is it that I need to do. So our discussions were around that.

And then there was also somewhere during the discussions when then I indicated that I will rather wait for the National Commissioner to whom then the letter that was

trending was addressed to so as then I can officially understand what is it that must happen. So it was those discussions. And then as I have indicated, on the 14th when the National Commissioner came back, then we had those discussions and way forward, followed by the briefing on the 16th and then preparing for the report for the 20th of January as per the letter. But then after the briefing on the 16th then on the 17th I then received the letter as per Annexure 25.

10 **ADV HASSIM SC:** Okay, so the communications you had with General Sibiya when he was calling you to ask about the progress of writing the report, before 17 Jan, did you discuss the decision of the Minister at all and why, what informed the decision?

LT-GEN KHUMALO: With General Sibiya, no, we did not get to that discussion. It was the matter of, because even when he made those calls he will ask as to how far were the report, am I going to get the report. Then my response will be the same that I am nowhere. I have not started, because
20 I do not know what to compile in terms of this report, because of this one line e-mail that is without an attachment and for me to understand, as I have indicated, even when the National Commissioner came back it was still a problem to understand.

Now if I could not understand without the

attachment, if I could not understand when there was an attachment, it was worse than when we were discussing the issue of the report when I had not received an official attachment that again would have needed us to discuss so as we are on common understanding. So that is why our discussions before the 14th, the National Commissioner came back, were not taking us anywhere.

ADV HASSIM SC: And General Sibiya did not offer you any information as to why the Minister made the decision?

10 **LT-GEN KHUMALO:** No, no, no, we did not get even to that part of the discussion. It was a matter of, as the e-mail is saying, that one line, the report, the criminal, or the closing report, if I am not mistaken, the closing report, because that is the other issue that even if I wanted to use the unofficial letter that I have, I had seen, the unofficial letter was talking of a preliminary report before or on the 20th, then towards the end or somewhere of January, then the closing report.

20 But I think during our discussion I even raised that as one of the reasons why I am stuck, because the e-mail says provide the closing report if I am not mistaken. But the unofficial circulating letter says provide the preliminary report first before the closing report. So it was just those discussions.

ADV HASSIM SC: So General Sibiya was asking you for

the closing report and did, was he putting you under pressure? I mean was there a sense that it had to be done immediately?

LT-GEN KHUMALO: Yes, yes, yes.

ADV HASSIM SC: Okay, so that is the only communication until 17 January when you received this letter.

LT-GEN KHUMALO: When I received then this letter.

ADV HASSIM SC: Okay.

LT-GEN KHUMALO: That is correct.

10 **ADV HASSIM SC**: So the letter is at page 206 of the annexures bundle. Can you just read paragraph 2 of that letter, please.

LT-GEN KHUMALO: Paragraph 2 of the letter dated the 17th of January, it reads:

20 “On the 31st of December 2024 the Minister of Police issued a directive to the National Commissioner to immediately deactivate and disband the NTPK. This decision was informed by an assessment that the Task Team no longer significantly contributed to policing efforts.”

ADV HASSIM SC: So that sentence, the decision was informed by an assessment, did General Sibiya with this letter sent you the assessment?

LT-GEN KHUMALO: I had not, I have never received any assessment that was informing this sentence.

ADV HASSIM SC: So you do not know what the assessment is that is being referred to?

LT-GEN KHUMALO: Yes, Commissioner.

ADV HASSIM SC: And in your, sorry the assessment that the Task Team no longer contributed to policing efforts, now this is still, this is early 2025. Can I please just cross-refer you to page 107. So we will come back to this annexure.

10 Stick with this page. Cross-refer to page 107 of the same bundle. Are you there?

LT-GEN KHUMALO: Yes, I am there.

ADV HASSIM SC: Can you just describe for the Commission what this document is?

LT-GEN KHUMALO: The annexure is about the information note that was compiled by myself on the 27th of March 2024 and it was verified and approved by the Deputy National Commissioner, Lieutenant General Sibiya. It was a request for a financial authority for the financial year 2024/2025 of
20 the National Task Team investigating political related cases in KZN, which is PKTT.

ADV HASSIM SC: So can you go to paragraph 4 of the information note.

LT-GEN KHUMALO: On paragraph 4, I included as a compiler the fact that the achievements, the performance as

well as successes of the Task Team has been found to be outstanding during the continuous evaluations by the National Steering Committee, the Inter-Ministerial Committee and the President of the Republic.

The current phase of the task team was approved up until 2024-03-31. So this information note was compiled on the 27th, which was three or four days before the expiry of the authority that was there, that was approved.

ADV HASSIM SC: And it was recommended, so you
10 compiled it, but it says on page 109 it was recommended by General Sibiya, the findings, I mean the ...[intervenes].

LT-GEN KHUMALO: The information note was recommended ...[intervenes].

ADV HASSIM SC: Right.

LT-GEN KHUMALO: By General Sibiya on the 26th of March.

ADV HASSIM SC: So he would have agreed with the assessment of the PKTT as of March 2024 as described in paragraph 4?

20 **LT-GEN KHUMALO**: That is correct, Commissioners.

ADV HASSIM SC: And this is the request for extension that was approved, if we see page 110, by the National Commissioner, but for a smaller amount than was requested.

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And why was it approved for a smaller amount?

LT-GEN KHUMALO: The reason can be found also on my recommendations under, on page 109 that the first recommendation is for the whole estimated budget for the financial year to be approved. And then the second recommendation it is an alternative that whilst the final budget, because at the end of March then the previous financial year's budget then ends to exist and then there
10 will be some months when then the budget allocation is being finalized, hence then because the Task Team had to be, had to continue from the 1st of April, so hence then that alternative to say whilst the final budget allocation is being considered for the whole financial year for that 94 million, a two month portion of the above estimated budget to be approved in order for the extension of the Task Team to be effected from the 1st of April 2024. So the approval of 20 million by the National Commissioner was talking to the second alternative recommendation of the approval of 15
20 million.

ADV HASSIM SC: So, and what was the response of the Chief Financial Officer before we get to the National Commissioner?

LT-GEN KHUMALO: Although I might struggle with the, with both the handwriting and copy of another copy of

another copy, the words that I can see it is an amount of 20 million be approved for the financial year 24/25 financial year. And secondly, post elections the Task Team be de-activated as it has been in existence for 5 years and the component organizational OD be tasked to urgently conduct a work study investigation for the establishment of a permanent structure in KZN.

ADV HASSIM SC: Okay, so this, and then we go to the National Commissioner's approval and if you can just read
10 out the National Commissioner's approval.

LT-GEN KHUMALO: Reading the National Commissioner's approval with comments in comparison with the CFO, the first one, the approval of 20 million is given in line with the recommendation of the CFO who have also recommended the amount of 20 million. And then the National Commissioner continues and say this is provisional whilst the finalization of allocation is processed, which talks to my alternative recommendation, not the comments by the CFO. And then it continues and the National Commissioner says
20 the Task Team will continue beyond elections, which now talks to the recommendation by the CFO that says post elections the Task Team to be de-activated.

Then the National Commissioner says the Task Team will continue beyond elections, which is contrary to what the CFO had recommended. The reason given by the

National Commissioner is so long there is work to be done the team cannot be localised to KZN, which is a direct disapproval of the recommendations by the CFO, the last part of the recommendations by the CFO.

ADV HASSIM SC: The part where it says there should be a permanent structure in KZN, there should be consideration of a permanent structure.

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: So, and then after this 20 million approval was the adjustment in the final allocation of the budget was there an allocation then to the Task Team for the remainder of the financial year?

LT-GEN KHUMALO: Indeed, that is correct.

ADV HASSIM SC: So we have this information note and we have established that General Sibiya recommended it in line with the way in which you have prepared the report and so between that, that is March and December, did anything happen to change the picture of the work of the PKTT between March when this was approved? Well, we know in September 2024 there were still – no, no, that was September 23, sorry. So between March 24 and December 2024 did something happen that would give one pause and say that the work of the PKTT needs to be re-examined? Did something unusual occur?

LT-GEN KHUMALO: From the office of the Deputy

National Commissioner as his recommendation of the Political Killings Task Team to continue because of its good work in March up until December 2024 there has been no other report or complaint contrary to that. Instead, although it is not part of my statement, there was a time when there were killings in the Eastern Cape and the Deputy National Commissioner was on his way to attend to that and he sent me a message to say it looks like you will have to prepare your PKTT, some of them to, that was around, that was
10 before December, but it was between March 2024 and December just to prove that the performance of the PKTT, that he was aware of the performance of the PKTT, because he had requested to extend the mandate of the PKTT then to that other investigation in the Eastern Cape and in that communication he even suggested that the team that is already in the Eastern Cape doing Fort Hare cases also do those cases that had happened in the Eastern Cape that he was attending to.

ADV HASSIM SC: Okay. So the letter goes on to say then
20 that the directive must, what General Sibiyi is saying is the directive requires immediate compliance and that there are certain measures ...[intervenes].

CHAIRPERSON: Sorry, where are we now? Are we ...[intervenes].

ADV HASSIM SC: Page 206.

the financial year authority without raising that matter, especially with me who wrote the information note that he recommended.

One, I would have expected that maybe writing to me, my supervisor must tell me as to what is it that I must do now with the funds that are committed already until end of March if now my supervisor says disband now beginning of January, whereas the supervisor said here is the financial authority that you can commit up until the end of
10 March.

Then coming back to the sub-paragraphs of paragraph 3, the measures that had been forwarded to me to implement or to put in place in order to ensure that the ongoing investigations are not disrupted or compromised.

It was the continuation of confusion, because the paragraph before it says disband now, or immediately, although it is not safe nowadays to use the two interchangeably, the immediately and now, but it says immediately de-activate. And then measures that you must
20 put in place to make sure that investigations are not disrupted, according to me they are all not reasonable. They are not talking to the main message, because the first one talks to the monitoring and oversight.

Now if you disband all the structures, who is going to do this monitoring and oversight, because you started by

disbanding. So that was not going to be possible to happen, that measure number one. Same applies to accountability. Accountability moves together with an official allocation of a task to someone. Now after you have disbanded and removed all the responsibilities from everybody, then it was going to be a problem in terms of accounting.

The other issue that one can flag that is appearing almost throughout the measures is the accountability, oversight and then everything that needs to happen, it is directed to the Divisional Commissioner for Detectives and Forensic Services. So from us that were responsible and accounting that will mean with immediate effect we cut and we are no longer responsible or accountable, it is someone else now that must be accountable with effect from that day the immediate disbandment is affected.

Also another example that one can use on those measures is the assignment of cases where if I may read it says:

“All dockets must be hand delivered to a location designated by the Divisional Commissioner, Detectives and Forensic Services who must establish a secure repository for case files and evidence to ensure continuity and prevent any

loss or tampering. These dockets would then be re-allocated to appropriate investigative units.”

So reading that together with measures to be put in place to make sure that ongoing investigations are not disrupted, it is another example that I can quote to say it is contrary to, because if we take all the dockets to the office of the Divisional Commissioner, Crime Detection, who must then look for people somewhere that are going to start or
10 continue with this investigation. That on its own amounts to the disruption that on paragraph 3 you are trying to avoid.

Put measures in place to avoid disruption, but the measures in place that you are putting, they are promoting disruption. So that is another example that I can cite as to why then this directive was also very impossible to implement. From the side of the responsible and accountable project manager I could not, because by that time I was still a responsible and accountable project manager.

20 Now to comply with something that is going not be in line with my responsibilities and accountability was not going to be the right thing to do. And it was also talking ...[intervenes].

ADV HASSIM SC: Before you proceed, before you proceed and go further, what is specifically stated is that the

dockets will be re-allocated to appropriate investigative units with the capacity to continue the investigations, did you know which investigative units this would be? Did you know what he was referring to here?

LT-GEN KHUMALO: No, all what I knew was what was written in the letter. There was no additional information or an attachment that tells me that which unit is going to continue. It was just this letter, hence then my interpretation was if then investigating officer A was busy
10 investigating this docket, then he or she is told to put it down and then take it to the office of the Divisional Commissioner and this Divisional Commissioner look for a suitable unit and investigating officer who is going to continue with the investigation.

According to me that is contrary to the bolded part of paragraph 3 of the same letter that these measures must be put in place to ensure the ongoing investigation is not disrupted, because that alone it is disruptive.

ADV HASSIM SC: Okay, continue. You, I think were
20 dealing with 146 was addressing what you were saying now. Paragraph 147 of your statement you also speak about the lack of capacity within existing units to deal with these dockets.

CHAIRPERSON: Are we back to the statement?

ADV HASSIM SC: Sorry, we are back to the statement,

yes.

CHAIRPERSON: Okay.

ADV HASSIM SC: We are going between the statement and the letter. So that is paragraph 147.

LT-GEN KHUMALO: On paragraph 147 to still talking to the measure number 3.4 cross-indexing to the letter, it still explains that the initial reasons for the establishment of the PKTT was the failure of the normal units to effectively investigate these phases. Now there we are saying for that
10 reason that PKTT was fault, because of the inability by the existing investigating unit and also them being ill-equipped. We were referring that to the methodology applied by the PKTT that it is totally different from the methodology that will be applied by any unit, investigative units.

That, Commissioners, one maybe can add that the discussion that talks to these dockets the way they were and are investigated to be transferred to a normal murder and robbery or whatever name investigation unit, will not make sense, because the unit is totally different from a
20 Task Team. You cannot talk to those two as if one can replace another.

The unit of, let me first start with another example. The unit of National Intervention Unit, the Combat, it is made up of operatives that have successfully completed the national intervention training. Only them, no one else can

be part of that unit. Same applies to an investigative unit or a murder and robbery unit, it is made up of investigators, then the Task Team, the difference is you draw expertise from different units to make a Task Team.

So it will be naïve to think that what the Task Team can do, the unit can also do, because the Task Team is made up of expertise from different units and expertise. That is what we are trying to stress on that paragraph there.

ADV HASSIM SC: So the effect would have been to revert
10 to the traditional method that you were talking about yesterday of policing and investigating.

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: So that is, those are the measures that General Sibiya were saying he need to put in place, which you felt would have the effect of disrupting the investigations. But then in paragraph 4, there is a second thing that is requested and that is the closing report. So can you just read the first sentence of paragraph 4, please.

LT-GEN KHUMALO: Thank you, Commissioners. The
20 paragraph 4 it is a long format of the one line e-mail that I had received on the 7th of January, which reads:

“A comprehensive closing report must be submitted by the 16th of January ...”

That is the day I was briefing the Minister on GCI Ops, but the letter then was signed off and sent to me on

the 17th. And then I would have to confirm the compliance with the abovementioned directives and that report would have been structured according to the next guidelines.

ADV HASSIM SC: Okay, so the report required you, well first he says the report must be submitted the day before the letter was sent to you and he says it must confirm that you have complied with those measures that you were just discussing now and then that should contain the following items. Can you just deal with those items that were
10 required from the closing report.

LT-GEN KHUMALO: When one went to, went through the requirements of the report, that is when one lost the hope as to if you want to compile this report what is it that you need to do, because the first one talks to the executive summary where I was expected or we are expected to give the mandate, purpose, functions and reasons for disbanding the Task Team from the very same me, the project leader who was not consulted, who do not know why.

But now on the report I must give the reasons,
20 hence, Chair, Commissioners, I say then it is one of the directives that when you go through and you want to comply, you end up being more confused than before you received it, because some of the parts, one would have been able to give the mandate, to give the purpose and the functions. But now the last one that says the reasons for

disbanding, now how do you marry these conflicting requirements as reflected?

ADV HASSIM SC: And I suppose the same would apply to the next bullet, which is summary of the key considerations that resulted in the decision to disband the Task Team. You were not favoured with the key considerations.

LT-GEN KHUMALO: Ja, one might then use the same approach, Commissioners, that the Senior Counsel is using that you were not given, but as I have indicated, it is
10 ...[indistinct] you were not even consulted and in the letter of the 31st there are no details and in the e-mail of the 7th it is worse, not even the attachment is there.

But now on a long directive of the 17th a lot is required that one cannot get anywhere, including then the result, the considerations or the reasons that resulted in the decision to disband the Task Team. One then was forced to ask himself this question, but who decided to disband the Task Team.

Now why are you looking for reasons from a person
20 who did not decide, because this letter maybe was having a wrong address, it was supposed to go somewhere else, then mistakenly it was addressed to myself. So it is one of the issues that will make it very difficult to attend to the issues raised in this directive.

ADV HASSIM SC: So you have given that response in

paragraphs 148.1 and 148.2 of your statement. So, but then you give a second criticism in 148.3 of your statement. Can you deal with that?

LT-GEN KHUMALO: Ja, it is some sort of the continuation of the explanation that I was trying to give that as I was instructed to include the analysis of the PKTT's effectiveness and the impact on the, on crime reduction with specific reference to the PKTT's mandate, that was supposed to be required before the decision. Now if I am
10 going to include it in the closing report, it is not going to make any sense or the reasons thereof, because the decision, if the decision was taken in good faith, the Minister will have presumably have already done this analysis that is required in the closing report. That was supposed to be done prior to the decision. That is my view on that point, Commissioners.

ADV HASSIM SC: And then – thank you.

CHAIRPERSON: Ms Hassim, perhaps the witness should read 148.3 and 148.4 into the record. I would actually have
20 loved for him to have read ...[intervenes].

ADV HASSIM SC: To read it out.

CHAIRPERSON: And maybe a couple of other paragraphs before that, but perhaps because we are way past that now, if the General could read 148.3 and 148.4 into the record, please, and maybe 149, all the way up to 149, please.

LT-GEN KHUMALO: Thank you, Commissioners. Reading on record from paragraph 148.3. In my affidavit I state that:

10 “Secondly, I was instructed to include an analysis of the PKTT’s effectiveness and impact on crime reduction with specific emphasis on the mandate of the PKTT. Once again, if the decision to disband the PKTT was taken in good faith, the Minister would presumably have already done this analysis prior to taking the disbandment decision. In his directive the Minister expressly stated that his observation was that further existence of this team is no longer required, nor is it adding any value to policing in South Africa. If the Minister did not have any analysis of the PKTT’s effectiveness and impact on crime reduction at the time of his

20 decision to disband he could not in good faith have reached the conclusion that the PKTT is no longer required and add no value to the policing in South Africa.”

Paragraph 148.4:

10 “Thirdly, one of the more concerning aspects of the proposed report is that it had to include the stakeholder feedback from organisations such as the NPA and State Security Agency in response to the announcement of the disbandment. In other words, when the Minister took the decision to disband the PKTT he apparently did not engage the NPA and SSA on the effects that the disbandment would have on pending prosecutions and the state security. This was further confirmation for me that the Minister had not done the necessary due diligence before he took the disbandment decision.”

Paragraph 149:

20 “It appears that the Minister did not consult with the individuals he ought to have consulted with for purposes of making a decision regarding the disbandment. From my discussions with the National Commissioner at that time it was clear that he was not consulted by the Minister regarding the

disbandment.”

CHAIRPERSON: Thank you, General.

ADV BALOYI SC: If I may before you move to the paragraph. General, in the, in that letter from General Sibiya and the format of the report, what you should include in the report, under the stakeholder feedback you have referred to key stakeholders, NPA and SSA, but there is also another sentence there where you were required in the report to summarize any public or media reactions when the
10 disbandment was announced. Did you ever get to understand why you had to do this exercise of finding out what the media and public have to say and why it was necessary information?

LT-GEN KHUMALO: Thank you, Commissioner. Other than to sum up that maybe the purpose of this directive was for me to try and clean up the mess that might have been created from the 31st of December, which was impossible. One, the stakeholders, I have referred to the difficulty that I had from the 31st to explain to the very same stakeholders
20 as to what is happening with this letter.

So it was going to be impossible. Same applies to the reaction from the ground as to how was this decision affecting them. What I know from the ground, I was receiving lots of calls from the families of the deceased whose cases were still under investigation and the families

of the deceased whose cases were finalized who were very disappointed, but that was what was coming to me just as a known project leader by them as one of the important stakeholders, the families of the deceased on the cases we were working on.

ADV HASSIM SC: So, General, I take it we can safely assume that you did not comply with this letter of 17 January.

LT-GEN KHUMALO: That is correct, Commissioners. Even
10 if I wanted to, because of misunderstanding of what was required from me, I did not comply.

ADV HASSIM SC: But you were at that point in time preparing the report, the briefing for the Minister, correct?

LT-GEN KHUMALO: Very busy, Commissioners, and I was running against time. The letter is coming on the 17th and I have two days now to finalize the report for the 20th. So I was busy with the report.

ADV HASSIM SC: Okay. So that report we know is, just for Commissioners, it is at SDK26. It is page 212 of the, 213 of
20 the annexures bundle. Now, General, this letter, this report is very detailed. It is 27 pages and it spends quite a lot of time describing the work of the PKTT and an overview of the dockets and the progress of the dockets and the rest of it.

Now we do not need to, subject to questions from

the Commissioners, we do not really need to examine this in great detail, because we have been through it before and the National Commissioner has also been through this letter. But what is significant in the letter, and it is something that you raise in your statement, is that your view was that there should not be a disbandment of the team.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: So can we go to paragraph 152 of your
10 statement. So after you explain that the report highlights all of this different aspects of the work ...[intervenes].

ADV KHUMALO SC: Sorry.

ADV HASSIM SC: Pardon me.

ADV KHUMALO SC: I am very sorry to interrupt you mid-sentence, Ms Hassim. I am, Annexure FDSK26, only the cover letter at page 212 is legible. The report itself is illegible for the most part.

ADV HASSIM SC: My apologies, Chair. I was aware that these copies were not legible and requested that more
20 legible versions be placed in your files.

ADV KHUMALO SC: If they may be replaced, please.

ADV HASSIM SC: We can submit that.

ADV KHUMALO SC: In this other bundle, this is, the one with the CJC's, starting CJC8, does it, I think so, to, all the way to CJC21 it does have a legible report, but may those

be sorted out for us, please.

ADV HASSIM SC: I think what happened, Chair ...[intervenes].

ADV KHUMALO SC: Whilst going through the SDK's then have to go to the CJC's.

ADV HASSIM SC: Absolutely. I think there was confusion in carrying out that. We will make sure that it is replaced with a legible copy. For now, Chair, may I request that any questions or references to it, to use the CJC version.

10 **ADV KHUMALO SC**: Thank you.

ADV HASSIM SC: But we will correct the ...[incomplete].

ADV KHUMALO SC: Yes, Ms Hassim.

ADV HASSIM SC: Sorry. Sorry, Commissioner Baloyi, I was trying to answer your question. I am not sure which page it is on.

ADV BALOYI SC: I am told it is CJ – SDK26 in CJC bundle.

ADV HASSIM SC: In the CJC bundle. Sorry General, is your copy legible of SDK26?

LT-GEN KHUMALO: Yes, yes it is. Thanks.

20 **ADV HASSIM SC**: Okay, so in paragraph 151 of your statement you describe general overview of what it is you addressed in the long report, SDK26. And then at paragraph 152, can I ask you to just read that paragraph into the record, please.

LT-GEN KHUMALO: Reading paragraph 152 to the record:

10 “Insofar as the report had to include a writeup of the justification for the disbandment of the PKTT, it goes without saying that I could not justify the disbandment, neither could the National Commissioner. The position has always been that the PKTT had to remain, therefore in the report to the Minister the National Commissioner and I simple stated that the directive of the Minister to disband has been noted and that the initial objective and the directive by the President has been achieved with noticeable decrease of political related killings in KwaZulu Natal as a result of PKTT’s intervention and execution of its mandate. In other words, we did not agree with the disbandment, but this was a directive for the Minister and he had directed that this aspect be dealt with in the report.”

ADV HASSIM SC: Okay, so let us just look at that with reference to the report. In your bundle, General, it is at page 237. Commissioners, in your bundles it would be page

25 of 27. Oh, the pagination is probably the same, because it was meant to be substituted, so page 237, and it is the bottom of that page, the conclusion. So, General, there in the conclusion that confirms what you have just said in your statement, is that correct?

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: So maybe you could read the first paragraph of the conclusion.

LT-GEN KHUMALO: The first paragraph of the conclusion
10 on the report of the 22nd, paragraph 3.11:

“In conclusion, the Task Team has undeniably achieved and far exceeded the purpose for which it was established. No other Task Team in South Africa has achieved these successes, nor has been able to investigate and ensure successful prosecution of the perpetrators of politically related murders.”

20 **ADV HASSIM SC**: And then you continue in the second paragraph and that is where you say the directive by the Minister has been noted and I just want to understand correctly what you, what happens then in the rest of this, the rest of this report which is now almost near its end.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: I just want to understand what you were saying. You were saying that, you continued to make the proposal that now follows, because that was the request of the Minister to include that in the report.

LT-GEN KHUMALO: To include – let me, the paragraph starts with:

10 “The directive by the Minister to disband the National Task Team has been noted and the initial objective and the directive by the President has been achieved.”

Noticeable as you say the conclusion also in my statement. Then the next paragraph says:

20 “The South African Police Service remains responsible for the finalization of those dockets in the possession of the Task Team as well as finalization of dockets which are currently before court. The following steps are being taken to wind down the Task Team without compromising pending investigations or court processes.”

ADV HASSIM SC: And then you set out, you set out the steps.

LT-GEN KHUMALO: The winding down steps

...[intervenes].

ADV HASSIM SC: The winding down steps.

LT-GEN KHUMALO: Flowing from the previous paragraph, Commissioners.

ADV HASSIM SC: Yes. And those steps are also summarized in paragraph 153 of your statement, is that correct?

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And do I understand correctly that what
10 the steps envisaged is that the dockets would remain with the PKTT until they were finalized.

LT-GEN KHUMALO: That is correct, Commissioners. As from the first paragraph that says:

“It is the South African Police Service’s responsibility to finalize all the investigations.”

So this is how then the process is going to be followed in order to ensure that all the investigations are finalized.

20 **ADV HASSIM SC:** But the SAPS could be any part of the SAPS that can be responsible for the finalization, but what you proposed in those steps is that they must be, remain with the Task Team until they are concluded.

LT-GEN KHUMALO: Thank you, Commissioners. In the same sentence that says the South African Police remains

responsible for the finalisation of the dockets in possession of the Task Team as well as finalization of the dockets which are currently, so that was introducing the fact that the Task Team must see its work to the finalization.

ADV HASSIM SC: Okay, so ...[intervenes].

ADV KHUMALO SC: Is that not Roman II that we should be looking at, the first sentence of Roman II on the same page 230?

ADV HASSIM SC: That is correct, and maybe the witness
10 could just read that.

LT-GEN KHUMALO: It was also one of the advises or recommendations forwarded by the National Commissioner addressing this letter to the Minister as a response of the 31st December letter to say:

“Stakeholder engagement to be
conducted with other external role-
players in the Task Team, especially
the National Prosecuting Authority who
have a dedicated capacity of
20 prosecutors working with the team.”

ADV HASSIM SC: It is the Roman numeral II that we were referring to, if you can read the first sentence of Roman numeral II.

LT-GEN KHUMALO: On my, on the report?

ADV HASSIM SC: Yes.

LT-GEN KHUMALO: -:

“The 128 case dockets which are under investigation and allocated to the National Task Team will be retained by the team and investigations will be finalized. An audit will be done of those dockets that are still under investigation in order to establish which dockets can be returned to the station of origin or allocated to other investigating units within SAPS.”

10

ADV HASSIM SC: Okay, so at that point in time there was still 128 case dockets. They reduced as time went on.

LT-GEN KHUMALO: As discussions were ongoing, yes.

ADV HASSIM SC: Yes.

LT-GEN KHUMALO: Yes, Commissioners.

ADV HASSIM SC: And then in Roman numeral III you proposed that no new dockets would be taken by, or allocated to the Task Team.

20 **LT-GEN KHUMALO:** That is correct.

ADV HASSIM SC: And then you went on that the dockets that are currently pending at the courts will remain with the Task Team and you explained why, the challenges if you did not do it. You have explained it and it is there. Maybe you could just read the, from the middle of, middle of Roman

numeral IV, new investigating officers.

LT-GEN KHUMALO: Yes, the reasons provided under Roman figure IV talking to the 115 case dockets will that:

10 “If they are allocated to the new investigating officers those new investigating officers that are not familiar with evidence in the docket will make then the investigation to be unsuccessful and also witnesses who will not be willing to cooperate and testify due to lack of trust to the new investigators.”

As the witness, investigator A takes a statement from you and you move along with the prosecution, now in the middle of the case is on trial, that witness now must go on trial and testify, then a new investigating officer comes and say let us go. So we were trying to raise that, that maybe all these were not thought of during, but they were going to be raised if there were consultations.

20 “Further investigations that are still outstanding and attending to the continuous queries by prosecutors was also going to be negatively affected.”

ADV HASSIM SC: Okay. So this was going to be a very gradual process. It would take quite some time.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: If you turn over the page to 239, at Roman number VII you speak about the multi-disciplinary approach.

CHAIRPERSON: VI.

ADV HASSIM SC: My copy is also not legible, Chair. Thank you for the correction. It is VI. You talk about a multi-disciplinary investigative approach that will be applied. Can you just explain what you are referring to in
10 that paragraph. What is it that you were proposing, you and the National Commissioner?

LT-GEN KHUMALO: Thank you, Commissioners. Yesterday I stated that in all our reports we are trying to maintain this view, because that is what we believe in. Same applied to this report that we are saying this multi-disciplinary investigative approach which we in short referred to it as analysis ...[indistinct] more analysis than investigators and prosecutor guided investigation that is currently applied by the Task Team, will be adopted.

20 Now it was the National Commissioner informing the Minister that it will be adopted and used to serve as a benchmark for the re-alignment of contract killings and organized crime investigations and further directives will be issued in this regard.

ADV HASSIM SC: So what do you mean here? Are you

saying that the model of the PKTT then would be used as a benchmark, it would be replicated for the purposes of organized crime investigations and contract killing investigations?

LT-GEN KHUMALO: Yes, Commissioners. Put directly, one will say the direct meaning of this recommendation is let us retain the methodology and we use it as a transitional process to, from where we are, especially within the organized crime investigations environments of SAPS. Now
10 this talks to now to disband or remove the centre of excellency and then you start afresh. So this in short that is what it was trying to say, to say let us retain and then we build up from it.

ADV HASSIM SC: So you would replicate the model, the method of the PKTT?

LT-GEN KHUMALO: Yes.

CHAIRPERSON: You say, General, this was to be transitional. Looking at VI, it does not sound as if this was meant to be transitional. I read it to have been intended to
20 be permanent, once implemented, to be permanent. Am I incorrect? Am I misreading it?

LT-GEN KHUMALO: The interpretation – thank you, Commissioners, Chair. The interpretation might be right from the Chairperson’s point of view, but if read as a whole that paragraph it starts by explaining, it starts by explaining

the multi-disciplinary investigative approach, what is it. And then we are saying that is the approach applied by this team currently. The National Commissioner say this approach will be adopted instead of using transition, will be adopted and used to serve as a benchmark to standardise the investigation of all contract killings as well as violent organized crime.

CHAIRPERSON: Thank you, General.

ADV HASSIM SC: Thank you. Thank you, Chair. So that
10 report, we come to the end, it has got the signature of the National Commissioner and the date. And then there is a space below it for comments and for signature by the Minister, but there is no signature. I take it that means it was never approved, adopted or signed by the Minister.

LT-GEN KHUMALO: If I may go back to the pressure between the 18th and the 19th, two days to come up with a 27 page report, that up to now it has not been approved. It is still empty, so that will mean the hard work put during those 28 hours came to nothing, because the report is not
20 approved or not signed or, ja it is ...[incomplete].

ADV HASSIM SC: So what was the response of the Minister to this? Was there any response from the Minister to this letter? Was there a verbal response, was there some other written response from the Minister?

LT-GEN KHUMALO: Thank you, Commissioners. From the

compiler's point of view there was no response. Even after enquiring from the writer who is the National Commissioner, I got feedback that there was no response up to date.

ADV HASSIM SC: So the next thing that happened then according to your statement is you, well, can you tell us what happened then on the 4th of February.

ADV BALOYI SC: Before you do that, General, let us just finish off on these two documents. Can you explain what appears to be an anomaly. We earlier looked at the e-mail
10 from Brigadier Lethoko where she says to the Deputy National Commissioner, your office is further – this is the e-mail we looked at earlier on the, the e-mail of the 7th I think it is. It says:

“Your office is further requested to submit a closeup report to be submitted on 14 January for Netcom consideration and signoff to the Minister.”

So there is that direction from someone who is
20 sitting in the office of the National Commissioner. And then on the 17th, which is later than the 14th, on the 17th you then have that document that you were looking at from General Sibiya, which tells you what he requires, the information that you were supposed to report on.

And then, that is on the 17th of January, and then

on the 22nd of January you and the National Commissioner are submitting or completing this report that you were discussing now, which is completely different in content from what the Deputy National Commissioner Sibiya required of you in his letter of the 17th.

Now the Lethoko e-mail suggests, there is an instruction from the National Commissioner, well on its terms it says there is an instruction, but it suggests that it comes from the National Commissioner, because it comes
10 from that office, at least on the face of it.

LT-GEN KHUMALO: Yes.

ADV BALOYI SC: And then General Sibiya appears to act in accordance, I say appears, on the face of it, by writing to you on the 17th with all of those directions and instructions. But then the National Commissioner works with you to prepare a completely different report.

How does one explain this anomaly or how do you explain it, what is your understanding of what happened that see us having this letter from General Sibiya and then
20 you have a completely different report from the National Commissioner as if they were not talking to each other?

LT-GEN KHUMALO: Thank you. Thank you, Commissioners. Attempting to explain this anomaly one will summarize maybe the chain of events as I had given in details that the e-mail that I received on the 7th that is

talking to the due date of the 13th, I did not do anything, because I could not understand. So that is the first part of anomaly from my side that I received an e-mail with one line and there is no attachment. I have lots of questions that I am asking myself and when I asked those questions from the Deputy National Commissioner I do not get clear answers as to what must happen. That is anomaly number one.

Hence then I took a decision after making a call to
10 the National Commissioner who is on leave, I took a decision to wait until the 14th when he came back. Indeed he came back, we had the discussion that I have explained in details, which came up with two resolutions to prepare for the briefing of the Minister on the 16th on the issues that I have highlighted on.

Then the other anomaly now comes with this directive or letter dated the 17th to me, because the last due date that I was given and it was not met, was the 13th on the e-mail. Then it died a natural death. That is anomaly,
20 that 13th. Then on the 17th when I received this it gives the previous day as a due date, other than the fact that as we were going through, other than the fact that it was not easy to understand and not easy to, and also the other factor that one has to put, that led to this anomaly, on the 14th during the meeting I had to share with the National

Commissioner my confusion since the 31st of December up to the 7th of January, the one line e-mail.

Then that is when then he said okay, now me and you are going to work on this. So the first thing, let us prepare the briefing of the Minister on the 16th on this separate issues and then let us also prepare the report for the 20th as a due date.

ADV BALOYI SC: I am asking a more direct question. Maybe I was not, it was not clear, General, and I apologize
10 for that. What I would like to understand is does it mean, because you were working, you worked with the National Commissioner to produce this report of the 22nd of January, does it mean that the National Commissioner had not authorized General Sibiya to send you that directive? That is what I am trying to understand. And because you have been discussing and talking to the National Commissioner, you would know what the position was.

LT-GEN KHUMALO: Thank you. Thank you, Commissioner, for simplifying the question. It is much
20 easier. The response will be exactly that from the meeting of the 14th the agreement was we are working with the National, myself and the National Commissioner on this process. Now when the letter of the 17th come, confusing and contradicting itself as it is, but I did not consider complying with it, because I had this other plan and the

arrangement and the instructions from a more senior officer.

ADV BALOYI SC: Is it correct, would it be correct to characterise it this way. General Sibiya went and did his own thing when he sent you this directive. He did not have the approval of the National Commissioner.

LT-GEN KHUMALO: That is correct, Commissioner.

ADV BALOYI SC: Would I be accurate?

LT-GEN KHUMALO: That is correct.

ADV BALOYI SC: Thank you.

10 **ADV HASSIM SC**: Thank you, Commissioner Baloyi. So this was in response to the directive from the Minister that a preliminary report must be provided by the 20th of January and the directive of the Minister goes on to say the final and closing report must be submitted to the Ministry / Management Executive Committee meeting late January 2025, the date of which will be communicated as soon as possible. And I have two questions. One is, did that meeting take place and was that final report or any final report prepared?

20 **LT-GEN KHUMALO**: I am not a member of that forum but then I can respond like if this was going to be part of the agenda, I was going to be requested to prepare a discussion paper or a report. So based on that I will say then it did not happen.

ADV HASSIM SC: Okay, so that was 22nd. The next thing,

sorry, General, we were then going to 155 of your statement, because the next thing that happens is on the 4th of February and that was when General Sinthumule engaged you. Can you just quickly give us a description of what happened on that date?

LT-GEN KHUMALO: Then I did not hear anything about this whole process then after the submission of the report to the National Commissioner on the 20th of January. Up until the 4th of February 2025 when then I became aware of a
10 letter now, an instruction from Lieutenant General Sibiya to Lieutenant General Sinthumule regarding the handing over of the dockets.

ADV HASSIM SC: And that is SKD27 at page 241 of the bundle and that letter requires that all the cases or projects relevant to the Political Killings Task Team should be, I think that it should be provided to, or handed over to General Sinthumule, is that right?

LT-GEN KHUMALO: Yes. The Divisional Commissioner, Crime Intelligence and the Divisional Commissioner,
20 Detective Services, which is General Sinthumule, we are both reporting to the same Deputy National Commissioner. Now the first letter of the 17th is addressed to me, but it has got a lot of reference to the Divisional Commissioner, Detective Services, but it is only addressed to me.

That is one of the reasons also one then did not

attend to it over and above that, the process was continuing with the National Commissioner. Now on the thought, this one now is addressed to the Divisional Commissioner, Detective and Forensic Services alone, only, from the same supervisor giving ...[intervenes].

ADV HASSIM SC: So you were not copied?

LT-GEN KHUMALO: I became aware of it, but it was not addressed to my office, to me. The directives were for the addressee. But now because the addressee to comply with
10 the instruction had to liaise with me, that is why then I had to be aware of the correspondence.

ADV HASSIM SC: Okay. So it is quite clear in paragraph 5 of this letter that it says:

“In compliance with the Minister’s directive you are directed to engage with the Divisional Commissioner of Crime Intelligence with a view to the proper handing over and to follow all processes necessary to conduct a
20 handing over process.”

So this is from General Sibiya to General Sinthumule.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: So 17th of January is addressed to you, you hear nothing back.

LT-GEN KHUMALO: Ja.

ADV HASSIM SC: And the next thing is this letter which is that the handover must be done and that General Sinthumule must engage with you.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: And then did she? Did she engage with you?

LT-GEN KHUMALO: Yes, she did. She did engage with me, not even once. She did engage with me plenty of
10 times, General Sinthumule.

ADV HASSIM SC: She engaged with you many times?

LT-GEN KHUMALO: Yes, many times.

ADV HASSIM SC: After this letter?

LT-GEN KHUMALO: After this letter with reference to paragraph 5 of the letter.

ADV HASSIM SC: So when she engaged with you, she was asking you to hand over the dockets and the ...[intervenes].

LT-GEN KHUMALO: Yes, to comply with the instruction, because it is her who has been instructed. So mine is to
20 take the dockets that I am accounting for and give to her so as she can comply.

ADV HASSIM SC: And did you?

LT-GEN KHUMALO: Yes, I did. I did give the dockets to her.

ADV HASSIM SC: When did you give it to her?

LT-GEN KHUMALO: The date it is supposed to be further down my affidavit. There were two dates when the dockets were handed over.

ADV HASSIM SC: Was it after the meeting with the Minister on the 27th of March or before?

LT-GEN KHUMALO: Way after – ja, no around, around that time. I think the 28th the first batch of dockets were handed over and then the following month ...[intervenes].

ADV HASSIM SC: Okay.

10 **LT-GEN KHUMALO:** The 3 remaining dockets then I handed over to her.

ADV HASSIM SC: And what is the explanation for the delay between 4 February to 28 March?

LT-GEN KHUMALO: Firstly there were lots of activities that were happening. If, between the 4th of February 2025 and the 5th of March 2025 which talks to the whole month, so it was during that period when the Divisional Commissioner, Detectives and Forensic Services then was engaging me on the need of me handing over these dockets
20 to her so as she can comply with the directives. And then on the 5th of March that is when then in paragraph 156 there was another activity that talks to the Political Killings Task Team.

ADV HASSIM SC: Okay, and that was ...[intervenes].

ADV KHUMALO SC: Ms Hassim, the reference we are

looking for is paragraph 171 on page 69.

ADV HASSIM SC: Yes, the 28th of March was when it was handed, when dockets were handed over. That is correct. Thank you, Commissioner Khumalo.

ADV KHUMALO SC: Yes.

ADV HASSIM SC: That, and that was after the meeting with the Minister on the 27th and I was asking you why there were such a big delay between this and the 4th of February, between 28th of March and the 4th of February and you said
10 there were a lot of activities that were taking place in the interim, right?

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: And one of them is the 5th of March appearing before the Portfolio Committee where you made a presentation.

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And that presentation is attached as SDK29 in the bundle and you know, this presentation was prepared for the Portfolio Committee. Did you make the
20 presentation to the Portfolio Committee?

LT-GEN KHUMALO: Yes, Commissioner, I was in attendance of the Portfolio Committee and I did present the same presentation.

ADV HASSIM SC: And what was the, there were, well you, maybe let us just go to that paragraph. It is paragraph 156

and can you just read paragraph 156.

LT-GEN KHUMALO: -:

10 “On the 5th of March 2025, I appeared before the Parliamentary Portfolio Committee on Police for a briefing on challenges relating to an instability of the Crime Intelligence Division, including the background on the investigation against Major General Khan.”

And then 2:

“Background and status of Political Killings Task Team.”

And then 3:

“Details about KwaZulu Natal Provincial Commissioner’s interview during 2025 Police Day.”

ADV HASSIM SC: Okay ...[intervenes].

20 **LT-GEN KHUMALO:** That was in line with the invitation from the Portfolio Committee. Two of the issues that were on the agenda were going to be presented by myself and one was going to be presented by Provincial Commissioner ...[indistinct].

ADV HASSIM SC: So you were requested by the Committee to address these three topics?

LT-GEN KHUMALO: These topics.

ADV HASSIM SC: Well, okay you and the Provincial Commissioner.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: Okay. So one of the topics as we know is on the PKTT and can we go to paragraph 157 then.

ADV BALOYI SC: Before you do that, Ms Hassim, you moved a bit too fast for me. I did not realize you have moved off this letter. General, that letter from General
10 Sibiya of the 4th of February, this is the letter to the Divisional Commissioner, Detective and Forensic Services, now the last paragraph 7 at page 242 it says you are required to ensure, this is to General Sinthumule you say, you are required to ensure that this is done within 7 days after listing what it is that is required of him. It says you had to do this within 7 days in also considering the content of the attached correspondence sent to the Divisional Commissioner, which you will also ensure that the closing report is submitted as per the directive of the National
20 Commissioner.

Now this is the 4th of February. Had the National Commissioner issued a directive to General Sibiya or to you or to anyone to submit a closing report?

LT-GEN KHUMALO: No, thank you, Commissioner. No, this was the continuation of the anomaly that started from

the 13th, 14th, the 17th. So this was still the continuation where two conflicting processes were continuing.

ADV BALOYI SC: Yes. And would General Sibiya have been aware that you and the National Commissioner prepared and submitted that report of the 22nd of January to the Minister? Would he have, do you expect him, or do you know whether he was aware of it?

LT-GEN KHUMALO: No, I will not know, Commissioner, other than to rely on the feedback that I got from the
10 National Commissioner when I was asking for the way forward.

ADV BALOYI SC: Yes.

LT-GEN KHUMALO: That said no, do not mind, I have told General Sibiya to leave this thing to the two of us.

ADV BALOYI SC: Okay.

LT-GEN KHUMALO: So based on that I will take it that he was aware that the National Commissioner is dealing with this issue.

ADV BALOYI SC: All right. And lastly, from your
20 discussions with the National Commissioner, or in your discussions with the National Commissioner, did you inform him about this approach from General Sinthumule to you?

LT-GEN KHUMALO: The ...[intervenes].

ADV BALOYI SC: The National Commissioner, did you, now that ...[intervenes].

LT-GEN KHUMALO: With specific reference, Commissioner, to the letter dated the 17th?

ADV BALOYI SC: The letter of the 17th but also that General Sinthumule has now spoken to you because of this latest letter from General Sibiya.

LT-GEN KHUMALO: Yes, Commissioner, I was continuously updating the National Commissioner every time I received a letter that is contrary to what we are doing, then I will report and share the letter with him.

10 **ADV BALOYI SC:** Okay, and do you know if he ever spoke to General Sibiya about this parallel process?

LT-GEN KHUMALO: I will not know, Commissioner, if he did speak.

ADV BALOYI SC: Thank you.

ADV HASSIM SC: Thank you, Commissioner. Thank you. Okay, so we are in March at the Portfolio Committee and you had been requested by the Portfolio Committee to address those three topics. One of the topics relates to the PKTT and you made a presentation about, on the PKTT to
20 the Portfolio Committee. Now your presentation is here as SDK29 and it is quite long and we do not really need to go into the ...[indistinct] on it, but as I understand it, it is in two parts. The first is on Crime Intelligence and the work of Crime Intelligence. And the second part deals with the PKTT. Is that right?

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And if I can just turn then to page 273 of that presentation. That page is the, explain the contents of the report that is to follow and the headings, if you can just read out what the headings are.

LT-GEN KHUMALO: The headings that were included in the briefing to the Portfolio Committee, the first one was the background of the Political Killings Task Team followed by the funding and expenditure since inception and then the
10 third one, successes achieved, the fourth one, the current status of the Political Killings Task Team.

ADV HASSIM SC: Okay. So in this presentation, apart from the background and the update on the work, much of this has already been presented to the Commission by yourself and by General Mkhwanazi. There is a slide that deals with the budget. I am just going to find it. It is page 277. And this, this slide talks, it sets out the, correct me if I am wrong, but the expenditure of the PKTT from 2018, which would be July 2018, until February 2025, is that
20 correct?

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: And all of these, can you explain to the Commission where this information comes from and whether it was in line with the budget that had been approved for the PKTT and can you confirm that there had been, that was my

sub-question, that there had been budgets approved for the PKTT in each of these years.

LT-GEN KHUMALO: Thank you, Commissioners. As I indicated earlier on that towards the of each and every financial year each department that is involved in this project will then start looking at their financial authorities. So the South African Police Service will do the same, hence then there will be an application for both the approval for the extension as well as the budget thereof.

10 So it will be in one approval, hence then all those applications there is a signature of the CFO, the Chief Financial Officer, who must indicate the availability of the funds before the National Commissioner approves both the extension and the usage of those funds that are available. So the report on this specific day was prepared by the Chief Financial Officer's office and also presented by the CFO in the Portfolio Committee as she was in attendance.

20 So it was the figures that are from the system that is managed by the CFO, hence then on the far right we will see the figures of expenses. Then from the financial authority or the application there will be an application for an estimated budget, but in this report then what is reflected on the far right are the actual expenses for that particular period.

ADV HASSIM SC: Thank you. Now this goes up, General,

up until February 2025 and I think from there onwards what we have is in the exhibits bundle and if you could look at the bundle, the file 1 of the exhibits and if you could begin with CJC18. Have you got it?

LT-GEN KHUMALO: Yes, Commissioners.

ADV HASSIM SC: Okay, so CJC18. As I understand it now this is an information note that is prepared, a request for financial approval for the period 1st April to 30 June 2025. So ...[intervenes].

10 **CHAIRPERSON**: Ms Hassim, if we are going to be much longer may we take an adjournment and resume at quarter past 4, please.

ADV HASSIM SC: Thank you, Chair.

CHAIRPERSON: Let us adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

ADV HASSIM SC: Okay, General, it is our last lap. We were dealing with the budget and where we were was CJC18. This was a request for financial approval for an
20 extension for the period 1 April 2025 to 30 June 2025, is that right?

GENERAL KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: And did you prepare this note?

GENERAL KHUMALO: Yes, I did.

ADV HASSIM SC: And if we can just go to page 132?

Actually, let us just take it one step back, let us just start with the first page. You begin this information note by explaining that this comes after the directive of the Minister to disband.

GENERAL KHUMALO: That is correct.

ADV HASSIM SC: So you then go on to explain why you are continuing to make this request. So perhaps you can just explain that with reference to paragraph 3 of the background.

- 10 **GENERAL KHUMALO**: Thank you, Commissioners. On the background, it is more of the events that took place from the 31st of December letter, which then we were using as a background because it was during that period of uncertainty. The financial authority and extension had expired on the 31st of March, hence then we prepared this one that was going to kickstart from the 1st of April. And the background now is changing.

- 20 It is talking to the letter as it came on the 31st of December, various meetings that is taking place, and the winding down plan as approved or suggested by the National Commissioner that this is how he is going to handle the situation during that time. Hence then we had to prepare the extension as well as the financial authority for a shorter period, which was the – the financial authority was for the whole financial year as it was prepared, which was

going then to allow the winding down plan. And that is what is mainly contained in the background.

ADV HASSIM SC: So that explains why at paragraph 4 on page 127, you estimate the expenditure for 68 members. It is for a smaller number.

GENERAL KHUMALO: That is correct. The estimation there is for a smaller number that will see the dockets that are at court through.

ADV HASSIM SC: And that estimation, if we look at the
10 table, it says 68 SAPS members per month for 12 months. I understand that to be, that is incorrect. It is not supposed to be for 12 months, right? It is for two months.

GENERAL KHUMALO: More especially, it is a typing error, more especially if we look at the first recommendation on the same page, which reads the approval for extension be granted for the duration of three months.

ADV HASSIM SC: Three months, 1 April to 30 June.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: And so the budget that was requested
20 here was about R9.9-million.

GENERAL KHUMALO: That is correct, Commissioners.

ADV BALOYI SC: With that correction, General, the heading where it says estimated expenditure for the period, what then would that be for? Because as it stands now, it is for 12 months. What months are we looking at?

GENERAL KHUMALO: Three months.

ADV BALOYI SC: From which period? From 1 April?

GENERAL KHUMALO: From 1 April until 30 June, Commissioner.

ADV HASSIM SC: So as per the first bullet under recommendations, Commissioner Baloyi. So the estimation was about R9.9-million for those three months. And then if we turn over, can you just explain then the notes of the CFO?

- 10 **GENERAL KHUMALO**: The CFO is indicating that yes, the funds will be available as per discussion with the National Commissioner and per approved call up instruction signed by the same National Commissioner, an amount for only one month is confirmed. The rest of the request for the funding beyond one month must be submitted as part of the budget input of the cost centre if the project is to continue.

20 So it is the same comment like we had seen in one of the recommendations by the CFO, where at the beginning of the financial year she will allocate for the first few months awaiting the final allocation of the budget. But the difference here is the drafter, the compiler, which is myself, was recommending three months based on experience that the final allocation of budget takes the maximum of three months.

Now the discussion between the CFO and the

National Commissioner overruled the three months and went to one month. So one can be of a view that maybe it was because of the uncertainty around the Task Team extension.

ADV HASSIM SC: So the approval then was for one month?

GENERAL KHUMALO: That is correct.

ADV HASSIM SC: And the National Commissioner's signature was on 7 April 2025. That explains then why
10 there is a request, a second request that is made and that is at page 130, and it is CJC19, and that is again a request for financial approval for the period 1 May 2025 to 31 July, is that right?

GENERAL KHUMALO: That is correct, Commissioner, for another three months.

ADV HASSIM SC: And as with the previous request for approval that we just read, you set out the background to the request and then you set out the amount that you are requesting at page 132.

20 **GENERAL KHUMALO:** Yes, Commissioner.

ADV HASSIM SC: And here you estimate expenditure for the period 1 May 2025 to 31 July 2025 for this time 56 SAPS members. So is this in line again with the phasing out or winding down?

GENERAL KHUMALO: It is in line with the winding down

because the National Commissioner's proposal was as the case is finalised, those that were dealing with the case will withdraw, and then that is why the numbers kept on going down.

ADV HASSIM SC: And what was the budget you requested here?

GENERAL KHUMALO: It was R8.4-million, and then the funds that were made available by the CFO were R13.2-million. Reason being, if we look at the period, it starts
10 from the 1st of April. Her recommendation includes the month that we had the authority for already. They do that for their cost centre policies, that if you have the financial authorities that are one month each, it makes their work difficult. Hence, there was an approval of the April one month, but then when this, we apply for three months, then she recommends four months. It means she is reversing and starting from the 1st of April.

ADV HASSIM SC: So that is the reason for the increase?

GENERAL KHUMALO: The increase.

20 **ADV HASSIM SC:** The R13.2 instead of R8.4-million.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: And that was approved by the National Commissioner, is that correct?

GENERAL KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And that takes you up until the 31st of

July?

GENERAL KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: Then we come to CJC20, and this is a request for financial approval for 1 August 2025 to 31 March 2026.

GENERAL KHUMALO: That is correct, Commissioners. Now this one is for the remainder of the financial year, as the applications have been done in trips and traps periodically. Now this one is for the whole financial year.

10 **ADV HASSIM SC**: So why is this one now for – the ones that were done earlier, you said, was because of the uncertainty and so there were small extensions. Why is this one for a longer period?

GENERAL KHUMALO: Firstly, the budget allocations had been finalised. Finalised, and then secondly, one being part of, as I have said, that this was the period where there were lots of factors affecting the decision making. So from the application of three months as it is a norm, whilst waiting for the final allocation of budget, then instead one
20 month is approved.

And then the next batch is four months. Then this time around, if now we can link this with the other parts of my affidavit, it was after the long sought-after reasons for the disbandment were starting to be clear, or they were clear that they are not genuine. So then the application can

be now for the whole month as powers vested on the Accounting Officer to approve the budget of SAPS.

CHAIRPERSON: You say, General, allocations had been done as at this stage. Were these allocations done in accordance with the original PKTT numbers, or were they done in accordance with the numbers that were dwindling?

ADV HASSIM SC: They were done in accordance with the last number that was dwindling.

CHAIRPERSON: Thank you.

10 **ADV HASSIM SC:** So at this point in August, you felt emboldened to ask for a next financial approval for a longer period?

GENERAL KHUMALO: From the compiler's point of view.

ADV HASSIM SC: Which is you?

GENERAL KHUMALO: Yes. Commissioners, the reason behind that is the understanding of the finalisation of the allocation process because that is what we have been doing all these years. The first few months, maximum of three of the financial year, you are given the provisional approval.

20 Then after that, there is a location that you will get the approval for the whole financial year. That is the official reason from my side as a drafter.

ADV HASSIM SC: That is the official reason. Your official reason is then it is about the budget cycle?

GENERAL KHUMALO: Yes.

ADV HASSIM SC: Okay. And you make the request then for 1 August 2025 to 31 March 2026?

GENERAL KHUMALO: Yes.

ADV HASSIM SC: And can you just explain the table, the numbers and the amount requested? The number of members. So this is ...[intervenes].

GENERAL KHUMALO: The number of members now, it is 56, and then with all those allocations, it gives the total of R31.1-million.

10 **ADV HASSIM SC:** And that was signed. This was signed by General Mkhwanazi?

GENERAL KHUMALO: Yes.

ADV HASSIM SC: Not by you? The previous ones were signed by you?

GENERAL KHUMALO: Yes. The reason being, as the whole world knows, that I have been arrested and removed from some of the responsibilities. Now I could not sign off some of the things that were supposed to be signed by myself.

20 **ADV HASSIM SC:** Okay.

GENERAL KHUMALO: Hence, maybe to also include, hence then even the cost centre as reflected there on page 136, because that will be very specific as to where the budget will be allocated to. Under recommendation number two, the estimated budget of R31.1-million be approved and

funded from the national budget, and such budget be managed at Provincial Commissioner KwaZulu-Natal because of my inability since the June or July, somewhere there, the arrest up to date.

ADV BALOYI SC: Just to clarify, General, you have not been suspended, you are not on suspension from work? Or are you? Let me ask, have you been suspended?

GENERAL KHUMALO: I am not suspended, but I am not allowed to perform my duties.

10 **ADV BALOYI SC:** All right, thank you.

ADV HASSIM SC: Okay. So that explains the signature then by General Mkhwanazi. I also see that in the second bullet under recommendations that there is a reference to Annexure A and B. We do not have that. We do not have that in this bundle, but I think it would be important for us to get those annexures just to complete this set of documents. Would it be possible to get those?

GENERAL KHUMALO: Which ones?

20 **ADV HASSIM SC:** So it is the second bullet under recommendations on page 136.

GENERAL KHUMALO: The second bullet?

ADV HASSIM SC: Yes.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: Estimated budget. And then the last line, as recommended by the CFO, as per attached

Annexure A and B.

GENERAL KHUMALO: Yes, we can provide those annexures.

ADV HASSIM SC: Thank you. Just to finish this off though, that was the request was for R31-million. Can we just complete this by referring to what the CFO then recommended?

GENERAL KHUMALO: Thank you, Commissioners. The estimated budget applied for was R31.1-million, and the
10 CFO is availing plus minus R27-million, reason being that is why the CFO is explaining that the management of this budget should be such it is utilised up until the end of February 2025, which is a month before, reason being that all the expenses during March will be accommodated for in the new financial year. So it is not a decrease on the estimated budget. It is a minus of one month expenditure, which is March the following year.

CHAIRPERSON: You said 2025. It is 2026, General.

GENERAL KHUMALO: Apologies, Commissioners. 2026.

20 **ADV HASSIM SC**: Thank you, Chair.

CHAIRPERSON: You also referred to the financial year. Am I mistaken that the government's financial year starts on the 1st of April each year?

GENERAL KHUMALO: That is correct, Commissioner. It starts on the 1st of April, but the reason why the Chief

Financial Officer made such a comment is this plus minus R27-million budget can be utilised up until the expenditure of the end of February. Then for the last month of the financial year, which is March, will fall on the new financial year starting from the 1st of April 2026.

CHAIRPERSON: Thank you, General.

ADV BALOYI SC: Perhaps let me realise, perhaps I should have completed my question just so that it does not remain hanging. General, when I asked you that you are not at
10 work and you confirmed you are not on suspension, you said you are not allowed to do your work. What do you mean by that? Who does not allow? Is it the National Commissioner is not allowing you to do your work?

GENERAL KHUMALO: No, it is the bail condition, Commissioner.

ADV BALOYI SC: Thank you.

ADV HASSIM SC: And then, General, can you just finish with this document? So, what the National Commissioner then noted?

20 **GENERAL KHUMALO:** The approval by the National Commissioner with the comments as per CFO comments.

ADV HASSIM SC: So, he approved it?

GENERAL KHUMALO: He approved in line with what the CFO have said about it.

ADV HASSIM SC: And the PKTT, therefore, is now

operating under this financial approval?

GENERAL KHUMALO: Under this financial approval up until the end of March 2026.

ADV HASSIM SC: Thank you.

GENERAL KHUMALO: Maybe, Chair, Commissioners, before I step off, because one is receiving lots of information as this process is moving on, the allegations or the information that talks to only the financial approvals granted is misleading. Because if you look at our
10 applications, they include both the application for extension. That is why on all of them there are two recommendations. For the National Commissioner to approve the usage of the budget as availed by the CFO and also the extension. So the same document gives the approval of both the function and the budget thereof. Thank you, Chair.

ADV HASSIM SC: Thank you, General. So we started this discussion on the budget as an extension of what you had been presenting to Parliament on the 5th of March. So if we
20 can just return now in our timeline back to 5 March 2025? I just want to ask you whether in this presentation to the Portfolio Committee, whether there were any concerns raised by the Portfolio Committee with the work of the PKTT that you had presented.

GENERAL KHUMALO: Thank you, Commissioners. One

looking at the invitation and the agenda as provided by the Portfolio Committee, one would be of the view that it was informed by the current situation, hence it was talking to instability within Crime Intelligence Division because of misinformation that was spreading almost every day in the social and print media. And then on the other hand, the issue of the disbandment of the Political Killings came in to join during that discussion.

So one is of the view that the Portfolio Committee
10 deemed it fit for them to be briefed on these two burning issues. I choose to use burning issues because they were burning issues. And indeed we prepared to the best of our ability from our side to cover the two areas, which is the instability within the division, giving the reasons of each and every misinformation that is seen out there and then on the other hand, also a detailed presentation on the Political Killings Task Team.

The Political Killings Task Team briefing was not so difficult to prepare because we had not long ago prepared
20 the 27-page document for the Minister, then it was a matter of updating and converting it into a presentation format that would be used to brief the Portfolio Committee. So after both the briefings, this is my view, one was expecting the burning discussion as these were burning issues, but one then did not really get the burning.

There were comments there and there, but not really burning discussions around the issues. One of the issues on the attachment is the one that talks to the story that was all over the social and print media of the division employing a 29-year-old girl, which then in the briefing, it was there with all evidence, with everything that was done, but one then also did not get it discussed there, the way it is burning when it is discussed on the social and print media.

10 Hence, then two months after that, we were still arrested and charged for the same thing that we had explained even to the Portfolio Committee. So my assessment would be the discussion was not as burning as the issues were discussed before we were invited.

ADV HASSIM SC: Can I just make one comment on what you said, General Khumalo? A 29-year-old would not be a girl, but a woman.

GENERAL KHUMALO: But the headline?

ADV HASSIM SC: No, you referred to the 29-year-old girl.
20 I am just saying a 29-year-old would not be a girl.

GENERAL KHUMALO: I was quoting the print media headline.

ADV HASSIM SC: I am glad to hear that. Okay, so that was the 5th of March, and then as I understand, still on the 5th of March you moved from the Portfolio Committee to a

briefing with the Minister.

GENERAL KHUMALO: Yes, after the disbandment discussion was not as burning within SAPS now by then, then it started to burn a day after presentation to the Portfolio Committee. Hence, then we received the invitation for a meeting in Cape Town for the 6th of March.

ADV HASSIM SC: It was the 6th of March?

GENERAL KHUMALO: Yes.

ADV HASSIM SC: Just so that we track your statement as
10 far as possible, we were at paragraph 157, and from there until paragraph 159, you deal with a correction you wanted to make to something that General Sibiya said. I think you have covered it adequately in the statement. Unless there is something specific you wish to say in addition to what is here, could we just move on?

GENERAL KHUMALO: No, there is nothing else that I would like to add. I was just correcting that misquoting of the information that we presented on the 5th, that the team operating in silos was the then provincial team. It was not
20 this team that was being disbanded, but in this affidavit we are misquoted as if we are saying this team is working in silos. Thank you.

ADV HASSIM SC: Thank you.

ADV BALOYI SC: With that correction, there is also a part of this where you have quoted the very last paragraph. Do

you want to correct that, or is that a correct representation of what you said? It says:

“Due to the Task Team failing to deliver on their mandate.”

Is it supposed to be you, or is this General Sibiya providing an explanation why the Minister disbanded, made the decision?

GENERAL KHUMALO: Thank you, Commissioner. This is the misinformation and misquoting by General Sibiya in his
10 affidavit.

ADV BALOYI SC: Yes, in that he says you said this?

GENERAL KHUMALO: Yes.

ADV BALOYI SC: Okay, thank you. And you say you did not say that?

GENERAL KHUMALO: I did not say that. I did say it in the briefing to the Portfolio Committee, but I was referring to the then Provincial Task Team.

ADV BALOYI SC: I understand. Thank you.

GENERAL KHUMALO: Thank you.

20 **ADV HASSIM SC**: Okay, so let us turn then to the next to 6 March. That is on paragraph 160 of your statement. You say that in preparation for the meeting, you proposed a plan in line with the recommendations that were set out in the 27-page report, right?

GENERAL KHUMALO: Yes, Commissioner.

ADV HASSIM SC: Okay, and that is attached as SDK30 in your bundle. And this briefing on the 6th of March, as I understand it, and please correct me if I am wrong, again says to the Minister much the same thing as what is contained in that 27-page report, including a plan for a gradual winding down. Is that right?

GENERAL KHUMALO: That is correct, Commissioners. We were guided by the invitation. The invitation was not saying I need a briefing on PKTT. It was saying the
10 meeting is about PKTT disbandment implementation. Hence, then the National Commissioner decided that we take the same process of information that was in the unsigned information note and we deduct it into a presentation in preparation for the meeting of the 6th of March in Cape Town.

ADV HASSIM SC: So this is the first time that you refer to a disbandment plan in your briefing on the 6th of March?

GENERAL KHUMALO: Yes.

ADV HASSIM SC: And the plan is, you have reproduced it
20 at page 66 in the table, the overall activities that would have to happen to implement that plan.

GENERAL KHUMALO: Yes, Commissioners.

ADV HASSIM SC: And the first row says approval of disbandment plan as an activity, and the responsibility is the Minister of Police, and the due date is 6 March 2025.

Can you explain that?

GENERAL KHUMALO: Yes. We had to prepare the disbandment plan correctly so with the activity, the responsible person and the due date for that activity, and hence then this was included in the plan itself. But the plan, the presentation was in detail explaining everything as it was explained in the unsigned information note of 22nd of January.

ADV KHUMALO SC: Can I just ask why the dates on page 10 66, paragraph 162, differ from the dates in the action plan on page 300 of the Annexures Bundle?

GENERAL KHUMALO: Sorry, Commissioner, can you remind me of the page number?

ADV HASSIM SC: Page 300.

GENERAL KHUMALO: Thank you.

ADV HASSIM SC: And while you are there, General, all of the dates differ, so you might want to explain this table.

GENERAL KHUMALO: Ja, the explanation was going to be covered as I move on with this affidavit, but to explain, 20 these dates were informed by the meeting date that as we meet on the 6th, we present, and then the Minister approves on the 6th of March. Then unfortunately, it was not approved. Instead, the meeting was rescheduled for the 27th of March.

Hence, then the dates are moving now from the 6th

to the 27th of March. So everything was going to be kick-started by the approval. If the approval is done on the 6th of March, then others are continuing. If the approval is done on the 27th of March, then other activities will continue.

ADV KHUMALO SC: Is that what you refer to in paragraph 164, the last sentence? Maybe the second last on page 67. Sorry, Adv Hassim.

ADV HASSIM SC: No, no problem.

10 **GENERAL KHUMALO:** That is exactly what I am referring to, Commissioners. The way I understood it was to mean then the absence of any agreement or approval on the way forward, there will be no movement of dockets or personnel because nothing is approved. The information note is not approved up to date. The proposed plan was not approved in Cape Town on the 6th. The amended proposed plan was not approved on the 27th of March. So up to date, there is nothing that is approved.

20 **ADV HASSIM SC:** So just to be clear, the action plan table is continuously updated because everything can only flow from the first item, which is an approval of the plan.

GENERAL KHUMALO: Yes, Commissioners. If I am invited for the disbandment meeting tomorrow, I will change the date on the action plan and put tomorrow's date for approval. So it will keep on moving up until it is approved.

ADV HASSIM SC: Now, who was present at this meeting?

GENERAL KHUMALO: The first meeting, Commissioners?

GENERAL KHUMALO: The meeting of the 6th. Before we
– at the 6th of March.

GENERAL KHUMALO: Presence in the first meeting in
Cape Town, it was the Minister, the National Commissioner,
the Deputy National Commissioner of Policing, Lt-Gen
Msigidi, the Deputy National Commissioner of Crime
Detection, Lt-Gen Sibiya, the Chief of Staff in the Office of
10 the Minister of Police, Mr Nkabinde, the Divisional
Commissioner of Detective and Forensic Services, Lt-Gen
Senthumule, and Lt-Col from the team and myself.

ADV HASSIM SC: And in your statement you say, after
you presented this plan, the National Commissioner and the
Deputy National Commissioner of Policing were in favour of
the plan. And does that mean none of the others present
were in favour?

GENERAL KHUMALO: That definitely means that, because
the plan was, or is, for the National Commissioner. It is his
20 plan, the winding down plan. Then he had to support it
because it is his plan. And then the Deputy National
Commissioner of Policing did support the plan. I remember
very well even her words and one of the reasons, because
she said if we disband now, as the letter says, and we say
all the members must go back to their respective stations,

then a member from Cape Town, by the time he arrives in Cape Town, he gets the subpoena to go to Mtubatuba KZN to attend the court case. And then he comes back. By the time he arrives, then General Msigidi said that would be not so nice or good or possible for the members to continue with these cases whilst they are back to their stations of origin. So, indeed ...[intervenes].

ADV HASSIM SC: It would not be cost effective either, would it?

10 **GENERAL KHUMALO:** On top of that, not cost effective and dangerous and impossible, the whole idea of having a coordinated work will not be there.

ADV HASSIM SC: So, you say that the – you mentioned particularly General Sibiya and the Chief of Staff of the Minister as being against the plan and they favoured immediate disbandment. Did they say why?

GENERAL KHUMALO: The main reason, because I was part of the meeting, then everybody, after I presented that, especially if you are a presenter, you listen attentively when
20 your audience is now asking questions because you want to do whatever, to understand whatever input they are going to have. Hence, then I still recall most of the inputs that were made there.

The main point that the Chief of Staff as well as the Deputy National Commissioner of Crime Detection, they

were against was in the plan, disbandment plan, not to show the immediate. In other words, they were against the whole plan because the plan has got the winding down thinking. But then they will even, one of them will even say, it means you are defying the instruction of the Minister because the Minister says disband now. So that was the main point.

And also somewhere in the plan, we had referred to the dockets and the investigations to remain with the
10 Political Killing Task Team, you see. So they were against even the alphabet, PKTT, it was supposed not to be there and then replace it with someone else, something else. And also the other issue was the destination of the dockets.

The proposal was talking to the dockets moved to the provincial office so as the Provincial Commissioner can decide and design the way he is going to continue with these dockets without much of the damage caused. But then the points against was these dockets must go back to their stations of origin, where they were picked from without
20 being investigated.

CHAIRPERSON: General, was it proper for the Minister's Chief of Staff to participate in these discussions?

GENERAL KHUMALO: In my view, also looking at my experience, Commissioner, I would definitely say it was not proper. I have sat in meetings where the Chiefs of Staff are

sitting. According to me, it was not proper because they do not normally take part in the decision or discussion that is there during that meeting. In most cases they act as record keepers of the Chairperson, who will be the Minister, in terms of decisions and whatever other assistance or support function of the Minister, not to be.

Because now, especially in the subject matter, it is the experts that are discussing the subject matter and now there are no expertise of a Chief of Staff that are expected
10 then to contribute in the point of discussion.

CHAIRPERSON: And what was the alternative name they were suggesting?

GENERAL KHUMALO: If my memory serves me well, instead of saying PKTT, it was just saying investigators. So, which would be open to any other investigator.

CHAIRPERSON: Thank you.

ADV BALOYI SC: General, would I be correct to describe the discussion, the plan about winding down as an operational matter and decision? How you are going to
20 wind down and where dockets will go? Does it fall in the category of operational decisions?

GENERAL KHUMALO: Thank you, Commissioner. It is pure operational. Maybe what makes it look like administrative is the use of the term winding down. The proper and correct term or word that is used in an

operational environment is demobilisation. It took us four years to mobilise. Now, it cannot take you a day to demobilise what you mobilised for four years. So the winding down is also talking to that operational understanding because you have to demobilise resources, which will take you at least half a time that took you to mobilise if you are not having bad intentions.

ADV BALOYI SC: Yes. And is it appropriate or regular for a Chief of Staff who is not a member of the policing environment as such, if I am using the correct word, to have input into decisions that you describe as demobilising, for example, a plan, how it is going to unroll? Is it appropriate? Is it regular?

GENERAL KHUMALO: I will choose inappropriate, Commissioner, because the benefit of doubt one can give because the Chief of Staff, we know and we are told that he is a former police officer. So maybe that might have contributed. I will make an example. If the Chief of Staff was a former teacher, definitely the Chief of Staff will not be tempted even to comment because the subject for discussion, it is something that has got to do with the support functions of the Minister as well as any other administrative functions. It is pure operational.

ADV BALOYI SC: Thank you.

ADV HASSIM SC: But as I understand you, even if the

Chief of Staff had experience in policing, it would still not be appropriate for the Chief of Staff, as Chief of Staff, to participate in a decision making regarding operational matters.

GENERAL KHUMALO: That is exactly my view, Commissioner. Hence, then I say maybe the Chief of Staff was overpowered by the police experience to think that or to put down the cap of being a Chief of Staff and wear the cap of being my second in charge as the project manager of
10 this operation.

ADV BALOYI SC: Ja, okay. We will find out in due course whether you are being generous to him or not, General, with that explanation. Something else relating to this, when General Sibiyi and the Chief of Staff, as you say, they were arguing for immediate disbandment, did the Minister explain to them or differ with them about what he meant when he said the disbandment must happen immediately in his letter? Did he offer them any suggestions about what he meant?

20 **GENERAL KHUMALO**: As a Chairperson – thank you, Commissioners. As a chairperson, the Minister sat and listened to the presentation, the plan, and listened to the inputs, and then the parting words or the closing words as a chairperson were, then go back and do the amendments as per the comments, and then deduct this presentation into an

information note where I can sign on the rescheduled meeting of the 27th of March.

ADV BALOYI SC: The short answer to my question is the Minister did not say to them what he meant when he says immediate disbandment?

GENERAL KHUMALO: That is correct.

ADV BALOYI SC: Thank you.

ADV HASSIM SC: Can you, I mean, there are two things I think that emerge from what you were saying in this
10 paragraph. The one is the pushing back against something that is gradual, wanting the disbandment to happen immediately, but the second is that it was about the PKTT itself, that that was a concern, that the longer it took, the longer the PKTT would be in existence. So that was the real nub of the objection, is that not so?

GENERAL KHUMALO: Ja, one can add that as it is reflected also in my affidavit, that the winding down was going to prolong the lifespan of the PKTT. There are cases that will be at court for the next four or five years, so that
20 will mean it will be maybe after the end of the term of the Minister who disbanded, and then the disbandment will not have happened. I am making an example. So the winding down plan had that as an issue, that it is not going to talk to the immediate.

ADV HASSIM SC: Okay, thank you. So still on 164, just to

complete this meeting on the 6th of March, could you just read into the record the last few lines of that paragraph, starting from there was no firm resolution?

GENERAL KHUMALO: Paragraph?

ADV HASSIM SC: It is paragraph 164.

GENERAL KHUMALO: From the beginning?

ADV HASSIM SC: No, no, no. From the bottom up five lines. Just if you could read from where it says there was no firm resolution.

10 **CHAIRPERSON**: Page 67, General.

ADV HASSIM SC: Page 67.

GENERAL KHUMALO: Page 67, line?

ADV HASSIM SC: Page 67, it is 1, 2, 3, 4, 5, 6, 7 from the top.

GENERAL KHUMALO: Thank you. Thank you, Commissioners. It reads thus:

20 “There was no firm resolution and it was agreed that a further meeting will be convened on the 27th of March 2025. I understood this to mean that the absence of an agreement on the way forward, there will be no movement of the docket or personnel. In other words, the PKTT will continue its work because there is still no approval of

the proposed disbandment plan.”

ADV HASSIM SC: Okay, so 165 and 166 we have actually covered. It is here in the timeline. It relates to the arrest of Mr Matlala. We can move past that. Let us go then straight to the 27th of March. When there was a follow-up meeting, who was present at this meeting?

GENERAL KHUMALO: On the 27th of March, as the Cape Town meeting was rescheduled to, in attendance was the Minister, the two Deputy Ministers, the National
10 Commissioner, Lt-Gen Senthumule of Detectives, the Deputy National Commissioner, General Sibiya, myself, and a Lt-Col from the team.

ADV HASSIM SC: Now you say the two Deputy Ministers. Who are you talking about here?

GENERAL KHUMALO: It is Deputy Minister Boshielo and Deputy Minister Mathale.

ADV HASSIM SC: Okay, so they were present. Is this the first time that they became involved in this discussion? Or were they involved in discussions before this regarding the
20 disbandment?

GENERAL KHUMALO: In terms of my records, this was the first time that they were part of this discussion.

ADV HASSIM SC: And did you present again on the plan, on a disbandment plan at this meeting?

GENERAL KHUMALO: Maybe let me start by reminding

the Commissioners that the resolution of the Cape Town meeting was for us to deduct the presented draft plan with the inputs into an information note. So we had an idea that it is going to be a very short meeting. Even in my preparation, I was just prepared to point to the amendments, to say on this slide here there was PKTT, now it is replaced by investigators.

CHAIRPERSON: General, I did not want to stop you mid-sentence, but that is the longest sentence I have ever had
10 to listen to. Sorry to interrupt you. On the fourth line ...[intervenes].

ADV HASSIM SC: And that is saying a lot when it comes to the General.

CHAIRPERSON: Fourth line, General. You referred to Lt-Gen Khumalo and then Lt-Col and me. Is there another Lt-Gen Khumalo?

GENERAL KHUMALO: It is a typing error, Commissioner. There is one Lt-Gen Khumalo. It is me.

CHAIRPERSON: Thank you. Thank you. Thanks,
20 General.

GENERAL KHUMALO: In this process.

CHAIRPERSON: Thank you.

ADV HASSIM SC: Thank you, Chair. Sorry, I was asking the question. You were answering the question of whether the – you were presenting the revised disbandment plan to

this meeting.

GENERAL KHUMALO: Yes, according to our understanding, attendees, the follow-up meeting was for us to point out on the changes made on the presentation and submit the information note format for approval. So when then we were about to start that presentation, and then the mistake, I call it a mistake for the lack of a better word, that happened, is on the number of dockets there was already a difference from one of the categories of the number of
10 dockets between the 6th of March in Cape Town and the 27th of March.

Because the team was still operating, so there will be changes, especially on the part where you report the number and categories and status of dockets. Now, it happened that the first slide was showing that different number, which then made the meeting not to continue as planned because one had to try to explain why there is now a new number. And then the new number, according to us, was only positive because it was talking to a case that was
20 previously under investigation.

Now, it was court, but then we got then the comments that were suggesting that we do not want to stop the investigations, because now there are different numbers. And then the discussion from there was around us not wanting, especially I will refer to myself as the

project leader because I was named by the chairperson, the Minister, as a person who does not want to disband the Task Team. And then the meeting did not continue ...[intervenes].

ADV HASSIM SC: Can I pause you for a second, just to be clear? So what caused the unhappiness was that your presentation had been updated to reflect the work that had been done on those cases?

GENERAL KHUMALO: Yes, more so especially between
10 the figures that we presented in Cape Town and the figures now that we are presenting in Pretoria on the 27th.

ADV HASSIM SC: Yes. You are referring to this type of report.

GENERAL KHUMALO: That is correct.

ADV HASSIM SC: So that is page 295. This comes from the 6 March presentation.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: But you would have updated it for the 27th of March.

20 **GENERAL KHUMALO:** For the 27th.

ADV HASSIM SC: So it is not an entirely new table, it is just that the numbers have changed because work has been done on the dockets.

GENERAL KHUMALO: Yes. And according to my view, it was not supposed to be an issue because the main part was

the disbandment plan. The progress on working, because we all knew that nothing has changed. The team is still working until the disbandment plan is approved. But now the non-issue became an issue, that because now there are changes in the numbers, then we could not continue with the disbandment plan amendments.

CHAIRPERSON: General, apologies to you and also apologies to you, Ms Hassim, for interrupting your flow. General, may I ask you to read paragraph 167 from line 7,
10 and also paragraphs 168, 169, and 170 into the record, please?

ADV BALOYI SC: Before you do that, Chair, Commissioner, Ms Hassim, you flashed a document, a colourful document, to the General to check if that is what he is referring to. I think for the record, and this is page 295, is that SDK30?

ADV HASSIM SC: Yes, of the 6 March presentation.

ADV BALOYI SC: All right, thank you.

ADV HASSIM SC: From where it says the Minister
20 seemed?

CHAIRPERSON: The Minister seemed angry with me, General, from there all the way to paragraph 170.

GENERAL KHUMALO: Thank you, Chair. I will read on record the last part of paragraph 167:

“The Minister seemed angry with me.

At this point, the National Commissioner and I were still proposing that the disbandment should be implemented, but if it...”
...[intervenes].

CHAIRPERSON: Should not be.

ADV HASSIM SC: Should not be.

GENERAL KHUMALO:

10 “...should not be implemented, but if it was going to be implemented, that it be a gradual disbandment, as proposed in the 6 March 2025 meeting.”

Paragraph 168:

20 “The Minister simply would not listen to anyone. He criticised me for being in charge of the PKTT and Crime Intelligence and questioned why the National Commissioner and I were so invested in keeping the PKTT. He was now completely against the gradual approach and reverted to the immediate disbandment.”

Paragraph 169:

“When the Minister was reminded that the PKTT was initiated in part by the

President, he said that we should not mention the President and mentioned that he was tired of hearing about the President. Then he said that the President was in agreement that the PKTT be disbanded. I was shocked by this revelation, since the President was briefed about the work of the PKTT after it was deployed to assist in the
10 Forte Hare University murder investigations.”

CHAIRPERSON: 170?

ADV HASSIM SC: 170?

GENERAL KHUMALO: Paragraph 170:

“The Minister also stated that it took a political decision to establish the PKTT, therefore it will take a political decision to disband it. The Minister said that there will be no further
20 meetings regarding this matter and any further engagements will be held with the National Commissioner and the meeting adjourned.”

CHAIRPERSON: Thank you, General.

ADV HASSIM SC: Thank you, Chair. Before we deal with

what you say in 170, did anyone else speak in this meeting? Did anybody else weigh in and express a view on the disbandment?

GENERAL KHUMALO: It will not be easy to ...[intervenes].

ADV HASSIM SC: I mean other than you and the National Commissioner who were proposing the plan.

GENERAL KHUMALO: No, it will not be easy to recall, Commissioners. It was one of those meetings that one would not want to think about even when you are on
10 retirement because it was not a nice meeting, especially at the level where we are. We think we understand and we prepare, but then when you get to the meeting, you – so in terms of comments, because this happened as I was starting with the briefing. So one was not really paying attention that much to whatever comments that would come from any other attendees.

ADV HASSIM SC: So what was your response to the Minister criticising you for being in charge of the PKTT and Crime Intelligence?

20 **GENERAL KHUMALO**: It is a discussion that now and again will come from the same, I would say, individuals, which is not, according to me, necessary. Because in the SAPS, especially as you move up the levels, you are expected then to have so many different roles that you play. And currently I am the Divisional Commissioner of Crime

Intelligence full-time, but then I am also overseeing the Political Killing Task Team, not involved full-time like I was.

There are Commanders, there is everybody doing whatever that they need to do. But if, for instance, there is a need that there is a document that needs to be prepared for the Principals, then the team will prepare and submit that document to me. So I am only dealing with very high-level documents, like the extension documents, which is once a year, and whatever other strategic issues that need
10 to be attended to. So that is the current situation.

CHAIRPERSON: And what is the substance of the criticism? Why is it being suggested that you cannot be the Divisional Commissioner for Intelligence and at the same time do work related to the PKTT? What is the substance of the criticism?

GENERAL KHUMALO: At first glance, Commissioner, thank you, at first glance it would look like maybe not understanding what I was explaining. But then when you – because the other reason why the National Commissioner
20 kept – maybe let me say, Commissioner, the two current interventions or Task Teams that are still in place were started and established by myself. The other one in 2017, I think the other one also in 2018 in Western Cape. But then, as I was appointed at other environments, then the National Commissioner decided that you are going to oversee this.

Now I am going back to the understanding, because the National Commissioner has got the understanding that the methodology itself, it is our doing. So it is not easy for any other person to be associated with the methodology. Not that it talks to doing the work, but it talks to overseeing, giving guidance where it is necessary, because the idea is to grow the understanding of the methodology.

ADV BALOYI SC: General, before this meeting of the 27th and this criticism, had the Minister spoken to you or indicated concerns about your being in charge of the PKTT and being in Crime Intelligence, the boss of Crime Intelligence? Had he recorded to you any concerns?

GENERAL KHUMALO: Not to me, that I have never been given an opportunity to engage. But in meetings where I am part, it will come now and again, but not as a main point of discussion.

ADV BALOYI SC: Is this in meetings with the Minister?

GENERAL KHUMALO: Yes.

ADV BALOYI SC: The Minister being present in the meetings?

GENERAL KHUMALO: Yes.

ADV BALOYI SC: And your immediate superior, General Sibiya, has he formally raised any concerns with you about your dual roles?

GENERAL KHUMALO: Also, of late, maybe let me give

you the timeline. This is the comment that started to be popular of late, not because – if we may recall, my immediate supervisor recommending the extension done by me in March 2024. So I will say everything was rosy up until a particular time towards the end of the year, when then we start experiencing these comments also.

ADV BALOYI SC: General Sibiya?

GENERAL KHUMALO: Yes.

ADV BALOYI SC: Thank you.

10 **ADV HASSIM SC:** Sorry, General, you mentioned two other Task Teams. Are these Task Teams also national Task Teams?

GENERAL KHUMALO: They are multidisciplinary Task Teams of the police, SAPS.

ADV HASSIM SC: And what are these other two that you are referring to?

GENERAL KHUMALO: The other one ...[intervenes].

ADV HASSIM SC: The names of the Task Teams.

20 **GENERAL KHUMALO:** The names, the other one has got a very ugly name, *Umkuti Wemvubu*, a Zulu name, which is in ...[intervenes].

CHAIRPERSON: *Wemvubu*.

ADV HASSIM SC: Can you repeat it?

GENERAL KHUMALO: *Umkuti Wemvubu*.

CHAIRPERSON: Okay. I wanted to hear the name, ja.

GENERAL KHUMALO: Ja, it is in the border of South Africa and Mozambique, dealing with the cross-border crimes, especially cross-border vehicle thefts or hijackings. And then it is another multidisciplinary project or Task Team with investigating officers, Combat, LCRC, some of the expertise. Also, the other one is formerly Operation Thunder in Cape Town. That was later in 2018 changed to Operation Lockdown. That is still on.

ADV HASSIM SC: Okay. So when was the first operation
10 Task Team established? Operation ...[indistinct]?

GENERAL KHUMALO: Ja, in 2017. I do not have the specific month.

ADV HASSIM SC: Okay. By you?

GENERAL KHUMALO: Yes.

ADV HASSIM SC: And the second Task Team was also started by you?

GENERAL KHUMALO: In Western Cape, yes.

ADV HASSIM SC: That is in the Western Cape?

GENERAL KHUMALO: Yes.

20 **ADV HASSIM SC**: And when?

GENERAL KHUMALO: 2018.

ADV HASSIM SC: And are they still in existence?

GENERAL KHUMALO: They are still in existence, the two Task Teams.

ADV HASSIM SC: Okay, but these are not overseen by

you?

GENERAL KHUMALO: Yes, I wanted to explain that, Commissioners, that when I was introducing myself, more especially at the level of a Brigadier, this was my line function to plan, coordinate, and implement national intervention operations, in short, Task Teams. So during those years, 2016, 2017, 2018, I was a Brigadier doing exactly that. So that is why I refer to them as established by myself. But they were established by myself as my line
10 function by then.

ADV HASSIM SC: Thanks. Okay, let us just move to – okay, so the meeting ended, and it ended badly on the 27th.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: And so there was no approval of a plan or anything. Okay, and then 171, that is when you hand over the dockets to General Senthumule. How did that come about? Was it just upon a request from General Senthumule that you handed them over, and where were they?

20 **GENERAL KHUMALO**: The instruction ...[intervenes].

ADV HASSIM SC: Where did you get the – did you ask for the dockets to be sent to you, and then it was handed over to General Senthumule? How did it happen?

GENERAL KHUMALO: Ja, thank you. Thank you, Chair. The instruction from Lt-Gen Sibiyi to General Senthumule

had come a long time ago, I think beginning of March or February, if I am not mistaken. And there were lots of activities and discussions and meetings that were happening. So the persistence from Lt-Gen Senthumule was only more during the first month. But then from the 5th of March, these activities started.

Then there was then maybe also from her side the hope that these meetings and activities will give light to that instruction. But then after the meeting, or around the
10 meeting of the 27th, then that is when the persistence started again that I have this instruction to comply with. It is me who is in trouble, not you. You are not instructed. So for you, it is just to hand over the dockets to me, and then I will be seen to have complied. That is exactly what I did.

I am accounting for all the dockets allocated to the Task Team, PKTT, as a project manager, and then I had to formally hand over the accounting of those dockets under investigation to Lt-Gen Senthumule as instructed by her
20 Deputy National Commissioner General Sibiyá on the 28th and the 23rd.

ADV HASSIM SC: And those letters, we do not need to go through them, but they are attached as SDK31, the handover letters.

GENERAL KHUMALO: Yes.

ADV HASSIM SC: And so to complete this part of the statement then, you did not inform General Mkhwanazi about this?

GENERAL KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And so that is why you received a letter on the 22nd of May, paragraph 174 of your statement. You say you received a request from the Provincial Commissioner KZN enquiring about the whereabouts of the dockets.

10 **GENERAL KHUMALO:** That is correct, Commissioners. As a project manager, I am accounting for each and every docket. Now, I take these 121, I hand them over to Lt-Gen Senthumule, and then during the accounting session then chaired by the Provincial Commissioner, he is enquiring about the status of these dockets and he gets the report that they were taken by me.

ADV HASSIM SC: Okay. So, you assumed that he was aware. Is that why you did not inform him?

20 **GENERAL KHUMALO:** Not that I assumed that he was aware. Firstly, it was not my place to inform because the period, as I have said, it was a period of uncertainty, and then one would have thought that after the agreement of whatever way forward, then the National Commissioner is the one who is going to inform us all, because even myself, I needed to be informed. So all of us were waiting to be

informed as to the way forward.

ADV HASSIM SC: Okay. So the next section then of the statement is about the return of the dockets.

ADV KHUMALO SC: Adv Hassim, do you mind just dealing with paragraph 172? It can just be read because it is something that will come up. Just read it, General, into the record.

GENERAL KHUMALO: Thank you, Commissioners. I will read on record paragraph 172:

10 “On the 16th of April 2025, Brigadier
Nkhwashu, who is ...[indistinct] as it is,
on the 16th of April 2025, Brigadier
Nkhwashu made an attempt to retrieve
the criminal dockets pertaining to the
case in which Mr Katiso Molefe was
charged during December 2024.
According to Brigadier Nkhwashu, this
action was taken following a direct
instruction from the Provincial
20 Commissioner who allegedly mandated
that the docket be handed over
immediately. The Brigadier further
stated that failure to comply with this
instruction will result in disciplinary
actions being taken against the

responsible parties. The
circumstances surrounding this
request, including its urgency, raised
suspicions.”

That paragraph is included in my affidavit as per the report received from the Witnesses A, B and C also included in their affidavit.

ADV HASSIM SC: And then paragraph 170 ...[intervenes].

CHAIRPERSON: Just before that, Ms Hassim, what do you
10 mean, General, when you say that Brigadier Nkhwashu attempted to retrieve Mr Katiso Molefe's docket?

GENERAL KHUMALO: This paragraph ...[intervenes].

CHAIRPERSON: My focus is on attempted to retrieve. Did he want that the docket should be given to him?

GENERAL KHUMALO: That is exactly what we mean. He was instructing that the docket, this docket be given to him and then it was an attempt because we did not approve. It did not happen.

CHAIRPERSON: Did you make any enquiries that the
20 Provincial Commissioner had indeed given the instruction that Brigadier Nkhwashu was referring to?

GENERAL KHUMALO: Commissioners, no, I did not. My approach in situations like this, if a very junior member that is reporting to me is giving me a request from another senior officer, my response would be tell him to call me. So

I said they must tell Brigadier Nkhwashu to tell the Provincial Commissioner to call me and it did not happen.

CHAIRPERSON: Thank you.

ADV HASSIM SC: I think that this is linked to paragraph 173 and maybe it is quicker if you read the paragraph 173.

GENERAL KHUMALO: To read it on record?

ADV HASSIM SC: Yes, please.

GENERAL KHUMALO: Paragraph 173:

10 “On the 22nd of April, Lt-Gen Sibiya
sent a communication to Lt-Gen
Senthumule stating that in compliance
with the instruction of the Minister of
Police issued on the 31st of December,
and subsequent directive on the
matter, you are advised that the
process should be finalised by
Thursday, the 24th of April. This
includes the transfer of all dockets
closed, currently under investigation,
20 and in court to the Division Detective
and Forensic Services. A final
feedback report on the finalisation of
this process including confirmation that
all Task Team members have reported
back to their stations of origin is

awaited on or before Friday, the 25th of
April 2025.”

ADV HASSIM SC: Now, this letter is attached as SDK32, but I would like you to just explain the timing of this letter. It is 22 April. It follows the request for this particular docket of Mr Molefe and the instruction is you have underlined all dockets. Did that emphasis of all dockets, is that your emphasis or was that General Sibiya's emphasis?

GENERAL KHUMALO: Thank you, Commissioners. It is
10 my emphasis. One is depending also on timeline analysis or chain of events. There was a time in my testimony where I referred to a period between February, March and April when the investigation was at an advanced stage for us to continue with the second phase of takedown on GCI Ops and we were in and out of NPA offices discussing, trying to get our way.

And then during this period, we see now the revived efforts that are talking to the dockets, more especially now the dockets of GCI Ops. We have delivered on the dockets
20 of PKTT, but still now the approach is direct that it is talking to the GCI Ops dockets. Hence our view that the closure or the disbandment of PKTT was a mistaken identity because the dockets are handed over.

Then soon after that, there is direct now attempts through Brigadier Nkhwashu. There is a letter now on the

22nd of April that now demands all the dockets, meaning others have been received but there are those that are still outstanding. That is what informs then our mistaken identity of the closure of PKTT.

ADV BALOYI SC: General, in that paragraph you say the letter of the 22nd was addressed to Lt-Gen Senthumule. But when you look at that letter, DSK32, it seems to be addressed to you as well. Is it a mistake in the paragraph or am I reading it wrong? So right at the top it says
10 Divisional Commissioner Crime Intelligence and then in the second line it says Detective and Forensic Services.

GENERAL KHUMALO: Yes, Commissioners, then I will apologise for that typing error. The letter was addressed to both of us.

ADV BALOYI SC: Okay.

ADV HASSIM SC: Okay. I think we understand that and what your explanation is and why the request for all dockets. And just to cut to the chase, is this because there were members of the PKTT in GCI Ops and hence the
20 confusion?

GENERAL KHUMALO: Yes, Commissioners. The process, as I explained during my testimony as to how the GCI Ops came about, it came about with the combination of Counter-Intelligence Investigation and Gauteng Organise Crime Investigation assisted by the PKTT. So out of all these

three environments that were involved in the GCI Ops, it is the PKTT that came out as a target to neutralise whatever that the GCI Ops was busy with.

CHAIRPERSON: General, how did you and General Senthumule respond to General Sibiya's letter of the 24th of April?

GENERAL KHUMALO: Thank you, Commissioner. My posture has never changed since the 7th of January. So one would say maybe that is why there will be an activity or
10 a response if the letter is not addressed to me. So I will take it that the writer would have realised that for something to happen on my directive or instruction, I must address it to Lt-Gen Senthumule. So with this attempt on the letter addressed to both of us, my posture remained the same. No response, no nothing, no activity from my side. So the same posture from the 7th of January up until today.

CHAIRPERSON: Just for the record, I must correct myself. I said the letter of the 24th. It was the letter of the 22nd of April. I think the 24th was the deadline.

20 **ADV HASSIM SC**: Thanks, Chair.

CHAIRPERSON: Yes, Ms Hassim?

ADV HASSIM SC: Thank you, Chair. So now we go to the section of the 121 dockets returned. Now this section from page 70 until page 72 is going to be the subject of evidence of another witness still to appear before the Commission. A

detailed presentation of the process of the return of the dockets, meaning the receipt of the dockets back with the PKTT. And that took place on the 27th and 28th of August, correct?

GENERAL KHUMALO: I confirm, Commissioners.

ADV HASSIM SC: I do not think it is going to assist us to go in detail through this section because we are going to get more detail in the near future, but do you confirm the contents of these paragraphs up until 184?

10 **GENERAL KHUMALO**: Thank you, Commissioners. I do confirm my involvement as on the previous part of my testimony, the handing over on those two dates. And then also now the return on the 27th and 28th, my involvement as a responsible person and accounting for the dockets. But the witness who was directly involved with the process itself will come and testify, but I confirm everything.

ADV HASSIM SC: Thanks. Can I just ask you two questions about the dockets only? One, there was the accusation that the dockets were gathering dust at Head
20 Office while they were there. But we do know that there was inspection of the dockets that took place and maybe other things. Do you believe that it was gathering dust, those dockets? What is your response to that? What is going on with the dockets for the period of time it was at Head Office between March and August 2025?

GENERAL KHUMALO: Thank you, Commissioners. In my view, sometimes the choice of words will determine the response. Maybe in this case the choice of gathering dust is the one that can give you the unexpected reaction. But from my point of view, I will say the usage of the words that since the dockets were handed over by myself to Lt-Gen Senthumule, there is no investigation activity that took place.

The only thing that happened was the inspection of
10 the docket as it is the line function of each and every commander who is having the dockets under his or her custody to inspect the docket, which is not part of the investigation. Because during the inspection, that is where you give instructions to the investigating officer to go and investigate in the form of doing A, B and C. But maybe the choice of words in the form of gathering dust might make one to also use the inspection as investigation, the inspection process as the investigation process.

ADV KHUMALO SC: Can I ask a yes or no question?
20 During this four-month period, did the investigating officers have access to the dockets?

GENERAL KHUMALO: They did not have access to the dockets.

ADV KHUMALO SC: Thank you.

ADV HASSIM SC: Thank you. And then my second

question is, okay, so the first is there was no investigation on the dockets. The second is there has been criticism that there are dockets amongst those 121 where there had been little movement for a long period of time. Can you explain that? Is that correct and do you have an explanation for that?

GENERAL KHUMALO: Thank you, Commissioners. That is very correct. Again it depends as to who is saying it. My yes is because I know the reason. The reason is in line
10 with the methodology employed by the Task Team, PKTT. One will see from the dockets that were inspected at head office during that time, there were lots of directives that were saying take this for inquest, take this for the decision for undetected.

So the methodology of being successful at a normal traditional investigation environment is to close as much dockets as possible, which is totally different from the Task Team. In the Task Team you will investigate the docket in phases, employing all the available investigative aids that
20 are there. When you have exhausted all of them, you put that docket away. You do not take it for inquest process. You put it away, and then you go back to the threat-and-risk assessment.

Because this docket is coming from a particular area. Then if there is a docket that is reported in that area,

you will use the investigation of that docket with the hope that it will give you something that will resuscitate this investigation. Hence then we call our filing of those dockets a fridge. Not a deep freezer. A fridge is something that you open now and again so as you do not forget. If there is a new case reported before you analyse it, you go through the case that you have investigated and you have not yet had a breakthrough. So that would be correct for someone to say the last activity on this docket was in 2023
10 December. Now it is 2025. That might be the reason.

ADV HASSIM SC: Okay. So just to summarise what you are saying. The approach of the PKTT, if you hit a dead-end on a docket, you have not been able to crack the case so to speak, you do not close the docket. You keep it in the fridge and you keep looking at it every time you have further information to see if you can make a breakthrough eventually. So you do not close it. You just keep it on ice for a while. Is that right?

GENERAL KHUMALO: That is correct, Commissioners.

20 **ADV HASSIM SC**: And you say that is different from the traditional method?

GENERAL KHUMALO: Yes. Yes, Commissioners.

ADV HASSIM SC: Okay. So those are my only questions on the dockets, General. As I said, we will be dealing with that in future in more detail. So the last section of your

statement starts on page 73, and it is what you describe as the retaliation against the PKTT. And in this section you explain what you understand to be retaliation through several cases that have been brought against members of the PKTT. Are you able to summarise what you wish to say in this section for the Commission?

GENERAL KHUMALO: Thank you, Commissioners. I will indeed summarise this by just pointing to the fact that after the realisation that PKTT was a mistaken identity in
10 blocking the GCI Ops investigations, then one realised that during December the first objective of the opposition, I will say so, was to deal with the project leader. Hence there were lots of activities that were talking to the arrest of the project leader. Evidence has been led and I have referred to quite a number of examples.

Even the team, PKTT, most of the cases, if not all, they were registered in December 2024, the busiest month. So the closure of PKTT that happened on the 31st of March, of December '24, according to our analysis was the second
20 attempt. The first attempt was to arrest and disrupt the activities that are continuing. Then came then the disbandment.

So, there are lots of cases that have been indicated as part of evidence. One of them is the case that the seven of us from the division Crime Intelligence are facing. To

relate this case with retaliation is when we deal with projects, there will be a National Executive Committee of Intelligence that is dealing with that project and no one else is allowed or is supposed to know and do anything about the project.

So the accused on this case that were arrested on the 26th of June is the whole National Executive Committee of GCI Ops. Now, fast forward to the condition that one has not seen much, maybe I must add much not at all, to say
10 you are on bail but you are not suspended, but do not go to work. One is associating that with the main purpose of – because going to work, it means you are going to continue working on the GCI Ops.

So you are not allowed to go to work, to do your work. You can do something else but not the work. So I will point only on that point when I try to summarise these cases, especially the one that I am not supposed even to talk that much on it because I have interest or I am part of it.

20 Then the other cases we have referred to during my testimony, the attempts, we saw from the WhatsApp chats the attempts to open cases through IPID. We saw another case of false information about the Rolex watch. So there has been lots of cases and the three cases that were opened around Orlando against the team and another one,

the kidnapping opened and registered as a victim by one of the targets from our side that we have been referring to, a ballistic expert.

So with all those, the common denominator of information is there is a coordinated effort of destabilising the GCI Ops by then opening these fake cases against the team management and members as part of retaliation.

ADV HASSIM SC: Thank you.

ADV KHUMALO SC: The one question I had, sorry, is
10 paragraph 190.4. What does that case in the Eastern Cape have to do with the PKTT or activities of the GCI Ops or Molefe and Matlala cases? So how is it linked to any attempt to disrupt what you were doing in relation to those cases?

GENERAL KHUMALO: Thank you, Commissioner. When we were requested or instructed to intervene in the University of Fort Hare, we sent the best of PKTT. So when we had to get the support from PKTT in the GCI Ops, we took the same best. So we rediverted the same best
20 from Eastern Cape to Gauteng. Now the activities that happened in the Eastern Cape would always then have something that can assist someone who wants to come up with false charges against the members of the PKTT/GCI Ops.

ADV KHUMALO SC: Sorry, let me understand this. You

are saying the secondment in November 2024 to Gauteng, you also took people from the Eastern Cape?

GENERAL KHUMALO: Yes, Commissioner.

CHAIRPERSON: General, let me take you to paragraph 186. That is the paragraph concerning the appointment of Brigadier Mokwele who used to work for BMW before her appointment. Am I correct that she was appointed directly from BMW to be a Brigadier in SAPS?

GENERAL KHUMALO: That is correct, Commissioner.

10 **CHAIRPERSON**: What were the advertised requirements for the position?

GENERAL KHUMALO: We were looking for the head of our Technical Support Services without detailing it that much so as we do not expose our Covid methodologies, but it is a person, firstly, who is qualified in mechatronics, a person who can combine both mechanical engineering and
20
electronical engineering to suit our Covid activities needs. So, those people are normally found in these environments like BMW or Ford because they are doing both electronic
and mechanical engineering, or qualified, and they have
experience.

CHAIRPERSON: Was she based at the manufacturing plant, not at a dealership?

GENERAL KHUMALO: I cannot be able to be quite sure in terms of the separation, but what I know is she was a

supervisor of technicians that are doing mechanical and electronic work in the manufacturing part of the car.

CHAIRPERSON: So, do you say that she met the advertised requirements?

GENERAL KHUMALO: According to us as the Panel that recommended her as candidate, number one, she did meet all the requirements.

CHAIRPERSON: Thank you, General.

ADV HASSIM SC: General, I had a question on this, which
10 is the appointment was made from someone outside of the SAPS into the SAPS and the appointee was given the status of a Brigadier, which is, as I understand it from the rankings, fairly senior. Can you explain how somebody from outside of the Police Service, with no experience in policing, would be brought into the service and given a fairly senior rank from the outset?

GENERAL KHUMALO: Yes. No, thank you, Commissioners. I will not be long on that. I will first refer to my response when the Commissioner asked us what we
20 were looking for. We were looking for a qualified mechatronics person. Not a police officer like me. My experience and qualifications were irrelevant to the post. So, we first advertised the post internally and then the process moved on until the Panel by then could not find a suitable candidate, which is a policy within SAPS. Then

that Panel recommended for the post to be advertised externally so as then we can get people that are qualified for the work for the person that you are looking for. That is then once the post is externally advertised, it is not only limited to Brigadiers and Generals. There are posts that are advertised on newspapers of a qualified reverend *Muruti*. Those people then, because we are not *Murutis*, we are police officers. Then a *Muruti* who is qualified and registered with a particular *Muruti* organisation, then will
10 apply and qualify, come in and be given that rank that was advertised.

So, in the police it is not something that does not happen. We have a lot of senior officers that came in from the level of a Brigadier. Some came in from a level of a Maj-Gen. Or maybe let me make one example, the living example. The current Divisional Commissioner at the level of a Lt-Gen who is a Lt-Gen is from the National Treasury Department, two years ago was appointed by SAPS as a Divisional Commissioner, who is a Lt-Gen. It is another
20 fresh example that we can see because SAPS was looking for particular qualifications and experience that SAPS could not find within SAPS.

CHAIRPERSON: So the Lt-Gen you are referring to had no policing background whatsoever?

GENERAL KHUMALO: Not at all. He was, I think after two

years of being employed, he was then sent to a basic police training, which is normally not like a full period because you are called a lateral entry level and you are a senior officer. So you will just go there and get the basics so you are able to know how to salute.

ADV HASSIM SC: So this post was advertised at the level of a Brigadier?

GENERAL KHUMALO: Of a Brigadier, yes.

ADV BALOYI SC: General, just one question about the
10 bail issue. Your bail condition is that you may not go to the office. Do your bail conditions prohibit you from speaking to members of the Intelligence Division of Crime Intelligence?

GENERAL KHUMALO: I was hoping that so many ...[intervenes].

ADV BALOYI SC: I am not asking you to explain in full. I am not asking you to give an explanation. I just want to know whether your bail conditions include that you may not speak to employees.

20 **GENERAL KHUMALO:** No, it does not, Commissioners. Talk to speaking.

ADV BALOYI SC: Yes.

GENERAL KHUMALO: The only condition is we must not go to our offices to do our Crime Intelligence work.

ADV BALOYI SC: Yes.

GENERAL KHUMALO: I can do whatever other work as long as it is not Crime Intelligence.

ADV BALOYI SC: All right, thank you.

ADV HASSIM SC: Thank you, Commissioner. Okay. General, please, can I take you to page 77?

GENERAL KHUMALO: Please. Yes, yes.

ADV HASSIM SC: And I think that the – let me do this now. Okay. Sorry, Commissioners. You will recall yesterday there was a request for CJC32.1 which is proof of ownership of a particular vehicle. May I please hand it up for the record? Thank you, Chair. All right. So page 77, this is what I propose should happen now. I think you should read, this is your conclusion, can I ask you to read into the record paragraphs 192 to 194, which is your conclusion?

GENERAL KHUMALO: Thank you, Commissioners. In conclusion, from one paragraph 192, reading it on record:

20 “It is clear that up until the operations conducted on the 6th of December, neither Minister Mchunu, nor Lt-Gen Sibiya expressed any concern on issues with the functioning and existence of PKTT. There was no indication of dissatisfaction or objection regarding the Team's

activities or mandate. However, following these events of the 6th of December, there has been a marked and coordinated effort to dismantle PKTT, seemingly without any consideration of the ongoing investigations, active court proceedings, or adherence to established legal requirements. This abrupt change instance suggests that actions taken by the PKTT during the 6th of December operations triggered a targeted campaign to undermine and ultimately disband the Team regardless of the broader implications for justice and the due process.”

CHAIRPERSON: General, before 31 December 2024, were you aware of any attempts to disband the PKTT?

GENERAL KHUMALO: I was never aware of any attempt or any complaint, Commissioner.

CHAIRPERSON: Now, I want you to explain the connection that you make between the final disbandment and the events of the 6th of December 2024. You say:

“Following the events of the 6th of December 2024, there has been a

marked and coordinated effort to
dismantle the PKTT.”

That, to me, suggests that from that date onwards up to the date of the actual disbandment, there was a lot happening leading towards or suggesting that there would be a disbandment. Can you please explain that?

GENERAL KHUMALO: Thank you, Commissioner. I had prepared it in a timeline analysis format showing the dates so as when I narrate, it talks to the question by the
10 Commissioner. The 6th of December came up with three issues that are still making headlines.

It was the execution of the warrant of arrest against Katiso Molefe, of which we have done it more than one time now within this short period. And secondly, the search and questioning of Matlala. And the other point that we did not discuss that much during my testimony is the issue of the 360 000 tender, which was there all along, but it only came out of wherever it was because of the operation of the 6th.

One will take it because it was a tender, not a
20 criminal activity. It was known somewhere, but it was not talked about. Then the operation on the 6th gave that opportunity for the tender issue also to come in the open to the public. It came through the court submissions by Matlala on the 17th of December.

And then, because we have active media, then the

media took it up until the Minister called the meeting on the 24th of December for that reason to say, hey, what is happening with this tender that is now all over the show, and it is also associated with the Tembisa Hospital fraud and corruption investigations? So that was also brought in by the 6th of December.

So from where we are sitting now, looking at all the evidence that we have led, starting from the 6th of December, making an example on both operations, I said
10 yesterday the Minister's name is dropped because indeed by that time we looked at it as name dropping on the 6th of December. Now, the activities from the 6th of December going in and out of court, cases open, sometimes against us, sometimes there is an attempt using IPID and they refuse, and then in the Eastern Cape there are dockets open, so we looked at December as the month of attack of anything that has got to do with PKTT.

Maybe one can say this, the GCI Ops was unknown, and the Gauteng Organised Crime Investigation was just a
20 normal thing that they would deal with. So the appearance of the Political Killing Task Team in the picture from the 6th makes us to be of the strong view that if the PKTT did not feature in the happenings or the events, rolling them from the 6th of December, we were not going to see a lot of activities targeting PKTT, either in the form of cases or

attempted false cases against anyone who has got to do with the PKTT. That is what makes us draw that inference.

CHAIRPERSON: Thank you, General.

ADV HASSIM SC: Okay, so can you – 193, can you take it from 193?

GENERAL KHUMALO:

“Alongside the attack on the PKTT, its members have also been targeted with criminal cases.”

10 Something that I have explained right now:

“Although these cases may eventually be dismissed, but in the present moment they serve to distract the team members and they affect their reputation in the eyes of the public.”

I have made an example even of us as the NEC of the GCI Ops, how difficult is it to continue with our oversight function of such a delicate project.

CHAIRPERSON: You left out intimidate, in the present
20 moment they serve to distract, intimidate.

GENERAL KHUMALO: Intimidate the team members and their reputation in the eyes of the public. Thank you, Chair:

“The cumulative effect of these actions has been to create an atmosphere of uncertainty and apprehension, making

it increasingly difficult for the PKTT members to carry out their duties effectively. Such tactics not only undermine the morale, but also it erodes public trust in the integrity and the purpose of the team.”

Last paragraph, 194:

10 “I, Samuel Dumisani Khumalo, hope this statement goes a long way in assisting the Commission with the facts related to the disbandment of PKTT and provides a clear factual account of the events and motivations behind the Team's disbandment. My intention is to ensure that the Commission is fully informed of the circumstances so that the truth may prevail and that the critical work of the PKTT is properly understood and considered.”

20 **ADV HASSIM SC**: Thank you, General. That brings us to the end of your evidence. I have a qualifier to that because it brings us to the end of your evidence for today. But I expect and I hope you agree, General, that you will return for further questioning at a later stage before the Commission as there will be other questions to pose to you,

particularly as other witnesses appear before the Commission.

GENERAL KHUMALO: I will always be available, Commissioners.

ADV HASSIM SC: Thank you.

CHAIRPERSON: General, thank you very much for enduring, sitting there and testifying longer than all the other witnesses before you. Thank you very much.

NO FURTHER QUESTIONS

10 **CHAIRPERSON**: Ms Hassim, tomorrow 09:30?

ADV HASSIM SC: Tomorrow 09:30, yes.

CHAIRPERSON: Thank you.

ADV HASSIM SC: Thank you.

CHAIRPERSON: Let us adjourn and resume at 09:30 tomorrow.

INQUIRY ADJOURNS TO 6 NOVEMBER 2025
