

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

**HELD AT**

**BRIGITTE MABANDLA JUSTICE COLLEGE**

**28 JANUARY 2026**

**DAY 48**



**PROCEEDINGS ON 28 JANUARY 2026**

**CHAIRPERSON:** Yes, I whispered with my mic on quite early on when we started sitting. We were told that people heard us what we were whispering about. I will be careful.

**ADV HASSIM SC:** I did not hear anything, Chair. Chair, yesterday there was a provisional ruling made by the Commission in relation to the disclosure of names in the Annexure S4 to the witness's statement, the WhatsApp. I would like to make further submissions on that to the Court,  
10 to the Commission, and perhaps if the Commission could indicate whether they will be making a final ruling or not regarding the disclosure of the names and whether myself or Ms Mafisa will be heard on that.

**CHAIRPERSON:** I think it is only one name now because ...[intervenes].

**ADV HASSIM SC:** Yes.

**CHAIRPERSON:** In respect of the other name, it was mentioned. So that horse has bolted.

**ADV HASSIM SC:** Yes.

20 **CHAIRPERSON:** Ja, thank you.

**ADV HASSIM SC:** Yes.

**CHAIRPERSON:** Yes, yes.

**ADV HASSIM SC:** Chair, I think it was appropriate yesterday to proceed in the manner that we did, as I said yesterday, out of an abundance of caution. But on

reflection, it seems to me that there is no good reason not to disclose the second name that is mentioned in that chat, in that WhatsApp, and I say so for a few reasons. The first is that that WhatsApp communication was shared by the witness to the Commission unredacted. So the names are known to the Commission. The second is, yesterday the legal representatives for the witness explained that ...[intervenes].

**CHAIRPERSON:** But just on that, unless there is  
10 something I do not know, I do not think we as a Commission would pose any danger to the General. So this being shared with us, I do not think that addresses the issue that was raised by Ms Mafisa.

**ADV HASSIM SC:** Well, I am getting to that, Chair, because I do not think that is an issue either.

**CHAIRPERSON:** Yes.

**ADV HASSIM SC:** So it was shared unredacted.

**CHAIRPERSON:** Yes.

**ADV HASSIM SC:** There was no communication to the  
20 Commission, we are providing this to you, but that this is not to be made known in any way.

**CHAIRPERSON:** Yes.

**ADV HASSIM SC:** And for, and the reasons why it should not be made known. What we were informed yesterday was that there is indeed a link between General Sibiya and Mr

X, and that the witness has evidence of this, and there was an undertaking to, you know, provide that evidence.

**CHAIRPERSON:** Because we have a Witness X, maybe let us use some other letter instead of Mr X in respect of this.

**ADV HASSIM SC:** Mr X – well ...[incomplete].

**CHAIRPERSON:** Ja, let us use the Mr So-and-So that the General used yesterday.

**ADV HASSIM SC:** Mr Such-and-Somebody, Mr So-and-So, Mr S, whatever we call him, that was put on record  
10 yesterday, right, that there is a link between General Sibiya and Mr So-and-So and that that evidence would be made available to the Commission. And that is important, because that fact goes to the core of what this Commission is here to investigate. So it is critical to the purpose of this Commission that we not only have that information, but that where we engage with it, we engage with it openly unless there is good reason not to engage with it openly.

The reason that there is a risk to the witness does not bear up because from the face of the text itself, the  
20 WhatsApp, there is no threat to the witness that is posed. The witness, in fact, himself explained yesterday that he does not recall that part of the meeting and that part of the discussions that took place on the 15 April because he was in the kitchen. So the risk, in fact, and you can see that also from the text ...[intervenes].

**CHAIRPERSON:** So it is basically not the witness's information.

**ADV HASSIM SC:** It is not the witness's disclosure or informing on anyone.

**CHAIRPERSON:** It is a text by someone else mentioning these names, so it does not come from the General.

**ADV HASSIM SC:** Does not come from the witness. The risk, if there is any risk, I say if there is, because we do not really know the details, we have not been provided with the  
10 nature of the risk, the risk, if there are, if there is any, is to Mr Matlala, not to the witness.

So the final thing then I would say is that Lieutenant General Mkhwanazi will be requested to return to the Commission and to address the contents of this WhatsApp. And when he does so, he will disclose the name. So in any event, it will become known who Mr So-and-So is.

So my submissions to you, Chair, are that there is nothing on the face of this chat that indicates a risk to the  
20 witness and there is no good reason not to disclose it and that so far what information we have been provided about that there is a link between the General Sibiyi and this Mr So-and-So is actually quite important and we need to hear more fully and openly about it as undertaken by the legal representatives yesterday.

So I would urge the Commissioners to rule the final ruling to be to disclose the name of Mr So-and-So. Thank you.

**CHAIRPERSON:** Thank you, Ms Hassim. Yes, Ms Mafisa?

**MS MAFISA:** Morning, Commissioners.

**CHAIRPERSON:** Good morning. Good morning, Mafisa.

**MS MAFISA:** Commissioners, I think I have been placed in a little bit of a tight spot, if I may say so, because I do not  
10 think this is a matter that can be resolved by rational deduction. I really do not think so. We stated our reasons yesterday that there is a safety issue, and if the Commission wishes to make a final ruling on that, then that is okay, then we will we will be bound to that ruling.

But matters such as this, I do not think can merely be resolved by even argument. We do have reasonable belief that there is a security risk. So I think it is only fair that we, we led arguments yesterday to try and protect Major General Senona. As much as my learner senior has  
20 stated that Major General Senona's life is in no way at risk, we believe that his life is at risk if he shares this particular name. And unfortunately, I cannot take it any further, especially on camera, to say that, I cannot take it any further than to say that there is some sort of risk if he were to mention this particular name. Regarding us submitting

this ...[intervenes].

**CHAIRPERSON**: Is there anything additional to what you submitted yesterday?

**MS MAFISA**: Chairperson, I actually just had a chat now with my attorney and I said, if need be, we can also supplement the statement. We have no issue with sitting with the client and also supplementing our statement. We do not want to seem as if we are not trying to assist the Commission.

10 **CHAIRPERSON**: What statement are you referring to?

**MS MAFISA**: Major General Senona's statement.

**CHAIRPERSON**: The statement on which his testimony is based?

**MS MAFISA**: Correct.

**CHAIRPERSON**: What is the relevance of that to the issue about the disclosure of the name? So that is why I was confused when you referred to a statement.

**MS MAFISA**: Yes, we are just saying that our reasoning can be better elucidated within the statement and then the  
20 Commissioners can read the reasoning without us having to divulge certain information in front of the cameras because of that particular security risk. So we do not mind doing that because we do want to assist the Commission. The reason why we submitted the screenshots unredacted was for that main reason, we want to assist the Commission. So

we are not trying to hide anything. Our issue here is that it is a security risk. That is the only issue. But I cannot take it any further than to state that, Chairperson.

**CHAIRPERSON:** We have heard submissions from both sides and this is a matter of serious concern because issues are being raised around the safety or security concerns with regard to General Senona. That is not a matter we can ever take lightly, and indeed, where it is warranted, it is best to err on the side of caution. But we  
10 need to look at what we have before us here.

And what we have before us is a WhatsApp text from General Mkhwanazi. This witness, that is General Senona, is therefore not the author. So what he is doing is merely to read that text that comes from General Mkhwanazi and what is said in that is thus not being said by him. It is something that is being said by General Mkhwanazi. It is information which is 100 percent from General Mkhwanazi.

Therefore, we do not share the concerns as much as issues of the risk or the security of the witnesses before  
20 us is a matter that we are quite concerned about in this instance. We take the view that the General must disclose the name, must read the name as part of the whole text. That is our ruling.

**ADV HASSIM SC:** Thank you, Chair. Chair ...[intervenes].

**CHAIRPERSON:** Just before that. Good morning, General.

**MAJ-GEN SENONA:** Good morning, Commissioners.

**CHAIRPERSON:** Thank you.

**ADV HASSIM SC:** Chair, if the witness is to do that now, I think he needs access to the device from his legal representative.

**CHAIRPERSON:** Mr Baloyi, if you could assist again, please. Ms Hassim, you will direct us where exactly you want the witness to read, or do you want him to again read from the beginning to the end? I do realize that if the  
10 witness start somewhere in the middle, perhaps what he reads may be out of context.

**ADV HASSIM SC:** May be out of context. It is also difficult to, from our records, to see exactly where.

**CHAIRPERSON:** Ja.

**ADV HASSIM SC:** And it probably makes sense to just read it once more into the record from start to finish, and then we will have one proper record with the entire unredacted ...[intervenes].

**CHAIRPERSON:** That is in order. That is in order. Thank  
20 you.

**ADV HASSIM SC:** General, good morning.

**MAJ-GEN SENONA:** Morning, Advocate.

**ADV HASSIM SC:** Could you read the WhatsApp exchange that was sent to you, the message, and can you read it from the beginning to the end?

**MAJ-GEN SENONA:** Thank you, Commissioners. Good morning once more.

10 “Hi, General, I trust you are well. You made arrangements that I meet this guy, Cat, because he is your friend and brother and he needed my help to speak to Lieutenant General Nkhua to place orders on his contract. He volunteered an information about a house address in Sandton, where Sibiya collects money using the state vehicle and that he paid two million towards Sibiya's purchase of his plot. He also told me about Sibiya's townhouse. The fact that he is the one who introduced our meeting to the Ad Hoc committee and lied under oath, he invited me to make public the information that he gave me, which will

20 put his life at risk. I am still going to that committee and I hope he does not mind me exposing him to both Sibiya and Steve Motsumi. I hope he will not blame me for risking his life because I have to tell the truth about our

meeting. If he thinks he can fool the committee, it is okay, but I will not say much, but to simply play a recording of our meeting verbatim because I have the record. What is worse is that after you told me about the discussion between you and him regarding Nengi, I ask you about your relationship with him. I still do not know how the two of you met to discuss about Nangike. Besides the voice recording, cellular phone triangulation and my vehicle tracker, including access footage, will confirm the date and time of our meeting and for his own sake, I hope that those timelines are in line with what he said before the committee in relation to his arrest. This is the man who says he met you seven years ago, which is contradicting what you told me, that you grew up together. I guess this will becomes clear as the investigation continues.”

Thank you, Commissioners.

**CHAIRPERSON:** Thank you, General.

**ADV HASSIM SC**: Thank you, General.

**CHAIRPERSON**: Yesterday, we were at a point where the video clip was being discussed or there were engagements around it and amongst other things, there was the question about whether there is or there is not a SAPS logo. And I had engaged the General about the logo based on what you had said about the logo, but perhaps more importantly, there is the question of the request by Ms Mafisa for them to have access to the video clip, which am I correct that you  
10 now have that, Ms Mafisa?

**MS MAFISA**: We received it, Chairperson. Thank you to the evidence leader. We did.

**CHAIRPERSON**: And you applied your minds to it?

**MS MAFISA**: Yes, we have.

**CHAIRPERSON**: May the engagement with the General on it continue then?

**MS MAFISA**: Please.

**CHAIRPERSON**: Yes.

**MS MAFISA**: Thank you.

20 **CHAIRPERSON**: Ms Hassim, I do not know whether that is where you want to start or whether you want to start elsewhere.

**ADV HASSIM SC**: Thank you, Chair. I am not going to start there. I am going to start elsewhere. We may circle back to that later on in the day, but I would like to begin at

the beginning again. And what that beginning is for me is the nature of the relationship between you, Major General, and Mr Matlala that you were giving evidence about yesterday.

So what we heard from you yesterday was that you met around 2018, 2019. You became close. He was like a brother to you. that you met regularly and that you frequently conversed about current affairs and that you shared news and media clips with each other in the course  
10 of your discussions about things that are in the media and current affairs. Have I summarized that correctly?

**MAJ-GEN SENONA:** In some, but I want to correct that, Commissioners, we converse about issues in general and media clips that were garnering our attention, my attention, and the attention of the community that was in the public domain. I just wanted to correct that. We do not sit and discuss each and every media clip, but it will be media clips that are of concern. It is either from his side or from my side, but not necessarily that always we sit and discuss  
20 media clips, but we discuss issues that also related to the family, our families as well.

**ADV HASSIM SC:** But you did say that you discussed current affairs, correct, and that you frequently discussed current affairs?

**MAJ-GEN SENONA:** Current affairs, it also include, it is

not limited to media clips, but it is also includes our personal issues, Commissioners.

**ADV HASSIM SC**: Okay. It includes that, but it does not exclude what the normal understanding of current affairs is, which is the news, what is occupying the nation, what is occupying public opinion, correct?

**MAJ-GEN SENONA**: I believe I have given you my answer, Commissioners.

**ADV HASSIM SC**: Well, you can just say yes or no.

10 **CHAIRPERSON**: General, General, your voice seems to have gone down today. I do hear you, but you are not as loud ...[intervenes].

**MAJ-GEN SENONA**: Must I raise it?

**CHAIRPERSON**: Just ...[intervenes].

**MAJ-GEN SENONA**: Apologies.

**CHAIRPERSON**: Or perhaps pull the mics closer. I do not know, but something has happened to your voice today.

**MAJ-GEN SENONA**: Oh. Thank you, Commissioners. Apologies for that. I have indicated that I have provided my  
20 response to that question and I believe that is the view of the Advocate, but I have provided my response, Commissioners. Thank you.

**ADV HASSIM SC**: I think I understand that to be a yes to my answer, so we do not need to dwell on it further. You also said yesterday that you had no knowledge that Mr

Matlala is a criminal and of his alleged criminal activities.

**MAJ-GEN SENONA:** That is correct, Commissioners.

**ADV HASSIM SC:** Okay. So I would like to take you to some of what was occupying the nation for some time and for this purpose, could you please turn to the file with the media clips. And I am not sure how it is marked on your file, and if you need assistance, we can assist. So, on this topic of what, you know, occupies the news and public opinion, do you know the name Babita Deokaran?

10 **MAJ-GEN SENONA:** Yes, I know the name Babita Deokaran.

**ADV HASSIM SC:** And so you would be aware then of her assassination for exposing links between criminal syndicates and Government officials related to corrupt, particularly the corrupt contract with Tembisa Hospital.

**MAJ-GEN SENONA:** I can recall that, Commissioners.

**ADV HASSIM SC:** You recall that?

**MAJ-GEN SENONA:** I can recall that.

20 **ADV HASSIM SC:** And you would have read about this in the media.

**MAJ-GEN SENONA:** Not necessarily read, but I can recall that, Commissioners.

**ADV HASSIM SC:** Okay. But you say you did not know that Mr Matlala was implicated in this scandal.

**MAJ-GEN SENONA:** Which scandal, Commissioners?

**ADV HASSIM SC:** The scandal that I just referred to, the one that many investigative journalists were reporting on.

**MAJ-GEN SENONA:** There is a number of 1, 2, up to 12 of newspaper clips, Commissioners.

**ADV HASSIM SC:** I am talking about the Babita Deokaran exposure of the criminal syndicates.

**MAJ-GEN SENONA:** In this bundle, where is it referenced so that they can respond properly?

**ADV HASSIM SC:** No, I will go to the bundle. I am asking  
10 you a question about whether you were aware that Mr Matlala was implicated in the Tembisa hospital scandal.

**MAJ-GEN SENONA:** I was not aware, Commissioners.

**ADV HASSIM SC:** So let us then go to the media clips. And so the first, you will see there are a number of articles that I included in this bundle. They are just a selection of what is available if you were to Google. But the first article, if you could please turn to that, it is page 1, and it is dated 13 February 2023. Do you see that?

**MAJ-GEN SENONA:** I see that, Commissioners.

20 **ADV HASSIM SC:** And it is a long article, but the first bold paragraph reads as follows:

“A central figure in the Tembisa hospital procurement scandal, security boss Vusimusi Matlala, is now under investigation for the illegal use of blue

lights and sirens.”

This was reported in February 2023. Did you not have any knowledge of this at the time?

**MAJ-GEN SENONA**: At the time, I have just got knowledge of this when you gave me this file yesterday.

**ADV HASSIM SC**: You were not aware of any of the allegations against Mr Matlala that were being reported on in the media since at least 2023?

**MAJ-GEN SENONA**: As I have testified yesterday,  
10 Commissioners, I was not aware of this.

**ADV HASSIM SC**: You were not aware of this, okay. So you ...[intervenes].

**CHAIRPERSON**: Sorry, sorry, Ms Hassim.

**ADV HASSIM SC**: Yes.

**CHAIRPERSON**: We have just been alerted by the Commission spokesperson that there is indeed an issue with the sound and that some journalists have indicated. So, General, I do not know ...[incomplete].

**ADV HASSIM SC**: Sorry, is it with my sound or  
20 ...[intervenes].

**CHAIRPERSON**: Maybe closer to the mic. Ja, please, ja. This one as well. Ja.

**MAJ-GEN SENONA**: Am I audible now, Commissioners?

**ADV KHUMALO SC**: General, maybe the other issue is when you are responding, it seems like you are responding

to Advocate Hassim, who is close to you, and you are only focusing on her. So pretend that you are responding to the Commission and try to raise your voice. If we can hear you, then you must assume that even the audio-visual equipment is capturing you correctly.

**MAJ-GEN SENONA**: Noted, Commissioner.

**ADV KHUMALO SC**: So do not just have a conversation with Advocate Hassim, but have a conversation with the rest of us. That way, it is captured correctly and for  
10 transcription purposes, we will not have issues in the future.

**MAJ-GEN SENONA**: I have noted that Commissioner.

**ADV KHUMALO SC**: Thank you so much.

**MAJ-GEN SENONA**: It is just that when I look at her, I just want to capture properly what is the Advocate telling me. But if I look the other side, I might miss some things, but I will try to comply with your directive, Commissioners.

**ADV KHUMALO SC**: Thank you.

**CHAIRPERSON**: When listening, there is no issue at all.  
20 But I guess when you are speaking, once you do that, then you are no longer aligned with the microphones. I think that is the issue.

**MAJ-GEN SENONA**: I will comply, Commissioners.

**CHAIRPERSON**: Thank you. Thank you.

**ADV HASSIM SC**: Thank you, Chair. General, so just to

return to the article, the article implicates Mr Matlala in the use of blue lights, as I have just read out. The article also reads:

10                   “Tembisa Hospital tender tycoon, Vusimusi Matlala, whose companies scored nearly R5 million in contracts, red-flagged by Babita Diokaran, is now under investigation for his illegal blue-light cavalcade used for airport trips and school runs.”

The article continues to say that Mr Matlala has close ties to a Mr Mamela. It also says that Mr Mamela is tied to Matlala through his once shared interest in the private security outfit called CAT VIP Protection. Those are the sort of headlines of the article. I am not going to go through the rest of it. But as you can see, it is quite a detailed report. Do you see that?

**MAJ-GEN SENONA:** I see that, Commissioners.

20                   **ADV HASSIM SC:** So, the next article is dated 19 October 2023 and this one is an article in the Sowetan. And if you look at page 9 of the bundle, again this media outlet refers to, to page 9, the last paragraph. Do you see that? It discusses social media posts by a person alleged to be a partner to Vusimusi Matlala, and it reads that this person would inadvertently expose a questionable relationship

between Matlala, a businessman implicated in the Tembisa Hospital corruption scandal, and it goes on. It is cut off. But it basically is saying that Mr Matlala is implicated in that Tembisa Hospital corruption scandal. You were not aware of this report, reporting at the time?

**MAJ-GEN SENONA**: Correct, Commissioners.

**ADV HASSIM SC**: So the third media article is dated 20 December 2024 and it is page 16. Do you see it?

**MAJ-GEN SENONA**: Page 16?

10 **ADV HASSIM SC**: Yes.

**MAJ-GEN SENONA**: Yes.

**ADV HASSIM SC**: And again, this is an in-depth piece of investigative journalism, so I am just going to read the summary that is included in the news report and that is on page 16. And it says:

20 “Security boss and Tembisa Hospital Tenderpreneur Vusimusi Matlala had his home and office raided by police this week. Matlala and his companies were red-flagged by Babita Diokoran before her murder, and the investigation she started has now morphed into a special investigating unit probe and a Hawks investigation. While Matlala is in the crosshairs on

one front, another of his companies  
landed a R360 million health services  
tender from the police.”

Do you see that?

**MAJ-GEN SENONA**: Yes, Commissioners.

**ADV HASSIM SC**: You were not aware of this at the time?

**MAJ-GEN SENONA**: I never read this article.

**ADV HASSIM SC**: You were not aware of any of these kind  
of allegations? Were you aware of the raid on Mr Matlala's  
10 home and office?

**MAJ-GEN SENONA**: The office raid I was aware, as I have  
testified yesterday, that he told me the police came to his  
place to do the firearm inspection compliance and then they  
were looking at his firearms. And then I said, that is the  
normal duties of the TFO. If they do that, there is nothing  
wrong. I do not see anything wrong in the police. That  
one, he told me, I was aware of that one. But I never saw  
the newspaper clip.

**ADV HASSIM SC**: He did not share any of this, these news  
20 pieces with you at the time?

**MAJ-GEN SENONA**: The news of?

**ADV HASSIM SC**: These news articles that were  
circulating, he did not share it with you?

**MAJ-GEN SENONA**: As, Commissioners, as it was, his  
phone was obtained by the police and downloaded and with

these softwares and so forth, if he shared these newspaper articles with me, it would have been also displayed in the bundle that the Commission has given us. And then also, if I have shared with him, I came across any of these articles, it would have been found there that there is this communication between Mr Matlala and General Senona in relation to these newspaper articles.

It must be noted, Commissioners, that amongst other things that I do as a police officer, I do not patrol  
10 media space to look for things. Whatever happened to ...[indistinct] I will read and deal with it. I normally do not patrol media things and look for things. Sometimes if a person sends you something, it will, you will look at it and then it will ignite you to have a concern.

But sometimes you pick it up while you are doing your job and then it will ignite you and then you will be able to deal with it if you want to. It is not always a question of that. But these articles, Commissioners, I read them. They gave me the file yesterday after we have adjourned. I went  
20 through them, I checked my WhatsApp that was given to me. I have never come across this, or no, Mr Matlala has sent it to me or any other person.

And then I am saying, should it have happened that I come across this type of messages, I think I would have implored what I did with the newspaper article of the 5 of

March to start to call him and question him about these things, and that would have increased my worry into the suspicions of his criminal activities, Commissioners. I think that is my response that I can give, my response that I can give before the Commission. Other than that, I have no other better explanation to provide before the Commission.

**ADV HASSIM SC:** You see, General, that does not answer the question, because what you are saying is you did not know because he did not send you the articles, because and  
10 in fact, you do not even say he did that. You say, if you look at the phone, it is not there. There are many ways in which he communicated with you and my question was whether he shared this with you in any form. You did not answer that question.

You say, well, look at what we have, and if it is not in what we have, then he did not do it. That is evading the question. Now, there is a second part to this, which is, that even if Mr Matlala did not share it with you, as you said you discussed current affairs, this was an issue that was  
20 gripping the country. It was a shocking scandal, and Mr Matlala was notorious at this time. He was being reported on repeatedly in the media. So you did not need Mr Matlala to share this with you if you were just watching average news, do you not think?

**MAJ-GEN SENONA:** Commissioners, I believe I have

responded to this question. It is coming again in a different way. I never came across these newspaper articles and I have indicated if these newspaper articles came across me, I would have dealt with it as I dealt with that one of the 5<sup>th</sup> of March. That is my response.

**CHAIRPERSON:** Besides ...[intervenes].

**MAJ-GEN SENONA:** And besides ...[intervenes].

**CHAIRPERSON:** Yes.

**MAJ-GEN SENONA:** Okay.

10 **CHAIRPERSON:** I was saying, I think the question goes beyond just newspapers. I heard Advocate Hassim to refer to even ordinary news, not necessarily newspapers or not newspapers only. So is your answer that you never got to know about this from any news source whatsoever?

**MAJ-GEN SENONA:** I am saying yes, Commissioners, because the only thing that I happened to catch me it was the name of the late Mrs Babita. But deeper to that as when the Advocate started with these newspaper clips when she asked me, but ordinarily, if I would have come across  
20 this and then I read these names, definitely I would have dealt with it the way I dealt with the other one. And then that is my submission to you, Commissioners.

**CHAIRPERSON:** So you never got to hear about alleged culprits in respect of the contracts that were being discussed in this context?

**MAJ-GEN SENONA:** The conference?

**CHAIRPERSON:** Culprits.

**MAJ-GEN SENONA:** Culprits.

**CHAIRPERSON:** Alleged culprits.

**MAJ-GEN SENONA:** Commissioners, all I know that this, the murder of Ms Babita Deokaran was investigated by Johannesburg Serious Organized Crime. I saw the arrest. because I know some of the investigators. But in depth of this thing, I never happened to make any follow-up or look  
10 into these type of things. As I indicated, I am not patrolling normally, but you will not find me patrolling too much on the media space looking for newspaper articles.

But if it came to my attention, Commissioners, I can definitely say I would have dealt with it in terms of what I did with the newspaper clip of the 5<sup>th</sup> of March, and it would have increased my weary suspicions with regard to our relationship.

**ADV BALOYI SC:** General, when you say the name of Babita Deokaran caught your attention, what exactly about  
20 it caught your attention?

**MAJ-GEN SENONA:** It is that she was killed for exposing corruption. It is the murder that a whistleblower was killed and then they put the name Babita Deokaran.

**ADV BALOYI SC:** And where did you get that information?

**MAJ-GEN SENONA:** I cannot recollect 100% because this

is something that came here now, but I do not want to give an opinion that I cannot substantiate, but that one I did know. There was no, I think if I am right, it might be on radio on my way to work or what, but I do not want to assume, Commissioners. I cannot, I do not have a good recollection. This is something new that was brought by the Advocate to me, but if I cannot recollect, I do not want to come and make opinions, but I have already indicated, Commissioner, that should I have found this thing, and then  
10 I would have dealt with it in terms of that.

**ADV BALOYI SC:** All right, forget for now, for purposes of my discussion with you or my engagement with you, forget that you got the file this morning, because I am not speaking to this. I do not monitor the media, but I know that I heard this in the news, like every South African watching TV. It was national news. I think that we can take as a common fact, that it was in the news, it made national news and that is the only way I became aware of this story.

You became aware of this story, you say, you think  
20 on radio. Now, my question really is, what about it on radio did you hear? You did not just hear the name she was killed, because it was a big story. There was a fuller story to it and I would like to understand what it is you say you heard, whether on radio, whether on TV, but when you heard about this name and that she has been killed. What

else about it did you hear?

**MAJ-GEN SENONA**: A whistleblower, Commissioner has been killed for exposing corruption.

**ADV BALOYI SC**: And that story would have said, what corruption and where, right?

**MAJ-GEN SENONA**: I do not have a recollection of that.

**ADV BALOYI SC**: You must, General. I am going to press you on this. You must. I think you are being selective in what you want to say you remember, which is it was just  
10 that she was killed. There was always a complete story about this, explaining what it is alleged she had done, blew the whistle on, and who was implicated in that.

And it is difficult to accept that you heard about this killing, but you did not hear what it is that she is supposed to have blown the whistle on and who are the people that are implicated. It is difficult to accept that you did not know, you did not hear that information.

**MAJ-GEN SENONA**: Commissioners, I say a whistleblower has been murdered for exposing corruption in Tembisa  
20 Hospital.

**ADV BALOYI SC**: Yes, so you knew it was corruption, it related to corruption at Tembisa Hospital.

**MAJ-GEN SENONA**: Yes, Commissioners.

**ADV BALOYI SC**: And you say what you did not hear is that that corruption implicated, or the allegations implicated

Mr Matlala's company. That is the part that you say you did not hear.

**MAJ-GEN SENONA:** No, when you read today, Commissioners, when this was read, when I read it, it is not Matlala alone that was implicated here when I read these articles today.

**ADV BALOYI SC:** Yes.

**MAJ-GEN SENONA:** Ja, so I realise if Matlala is part of this, there is other people and companies that are  
10 mentioned, but prior I was not privy to know that which companies, but what was said on the radio is, if I remember very well, travelling to work, was a whistleblower who was murdered for exposing corruption at Tembisa Hospital.

And then in the radio, I think they were talking about a lot of topics and other things, but this one came out because, Commissioners, if I am, if I was to be selective, I do not have to be selective, because I will admit to things that I heard about. But allow me not to admit to things that I did not hear.

20 **ADV BALOYI SC:** Okay.

**MAJ-GEN SENONA:** And then allow me to give you the best recollection of my events as they were unfolding. But I want to plead that I must not be pressurized to give an answer that I do not know about. If I do not know, Commissioners, I really do not know. It is my humble

submission that please, I do not want to be pressurised to say things that tomorrow might come and say, but at the Commission, this is what you said.

**ADV BALOYI SC:** Yes.

**MAJ-GEN SENONA:** So ...[intervenes].

**ADV BALOYI SC:** General, the intention is not to pressurise you. I asked you simply this. This is all I asked you. I said, you heard on radio, on what you have just said, you heard on radio that Ms Deokaran, a whistleblower, has  
10 been killed. That is, you say, I heard that on radio, one.

Two, you heard on radio, you say, that she blew, that she was killed for blowing the whistle on corruption at Tembisa Hospital. You say that is what you had on radio. What I was testing with you or what I was asking you was you did not hear in those radio reports, you did not hear that Mr Matlala's company is one or the company that is implicated in the corruption at Tembisa Hospital. I was checking, but that part you say you did not hear. And the answer is yes, no ...[intervenes].

20 **MAJ-GEN SENONA:** Correct ...[intervenes].

**ADV BALOYI SC:** You either heard it or you did not.

**MAJ-GEN SENONA:** I did not hear that, Commissioner...[intervenes].

**ADV BALOYI SC:** Thank you.

**MAJ-GEN SENONA:** If you allow me to answer, but you

said I will pressurize you to respond. That is why I said what I said, Commissioners.

**ADV BALOYI SC:** Because I wanted a clear answer.

**MAJ-GEN SENONA:** That is what ...[intervenes].

**ADV BALOYI SC:** I wanted a clear answer to make sure that I do understand your answer that you heard Ms Deokaran has been killed. She was a whistleblower on corruption at Tembisa Hospital. You heard that part. I wanted to be clear about that.

10           And then finally, to be clear that your evidence is that you did not hear that Mr Matlala's company was implicated by the whistleblower. That is all. It is that simple. I just wanted an answer to that.

**MAJ-GEN SENONA:** Correct, Commissioner.

**ADV BALOYI SC:** Yes, thank you. Thank you, Ms Hassim.

**ADV HASSIM SC:** Thank you, Commissioner Baloyi. General, I am not going to move off these media clips, because the, I hear what you are saying, but it does not make sense, because as I said, thanks to good journalism  
20 in this country, you could not avoid hearing about the developments in the investigation of this particular scandal. You could not avoid it, and you can see that as I take you through these particular articles. And as I said, this is a sample and this is just what is posted online. There was radio and there was TV and there were other forms of social

media posts regarding this.

So I am going to go through it because this was on 20 December, this particular article. Now what we have is not only that Mr Matlala was involved in the Tembisa scandal, but also that his company was raided and that he has been awarded a further tender, the one that we were discussing yesterday in the purchase orders related to the further tender. So there are more, more information is emerging.

10           So this is on 20 December, and we have gone through the headlines of that. And again, you would have already read this, and you would have seen that it is a very detailed report. Can you go to page 28, the next article, which is 23 December. And the other thing you will see is that the reporting on this is really every couple of days there is something new that emerges. So 23 December, page 28, do you see that?

**MAJ-GEN SENONA:** I see that, Commissioners.

**ADV HASSIM SC:** So now, if again, if you just look at the  
20 headline summary, the first paragraph:

“Businessman and tenderpreneur  
previously linked to Tembisa Hospital  
fraud investigations.”

It says:

“Is now entangled in a case involving

the kidnapping of a woman and a child.”

That is the first paragraph. You see that?

**MAJ-GEN SENONA**: I see that, Commissioners.

**ADV HASSIM SC**: The second paragraph says:

“Following a raid at his home, where expensive watches, electronics and guns were seized, Matlala has launched court action to overturn unlawful police action.”

10

Do you see that?

**MAJ-GEN SENONA**: I see it, Commissioners.

**ADV HASSIM SC**: And then the third paragraph says:

“His court papers provide a rare window into the dramatic raid and his connection to high-ranking officers after his company was awarded a police health services tender worth 360 million.”

20

Now, this article is now referring to additional information. This is now not just about a firearm inspection compliance at his office, this is a raid at his home. And you have said that you and Mr Matlala speak regularly and that you share, you spoke about his struggles. Are you saying that you had no discussion with Mr Matlala about this raid

on his home?

**MAJ-GEN SENONA**: Yes, Commissioners, he never told me about the raid. I have already indicated that in my evidence in chief what he shared with me. And I have already indicated this morning, Commissioners, apologies, I was looking this side, please bear with me. I also indicated this morning that he did inform me about the firearm inspection. Then I told him that if there is nothing wrong, you do not have to worry.

10           So, Commissioners, I must indicate that even though the Advocate is saying it does not make sense to her, but my job is to do, deal with investigations. I must focus at my province, KwaZulu-Natal. And I must tell you that even if my performance can be flagged here, over and above what I highlighted here, in the country, the Republic of South Africa, for the past three financial years, excluding this one, the current one, because it has not yet ended, the performance of my province, because I focus on my work. It was 19, the one was 98% and the other two was 100%

20 when we look into the serious commercial crime investigations. And I was carrying the country in order to achieve its objectives.

          You see, hence I said I do not patrol the media. And then if I came across these newspaper articles, I am repeating again, I would have dealt with it, Commissioners,

in line with what I did with the article of the 5<sup>th</sup> of March. And I would have sent it to him and say, and say, and ask him questions about it. So since this never came to my attention and the issue of that his company was linked to this exposure by a whistleblower that was murdered, may her soul rest in peace, I would have dealt with it in line with this, and it would have had an impact in my relationship with him, Commissioners.

**ADV KHUMALO SC:** Can I just ask a slightly different  
10 question. Assuming you are correct that you did not look at the newspaper articles from December to February 2022, are you aware that Mr Matlala had a criminal record prior to you starting a friendship with him?

**MAJ-GEN SENONA:** I was not aware, Commissioner. I became aware when it was read in the Ad Hoc, what you call, Ad Hoc committee, that there is this list, a long list of criminal record.

**ADV KHUMALO SC:** Is it not a red flag that the Head of the province for the Hawks is friends with people who have  
20 criminal records and he is unaware of it or he chooses to ignore it? I do not know which is which. Is it not a red flag?

**MAJ-GEN SENONA:** Commissioners, if you do not know anything, there is no red flag about it, unless you were aware of it. And I must put it on record, Commissioners,

that when you, in this room, I want to invite that is there anyone in this room when you have a friend, one goes and say, let me profile this friend of mine to see what type of a person he is. Even our partners, nobody does that until, in the police, you profile a person when he is a subject of investigation. You do not abuse your, the state resources. So I am saying, Commissioner, in short, I was not aware and then I have never even profiled him.

**ADV KHUMALO SC:** So it does not bother you who you  
10 associate with. You say, if they do not tell me they could be serial killers for all I care, I will be their friends until they tell me that they are serial killers. Is that your attitude?

**MAJ-GEN SENONA:** You know, Commissioner, a serial  
killer, you might find we have insight here. I got training to that. A serial killer is a different type of a person who is a normal person within the societies and everything. And once he starts, that thing ignites and then what will happen. He will go and kill. and then from there he comes back after  
20 a certain period of time, it comes up again. And then that is a serial killer, but ...[intervenes].

**ADV KHUMALO SC:** General, I do not want you to avoid my question by trying to explain to me what a serial killer is. I was simply making an example that as Head of province for the Hawks, do you not check the type of people you

befriend or you associate with?

**MAJ-GEN SENONA:** I do not profile them until if I know there is anything sinister, then I will start to ask questions. I will start to engage the very same person that I am befriending, befriend, I have befriended. And that what about these things, as I have done with this article of the 5<sup>th</sup> of March, Commissioners. You know, when you, a relationship it is starting and it is moving, until such time you find things that are sinister, then that is when you start  
10 to do those type of things. But before that, I did not and my responsibilities here was to deal with crime in KwaZulu-Natal.

**ADV KHUMALO SC:** But this is now six, seven years later. It is not at the beginning of the friendship.

**MAJ-GEN SENONA:** Correct, Commissioners. I did not profile him or look, search for who is he, what has he done wrong with the law.

**ADV KHUMALO SC:** So it did not bother you that here is a person who is going into business with my son, I want to  
20 protect my son, let me check him out to see if he has a criminal record, if my son is not entering into a business relationship with somebody who has a criminal record. All those things did not bother you?

**MAJ-GEN SENONA:** Commissioners. I cannot go and profile a person if he does business with my son. There is

a lot of other people that were doing business with my son. I did not profile them. I became very worried once that thing was displayed at the Ad Hoc committee. So on a serious note, Commissioners, I think I have responded to that. I do not do that.

**ADV BALOYI SC:** General, I think two questions from me from this. You say you got concerned when things came out at the Ad Hoc committee. Are you saying to us that before the Ad Hoc committee process, you never became aware  
10 before, you never became away from media reports that Mr Matlala is implicated in serious criminal conduct?

For example, there is the alleged attempted murder of his former partner, for which ultimately I think he gets arrested. And there are other things that have been reported. Are you saying to us until the Ad Hoc committee, you never became aware of those kind of serious allegations against him?

**MAJ-GEN SENONA:** Commissioner, I was responding to the criminal records of Mr Matlala, but to come direct to  
20 your question, remember I testified yesterday about what General Mkhwanazi talked about, this thing of attempted murder on the girlfriend. I became aware there and then over and above that he was eventually arrested. And then I said I completely cut ties with him. And another thing is the issue of, he says the police visited him to do the, what you

call, the firearm inspections at his offices.

So normally, under normal circumstances, we do not, as police, profile people that are not the subject of investigation. If a person is being profiled, you take his ID, you take his fingerprints to check who he is and so forth. That person must be a subject of investigation. Other than that, with me, I will not do it because it is not correct.

**ADV BALOYI SC:** Okay. He is your friend. You refer to him as my brother. So he is not just any person. He is not  
10 me in your life, right? He is someone close to you. You become aware in the media or whatever form, but you concede that you became aware, at least as far as I understand you that he, there were allegations about his possible involvement in the attempted murder of his ex-partner. This is before he is arrested. You become aware of that.

Are you, is your evidence that even with that allegation that is in the public domain, you still do not check on your friend and brother to see what is it about him, what  
20 is his story. You still do not check. You are happy to ignore it and then carry on with your life until he is arrested.

**MAJ-GEN SENONA:** Commissioner, check in the sense of?

**ADV BALOYI SC:** To do a profile of him at that point, to go and look at his record, why are these things being said about him? Are you saying, and please keep in mind that

the questions are asked of you because you are Head of the Hawks. You may be in KZN, but you are Head of an important institution that deals with serious crimes. So the question is asked of you in that way. You are not an ordinary citizen. You are not a junior police officer. You have a friend / brother. Allegations are made about him in the public domain that he is involved, he may be involved in an attempted murder. But there is more to it, but I am happy to discuss it on the basis of just this one allegation.

10           At that point, you still say that, well, I have no business investigating him or finding out about him in fact, not investigate, but finding out more about this person who is so close to me that I am associating with, that I am discussing personal matters and police business with. You still say at that point you think it is not your business to find out more about him?

**MAJ-GEN SENONA:** Commissioners, according to what I heard in that meeting on the 15<sup>th</sup> of April, the matter was under investigation and not by me, but by the people that  
20 the General knew, General Mkhwanazi. So they are responsible to do the profiling and everything. I did not want to go and profile and do other things. I cannot profile a person that is not the subject of investigation. And I think I have already indicated that slowly but for sure, after the article of the 5<sup>th</sup> of March, I was moving away, reversing

away from him. I indicated it yesterday in my evidence. So what the Commissioner is asking me I did not do it, Commissioner. I never went and profiled him.

**ADV BALOYI SC:** Okay, just lastly, just to make sure, so that I make sure I understand your answer. Lastly, is your answer that even when you heard, let us say in that meeting with General Mkhwanazi, that, oh, he is being investigated for possible involvement in an attempted murder, even when you heard it in that meeting, you decided this has nothing to  
10 do with me. I see nothing wrong in continuing to associate closely with someone who is accused or who is being investigated, because you knew in that meeting that he is being investigated, you tell us.

You are saying to us that you decided after that, that I do not care, it is fine. I continue to be friends with this a person who is been investigated by the police and I will continue to discuss with him whatever business I want to discuss with him. Is that what you are telling us?

**MAJ-GEN SENONA:** I am saying, Commissioner, the  
20 Commissioner is saying, associate closely. I have said, after the 5<sup>th</sup> of March, I started to slowly moving out.

**ADV BALOYI SC:** Sorry, I must interrupt you, General. I am not talking about the 5<sup>th</sup> of March. I am talking about the meeting with General Mkhwanazi, which is in November already, if I am not mistaken, and where you hear, you say

to us, if you heard it for the first time, and I am prepared for purposes of this engagement to accept that you heard it for the first time in that meeting. So forget March, which is later on.

What I am checking with you, and really I think you can give me a yes or no answer here, that you hear in that meeting that Mr Matlala is being investigated by the SAPS for possibly involvement in an attempted murder. You hear that in that meeting and you tell us in your statement, you  
10 hear that in the meeting.

Is your evidence to us now that even after hearing that, you had no difficulty continuing to have him as someone close to you that you discuss whatever business you continue to discuss with him without distancing yourself from him at that point. After that point, you were happy. You thought there is nothing wrong in your continued relationship with a suspect, is really the bottom line of what I am asking you.

**MAJ-GEN SENONA**: Commissioner ...[intervenes].

20 **ADV BALOYI SC**: And if your answer is a yes, I am happy for you to say yes and we move on.

**MAJ-GEN SENONA**: Can I say this, Commissioners. It was the first time I heard about that investigation and another division is investigating that matter. I do not interfere in that, number one. Number 2 is that I already

indicated I was moving away to this relationship that I was having with him. It has already started. And you know, when a person is being investigated, they say there is allegations of this. I did not have more facts until he was arrested. So the Commissioner wants to know if is it still okay to continue a friendship with that person. My response is that the process has already started for me to move away.

**ADV BALOYI SC:** Okay, General, I am going to accept  
10 your, to take your answer to my question as being, you did not see anything wrong. After you found out in that meeting with General Mkhwanazi, if that was the first time you found out, after you found out there that he is being investigated by the SAPS for attempted murder, you saw nothing wrong. You did not have a problem with the continuing relationship with him immediately after that meeting.

I take that to be your answer because you refuse to answer me directly, a question that I am confident is capable of a direct answer, yes, no. You have answered it  
20 many times and I accept it as you say you saw nothing wrong in continuing that relationship. Thank you.

**MAJ-GEN SENONA:** My answer still stands, Commissioner.

**ADV BALOYI SC:** Yes, thank you.

**MAJ-GEN SENONA:** The termination of the relationship was in process.

**ADV HASSIM SC:** General, to take you back again to these news reports. We were looking at an article on the 23<sup>rd</sup> of December 2024 in which very serious allegations are made about your friend. And If you look at the next article, page 33, also 23 December 2024, similar allegations repeated in a different newspaper. Did you understand, I just want to make sure you understood my point earlier about the kind of coverage that this issue is receiving and that because of that, one did not need to patrol the media in  
10 order to become informed of this. Did you understand that point that I was making?

**MAJ-GEN SENONA:** I do not have ...[indistinct] [intervenes].

**ADV HASSIM SC:** Because you keep saying you did not patrol the media, so I think that you maybe did not understand me.

**MAJ-GEN SENONA:** Thank you, Commissioners. I do not have to understand something that I did not see. I do not think it is a fair question. I cannot understand something  
20 that I did not see. You will make a finding about something that we have seen and read. But if you did not see anything and read it, you cannot make a finding or an opinion. Thank you, Commissioners.

**ADV HASSIM SC:** You did not understand what I was saying. But, you know, it is fine, let us move on. My point

remains that one did not have to patrol the media in order to become informed of all of these things that I am putting to you. Do you understand that?

**MAJ-GEN SENONA:** I have already said my business and focus was in KwaZulu-Natal to deal with the mandate of the DPCI KZN.

**ADV HASSIM SC:** Yes, except that all of these media reports concern your friend, number one, and number 2, concern matters that are very much related to your job.

10 **MAJ-GEN SENONA:** Commissioners, if you did not see anything, there is nothing that you can do. But if you saw any, something and then it is within your mandate to deal with it, you need to deal with it. But I have already indicated, Commissioner ...[intervenes].

**CHAIRPERSON:** You see, General, the problem is that you talk about this as if it related to someone you did not know at all. You have, or rather yesterday, you repeatedly referred to Mr Matlala not only as your friend, but also as your brother. You even, in isiZulu or isiXhosa, referred to  
20 yourself in relation to him as “ubuti”. Do you remember that?

**MAJ-GEN SENONA:** Correct, Commissioner.

**CHAIRPERSON:** Now, this is something that concerns your younger brother, you, the “buti”. It concerns your younger brother. It is not about somebody out there whom you do

not know. See, that is what makes it difficult for me and I am sure others to comprehend. Do you wish to comment on that?

**MAJ-GEN SENONA**: Commissioner, if I did not see it, it puts me in a difficult position to shall have dealt with that. So my answer still remains, Commissioners, I did not see this newspaper clip. And in our deliberations, when I met with him, my younger brother, ubuti, he never highlighted this thing to me. The ones that you have highlighted,  
10 Commissioners, I have already given a response and an answer that this is the ones that he told me about and ...[intervenes].

**CHAIRPERSON**: You see ...[intervenes].

**MAJ-GEN SENONA**: Okay.

**CHAIRPERSON**: In addition to the difficulty, but I am sure Ms Hassim will probably come to it and with more specificity, a theme that runs through your statement is that when it comes to anything concerning Mr Matlala, even when you look at the texts, you either do not recall or you  
20 do not know. And if it is a text staring you in your face, you will say, yes, I do read it now, but I just do not quite recall what this was all about.

That is a theme that runs through your testimony. That includes even the events at the apartment in Durban. You were conveniently going up and down to refill your

glass and I do not know how quickly you gulp up your drink, that for the most part you would not have been with the people that were discussing. So quite conveniently, the simple point I am making, quite conveniently the issues that relate to Mr Matlala and which appear to implicate him to some wrongdoing, conveniently, you distance yourself, you do not remember. Do you not find that strange? Do you not realize that we will find that strange or to be strange?

**MAJ-GEN SENONA:** Commissioners, I am a human being.

10 I am subjected to the characteristics of a human being. If I do not remember, and then it gives the Commissioners a concern, it is an unfortunate situation. You know, I will tell the Commissioners this. When I was talking about the theft of trucks in Port Shepstone, because one was making notes, doing all the, everything and then collecting statements and everything, I read because I was requested to come and talk about it, then those things reminded me. But in relation to what we are talking about here ...[intervenes].

20 **CHAIRPERSON:** Even these, even these you were requested to come and talk about them.

**MAJ-GEN SENONA:** Ja. Yes, Commissioner.

**CHAIRPERSON:** In the same way you were requested to come and talk about the theft of the drugs.

**MAJ-GEN SENONA:** I went ...[intervenes].

**CHAIRPERSON:** But with regard to these, you do not remember in so far as they relate to Mr Matlala and possible complicity or alleged complicity. You do not remember.

**MAJ-GEN SENONA:** Commissioners, what I was having in my possession is the documents that was sent to me as per Rule 3 from the Commission. And we came here, requested additional information, additional information that was provided for us. Whatever was provided to us, and then I  
10 looked into this, my phone, I indicated yesterday, we went into the out Cloud and everything, I could not get that.

The only thing that I am relying on is what the Commission has given me, because I did not know one day me communicating or talking with Mr Matlala, one will end up here. But whatever I recall, I will gladly give with the Commission. But whatever I cannot recall, there is nothing that I can formulate and say, this is what it is. Thank you, Commissioners.

**CHAIRPERSON:** Thank you. Thank you, General. Yes,  
20 Ms Hassim?

**ADV HASSIM SC:** Thank you, Chair. So, staying in December 2024, you say nothing, comes to your attention from the media in any form that implicates your friend. Do not close your bundle on the media because we are not done with it. But can you open, in addition, the exhibit file,

1 of 3 and can you turn to page 3. And so you will see that these are the WhatsApp conversation between you and Mr Matlala. Do you see that?

**MAJ-GEN SENONA**: Correct.

**ADV HASSIM SC**: So on page 3, can you read the exchanges between you and Mr Matlala on that page? There is four exchanges.

**MAJ-GEN SENONA**: Thank you, Commissioners. The first one says:

10 "Good morning, brother."

**ADV HASSIM SC**: And can you say what date that is?

**MAJ-GEN SENONA**: 28/12/2024. The second one is:

"Good morning ...[indistinct].

On the 28<sup>th</sup> of December 2024. The third one on the very same date is:

"I trust that you are fine under the circumstances."

**ADV HASSIM SC**: Pause there. That is what you sent to Mr Matlala, 28 December 2024, right?

20 **MAJ-GEN SENONA**: Correct, Commissioners.

**ADV HASSIM SC**: You said to him:

"I trust that you are fine under the circumstances."

**MAJ-GEN SENONA**: Correct, Commissioners.

**ADV HASSIM SC**: So what were you talking about then?

This, we have just gone through all of these stuff that is in the media. What did you mean under the circumstances?

**MAJ-GEN SENONA**: It was after he told me that they took his firearms during the firearm inspections.

**ADV HASSIM SC**: So all you knew about was the firearm?

**MAJ-GEN SENONA**: That is what we were talking about here, I was referring to here.

**ADV HASSIM SC**: Can you read the next message?

**MAJ-GEN SENONA**: -:

10                    “The guy I went to see really helped. I will tell you whenever you are back this side. Monday I am starting with our project. Nothing is disturbing me anymore.”

**ADV HASSIM SC**: What did he mean by that, the guy I went to see really helped?

**MAJ-GEN SENONA**: This one, that specific one, I cannot recall it. But the next one, I realized that it was a third party that I referred to him to do the risk assessment on  
20 CAT VIP Security while we were engaging on.

**ADV HASSIM SC**: So, so ...[intervenes].

**MAJ-GEN SENONA**: [Indistinct]... [cross-talking].

**ADV HASSIM SC**: Okay, just ...[intervenes].

**MAJ-GEN SENONA**: I do not know the guy that he went to see, because ...[intervenes].

**ADV HASSIM SC:** The guy I went to see really helped, you do not know.

**MAJ-GEN SENONA:** Ja.

**ADV HASSIM SC:** You do not remember.

**MAJ-GEN SENONA:** Ja. And I do not want to assume as well, Commissioners.

**ADV HASSIM SC:** And when he says I am starting with our project, he refers to our project, is this a project between you and him, or it includes you and him?

10 **MAJ-GEN SENONA:** Our project is the one that I proposed to him through a third person that needed to assist him.

**ADV HASSIM SC:** That is the project?

**MAJ-GEN SENONA:** Ja.

**ADV HASSIM SC:** So you were involved in a project with Mr Matlala, but the nature of it was simply to give him a contact number.

**MAJ-GEN SENONA:** It is not that I was involved in a project with him. I referred him to a third party to assist him with this project.

20 **ADV HASSIM SC:** With which project?

**ADV HASSIM SC:** The risk assessment. You know, when we talk our language, when we talk outside here, you need to try and do a proper English so that everyone, when you talk, sometimes the use of the words, they have different meanings. Even if it is work, somebody might say project.

So here, it was the third party that I have referred to him in order to assist him with the risk assessment.

**ADV HASSIM SC:** And when he says nothing is disturbing me anymore, what did you understand that to mean?

**MAJ-GEN SENONA:** I do not have an understanding. I believe he was ready to move with it.

**ADV HASSIM SC:** He says nothing is disturbing me anymore. Does it not suggest that he was facing troubles and he was disturbed, but that now nothing is disturbing him  
10 anymore?

**MAJ-GEN SENONA:** One can draw that inference, but what kind of troubles, as you are saying, Advocate, I cannot tell. But this is a project that I referred him to the third parties to assist him with the risk management in his VIP security company.

**ADV HASSIM SC:** And you saw him soon after this exchange of texts?

**MAJ-GEN SENONA:** Soon, meaning?

**ADV HASSIM SC:** Within a few days of this, because he  
20 says, I will tell you about it whenever you come back this side.

**MAJ-GEN SENONA:** Ja.

**ADV HASSIM SC:** And then you say:

“I am coming back that side tomorrow a week.”

**MAJ-GEN SENONA:** Ja, we never met when I came to Pretoria. It was during the festive seasons where this time, you see, 28, 29, 30, we never actually met so that he can be able to tell me. And the issue of this project was in relation to the risk assessment of the security company. But when I came back home, we never met. Even if you can go through this follow-up WhatsApp messages you know, around the second, if you look at the second in page 6, he says:

10                    “I told him that I hope he celebrated a  
                              very good New Year.”

                              And then he said:

                              “Let me know when you are around.”

                              Then I said, great, you know. We normally meet when, as and when it is necessary, and when I come back to Pretoria, because I work in KwaZulu-Natal. When I come here, we will talk and meet and discuss whatever we needed to discuss, and then from there, even if he comes to Durban on his private things, sometimes he will tell me, I  
20 am coming to Durban, find that me, I am coming to Pretoria.

**ADV HASSIM SC:** Thank you. General, I am going to pause you there, not because I want you to be able to give that evidence, but we will come to the question of your visits. I just want to stick to the point of what I was asking you, which is about these exchanges and this project. So,

and him saying nothing is disturbing me anymore. You are saying this related to the risk assessment of his company, and that company was CAT VIP Protection.

**MAJ-GEN SENONA:** Ja.

**ADV HASSIM SC:** And you had discussions with him regarding risk assessment of that company?

**MAJ-GEN SENONA:** I am saying I have referred him to a third party.

**ADV HASSIM SC:** Yes, I heard that. Are you saying  
10 ...[intervenes].

**MAJ-GEN SENONA:** To do ...[intervenes].

**ADV HASSIM SC:** You referred him to a third party  
...[intervenes].

**MAJ-GEN SENONA:** Can you allow me to finish?

**ADV HASSIM SC:** Without any discussion with him?

**MAJ-GEN SENONA:** Can you allow me to finish  
responding to your question, otherwise, it is going to be a  
problem. I will not be able to make it what exactly is the  
question. So I am saying this is the message he sent me.  
20 As far as I can recollect is that the project that is referred  
here is the issue of the risk assessment, Commissioners, of  
his security company.

You know, in our deliberations, we will talk about the risk assessment, check if this, for example, if you are going to run short of personnel and then you have a

contract to deal with, how are you going to mitigate that risk or red flag. Now, other things that if you say I am starting with our project, nothing is disturbing me anymore, actually it is a problem for me to respond. Maybe he must explain it, but for me, I am drawing an inference for the benefit of the Commission, but he will have to tell all those his challenges that are no more disturbing him.

But if I can think of as I have indicated earlier in that the visit of the 19<sup>th</sup> of December where they took his  
10 firearms, I know it was a problem for him because it has, also it came as a risk that now the firearms are gone. How, if you get a client, what is it that you will do? Thank you, Commissioners.

**ADV HASSIM SC:** So what would help us is if you answered my question and then explained. I have no problem with you taking time and giving explanations. What is derailing us a little bit is not answering the question and dealing with side issues. So listen to me and answer the question and then I have no problem with you expanding on  
20 your answer. So you have just said that you discussed with him risk assessment of his company, right?

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** Okay. And this is in the context of his company being named as linked to tender fraud and criminal activity. That would be a serious risk, not so?

**MAJ-GEN SENONA:** Not that kind of a risk, Commissioners. We never discussed that kind of a risk here in December 2024.

**ADV HASSIM SC:** But you accept that that would be a very serious risk. Your name and your company is in the media linked to tender fraud and other criminal activity.

**MAJ-GEN SENONA:** That is your opinion.

**ADV HASSIM SC:** That would be a very serious risk.

**CHAIRPERSON:** Sorry, sorry, General. I do not  
10 understand the question now to be about whether that is what you and Mr Matlala discussed. The question is, would something of this nature be a serious risk?

**MAJ-GEN SENONA:** For the company to be involved in serious allegations of ...[intervenues].

**CHAIRPERSON:** Ja, of fraud, tender fraud.

**MAJ-GEN SENONA:** It might be listed as a risk. It might be. But it is upon him if that is going to pose the risk, not me saying it is a risk.

**ADV HASSIM SC:** You see, General, you are advising him  
20 on conducting risk assessment of his company. You have accepted that. You have also told us you discussed the issue of the firearm compliance inspection that happened and the risk that that may pose and what he needs to do. But are you saying that even though you just discussed that aspect of the risk to his company, there was no discussion

of the risk that is posed by his company being named as being part of a tender fraud. Is that what you are saying?

**MAJ-GEN SENONA**: The security company?

**ADV HASSIM SC**: Yes, VIP, what you have just said, VIP Protection Services.

**MAJ-GEN SENONA**: What is the question?

**ADV HASSIM SC**: Is that not the name of the company?

**MAJ-GEN SENONA**: That is the name of the company.

**ADV HASSIM SC**: Yes.

10 **MAJ-GEN SENONA**: What is the question again?

**ADV HASSIM SC**: You said you had discussions with Mr Matlala about conducting risk assessments on his company, right?

**MAJ-GEN SENONA**: Ja. Yes, Commissioners.

**ADV HASSIM SC**: And you said as part of that discussion, you spoke about the firearm inspection that took place at his company, correct?

**MAJ-GEN SENONA**: I was giving you an example.

20 **ADV HASSIM SC**: You were giving me an example. I am giving you another example of a risk to the company that was very evident to anybody, which is that the company and Mr Matlala were named as being linked to tender fraud and other crimes. And I am asking you whether you are saying that particular risk did not come up in your discussions on risk assessment?

**MAJ-GEN SENONA:** Correct, it did not come out.

**ADV BALOYI SC:** General, perhaps the more helpful way, and I am aware that it is 11 o'clock, let me pose my question anyway and then we can deal with it when you come back, you can respond. Perhaps the more helpful way is for you to explain to us what was the risk assessment that you advised he should get because in any institution there are different areas of risk. So you must tell us what is the risk assessment that you said he must seek, because  
10 then only when we know what risk was being assessed, then we can make sense of he is telling, you accepting when he says my problem is now solved, I can get on with my project, because then you know exactly what he is talking about. So, perhaps over the break, try and remember what it is that you said is the risk that he must speak to this third party for assessment.

**MAJ-GEN SENONA:** Can I?

**CHAIRPERSON:** When we come back, General.

**MAJ-GEN SENONA:** Thank you, Commissioner.

20 **CHAIRPERSON:** So, you are being given quite some time to ponder. Let us adjourn until quarter past.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON:** General, there is a question that was posed by my colleague, Commissioner Baloyi. Please

respond.

**MAJ-GEN SENONA:** Thank you, Commissioner. The risks that I have advised Mr Matlala about is in relation to management of absenteeism. I was just applying my knowledge from my own experience where I have come from. Management of absenteeism, should you have a serious problem in terms of members, your own personnel becoming sick?

How are you going to mitigate that? If, let us say, 10 this number of people are sick and you are unable to meet the requirements of your clients, how are you going to deal with that? That is from my own advice that I was giving. Another one, it is an issue of shortages in terms of resources. In relation to, if you get work and then you find out you get another work here and another work here at the same time because you are doing protection, how are you going to get additional resources and distribute them?

So that you must be able to meet the requirements of the clients. But there are people who are specialising in 20 other things. With us, we also have a number of risks and so forth. But these are things that you need to look at. So, I introduced him to a third party who has knowledge on also the actual security work. Because me, I only know mostly police work.

But security, I am not very much clued or highly

clued up about the operations. Because there is personal, there is protection, like the bodyguards moving away with you. There are people who go and guard buildings and everything. And then I was just talking about, in general, about that and say, you know, when you do run a business, even us at the department, we do have risks.

But you must be able to look into those kinds of risks. Because the issue of management of absenteeism, the issue of dealing with shortages of resources, in the  
10 sense of manpower and vehicles. And then when people are off sick and so forth, you get more work, how to deal with it.

Is that what I sometimes deal with it where I work. That is the things that I was telling him about. But more so, there are people who can assist you to enlighten you about other risks. Then I linked him to a person who has a security, I think, not has a security, who knows these things of risks, in terms of my knowledge.

**ADV BALOYI SC:** Those are very specific risks or topics  
20 that you advised him to get assistance on. What did you know about his business at this point, as it relates to those two issues? That you deemed it necessary for him and his business to be advised or to get this risk assessment. What did you know?

**MAJ-GEN SENONA:** There was nothing that was actually a

risk by then. The only thing that I knew, it is when his firearm was seized. But when we were talking about this, it was a general talk that I have suggested to him. But in actual fact, in terms of these two topics, there was nothing that prompted that we have to do this.

It was an issue of me discussing and saying, these are some of the issues when you are running a business. From my perspective, I am not a businessperson, I am a police officer, but these are the things that you may look at.

10 He was comfortable and happy and said, thank you. Those are some of the issues that we were discussing, Commissioners.

**ADV BALOYI SC:** If you look at the same bundle that you have been discussing with Ms Hassim and you go to page 2 of it.

**MAJ-GEN SENONA:** Which bundle, Commissioner?

**ADV BALOYI SC:** The one of three, the very one that you were looking at.

**MAJ-GEN SENONA:** The big one?

20 **ADV BALOYI SC:** Yes. At page 2, you were discussing page 3 with Ms Hassim but in fact, it seems to start at page 2 where he says the penultimate WhatsApp message. He says, he is the one that writes to you on the 25<sup>th</sup> of December at 17:18. He says:

“Merry Christmas, Nduna. Sorry that

night I met that guy very late, could not even notify you. I am coming back again tomorrow, though he needs to give me feedback.”

Does that message have anything to do with the messages on the 28<sup>th</sup>?

**MAJ-GEN SENONA**: No, I do not think so, Commissioner.

**ADV BALOYI SC**: This is a different guy?

10 **MAJ-GEN SENONA**: I cannot even say which guy is this one.

**ADV BALOYI SC**: It is a different person?

**MAJ-GEN SENONA**: Yes, Commissioner.

**ADV BALOYI SC**: Okay, you do not need to say any more about it, Ms Hassim will deal with it. Let us then go to that page 3 that you were looking at. So, when Mr Matlala says to you:

20 “The guy I went to see really helped. I will tell you whenever you are back this side Monday, I am starting with our project, nothing is disturbing me anymore.”

What did you say you understood this to be when he says the guy I went to see? Because you say the guy referred to here is the person, the third party you referred him to. Did you understand him to say he is now discussed the risks in

his company as you identified them, the two with the guy that you went to see. And now that they have discussed those risks, nothing disturbs him anymore. Is that how you understood this message relating to those two risks that you identified?

**MAJ-GEN SENONA:** No, Commissioner. I do not know what he was discussing with the guy he went to see when he said he will come back and tell me. This topic never surfaced again. Because after here, for me, I did tell him  
10 that this is what you need to look at when you deal with the risks. But the guy he went to see here, that really helped him. I do not have a recollection whether it was directly regarding the very same risks that I have explained to him.

**ADV BALOYI SC:** I see. So, you do not know whether the guy he refers to here is the risk person. You do not know.

**MAJ-GEN SENONA:** That is correct, Commissioner.

**ADV BALOYI SC:** And you did not ask him what guy you are talking about. Because in the very next page, you say that is great news, my brother, which suggests you know  
20 what he is talking about. Either because you have the context to where he says the guy I went to see really helped, or you had a conversation with him. You had a conversation where he told you what this is about. Otherwise, it does not make sense that you say that is great news, my brother, when you have no idea what he is talking

about.

**MAJ-GEN SENONA**: Commissioners, the issue of - there were several issues that we have been discussing. This one is specifically the one on page 3 for the risks. But now, I hear you, Commissioner, when you go to page 4. You know, there are other issues that we are discussing that are too private that I cannot disclose here. That are too private to an extent that it is traditional issues that we are talking about other issues. And then I want to request that I do not  
10 want to disclose those things here because they are very personal.

**ADV BALOYI SC**: Yes.

**MAJ-GEN SENONA**: And that is why, here, I do not want to mislead the Commission and say this one relates to that one.

**ADV BALOYI SC**: Okay, I am not asking you at this stage to disclose anything, General, that you have not yet disclosed. I am simply trying to understand. You, at page 3, you said, I earlier understood you to be saying, and I  
20 may have misheard. I understood you to be saying, the guy referred to in that WhatsApp message is the risk assessment person you referred him to.

Now, in my exchange with you, you say you actually do not know. You did not know what he is referring to. So, you cannot chop and change. It is either you knew what he

is talking about or you did not know what he is talking about. And my question is, well, you did not know what he is talking about. You did not. In fact, what you do, General, he writes to you at 08:24:21. You respond immediately at 08:25:46. So, that is your very next message. You say:

“That is great news, my brother.”

And if you did not know, the simple point I am making is that if it is true that you did not know what he is speaking  
10 to, where he says the guy, you do not know what guy he is referring to, then the response at page 4, which comes within a minute or less than a minute, which comes through, then it does not make sense.

Unless you are telling us that there was a telephone call in between where you discussed other matters, then it would make sense. Well, you were saying that is great news because you are referring to something else that you discussed on the phone, which does not seem to be the case here. It looks like you were responding to  
20 his message that you say you did not know what it was about.

**MAJ-GEN SENONA:** Can I respond, Commissioner?

**ADV BALOYI SC:** Please.

**MAJ-GEN SENONA:** The issue of the guy that he went to see and help, I did not know. I do not know. Now, the

issue of that is great news, my brother, is in relation to this issue of the risk assessment that he is able to continue with it.

**ADV BALOYI SC:** Even though he does not speak to you on WhatsApp about the risk assessment, he does not. Not on this. We do not have a record of him speaking to you about his visit to the risk assessment person or his meeting with the risk assessment person. You say at page 4, you respond and say that is great news, my brother, because  
10 you are now talking about the risk assessment person, even though he is not said anything about the risk assessment person.

**MAJ-GEN SENONA:** Yes, Commissioners. I was responding to the issue of the risk assessment, not to the issue of the guy I went to see really help me. You know, when we talk, Commissioner ...[intervenes]

**ADV BALOYI SC:** No, before you tell us when you talk, General, let us stick to this.

**MAJ-GEN SENONA:** I was ...[intervenes]

20 **ADV BALOYI SC:** No, we need to understand the sequence of your communication with Mr Matlala. We have a WhatsApp message. You are not denying it. You say I did receive it. I received where he says the guy I went to see really helped. You tell us you do not know what he is talking about. That is at 08:24:21. You say I received this

message. I do not know what he is talking about, the guy. I do not call him to find out what are you talking about. I do not WhatsApp him to find out what are you talking about. But you respond within less than a minute, because the one is at 08:24, the guy, where he tells you about the guy. You respond at 08:25:46. It is less than a minute. You say:

“That is great news, my brother. I am coming back that site tomorrow. A week.”

10 You say that. Now, it does not make sense, General, with respect, for you to say I was responding to him about the risk assessment guy when there is no mention of the risk assessment guy anywhere here. It does not make sense at all. And it does not make sense because it is not true what you are saying. You know what that guy was. That is why you respond, and I put that to you. You knew and understood what the reference to the guy I went to see helped. You understood exactly what that message was about.

20 **MAJ-GEN SENONA**: I deny that.

**ADV BALOYI SC**: And then you, in context, say that is great news. In an attempt to say to us, you were responding to an invisible message about a risk assessment guy when you say that is great news. It is simply untrue, General. You are being untruthful with us.

**MAJ-GEN SENONA:** I deny that I am untruthful to the Commission, and that is the interpretation of the Commissioner. But I am saying I was responding to the issue that we have been talking about earlier, me and him, regarding the risk assessment. Now, the issue of the guy, when you look at it according to me, it is two things that he was referring to here. It is the guy. It is the issue of the project. The project is the issue of the risk assessment.

So, Commissioners, I know when you read, you will  
10 have your perspective of what is written here. But with me, I am telling you what exactly it is that we are talking about, even though you do not see that there is a topic or heading that will say risk assessment or whatever. You will see as we proceed with the messages. There will be those messages that are not very much clear. But if I recollect, I will assist the Commission. If I do not recollect, I do not recollect. But that is what it is, Commissioners.

**ADV BALOYI SC:** Thank you, Miss. Thank you, General. Thank you, Ms Hassim.

20 **ADV HASSIM SC:** Thanks, Commissioner. General, you said that as part of the risk assessment, you have given us some other topics of risk assessment you discussed. But also, you said part of it was the seizure of the firearms. Right? Right? I am just confirming that because you said that not long ago.

**MAJ-GEN SENONA:** I said that was one of the problems he was having.

**ADV HASSIM SC:** Yes, I am just confirming that, yes.

**MAJ-GEN SENONA:** But that you can mitigate that risk. Because if the police have taken them, there is nothing that one can do.

**ADV HASSIM SC:** Right, so the seizure of the firearms took place by the raid that we referred to in these media articles a moment ago, earlier this morning. The raids by  
10 organised crime, crime intelligence, General Khumalo's people. So, you knew about the seizure of the firearms. But you say you did not know how they were and where they were seized and by whom. That you did not discuss. All you knew is that they were seized.

**MAJ-GEN SENONA:** I testified before this Commission that he informed me about the seizure of the firearms because the DFO, they were coming to do the inspection. They found that something was wrong in relation to the case. But who are these people? I do not know. He never  
20 told me who they are. And even myself, I do not know those people who went to his offices.

**ADV HASSIM SC:** So, he told you about part of the seizure story, but not all of it.

**MAJ-GEN SENONA:** What do you mean?

**ADV HASSIM SC:** You are saying all you know about the

seizure of the firearms is what you have told us.

**MAJ-GEN SENONA:** He told me about it and I am relating to the Commission what he informed me about. And what I told him in our discussions, I said, if there is nothing wrong with you, let the DFO deal with his job.

**ADV HASSIM SC:** Okay, let us move on to, back to the media reports. We had looked at - we were looking at December. And then you will see on page 37, 5 January 2025. And here the heading is 'Tender Tycoon withdraws  
10 application against SAPS to have Rolex, guns returned'.  
You see that?

**MAJ-GEN SENONA:** I see it, Commissioners.

**ADV HASSIM SC:** Okay, and you stick to your version that you did not know anything about this.

**MAJ-GEN SENONA:** Correct, Commissioners.

**ADV HASSIM SC:** Okay, then we go to page 42. Now this is where you say, now you did become aware of the media. And this is on 5 March 2025.

**MAJ-GEN SENONA:** Page 40?

20 **ADV HASSIM SC:** Page 42.

**MAJ-GEN SENONA:** I am there.

**ADV HASSIM SC:** Okay, so this is the article that was sent to you by Mr Matlala on 5 March 2025.

**MAJ-GEN SENONA:** Okay, what is the question?

**ADV HASSIM SC:** I just want to make sure you are there.

Are you at page 42?

**MAJ-GEN SENONA**: Yes, I am at page 42.

**ADV HASSIM SC**: Okay, all right so the first paragraph, and let me just start with this.

**MAJ-GEN SENONA**: Sorry, Commissioners. Advocate, I wanted to understand something that I missed.

**CHAIRPERSON**: Yes, yes, General.

**MAJ-GEN SENONA**: Commissioners, Advocate says this article Mr Matlala sent it to me. That is what you said? Am  
10 I correct?

**ADV HASSIM SC**: Yes.

**MAJ-GEN SENONA**: On the 5<sup>th</sup> of March?

**ADV HASSIM SC**: Correct.

**CHAIRPERSON**: Advocate Hassim, can you please do the necessary cross-referencing? I also had similar questions in my mind. That is, refer us to where Mr Matlala is sending this.

**ADV HASSIM SC**: Okay, that is fine. No problem. It is page 27. So, it EXHIBIT file 1 of 3. It is the one you  
20 already have open, Chair. It is the WhatsApp conversation.

**ADV KHUMALO SC**: Advocate Hassim, the issue I think seems to be that General Senona says he is the one who sent it, not the other way around. So maybe if you can just clarify that.

**ADV HASSIM SC**: I see. I understand.

**ADV KHUMALO SC:** I think that is the ...[intervenes]

**ADV HASSIM SC:** Sorry. No, I mean that you sent to Mr Matlala.

**MAJ-GEN SENONA:** Commissioners, I wanted to indicate that that is not correct. This is the article I have sent to Mr Matlala. I see that, Commissioner what is happening but thank you very much for clarification.

**CHAIRPERSON:** Thank you. I still needed the cross-reference.

10 **ADV HASSIM SC:** No problem, Chair. I am glad to be of assistance.

**CHAIRPERSON:** Okay.

**ADV HASSIM SC:** So, it is page 27. That is the article that you sent to Mr Matlala.

**MAJ-GEN SENONA:** I never ...[intervenes]

**ADV HASSIM SC:** Yes?

**MAJ-GEN SENONA:** This is the article, Commissioner.

**ADV HASSIM SC:** And that is reproduced at page 42 in the media bundle.

20 **MAJ-GEN SENONA:** The way, Commissioners, it is reproduced here, I did have this context, but my context ...[intervenes]

**ADV HASSIM SC:** There it is.

**MAJ-GEN SENONA:** It is gone. No, my context is depicted in page 27 of the exhibit bundle.

**ADV HASSIM SC:** Yes.

**MAJ-GEN SENONA:** I sent that to him, but this is what I have sent to Mr Matlala. But this one that is depicted here on page 42 of media clips, I did not see this, but it seems maybe they went further to check other things and found also the photo of Mr Matlala.

**ADV HASSIM SC:** No, I am sorry, mister - I am sorry, General Senona. That article is a copy of that – if you click on that link, News24, that article.

10 **MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** So, we provided you with this. This is – it is exactly the same. If you copy and paste the link that you sent him into a web browser, this is the article. And we printed it out for you, and it is at page 42.

**MAJ-GEN SENONA:** I do not dispute, Commissioners, that I have sent this thing. But I used a phone, not a laptop. Hence, I am saying this picture never appeared before me when I sent him this picture. But I just read this one. You see this one on page 27 of bundle of documents. So, I am  
20 not saying I did not send it, but I am saying what I have sent is depicted here on the bundle of exhibit.

**ADV HASSIM SC:** Yes.

**ADV KHUMALO SC:** General Senona, can we please be serious? In paragraph 72 of your statement, you say, I will admit that the News24 article concerned me. So, you must

have seen the article because you are referring to the article. In whatever format, whether it was on a phone or on a laptop or in a newspaper, you must have seen the article.

**MAJ-GEN SENONA:** I do not dispute me sending the article. When it appears on me, it was like this. But hopefully, the advocate explained, you went to click, you browse, you do that, and this comes out. Because when you look at it, the one on the bundle, it says:

10                   “How Tender Magnet handed 360 million  
                          police deal to placeholder director.”

And then, that is when I started to have that concern, and then we started to talk over the phone.

**ADV HASSIM SC:** Yes, and that is exactly what it says at page 42 of the media. If you look at the article, it says, how Tender Magnet handed 360 million police deal to placeholder director. It is the same article. Do you see that?

**MAJ-GEN SENONA:** I see that.

20 **ADV HASSIM SC:** Is there anything else?

**MAJ-GEN SENONA:** No, I am fine.

**ADV HASSIM SC:** Can we deal with the article now?

**MAJ-GEN SENONA:** We can.

**ADV HASSIM SC:** Thank you. So, let us look at the article. The first paragraph, again, there is the summary in

bold, right?

**MAJ-GEN SENONA**: Correct.

**ADV HASSIM SC**: The first paragraph reads:

“Vusimuzi Matlala, a businessman and entrepreneur allegedly linked to Thembisa Hospital extraction syndicates, was first identified by whistleblower Babita Deokaran three weeks before she was killed.”

10 So, you said you did not know about this. The only thing that you knew on the 5<sup>th</sup> of March was this issue about the director, a change in directors. You did not know anything else about Mr Matlala's criminality. Do you recall that, that you said that?

**MAJ-GEN SENONA**: I said I ...[intervenes]

**CHAIRPERSON**: Alleged at this stage. You said criminality.

**ADV HASSIM SC**: Well, criminality in the sense of a criminal conviction, and yes, alleged criminality in the  
20 context of this article.

**MAJ-GEN SENONA**: Commissioners, when I responded to this, I said this had to do with the changing of a directorship of a company that the police has given him. And then why changing the directorship? And then we had engagement.

**ADV HASSIM SC**: Yes, I am saying that is right. That is

what you said. You said all that you were aware of, all that concerned you was that issue of the directorship. Right? So, you are confirming that.

**MAJ-GEN SENONA:** No, you want me to respond, but that is your inference. I am saying when I testified, I said it was, I saw that he changed the directorship of this, and then we had conversations about this.

**ADV HASSIM SC:** I am fine with that. What I am saying to you is, when I asked you whether you had knowledge of  
10 other alleged criminality of Mr Matlala, you said all that concerned you at this time, all that you knew about, was this 5 March article that dealt with the issue of this director replacement. Do you remember that?

**MAJ-GEN SENONA:** I remember that, Commissioners.

**ADV HASSIM SC:** Thank you. But I am saying to you, General, that the article says a lot more than just raising this issue of the change in directors. In the very first paragraph, it talks about Mr Matlala being linked to the Thembisa Hospital extraction syndicates. Do you see that?

20 **MAJ-GEN SENONA:** I see that, Commissioners.

**ADV HASSIM SC:** Second, the second paragraph says:

“While under investigation by the SIU and  
Hawks.”

**MAJ-GEN SENONA:** I see that.

**ADV HASSIM SC:** Matlala landed a R360 million tender.

And then it says, on the same day, News24 exposed him as the controversial controlling mind behind the company, he resigned his directorship and was replaced. Now, General, it is not true that you did not know about these other activities, these other allegations against Mr Matlala, is that not so?

**MAJ-GEN SENONA:** Commissioners, if they clicked on these articles and went further and this came out, I must admit that I did read this. Now I recall, because the  
10 advocate is talking about these things that are listed here, when you click and go further, it is important that you sometimes be made to recall certain things. But if you recall, you must say it and assist the Commission. That is why, when you look at my affidavit, I said this thing became too wary of me with the relationship. And then we had serious engagement there. So then, maybe there and there, I became aware. And we had serious deliberations, me and him.

**ADV HASSIM SC:** And you now know that your own  
20 organisation is investigating him?

**MAJ-GEN SENONA:** I now know, yes.

**ADV HASSIM SC:** No, no, you knew it on the 5<sup>th</sup> of March.

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** Because it said so in this article.

**MAJ-GEN SENONA:** Look, this is from the news clip, but I

was not privy to the content of the investigation. This clip, I became aware here, but it is not within my own space, my own organisation, yes.

**ADV HASSIM SC:** I am sorry, what do you mean it is not within your own space? When you saw this article and you see you are the provincial head of the Hawks in KZN, your friend is being investigated by the Hawks. What did you do about that?

**MAJ-GEN SENONA:** Hence, I said I became wary, and  
10 then I started to withdraw gradually my relationship with him, Commissioners.

**ADV HASSIM SC:** Did you make any further enquiries within the Hawks about these allegations against Mr Matlala?

**MAJ-GEN SENONA:** I did not do any further enquiries with that.

**ADV HASSIM SC:** Why not?

**MAJ-GEN SENONA:** It is not a common practise. Unless  
20 you are privy to the investigation, as I indicated earlier that when we sit in the National Project Committee forum, they discuss certain things. And this specific project was never discussed there. Normally, even if I have certain things that I am dealing with, that the investigation is within the province, we do not do that. We allow them to continue with the investigations.

**ADV HASSIM SC:** Yes, but this concerns Mr Matlala, who is a friend of yours.

**MAJ-GEN SENONA:** I agree, it concerns him.

**ADV HASSIM SC:** Do you think it is appropriate as a provincial head of the Hawks to continue your association with Mr Matlala in the circumstances that this article exposes?

**MAJ-GEN SENONA:** I told the Commission already that from there I grew wary, I started to move away gradually.  
10 And I must indicate that, you see, what the advocate was saying, Commissioners, that why I did not enquire from the Hawks and everything. If I did that, today it will amount to interference. Because you see a newspaper clip, you phone the Hawks, then what will be your questions about that?

It will amount to interference. Sometimes when people are being investigated, let the law take its course. And then without you interfering. Because some of the things that I am accused of here, Commissioners, is just I protected Mr Matlala. Utilised my office to protect him.  
20 Now I am compelled to say why you did not do this. I did not do it because some of the things today, if it happened, it would amount to interference and protection. So, Commissioners ...[intervenes]

**ADV KHUMALO SC:** General Senona, it is a simple case of saying what is the investigation about because I do not

want to be associated with somebody who is involved with serious criminal activity. That is all it is. You are not interfering with the investigation. You are simply distancing yourself from somebody who is being investigated for serious crime. It is as simple as that. Why do you assume that it would have amounted to interference?

**MAJ-GEN SENONA**: It is because ...[intervenes]

**ADV HASSIM SC**: Before you answer, can I please just add on to the Commissioner's question? Because more  
10 than that, in your position, you could have provided assistance to the Hawks investigation because of your proximity to Mr Matlala. Now you can answer both.

**MAJ-GEN SENONA**: Commissioner, under the context that the Commissioner has explained now, it never crossed my mind. Because normally when investigations are happening, it is on a need-to-know basis. And that is why I said the issue of confidentiality is paramount somewhere in my affidavit. So, when one picks up a phone and asks you about an individual that is under investigation with another  
20 province, it raises suspicions that what is this person, what does he want to know about this?

We do not do that normally. Unless if the PCMC has picked it up and linked this investigation to another province, then you can start to engage. So, under the context of the Commissioner, it never crossed my mind to

do that. I did not take it in that way. I just left it so that they can investigate free.

**ADV KHUMALO SC:** And the article mentions two other offences. Adv Hassim has mentioned three. The fourth one is that Matlala was questioned by the police and his business and home were raided. Five, Matlala's business won a contract using falsified information.

**MAJ-GEN SENONA:** Yes, Commissioner. What is the question, Commissioner?

10 **ADV KHUMALO SC:** So, you can see that he is being investigated by the SIU, by the Hawks, by the SAPS, and you continue to associate with him. In fact, you continue to assist him in his business ventures.

**MAJ-GEN SENONA:** If we look after the 5<sup>th</sup> of March on the WhatsApp Commissioners, I have indicated in my affidavit that I became wary of his conduct. And from that time, I started to withdraw. Maybe I do not know how to put it, but after that, I started to withdraw. Slowly, slowly to go out of this relationship, Commissioners.

20 **ADV HASSIM SC:** I think that is not correct. We will go through that. But let me just say, first of all, that that is not a candid response. Because what we know, and we spent some time on yesterday, is that you were part of a meeting on the 15<sup>th</sup> of April. Well over a month after receiving this article, reading this article, you were in a meeting in which

you were trying to assist Mr Matlala with his contractual problems. That does not indicate somebody who is withdrawing. Would not you agree?

**MAJ-GEN SENONA:** Commissioner, I deny that I was assisting him. He asked me to accompany him. And accompanying somebody does not necessarily mean assisting. And there, his issues, he was talking to General Mkhwanazi. And I did not arrange that meeting. I have testified and it is there in my affidavit. I do not think it is  
10 fair if I am told that I was assisting, whereas the man himself said he asked me to accompany him there. My interpretation of accompanying does not go ...[intervenes]

**CHAIRPERSON:** General, is this not engaging in semantics now? You have said from March you began distancing yourself and that culminated in you cutting him off. And that is from March. And now you say that him asking you to accompany him is not assistance. Let us say he spoke Nyindu and said ...[speaking in vernacular], I am going to see or let us say the rest in English now was in  
20 Sesotho, or Tswana or Sepedi I am going to see or I am going to meet General Mkhwanazi. So that is a request ...[speaking in vernacular]. Agreeing to that, that is assistance. It is something that he wants, so that is assistance. I think you are engaging in semantics to try to say you are not assisting him.

**ADV BALOYI SC:** General, in fact, in your statement, it is more than just accompanying him. In your statement, you say, I went to give him moral support. So, it is more than just, we are Kapa, to use the Chairperson's language. You are going to give him support. That is your assisting.

**CHAIRPERSON:** That is assisting.

**MAJ-GEN SENONA:** I believe that is the interpretation of the question.

**CHAIRPERSON:** No, it is not an interpretation  
10 ...[intervenes]

**ADV BALOYI SC:** No, it is your language.

**CHAIRPERSON:** It is not an interpretation. That is what you yourself say.

**ADV BALOYI SC:** It is your language, General. Let us not debate that. When you put it down that way, you said, Mr Matlala had requested I accompany him for moral support, as he was not comfortable meeting alone at that stage. It is your words, so you understood the true purpose, at least on paragraph 62. According to you, the purpose of you being  
20 there was to give him moral support. That is to assist, General.

**CHAIRPERSON:** And that is long after March, when you are wary of him, wary of communications from him. So long after, you are continuing to assist. Can you now respond to the question by Adv Hassim, without engaging in semantics,

please?

**MAJ-GEN SENONA**: I did accompany him.

**CHAIRPERSON**: And you were rendering assistance, General.

**MAJ-GEN SENONA**: If that is the case, let it be.

**ADV KHUMALO SC**: And to close this off ...[intervenes]

**CHAIRPERSON**: It is your language, your own language. It is not a case of letting it be, General, your own language. You are going to give him moral support. He asked you to  
10 accompany him, and you say you did, because you are giving him moral support. That is assisting him, is it not?

**MAJ-GEN SENONA**: Moral support and assisting him with his problems is different, but it is support in terms of the moral, assistance in terms of the moral support. I will agree to that, Commissioner.

**ADV HASSIM SC**: That is fine.

**CHAIRPERSON**: Especially because you prefaced it with assistance with moral support. So, you are assisting. That is the long and short of it, correct?

20 **MAJ-GEN SENONA**: Thank you, Commissioner.

**CHAIRPERSON**: Thank you.

**ADV HASSIM SC**: Thank you. And I just ...[intervenes]

**ADV KHUMALO SC**: To close it off, sorry, Adv Hassim. You say in your statement that it was in relation to purchase orders. So, it was in relation to his business ventures. It

was not just a friendship, moral support. It related specifically to his business venture, the purchase orders.

**MAJ-GEN SENONA**: Correct, Commissioner. It was in relation to purchase orders. But it must be noted that I did not participate in that type of engagement in that meeting, although I was present there. But the meeting was in relation to purchase orders. That is my response there.

**CHAIRPERSON**: So, we must basically take what you say about beginning to distance yourself from much already.

10 We must take that with a pinch of salt, because it is an understatement. Do you agree?

**MAJ-GEN SENONA**: It is not an understatement, Commissioner, because we will deal with issues differently as human beings. But me, I was gradually. I have never said I cut gradually.

**CHAIRPERSON**: And when did you eventually cut? If you ever did, when did you eventually cut?

**MAJ-GEN SENONA**: I did, Commissioner.

**CHAIRPERSON**: When?

20 **MAJ-GEN SENONA**: I think just before. It should be he was arrested sometimes in May. And then you will see after that meeting with General Mkhwanazi. Can I be protected if I have to respond? Do I have your protection?

**CHAIRPERSON**: Sorry, yes. Protection from myself. You are entitled to it.

**MAJ-GEN SENONA**: I see that it seems that ...[intervenes]

**CHAIRPERSON**: You are entitled to ...[intervenes]

**MAJ-GEN SENONA**: I look like an accused person, so that is why I am asking for protection. Because I understand I am a witness here.

**CHAIRPERSON**: And I apologise.

**MAJ-GEN SENONA**: Thank you, Commissioner. Witnesses cannot be chastised, but clarity needs to be given and so forth.

10 **CHAIRPERSON**: I apologise. Moves profusely. Thank you.

**ADV HASSIM SC**: Sorry, is there something else? Because I wanted to ask you a question about the, still about the support. Before we go anywhere else.

**CHAIRPERSON**: I thought, General, you asked for protection because you were still speaking. So, I thought you were going to continue speaking.

**MAJ-GEN SENONA**: Yes, no, I would rather maybe let her talk, Commissioner.

20 **ADV HASSIM SC**: No, no, I am sorry. I did not understand the witness to be still speaking. So, if you want to say something, please do.

**MAJ-GEN SENONA**: No, I am fine, Commissioner.

**CHAIRPERSON**: Thank you, General. Yes, Ms Hassim.

**ADV HASSIM SC**: It might be because I am looking at you

as you are asking questions, and I did not see the witness. So you must feel that you have got ample opportunity to provide whatever responses you wish to make, General.

**MAJ-GEN SENONA:** I have already said I am fine, Commissioner.

**ADV HASSIM SC:** Good, thanks. So just on this 15<sup>th</sup> April meeting, it is not just a question of the moral support and being there and the presence. You also assisted Mr Matlala in the following sense, that you did not report that meeting  
10 to the SAPS. Is that not so?

**MAJ-GEN SENONA:** You said I did not report the meeting to the SAPS.

**ADV HASSIM SC:** You did not report. Yes, you did not report.

**MAJ-GEN SENONA:** The Provincial Commissioner was present. Who do I report to? Because I must tell him about the meeting. He was there. It is me who reported this here at the Commission to show that I have got nothing to hide. It is me who brought this thing here at the Commission.  
20 The General was here. He never brought this here. So, I think that needs to be taken seriously into consideration. Thank you, Commissioner.

**ADV HASSIM SC:** That will be, but you testified yesterday about the independence of the Hawks from the SAPS, correct?

**MAJ-GEN SENONA:** Operational Independence Commissioners.

**ADV HASSIM SC:** I do not know what distinction you are trying to make, but what I am trying to put to you is that the Hawks is an independent organisation with specific responsibilities. So, you bore a responsibility in your position as Provincial Head of Hawks quite apart from whatever duties General Mkhwanazi bore. Do not you agree?

10 **MAJ-GEN SENONA:** I do not agree with you because I have testified before this Commission about what type of independence is the Hawks having. It is supposed to be totally independent. I even indicated the Glenister case yesterday. So, I do not know what is the rationale of your question that I did not report this to the police. The Provincial Commissioner was present in that meeting.

**ADV HASSIM SC:** Yes, but you needed to report the Provincial Commissioner to his superior.

**MAJ-GEN SENONA:** To his superior?

20 **ADV HASSIM SC:** Correct.

**MAJ-GEN SENONA:** Maybe he should have reported me as well to my superiors.

**ADV HASSIM SC:** That may be so. I am not asking about him. He will have his own questions to answer.

**MAJ-GEN SENONA:** I did not report him to his superiors.

I reported here at the Commission. I waited for my turn to come and report it here because whatever was discussed, let me say, the issue of the constitution of this Commission is related to certain issues. And eventually, Mr Matlala is also part and parcel of the person who is being accused of wrongdoing or being in contravention with the law. So, I chose to come and report it here.

**ADV HASSIM SC:** But on 15 April 2025, this Commission was not in existence. It was not even on the horizon.

10 **MAJ-GEN SENONA:** Absolutely true. It was not in It has not yet been established by them.

**ADV HASSIM SC:** There was no Madlanga Commission on 15 April 2025. There was no reason for you to think that there was going to be a Commission where you could come and then report. Why did you not report it at the time?

**MAJ-GEN SENONA:** Commissioners, reporting a meeting to my superiors and then what was I supposed to say in that meeting? In the report? Maybe you must assist me because I have already testified yesterday. You asked me  
20 questions about the issue where the General was talking about the case docket of the attempted murder. And then I also gave a response.

What was my taking in relation to what transpired there? So, what is it that I was supposed to report? The Provincial Commissioner met with Mr Matlala. Doing what?

I did not see any need. And then I think Commissioners, I have responded to this question. I did not report it.

**ADV HASSIM SC:** Yes, you did not report it. I get it. This was after you sent him the article 5 March. That is the context in which I am asking you this. When you now knew all of these allegations against Mr Matlala and the problem with this particular contract. But you have given your answer. And I will accept that.

**ADV KHUMALO SC:** Can I just ask this? General, do you  
10 not see anything wrong with a businessperson going to see a Provincial Commissioner of Police and saying to him, if you help me get purchase orders to help my business, I will help you with something. Do you not see anything wrong with that? Because you seem to suggest that this is a normal meeting of people sitting and having drinks and there is nothing to report.

He went there to get assistance because he was not getting purchase orders from SAPS. And according to you, he wanted General Mkhwanazi to help him to get  
20 purchase orders. And presumably he was going to give General Mkhwanazi something in return. Do you not see anything wrong with that?

**MAJ-GEN SENONA:** Commissioner, I want to disagree with the first statement. That he went to the General to get assistance of the orders and then in return of him giving

him something. I am saying he asked me to accompany him of which we dealt with that earlier to the meeting. The main issue that he asked me there he said what was going to be discussed is the problems with the orders.

Now, in the meeting issues were discussed between him and the General there. And then there was no - I did not hear let me put it this way I did not hear a conversation that says help me with the purchase orders and then I will in exchange of this. That I heard it - I read it here when  
10 they give us the transcripts of Mr Matlala from the Ad-Hoc Committee that there were questions of that nature. So, as for me I did not hear that. The only thing that I presented before this Commission is the issue of the attempted murder case Commissioners.

**ADV KHUMALO SC:** No, General, you state it as your knowledge in paragraph 64 of your order - of your statement. You say my knowledge, however, is as follows. Then you set out the three paragraphs.

**MAJ-GEN SENONA:** Paragraph?

20 **ADV KHUMALO SC:** 64. And you say General Mkhwanazi agreed to assist Matlala to get purchase orders from Lt-Gen Nkhuoa. It is there.

**MAJ-GEN SENONA:** I said I disagree with that he agreed to assist him with purchase order in return of something. That is what the Commissioner said. And this one here I do

not disagree with it. It is there. I do not disagree with this one. And it must be also remembered that it is not me who arranged this meeting. Maybe Mr Matlala will come and clarify who arranged the meeting before this Commission.

**ADV KHUMALO SC:** Let us leave it there.

**ADV BALOYI SC:** Are you moving away from this article to ask a question?

**ADV HASSIM SC:** Well, I am not moving away from this issue. Are you wanting to ask something about the article,  
10 Commissioner?

**ADV BALOYI SC:** Yes, it is about the article.

**ADV HASSIM SC:** Go ahead.

**ADV BALOYI SC:** General, you testified earlier that you do not monitor the media and that is your explanation why you did not become aware of the full details of the whistleblowing what it was about and in particular that Mr Matlala's company was one of the companies on which Ms Deokaran blew the whistle. You explained that you do not monitor the media. You become aware of this article. It is  
20 of sufficient interest to you to send to Mr Matlala that you are discussing now with Ms Hassim. How did you become aware? How come you became aware of this article?

**MAJ-GEN SENONA:** I happened to be on News24 just to check. I clicked there and then the media came. The media thing came. That is how I happened to know. I

normally do not go in and out of this media space.

**ADV BALOYI SC:** This was not the only day. It was not the first time that you just randomly went on to News24. It is something that you would do from time to time.

**MAJ-GEN SENONA:** There were days before that I did not have it because you are subscribing. Some of these issues when you are not subscribing it will appear, but when you click on it, it does not open. I think in the previous year I was subscribing but it will happen that when I see  
10 something of interest because when you go to your WhatsApp you deal with it. Sometimes you go to News24 Commissioners. So, ...[intervenes]

**ADV BALOYI SC:** Sorry, finish. You can finish.

**MAJ-GEN SENONA:** As a result of that I happened to find this one.

**ADV BALOYI SC:** In this period, you were subscribing. There was subscription.

**MAJ-GEN SENONA:** Correct, Commissioner.

**ADV BALOYI SC:** In that period from time to time, you  
20 would check News24 and other if you check others as well.

**MAJ-GEN SENONA:** Not necessarily from time to time but you will find out that when time permits you will go there. Not always. A day or two or three might pass for me not looking into that.

**ADV BALOYI SC:** All I am checking with you is this was

not the only time when you saw this article. This was not the only time that you happened to check News24.

**MAJ-GEN SENONA**: It was the only time when I saw this newspaper clip. Yes, it was not the only time me checking News24.

**ADV BALOYI SC**: Thank you. That answers my question. What is it about this article when you sent it to Mr Matlala? What was the reason about the content of this article that made you send it to Mr Matlala?

10 **MAJ-GEN SENONA**: It made me wary.

**ADV BALOYI SC**: No, I mean the subject because as Ms Hassim has read to you the subject, the lines, at page 42 it raises different issues. What in fact did you have in mind, or did you consider that made it worthy sending to Mr Matlala?

**MAJ-GEN SENONA**: I was worried about what was in the newspaper clip. No, sorry, not newspaper on News24, I beg your pardon. That is where I challenged him about the content of that.

20 **ADV BALOYI SC**: I am trying to understand whether when you say you were worried about the article and you challenged him, did you talk to him about him being part of extraction syndicates as this article says that he was identified as that? Is that a matter that you challenged him about to use your language? There is also the investigation

by the SIU. Did you challenge him about that in your discussion with him? And then there is the directorship issue. I am trying to understand did you cover all of those with him?

**MAJ-GEN SENONA:** I asked him in relation to the directorship and as well as the stories about his company.

**ADV BALOYI SC:** You did not ask him anything about the Babita Deokaran whistleblowing connection?

**MAJ-GEN SENONA:** No, this one of the Babita Deokaran, I  
10 did not ask him because the people were already arrested and convicted who committed the murder.

**ADV BALOYI SC:** So, you did not ask him why do they connect you to this? I am not asking you about the people that killed him. I am asking you, you forward an article that makes, that is a story about the business of Mr Matlala and that includes that he was implicated, his company is part of the companies that are implicated in the whistleblowing and I am trying to understand that that part you did not ask him about. You did not say to him what is this about? I am just  
20 trying to understand that.

**MAJ-GEN SENONA:** I do not recollect if I ask him or not Commissioners. But what worried me too much here because the issue of the investigations by the Hawks and SIU, I saw it here, but the issue is that this thing of tender fraud of the police and then will automatically change to

directorship and also these things in my own perspective alone that something is not right here. That is why I indicated in my affidavit I decided to gradually start to reverse in terms of our, if I may use that word, relationship.

**ADV BALOYI SC:** What worried you about the change of directorship? I mean, people, directorships change every day and when I read this article, it is not obvious to me why you, General Senona, would be concerned that Mr Matlala has decided to put Ms Masete as a paper director as they  
10 describe in the article. Why is that a matter of concern that in fact makes you start withdrawing from him?

**MAJ-GEN SENONA:** It was also these crimes, although I did not ask him about it, this crime that I listed here, Commissioner.

**ADV BALOYI SC:** Okay, so it is the crimes ...[intervenes]

**MAJ-GEN SENONA:** That are listed here ...[intervenes]

**ADV BALOYI SC:** The Babita Deokaran matter, the fraud on the tender.

**MAJ-GEN SENONA:** There is investigations that are  
20 underway by these institutions.

**ADV BALOYI SC:** Yes, including that tender, the 360 million tender, fraud accusations about it.

**MAJ-GEN SENONA:** The police one?

**ADV BALOYI SC:** Yes.

**MAJ-GEN SENONA:** Correct.

**ADV BALOYI SC:** That also concerned you?

**MAJ-GEN SENONA:** Correct, Commissioner.

**ADV BALOYI SC:** And yet it is the same tender that you attended a meeting with General Mkhwanazi to give him moral support to get payment for. Do you not see a problem with that?

**MAJ-GEN SENONA:** At that stage, I never saw a problem, Commissioner.

**ADV BALOYI SC:** All right, thank you, General.

10 **MAJ-GEN SENONA:** Thank you, Commissioners.

**ADV BALOYI SC:** Thanks, Ms Hassim.

**ADV HASSIM SC:** Thanks, Commissioner Baloyi. Just to round up on a couple of things before we — there is quite a bit to get through. But first, Commissioner Khumalo referred to this meeting as being one of an exchange, meaning a help with the purchase orders in exchange for something. And you say you were not aware of that kind of an exchange of favour, tit-for-tat, if I recall correctly. You said you were not aware of that.

20 **MAJ-GEN SENONA:** I specifically said, Commissioners, I was not aware of an exchange of assisting with getting order forms in exchange of you getting something. I specifically talked about it.

**ADV HASSIM SC:** Yes.

**MAJ-GEN SENONA:** But the one that I am aware, it is

there in paragraph 64.3 of my statement that I have already testified about.

**ADV HASSIM SC:** Okay. There is one other that comes up in evidence of Mr Matlala before the Ad-Hoc Committee. So, I now need you to open another folder, and that is file 3 of 3.

**MAJ-GEN SENONA:** I must close this one.

**ADV HASSIM SC:** No, we are coming back to these other two.

10 **MAJ-GEN SENONA:** But if I close - sorry, Commissioners.

**ADV HASSIM SC:** Do you need assistance?

**MAJ-GEN SENONA:** If I close it, will you direct me to where we are supposed to close?

**ADV HASSIM SC:** But we will be coming back there. Do you need some assistance?

**CHAIRPERSON:** You may close it, General. Thank you, Commissioner. I just put it aside somewhere close by.

**MAJ-GEN SENONA:** File?

**ADV HASSIM SC:** 3 of 3.

20 **MAJ-GEN SENONA:** 3 of 3.

**ADV HASSIM SC:** Page 54.

**MAJ-GEN SENONA:** Thank you.

**ADV HASSIM SC:** Just to begin with, so I can orientate you, General, page 1 of this file shows you that this is the transcript of the evidence of Mr Matlala before the Ad-Hoc

Committee on 26 November 2025. Okay. But the relevant part is on page 54, and it is three paragraphs from the bottom, five lines, if you count from the bottom.

**MAJ-GEN SENONA**: Paragraph?

**ADV HASSIM SC**: So, if you count five lines from the bottom, it is probably easier.

**MAJ-GEN SENONA**: One, two, three, four, five.

**ADV HASSIM SC**: It starts with Adv Arendse. You have got that?

10 **MAJ-GEN SENONA**: Yes.

**ADV HASSIM SC**: Thanks. Okay, so Adv Arendse says the following to Mr Matlala. He says:

20 “But according to your statement, that is Mr Matlala's statement, the true reason for the meeting, and the meeting here is the 15 April meeting, was in relation to this chap, Esmael Malude Ramos Nangy, to convince him to withdraw the charges because he had been assaulted. That was the true purpose of the meeting, according to you? Question. Mr Matlala responds, to drop the charges, yes, and also about Nkhua, to not stop my contract from operating.”

So, let us just finish reading this exchange, because it

implicates you, because the next thing Adv Arendse says is:

“Do you know, or did you know General Senona, head of the Hawks in KZN? Mr Matlala says, I know him very well, very well, and then he explains your relationship, which is consistent with what you have described.”

Okay. Then if you go down on page 55, there are no line numbers, but let me count it, 15 lines from the bottom.

10 **MAJ-GEN SENONA**: It starts with?

**ADV HASSIM SC**: Adv Arendse you mentioned in paragraph, you see it.

**MAJ-GEN SENONA**: Okay.

**ADV HASSIM SC**: He says:

“You mentioned that you met with Mr Nangy as instructed by Lt-Gen Mkhwanazi and tried to convince him to withdraw the charges. Nangy advised that he was not alone in the matter and that his brother-in-law could not speak, could not speak due to torture.”

20

And then he continues, Mr Matlala says, yes, that is true. And then if you go down seven lines from there, you see still the same page, 55.

**MAJ-GEN SENONA**: From Adv Arendse, you mentioned in

paragraph, so, so, so, from there?

**ADV HASSIM SC:** Yes, that you met with Mr Nangy.

**MAJ-GEN SENONA:** Okay.

**ADV HASSIM SC:** And then if you go down further seven lines.

**MAJ-GEN SENONA:** Seven?

**ADV HASSIM SC:** Yes.

**MAJ-GEN SENONA:** It starts with?

**ADV HASSIM SC:** Adv Arendse. Then you say you  
10 communicated. Do you see that?

**MAJ-GEN SENONA:** I see.

**ADV HASSIM SC:** He says, Adv Arendse says:

“Then you say you communicated Nangy's reluctance to Lt-Gen Mkhwanazi via General Senona. How did you do that? Mr Matlala says, can you repeat that please? Adv Arendse repeats it. Mr Matlala says, I called him.”

We turn over the page at the top first line. Adv Arendse  
20 says:

“You called Senona to tell him that you spoke to Nangy and he was not prepared. As a result, you suspect this was one of the reasons why you were later arrested and charged. Mr Matlala, yes.”

So, Mr Matlala says that he engaged with you on this tit for tat that had been struck between him and General Mkhwanazi. What is your response to that?

**MAJ-GEN SENONA:** What do you mean, Commissioner? What is the advocate meaning tit for tat?

**ADV HASSIM SC:** Well, I just read from the transcript where Mr Matlala says, he says that he had this discussion that – that the meeting was in relation to this chap Nangy and Mr Matlala says to drop the charges, yes, and also  
10 about Nkhuoa to not stop my contract from operating. And that, I am not going to repeat everything I said. The context is ...[intervenes]

**MAJ-GEN SENONA:** Commissioner, I just want to get the clarity so that I can try and not waste the Commissioner's time in my responding. You want me to respond in terms of all these paragraphs that you highlighted?

**ADV HASSIM SC:** No, no.

**MAJ-GEN SENONA:** One by one?

**ADV HASSIM SC:** No, no.

20 **MAJ-GEN SENONA:** What is the actual question?

**ADV HASSIM SC:** My question is, did you meet with Mr Matlala to discuss this question, what he is saying to you? He says he met with you to convey to you that the request from General Mkhwanazi that Mr Nangy drops his complaint is not successful because he does not want to drop it. And

he says he called you to convey this to you. So that is what I want you to respond.

**MAJ-GEN SENONA**: I never met with Mr Matlala to discuss the withdrawal of the case by Mr Nangy. And even in the calls, when we were talking about the calls, Mr Matlala never informed me about this. So, I think you will have to come and explain properly here before this Commission, because if I heard this and it did happen, and then I recollected it after you gave me these things, I would have  
10 included it in my statement. So, I do not recall it.

**ADV HASSIM SC**: You do not?

**MAJ-GEN SENONA**: Never. I do not think it happened. I do not even have a recollection of that, Commissioner, that he told me that Mr Nangy refuses to drop the charges.

**ADV HASSIM SC**: Yes.

**MAJ-GEN SENONA**: This thing of dropping the charges, I did not even hear it during the meeting on the 15<sup>th</sup> of April. I do not remember hearing this discussion. It might have happened. I do not deny it. And I do not want to say it  
20 happened or it did not, but General Senona did not hear it. And number 2, this call, it never happened with this discussion. A call with these discussions, it did not happen.

**ADV HASSIM SC**: Okay, so, you are saying Mr Matlala is not being honest here when he says that he called you to

discuss this Nangy issue?

**MAJ-GEN SENONA:** I am not saying he is not honest. I am saying this call in relation to this discussion never happened.

**ADV BALOYI SC:** But General, I think what Ms Hassim is trying to do in simple language is your answer is the call never happened. It never happened. So, she says to you, so it means that Mr Matlala is being untruthful if he says there was a call with you and you sit here before us. You  
10 say there was no such call. He is being untruthful. I think it is not controversial. You can consider that. You can agree that he is not being truthful.

**MAJ-GEN SENONA:** It is not true. It is not true, Commissioner.

**ADV BALOYI SC:** Thank you.

**ADV HASSIM SC:** Okay, thank you. So, then we get back to the media articles and 5 March. And you say that you began to withdraw. But I put to you that is not correct because you had the 15 April meeting and we have had that  
20 whole exchange. But it goes further than that, General, because the day before Mr Matlala was arrested, you were still engaging with him. And in fact, what you say to him on the 13<sup>th</sup> of May is take them on, brother, meaning to take on the SAPS. And I will take you there because you should have a look at it. It is page 60 of the WhatsApp. It is file 1

of 3.

**MAJ-GEN SENONA**: I am there.

**ADV HASSIM SC**: So, do you see that, 13 May 2025?

**MAJ-GEN SENONA**: Correct, Commissioner.

**ADV HASSIM SC**: 15:08 in the afternoon.

**MAJ-GEN SENONA**: Correct, Commissioner.

**ADV HASSIM SC**: Take them on, brother.

**MAJ-GEN SENONA**: Correct.

**ADV HASSIM SC**: Okay, and you recall what that was  
10 about?

**MAJ-GEN SENONA**: Yes.

**ADV BALOYI SC**: Ms Hassim, we are looking at the  
WhatsApp bundle.

**ADV HASSIM SC**: Yes.

**ADV BALOYI SC**: You say page?

**ADV HASSIM SC**: Page 60.

**ADV BALOYI SC**: Six zero. Yes, I see it.

**ADV HASSIM SC**: Have you found it? So, we are going to  
turn one page back now to page 59 because that is where it  
20 begins. General, on page 59, Mr Matlala, on the 13<sup>th</sup> of  
May, sends you a document at 1 o'clock. Do you see that?

**MAJ-GEN SENONA**: Correct, Commissioner.

**ADV HASSIM SC**: And that document is Annexure SEN6,  
which you will find at page 300 of the same file. Have you  
found it, Commissioners? Page 300. This is a letter from

the National Commissioner. General Masemola, correct?

**MAJ-GEN SENONA:** Yes, Commissioners. I see that.

**ADV HASSIM SC:** And it is a letter terminating the contract of Medicare24, Mr Matlala's company. Do you see that?

**MAJ-GEN SENONA:** Correct, Commissioners.

**ADV HASSIM SC:** You have seen this letter before. You have read it.

**MAJ-GEN SENONA:** I believe I might have because it is  
10 the one for the termination of its contract.

**ADV HASSIM SC:** Right and in that letter on page 300, in the last paragraph, it says 'SAPSs judgment' is that your company abused the supply chain management system and engaged ...[intervenes]

**MAJ-GEN SENONA:** Sorry, can I get that paragraph?

**ADV HASSIM SC:** I am sorry. I thought we were on page 300. It is the last paragraph on that page.

**MAJ-GEN SENONA:** Okay, yes.

**ADV HASSIM SC:** Do you see it?

20 **MAJ-GEN SENONA:** I see it, Commissioners.

**ADV HASSIM SC:**

“SAPSs judgment is that your company abused the supply chain management system and engaged in fraudulent and/or corrupt practises in competing for this

contract based on, *inter alia*, the following findings of material irregularities.”

And then each of those irregularities is detailed in the letter for the next couple of pages.

**MAJ-GEN SENONA**: I see that.

**ADV HASSIM SC**: Now, and then it ends. I am not going to go through all of them. You have seen the letter before, and we can go through it if you wish to. They are very  
10 detailed. And it concludes:

“Given the seriousness and cumulative nature of these breaches, SAPS considers the continuation of this contract to be untenable. Contract is hereby terminated with immediate effect.”

Now, Mr Matlala sends this letter to you. What was your response?

**MAJ-GEN SENONA**: My response, Commissioners, thank you, Advocate. I want to take the Commissioners at page  
20 60 of bundle 1 of 3. A page after this SEN6.

**ADV BALOYI SC**: You said page?

**MAJ-GEN SENONA**: 60, Commissioner. May I proceed, Commissioners? My response is that this is so sad, and it leaves one with, maybe there is a missing link there, choice, but to seek legal advice on this issue, with a view to

challenge this decision.

**ADV HASSIM SC:** Yes, so, in fact, your response starts before that. You send him an image of President Zuma with his head in his hands.

**MAJ-GEN SENONA:** Emoji.

**ADV HASSIM SC:** And then you follow it by saying, so it is shaking his head in his hands, and he is saying, this is so sad, and you advise him to get legal advice.

**MAJ-GEN SENONA:** Yes, correct. That is my response to  
10 him.

**ADV HASSIM SC:** And he says he will.

**MAJ-GEN SENONA:** He says:

“True, my Advocate advice I should make  
interdict within 48 hours.”

**ADV HASSIM SC:** And then you say?

**MAJ-GEN SENONA:** I say:

“Take them on, brother.”

**ADV HASSIM SC:** Yes.

**MAJ-GEN SENONA:** Yes.

20 **ADV HASSIM SC:** Now, do you not think that it is inappropriate for you to be giving him advice after you see this letter from the SAPS raising these serious concerns?

**MAJ-GEN SENONA:** It is not inappropriate. It is within his rights, because he talks about his advocate here as well.

**ADV HASSIM SC:** Sorry, what is he saying?

**MAJ-GEN SENONA:** It is not inappropriate.

**ADV HASSIM SC:** It is not inappropriate?

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** So, you were already concerned. You said to us you started to withdraw from him. You started to cut off contact from him.

**MAJ-GEN SENONA:** Exactly.

**ADV HASSIM SC:** And instead, your response here is to say, this is terrible news. This makes you sad. This is sad.

10 **MAJ-GEN SENONA:** It does not make me sad, Commissioner, that the news is that of a sad in nature. These are sad news, not me being sad. I need to clarify that. The news of a sad nature. And, you see, I am going to, I want to say something under this context, Commissioner. You know, it is clear, I mean, I have never protected this man.

If he said, this is the challenge, I said, this is so sad. Seek legal advice. Then he also informed me, my advocate said, so I must interdict them. I said, take them  
20 on. I read this thing. I saw that he will never win. But let him go and do whatever he wants to do. But when I read this letter, I realised he will never win to restore this contract based on what it is written in the letter. But that is what I have indicated to him. And that is it, Commissioners.

**ADV HASSIM SC:** I do not understand that response. You

already are wary, as you say, of Mr Matlala. Now you see the actual culmination of this in the letter. And in your response, instead of distancing yourself from him, you choose to respond. This is, you said that you began to cut ties. This is the day before Mr Matlala was arrested, by the way. So, in fact, the way you cut ties with him was forced upon you by his arrest. Is that not so?

**MAJ-GEN SENONA**: Commissioners, you see, when you look at this response, it is a straightforward thing that this, 10 that closeness is no more there. You know, another person, Commissioners, will do this. If he wanted to assist this person and continue with the relationship, will say, no, do not worry, I will go meet so and so and do one, two, three. Another person might do that, if one can bring that type of context. But I only said these things, and then from there, I have never, sorry, I have never talked about this, this thing of the contract anymore with him.

**ADV HASSIM SC**: From then, because he was arrested, because he was arrested a few hours later.

20 **MAJ-GEN SENONA**: No, Commissioners, the arrest of Mr Matlala took place on the 15<sup>th</sup> of May.

**ADV HASSIM SC**: On the 14<sup>th</sup> of May.

**MAJ-GEN SENONA**: If you say 14, you are correcting me, but according to my recollection, it is the 15<sup>th</sup> of May 2025. That is my recollection, but I stand to be corrected of the

date of arrest.

**ADV KHUMALO SC:** What difference does a day make, General, whether it is the 14<sup>th</sup> or the 15<sup>th</sup>? The point is it was soon thereafter.

**MAJ-GEN SENONA:** I cut my ties, Commissioners. The difference was the date of arrest, but the mere fact, yes, he is arrested, to show that I have cut ties:

[1] There was no evidence presented before this Commission, and also myself, I am saying so. After  
10 his arrest, I have never called him.

[2] I have never visited him in any prison where he was detained.

[3] I have never attended his court where he came with bail application.

[4] Even when his visits, the issue of his problems here, I did not even offer to help any, like previously when I talk about moral support.

I said moral support. We are talking about moral support. It did not happen here. Then I said, I am done now.

20 **ADV KHUMALO SC:** So, you only cut ties after he got arrested?

**MAJ-GEN SENONA:** Finally.

**ADV KHUMALO SC:** Only?

**MAJ-GEN SENONA:** Finally, when that happens, Commissioner. I said, gradually I was moving away, but

finally, I am even prepared if my cell phone needs to be checked, to check that have I ever did any contact with him, either directly or indirectly. Have I ever visited him or go to the jail? Because if you want to continue your relationship, you will visit him in jail. We could check even the registers there if I went there and visited, or if I ever called any person in the prison. Finally, my submission, Commissioner, is that finally, I cut, till today, I have never come into contact with him or his wife or whatever. Finally,  
10 that is my submission.

**ADV KHUMALO SC:** General, the issue was after the 5<sup>th</sup> of March article, you said in your statement, after that day, you became weary and you started cutting ties with him. So, what is being explored with you is whether after that date, you cut ties with him or not.

**MAJ-GEN SENONA:** I said, gradually, I moved away, Commissioner. That is my response. I think I said it over 10 times today in this room, Commissioners.

**CHAIRPERSON:** Sorry, sorry, Ms Hassim. I hope I will not  
20 disrupt the flow of your questions. Yes, you have said it several times, General, but why did it have to be gradual? You have this article it is making these serious allegations of tender fraud and other serious allegations. Why did it have to be gradual? Why did you not terminate communication there and then?

**MAJ-GEN SENONA:** I do not have a response to that.

**CHAIRPERSON:** I am sorry?

**MAJ-GEN SENONA:** I do not have a response to what the Commissioner is asking me. Why did I not cut it there and then?

**CHAIRPERSON:** May I come in, please? You do not have a response, General, because this is untrue. At that stage, you did not intend terminating communication. That is why you have no response to my question. It is simply not true.

10 **MAJ-GEN SENONA:** I do not agree with the statement, but for me, that is what I was doing, Commissioners.

**CHAIRPERSON:** So, from 5 March all the way up to the 13<sup>th</sup> of May, you are still gradual. So, it seems to me that had Mr Matlala not been arrested, you would still be continuing with your communication with him. Which buttresses or which supports my point that it is untrue that you ever intended to cut ties with him or to stop communication with him?

20 **MAJ-GEN SENONA:** Commissioner, there was an intention.

**CHAIRPERSON:** But when and how does that manifest? When and how does that intend termination manifest?

**MAJ-GEN SENONA:** Commissioner, when we deal with issues of terminating relationship, we take them differently. I hear what the Commissioner is saying, but there was an

intention.

**CHAIRPERSON**: You are a police official. You are a member of the Hawks. You find out that your friend, your “younger brother”, is allegedly involved in criminality. This is something that concerns you and concerns you to the extent that you decide to cut off ties. You are a police officer. This is not just a relationship between ordinary individuals. Why did you not terminate communication of ties there and then?

10 **MAJ-GEN SENONA**: I have already responded to that, Commissioner.

**CHAIRPERSON**: Which is that you cannot respond to my question.

**MAJ-GEN SENONA**: I have already responded in that I decided to gradually move away from him.

**CHAIRPERSON**: No, no, no, no, no, that is not answering the question because my question exactly goes to that gradual termination. I am saying you are a police officer because you say people respond differently. You may  
20 terminate communication differently depending on who you are. My point is you are a police officer. You head Hawks, which is a specialised unit within the police, and which deals with serious crimes.

You become aware that a person that you consider to be your brother, your younger brother, you are

...[speaking in vernacular] brother. So now you become aware that he is involved in criminality. And on the 5<sup>th</sup> of March, you decide that you want to cut communication with him. But you do this gradually. You are not an ordinary person. You actually head Hawks in KZN. Why did you not terminate communication immediately?

**MAJ-GEN SENONA**: That idea never crossed my mind, Commissioner.

**CHAIRPERSON**: Now, let us just look at the content of  
10 these communications, which are what, three months later? You seem to be communicating with a friend in a very amicable manner. No indication at all that you are irritated with him. No indication at all that this is somebody that you want to terminate communication with. You say, this is so sad.

And it leaves one with, I think you wanted to say, no choice. The no is missing. But to seek legal advice on this issue with a view to challenge this decision. No sign of you ever having intended to terminate communication at all.  
20 It is actually friendly. It is actually empathetic. How can that be if way back in March 5<sup>th</sup> March, you already wanted to terminate communication? That just does not make sense altogether, General.

**MAJ-GEN SENONA**: I have taken note of that, Commissioner.

**CHAIRPERSON:** I am sorry?

**MAJ-GEN SENONA:** I have taken note of the Commissioner's comment.

**CHAIRPERSON:** What is your response? What is your comment?

**MAJ-GEN SENONA:** I believe I have already responded, Commissioner.

**CHAIRPERSON:** You have not. I am raising a different question now. I am raising a question about you being  
10 empathetic. Where you are suggesting that way back in March you wanted to terminate communication. This is a different point altogether. You have not responded to it. Can you please respond?

**MAJ-GEN SENONA:** The empathetic part of it, Commissioner.

**CHAIRPERSON:** The entire context. You are talking as if you continue to relate with him in the same manner, you have told us you related with him. Since the marriage, your marriage, 2018-2019, having taken a liking to him, your  
20 words, you then communicated regularly as friends. And going to the extent of saying you basically considered each other to be brothers.

Now you decide to terminate communication in March. What I am saying is but look in May. You are communicating with him in a manner that shows that you

are quite empathetic to the difficulties he finds himself in. And I say, to say that way back in March you had intended to terminate communication simply does not make sense. That is a different question to the earlier one, which was why did you not terminate communication immediately? That is a different question, General. Please respond.

**ADV BALOYI SC:** Maybe before you respond, General, let me just add something else to the Chairperson's question that you should take into account. In that page 60,  
10 WhatsApp where you say, take them on, brother. In fact, you are encouraging him. Contrary to you, to what you are saying to us. In fact, a day or two before he is arrested, you say you encourage him to take your employer on. Regarding the termination of the contract, which as the Chair says, does not seem to suggest presenting someone who has no interest anymore in Mr Matlala's affairs and business.

**MAJ-GEN SENONA:** Thank you, Commissioner.

**CHAIRPERSON:** Do you see that these are different  
20 questions? It is no longer my question about terminating immediately. Do you get that?

**MAJ-GEN SENONA:** I get it.

**CHAIRPERSON:** I do not want to disabuse your mind of this idea that I am asking you the same question. So, can you now respond to my question, taking into account the

additional point that my colleague has?

**MAJ-GEN SENONA:** I have taken note of the analysis of the Commissioner, and I see that, yes, there is an error on my side that I have done in order to encourage him.

**CHAIRPERSON:** I just repeat that I am not sure I understand.

**MAJ-GEN SENONA:** I have taken note of the analysis of these messages by the Commissioner, and I consider that it is an error on my side, continuing to do this.

10 **CHAIRPERSON:** I want to suggest to you, General, that you are not able to respond to both these questions because what you are telling us is untrue. That is the real reason.

**MAJ-GEN SENONA:** Commissioners, I believe I said I want to come and tell the truth, nothing else but the truth. But that is the response I am giving, Commissioners, in terms of the truth of my recollection. I have already said it might be an error of my side, continuing to send him this type of messages. I think that is where I will stand with my  
20 response to the questions, Commissioners.

**CHAIRPERSON:** Now, General, from the 6<sup>th</sup> of March, that is the very day after you tell us – that is the day you from which you intended to cut off communication, I am looking at file 1 of 3, the exhibits file.

**MAJ-GEN SENONA:** File?

**CHAIRPERSON:** The one that says 1 of 3, the exhibits file.

**MAJ-GEN SENONA:** Okay, I got it, Commissioner.

**CHAIRPERSON:** It should be the – it is the same one, we are on.

**MAJ-GEN SENONA:** Yes.

**CHAIRPERSON:** It is the same one we are on, yes. If you look at page 28, all the way and that is March, that is the 6<sup>th</sup> of March. And you have told us that from the 5<sup>th</sup> you are now wary of him, his communications, and you have decided  
10 to terminate communication on the 5<sup>th</sup> of March. So, the page I am referring you to, page 28, there is communication there, still between you and Mr Matlala, and that is the 6<sup>th</sup> of March.

I will not go through the texts that are there one by one, but from that page, from page 28 all the way to page 60, communication between the two of you continues unabated, and at times you are the one that initiates the communication. And this, in circumstances where you say that on the 5<sup>th</sup> of March you had decided to terminate  
20 communication. So, all the way up to page 60, and page 60 being in May, from 5<sup>th</sup> March in May, over many pages, 28 to 60, at times you are being the initiator of the communications. Do you seriously want us to believe you, that you ever, ever wanted to terminate communication with Mr Matlala?

**MAJ-GEN SENONA:** The relationship, Commissioners, and what is happening, the way I took it, I understood what the Commissioners said about my position and where am I working. But it is the relationship, not necessarily the communication per se. Hence, I am saying I was trying to move away from him in order to terminate the relationship. But I see that it took me ...[intervenes]

**CHAIRPERSON:** So, I just, let me understand this. I am sorry I know you asked for protection earlier, but I just want  
10 to understand this. So, you want to terminate their relationship, but having terminated the relationship, you want to continue communicating with him. So, communication without a relationship, in the context of people who have otherwise been having a relationship of brother and brother, does that make sense?

**MAJ-GEN SENONA:** Not really that, Commissioners. Maybe it took me too long to cut it off, but gradually, in my mind, in my soul, I wanted to, but I took it gradually. So, I see that the period, it is indeed a point of concern. And  
20 then I do understand what the Commissioner is saying. And I see, hence I am saying it took me too long.

**CHAIRPERSON:** So had he not been arrested, it could well have continued to the present day.

**MAJ-GEN SENONA:** No, I do not think so, Commissioner.

**CHAIRPERSON:** Where would it have ended? Where

would it have ended? The page 28 to 60 that I am referring you to is continuing unabated, and yet in March already you say you are wary of him, and you want to terminate whatever it is you wanted to terminate. When would it have ended had he not been arrested at the point at which he was?

**MAJ-GEN SENONA**: It was going to be ended, Commissioner.

**CHAIRPERSON**: When?

10 **MAJ-GEN SENONA**: It is a pity.

**CHAIRPERSON**: The question is when, General? When? Ms Hassim you may continue.

**ADV HASSIM SC**: Thank you, Chair. I have on the same exchange regarding the termination of the contract, a further question. And this is a serious question about [indistinct].

**ADV BALOYI SC**: Can I ask, maybe before you ask that question, you are going to be dealing with these WhatsApp messages from page 28 to 60 at some point?

20 **ADV HASSIM SC**: Absolutely.

**ADV BALOYI SC**: Okay.

**ADV HASSIM SC**: Page 60, 59 and 60, you sent this termination – this is about your obligations in the position you occupy, a public position which you should be occupying and acting and conducting yourself in the interest

of all South Africans. When you receive this letter of termination that is sent by the National Commissioner of Police and you urge Mr Matlala to sue, as a senior law enforcement official, you urge him to sue another law enforcement arm, do you not think that that is improper conduct for someone in your position?

**MAJ-GEN SENONA**: Commissioners, I never urge him to sue. My message here talks about challenging the decision to cancel the contract, not sue.

10 **ADV HASSIM SC**: Through legal means?

**MAJ-GEN SENONA**: Through a lawyer.

**ADV HASSIM SC**: Yes.

**MAJ-GEN SENONA**: Because I will not do it. I cannot do it and I will not do it.

**ADV HASSIM SC**: You agree that you urged him to seek legal advice?

**MAJ-GEN SENONA**: Come again?

**ADV HASSIM SC**: Do you agree that you urged him to seek legal advice?

20 **MAJ-GEN SENONA**: I agree. I told him to do that.

**ADV HASSIM SC**: And then you agree that you went further, and you used much stronger language and said, take them on, brother. You agree with that?

**MAJ-GEN SENONA**: It is not a stronger language, but I said, take them on, brother. For me, it is not a strong

language.

**ADV HASSIM SC:** And then he says, I am on it. And you respond, thank you.

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** Yes, and then he shares with you his lawyer's letter that either he intends sending it or it has been sent to the SAPS. Is that conduct becoming of a senior law enforcement official?

**MAJ-GEN SENONA:** I do not think I did anything wrong.

10 **ADV HASSIM SC:** But you accept that you urged him to seek legal advice and take action against another law enforcement arm?

**MAJ-GEN SENONA:** I advised him to seek legal advice on the termination of the contract. And he also told me his advocate is on it. Already he was having that, but my words, already, when you look at the response, he says, through my advocate advice, I should. So already he got that. And also, for me, I said, you must seek legal advice. Already he had that. He did that upon himself.

20 **ADV HASSIM SC:** But you were not aware of that. You were not aware of that when you said, take them on.

**MAJ-GEN SENONA:** Commissioners, page 60, where he said, through my advocate advice, I should make interdict within 48 hours. Already, my understanding of this, already he had sought legal advice that I said, seek legal advice.

That is what I wanted to put to.

**CHAIRPERSON**: Perhaps Ms Hassim, at this point we should adjourn and resume at 2 o'clock. Thank you.

**ADV HASSIM SC**: Thank you, Chair.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**MALE SPEAKER**: Good afternoon everyone. I trust you have had a good lunch. We are ready to start. Cell phones off please.

10 **CHAIRPERSON**: Yes, Ms Hassim?

**ADV HASSIM SC**: Thank you, Chair. General, we were on page 60 of the WhatsApp chats and I think I was – my question to you before we break was whether you agree that it is not appropriate for a senior law enforcement official in your position to be interacting with an alleged criminal, which by now you knew, in the way you were interacting on the 13<sup>th</sup> of May when you were advising him to sue another arm of law enforcement. That was my question to you.

20 **MAJ-GEN SENONA**: According to me, it is not inappropriate. You know, Commissioners, the communication on this page, I know we did deliberately deliberate on it earlier. Commissioners, when you have a serious sympathy with a person who has lost this huge tender of 360 million, I believe that in the case of a reasonable person to show that this person has got interest

with inappropriate actions or one would say in response when you get this type of a message, although I said it is so sad, it leaves one with no choice but to seek legal advice.

One will also say, how are you feeling? How are you feeling? Where are you? I will come and get you. Please do not do anything. I will come and assist you. I know so and so and so, but I am coming if you are home. On this day I am coming so that we can deal with these things. So you will see those type of issues and that it will  
10 result in someone, it will be a clear indication of someone who knows that he is benefiting here.

So to show that I do not have even a beneficial relationship with Mr Matlala, this tender is a huge amount of money. It did not bother me to say let me put my work or my life on the line here, but only to say it is normal and it is a common cause that seek legal advice, take them on. It was done out of context of that brotherly advice and say this is what the process you must follow, but if it was a person who had serious interest and as well as beneficiary  
20 in order to protect this gentleman, one would have acted otherwise than what I have done. So this for me, it was not inappropriate, Commissioners. Thank you.

**ADV HASSIM SC:** You see, the question I am asking you is not about, let us accept for argument's sake that you were not benefiting. That is not the question. The question

is in your position, you are engaging with someone who you know to be alleged of serious criminal activity and you encourage him to litigate against another law enforcement arm on a contract that you are already aware is highly problematic. That is the question. So regardless of whether you benefit or not, I am talking more to what your duty is. You say it was no duty incumbent upon you to refrain from that kind of behaviour.

**MAJ-GEN SENONA**: My behaviour was not inappropriate.

10 The issue of interdicting the police and what not, that he got it from his own counsel or advocate in this page 60, where he told me already, before I said seek legal advice, he has already said that according to my interpretation of these messages, Commissioners. And I have said it before we go on lunch that when you read that one that says true, my advocate advised I should make interdict within 48 hours. Not General Senona says I should make interdict within 48 hours.

**ADV BALOYI SC**: Can I just ask my question? General,  
20 you know, if you had said to him, this is so sad and it leaves one with no choice but to seek legal advice, if you had stopped there, I would likely not have had any difficulty with that because on the face of it, you are not advocating for any position. He has got a termination letter and all you would be saying to him would have been go and speak to

your lawyer, right? I would probably not have a difficulty with it.

The difficulty arises when you say with a view to challenge the decision. So you are edging him in a particular direction. You have seen the letter, you have seen the grounds for cancellation. You say take advice with a view to challenge. So you are suggesting to him a positive course of action with a view to challenge. That is the one difficulty I have with it.

10           The second is when he says I have been to a lawyer and they are doing an interdict, preparing an interdict application. You then say take them on, brother. And I think you fairly in our earlier discussion accepted that that is to encourage him in the course that he has chosen to follow to go to court and now you are encouraging him.

My difficulty with it is that you do not want to concede, and if you have not been asked that way, I am going to put it to you, that you do not seem to appreciate that there is a conflict of interest that this communication  
20 presents because this is your employer and you are telling a service provider to go to court and fight your employer. That to me seems to be a conflict of interest that should have been obvious to you.

And if at that time it was not obvious to you, I would be disappointed that today you do not see the conflict

of interest. Now that it has been discussed with you and being formulated this way, if you say no, there is no conflict of interest in my encouraging a service provider to sue my employer, then I get concerned that you do not seem to appreciate what conflict of interest means in this kind of situation.

So to the extent that I must ask you a question is, do you accept, now at least as you sit there, that on the face of it at least, the position that you take in these  
10 WhatsApp messages, which is he must seek legal advice with a view to challenge, which is a positive advice to him, and then you encourage him to take them on, that on the face of it suggests that there is a conflict of interest between your interest in your friend's troubles and your employer's business. Do you at least accept that now?

**MAJ-GEN SENONA**: Commissioners, this is the interpretation of the Commissioners. But where I am sitting, when I say with a view to challenge, that this decision, with my words even if I said take them on,  
20 brother, the person who advised Mr Matlala with regard to the interdict and the sort of civil claim is his lawyer.

As for me, I was saying challenge the decision. My interpretation was that maybe it can be reversed in my own mind. And I only wrote him this and then wrote him this and I left it there. It is a common cause that somewhere in our

line of duty, people will come and seek advice from ...[intervenes].

**ADV BALOYI SC:** No, no, no, no, no, General. No, I have to stop you. I have asked you a direct question. Please answer my question. Do not tell me what happens in life in general.

**MAJ-GEN SENONA:** Okay.

**ADV BALOYI SC:** I have asked you a specific direct question. As you sit there, do you or do you not accept that  
10 this email exchange that I have raised with you on its face suggests that you had a conflict of interest between your friend's business and your employer's business?

**MAJ-GEN SENONA:** I do not see it as a conflict of interest.

**ADV BALOYI SC:** Thank you. Thank you. Thank you, Ms Hassim.

**ADV HASSIM SC:** Thank you. So, General, you continue, as I said, when he confirms that he is going to take ...[intervenes].

20 **CHAIRPERSON:** Before you move on, I am very sorry, Ms Hassim. General, before lunch and even now, just before Commissioner Baloyi asked you a question, you seemed to suggest that it is as good as if you introduced nothing new because Mr Matlala himself, that is when you suggested that he should seek legal advice.

You said you basically suggested nothing new because sort of downplaying that because Mr Matlala himself told you that his advocate had advised him that he should interdict what had been done. I think you are inverting what actually happened because when you said what you said to him, that is, he must seek legal advice on the issue with a view to challenging the decision, you did not know how he was going to respond. So it is immaterial how he then responded, and it is on that basis that your reasoning is inverted. What is your comment? It does not make sense, basically.

**MAJ-GEN SENONA**: Commissioners, I did write this, and the day after, it is within one minute, he told me through my advocate advised I should make interdict.

**CHAIRPERSON**: But you did not know what his response was going to be. You did not know that he had already sought legal advice. You did not know what his lawyers were going to advise him. So, from where you were standing, or sitting, when you said what you said, what subsequently transpired was immaterial.

**MAJ-GEN SENONA**: I just gave a – and, like, I am looking for a better word ...[intervenes].

**CHAIRPERSON**: The short point, General, the short point is, I am sorry for this language, it may sound harsh. It is totally nonsensical to rely on what he said with regard to

what you yourself had said before. Do you accept that?

**MAJ-GEN SENONA**: No, Commissioner. Because even the harsh words are very much disturbing. However, what I have said, I have just advised him to seek legal advice. And then, subsequent to his answers, I did not know how he will seek, how is he going to deal with this matter. But when he told me, I said seek legal advice with a view to challenge. Here it is. I am not disputing it, but now it is interpreted otherwise.

10           But when I look at his response, of which the Commissioner does not want this to be read in conjunction with what I have said, already this thing has happened from me, although I did not know before that it has happened, Commissioner. So, I do not have a better explanation than the one I have given to the Commissioners. That is my response and submission to my Commissioners.

**CHAIRPERSON**: Thank you. Thank you, General. Yes, Ms Hassim.

20           **ADV HASSIM SC**: Okay. So, you thank him after he confirms that is what he is doing. And then if you turn to page 62, you send to Mr Matlala the contact number for Minister Cele, is that right?

**MAJ-GEN SENONA**: Correct, Commissioners.

**ADV HASSIM SC**: And why do you do that?

**MAJ-GEN SENONA**: It is because he requested the

contact details of the Minister.

**ADV HASSIM SC:** When did he request that?

**MAJ-GEN SENONA:** I believe it should be on the 14<sup>th</sup>. I believe it should be on the 14<sup>th</sup> because he asked for them when he called me, he asked for it and then I just forwarded the number of the Minister.

**ADV HASSIM SC:** Did you speak about anything else in that phone call other than ...[intervenes].

**MAJ-GEN SENONA:** No, he was asking for the – he asked  
10 me for the telephone number of the former Minister and then from there I did not even ask why are you looking for because I knew they were in communication before and then I just forwarded it to him.

**ADV HASSIM SC:** So, you assisted him by giving him the contact details for Minister Cele?

**MAJ-GEN SENONA:** He asked for it, I gave it.

**ADV HASSIM SC:** You gave it to him?

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** So, I mean, I think this, again, it goes to  
20 the point what the Chair was asking, which is that right up until the last communication you could have before he was arrested, you were providing assistance to Mr Matlala. Why were you taking his calls, for example, if you were cutting ties with him?

**MAJ-GEN SENONA:** I have already given my response to

that, but taking calls is not in my culture to just drop other people's calls, but I have already given my response that gradually I was doing that. The Commissioners have asked me, they were very robust with me before we go on lunch, I gave my response, they gave their opinion of the way they are taking it and then it was closed.

**ADV HASSIM SC:** That is fine if that is how you want to answer it, but the question in general is not whether it is in your culture to cut ties with people. It is about your duties  
10 as a senior law enforcement officer. Is that not the real question, what your duties are, rather than whether culturally it is appropriate to cut ties with somebody who is an alleged criminal?

**MAJ-GEN SENONA:** No, I am saying I was responding to your question, the Commissioners, I was responding to the question that why did you take his calls or give him the contact details of the former Minister? I was responding to that. I was not responding to me as a senior police officer  
20 not to answer the phone. And then over and above that, when the phone rings, you answer. But I have already dealt with the issue of me cutting ties with Mr Matlala. I do not know how many times must I respond to this question.

**ADV HASSIM SC:** I am afraid we are going to keep coming back to this question. Let us go back in the chats. Sorry, did you have a question?

**MAJ-GEN SENONA:** Yes. Even if, Commissioners, this question comes back, the answer will never change because I do not want you to come and lie before the Commissioners. When I leave here, I want to go home and sleep in peace because I told the truth that is within me that I know. Lying will haunt me. Well, I will not fall asleep. Thank you, Commissioners.

**CHAIRPERSON:** General, you see, there are different contexts and those different contexts may lead to the same  
10 issue. For example, questions were asked around the 5<sup>th</sup> of March, and questions were asked around the texts that have just been dealt with now, around page 62. Questions were asked about the texts from page 28 to 60. But there, it was just a reference to that collection of texts without dealing with the individual texts.

So there may be, I do not know, there may be a whole lot of other questions within that broader context that keep taking us back to this question. How in the face of all this can you be saying – that is giving the answer that you  
20 are giving? So what I am saying is, please be patient. The likelihood is that there are going to be lots more questions that lead to this very point based on whatever else reference may be made to in the documentation that we have.

So just please be patient. You are going to be

asked, or at least let me say, there is a likelihood that you will be asked a lot more questions that take us back to this very point that you say you have responded to. So just be patient. My kids would say, please chill.

**MAJ-GEN SENONA**: Thank you, Commissioner. Advice taken.

**CHAIRPERSON**: Thank you.

**ADV HASSIM SC**: Thanks, Chair. So we are going to go back now to earlier in the chats. And it is clear that you  
10 meet with Mr Matlala quite regularly, is that not so?

**MAJ-GEN SENONA**: We meet when we agree that we are going to meet, yes.

**ADV HASSIM SC**: And that was regularly? It was not once or twice. It was quite a number of times.

**MAJ-GEN SENONA**: Correct.

**ADV HASSIM SC**: Correct. And I am not going to go to those that took place before 5 March because, well, let us take it on your version that it was only on 5 March that you had serious concerns. So I am going to take it just from 5  
20 March. Before I go to the meetings, on page 28 of the WhatsApp conversation, again, that is File 1 of 3, page 28.

**MAJ-GEN SENONA**: I am there.

**ADV HASSIM SC**: You forward this news report to Mr Matlala where General Mkhwanazi, it is a report saying that General Mkhwanazi has indicated that he is not interested

in contending for the top Hawks job. Right?

**MAJ-GEN SENONA**: Yes.

**ADV HASSIM SC**: You send that to him. And your reason for sending this to him is what, again?

**MAJ-GEN SENONA**: My reason was that this message is nothing else more than the two friends sharing news clips, articles about matters.

**ADV HASSIM SC**: But you do not share news clips every day. You do not share just any news clip. You share a  
10 news clip that you think the other person would be interested in. Is that not so?

**MAJ-GEN SENONA**: It is not a question of another person would be interested in. You just share.

**ADV HASSIM SC**: You just share it even though you do not think the person you are sending it to would be interested in it?

**MAJ-GEN SENONA**: Correct. It does happen.

**ADV HASSIM SC**: That is what you do?

**MAJ-GEN SENONA**: Ja, it does happen.

20 **ADV HASSIM SC**: Why would you share with somebody a news article if you do not think they would be interested in it?

**MAJ-GEN SENONA**: If you are one of my contacts that I am talking to, it does not matter whether you are interested or not interested. I will share with you whatever I deem to

share with you.

**ADV HASSIM SC**: Okay. So this had nothing to do with any interest on your part or Mr Matlala's part of the content. It was just sharing it for the sake of sharing.

**MAJ-GEN SENONA**: The interest in which sense? Can I get clarity?

**ADV HASSIM SC**: Interest in the content of the media article.

**MAJ-GEN SENONA**: Look, the content of the media  
10 article, the General made it very much clear he never applied for the DPCI head post. And over and above that, he even indicated when I read here that it will never make any difference. He was going to work with his contract and he got a year before it ends. So I was just sharing with him.

Remember, I indicated yesterday that a lot of my, the people that I know in Pretoria, maybe I must say I was born in Pretoria, Commissioners. I grew up in Pretoria. I went to KZN five years ago, a couple of months. Now, when  
20 I come to Pretoria and not even Mr Matlala, other people in the communities, my schoolmates and everything, I said they were uploading the working relationship of myself and General Mkhwanazi.

And I was also comfortable to work with General Mkhwanazi. I was never comfortable, and we achieved. I

contributed and General Mkhwanazi is a General that always, when he wants something, he will tell you straight when we deal with operations and so forth. And he is very much fond of operations. So it is not a question of you send it because the other person has got interest in whatever message you are sending to them, like this newspaper clip.

**ADV HASSIM SC**: Thanks. Did you have a question, Commissioner?

10 **ADV BALOYI SC**: Ja, I wanted to ask a question. General, this article is from ENCA on the day. Now, it was not the only news item on ENCA when you were watching it at the time. Why send this and nothing else instead of another story that was being reported? Why do you choose? How do you choose this? Because you share articles with your friends in social context. Why pick this one to Mr Matlala?

**MAJ-GEN SENONA**: It just happened, Commissioners. We were just sharing. Remember, Matlala was also one of the  
20 people who admired our coordination and successes that were achieved in KwaZulu-Natal. I just shared it.

**ADV BALOYI SC**: So I think let us be clear about why you shared it. You shared it because Matlala admired what you do with General Mkhwanazi, or you just shared randomly when you had no reason to believe he would be interested

in this story?

**MAJ-GEN SENONA**: It is randomly sharing. And then over and above, I was just saying he was part of the people who was also admiring the good work that was done in KwaZulu-Natal, but this was a random one, Commissioner.

**ADV BALOYI SC**: So it appears on a public platform, which Mr Matlala would have had access to because he was not arrested at this date. So he would have had access to it in the same way, unless you have reason to believe at  
10 that day that he may not have had access to it. There has to be a special reason why you pick this article, which is widely available to every South African who has a TV on ENCA, why you choose to send it to Mr Matlala. It cannot be that it is a random send. Cannot be. Cannot be.

**MAJ-GEN SENONA**: I hear you, Commissioner, but that is it is. That it is. That is what it is. I think I have indicated it is one of those randomly sent. And then it is not always that an individual will be privy or will be able to see certain things, even if these things are on TV, even sometimes  
20 things are on the social media platforms. It is not always that.

**ADV BALOYI SC**: Ja, but you had no reason to think Mr Matlala would not have seen this on ENCA.

**MAJ-GEN SENONA**: I do not know.

**ADV BALOYI SC**: You just wanted to make sure he sees

it. That is why you sent it.

**MAJ-GEN SENONA**: No, not in that context, Commissioner.

**ADV BALOYI SC**: So what do you mean when you say it is not every day that people would be privy to everything? You were covering a situation where, on your version, where he may not have seen it because you do not see everything every day.

**MAJ-GEN SENONA**: Commissioner, it is your good self  
10 who are saying what was the reasons for me sending this to Mr Matlala.

**ADV BALOYI SC**: Yes.

**MAJ-GEN SENONA**: I am saying it is a randomly sending. And the Commissioner said Matlala should have seen this on TV because it was in the public TV. Based on that, I am responding that I do not think it is everybody who is watching TV. I do not know whether he watched TV or what. I just sent it randomly, Commissioner.

**ADV BALOYI SC**: Okay. I want to suggest to you that you  
20 sent it because you knew it would be of particular interest to him to know that General Mkhwanazi is not going to be the National Commissioner because he is not going to apply. You knew he had that kind of interest in the topic. That is why you sent it and that is the only reasonable explanation for why you would send this article to him.

**MAJ-GEN SENONA**: For him to be National Commissioner?

**ADV HASSIM SC**: Not National Commissioner, head of Hawks.

**ADV BALOYI SC**: Head of DPCI. I do apologise. You knew that that is what I am putting to you, proposing to you, you knew that Mr Matlala has an interest in who is going to be the next DPCI head. You knew that he had an interest in knowing that General Mkhwanazi will not be that person  
10 because he is not applying. You needed to tell him that, that this man is not going to be the DPCI because you knew he was interested in that topic. Anything else that you tell us that it was a random send, it is not true. It is improbable. It is not true. It does not make sense that you would send randomly so specific an article.

**MAJ-GEN SENONA**: Commissioners, we never discussed the issue of appointments in the police, me and Mr Matlala. Never. And the issue of that I knew that Mr Matlala was interested in who is going to be head of the DPCI, I did not  
20 know.

**ADV BALOYI SC**: Okay.

**MAJ-GEN SENONA**: I did not know because that was a post that was advertised externally.

**ADV BALOYI SC**: Yes.

**MAJ-GEN SENONA**: For any person who meets the

requirement of the post, you apply if you are interested ...[intervenes].

**ADV BALOYI SC:** No, we are not talking about the application. I interrupt you because I am trying to get us to use the time effectively. We are not talking about general applications. We are talking about, I have proposed to you why I say I think you sent this to him. It is because you knew. That is all.

**MAJ-GEN SENONA:** Thank you, Commissioner. Thank  
10 you, Commissioner.

**ADV BALOYI SC:** Thank you.

**ADV KHUMALO SC:** General, the simple point is this. The day before, you became aware that the Hawks were investigating Mr Matlala. The following day, you sent him an article that shows that General Mkhwanazi is not interested in the position of head of Hawks. So those two are linked. It is not random.

**MAJ-GEN SENONA:** For me, they are not linked, Commissioner.

20 **ADV KHUMALO SC:**

**ADV HASSIM SC:** Thank you. General, could you turn to the next page, please? So as I said, it will go through your meetings post 5 March. So this is the first arrangement to meet, and this is on the 10<sup>th</sup> of March. Do you see at the bottom of the page you say, see you at 8 PM?

**MAJ-GEN SENONA:** Correct, Commissioners.

**ADV HASSIM SC:** And then you turn over the page. Sorry, that was sent in the morning at 06:27. Mr Matlala replies, sure, with a thumbs up. And then at 07:58 PM you say, I am here.

**MAJ-GEN SENONA:** Yes, Commissioners.

**ADV HASSIM SC:** That was 10<sup>th</sup> of March last year. Where would that meeting have taken place?

**MAJ-GEN SENONA:** Normally, I was meeting with him in  
10 Menlyn Maine.

**ADV HASSIM SC:** Menlyn Maine?

**MAJ-GEN SENONA:** Correct, Commissioner.

**ADV HASSIM SC:** It is a hotel.

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** Is that a regular place that you have meetings?

**MAJ-GEN SENONA:** Correct.

**ADV HASSIM SC:** Always with Mr Matlala in the same place? Or do you meet him in different places?

20 **MAJ-GEN SENONA:** Most of the time, I was meeting him there, Commissioners. I wanted to check the date when I take my phone, what date was it, day of week was it? Yes, Commissioners.

**ADV HASSIM SC:** You mean you would have included it in your diary, your meeting? You said you were checking the

date on your diary. Is that you checking your diary?

**MAJ-GEN SENONA**: No, I am checking the calendar on the phone, Commissioner. I have never documented any meetings or dealings with Mr Matlala. If I did that, it was going to be easy for me to respond to the Commission. No, I did not. I just checked the calendar. I was checking this date that I said I am here, the 10<sup>th</sup>. Thank you, Commissioners.

**ADV HASSIM SC**: Okay, so that was at 07:58. And then  
10 did you have that meeting?

**MAJ-GEN SENONA**: I believe so. Normally, when I arrived – so let me leave the issue of normally. I believe the meeting might have taken place.

**ADV HASSIM SC**: Okay.

**MAJ-GEN SENONA**: Ja.

**ADV HASSIM SC**: Do you recall how long it lasted?

**MAJ-GEN SENONA**: Come again?

**ADV HASSIM SC**: How long would these meetings last when you met?

20 **MAJ-GEN SENONA**: That I cannot determine. It depends on what we are talking and other things. Sometimes the meeting will take us 10 to 15 minutes. Sometimes it might go to 30 to 40 minutes. Sometimes it is just greetings. Because there where we were meeting, Commissioners, his business office is just not far from there. It is a walking

distance.

**ADV HASSIM SC:** So you would arrange to meet, but you would arrange to have a physical meeting only for about 15 minutes?

**MAJ-GEN SENONA:** It is possible. We were doing that, and it is doable, Commissioners.

**ADV HASSIM SC:** It is just not very common to arrange to have a physical meeting for somebody just for 15 minutes. You can comment if you want.

10 **MAJ-GEN SENONA:** Commissioners, it is not possible for the advocate, but for some of us it is possible.

**ADV HASSIM SC:** That same evening, so an hour, at 21:03, an hour after you were due to meet, you send him a document. Do you see that?

**MAJ-GEN SENONA:** I can see that, Commissioners.

**ADV HASSIM SC:** Okay. So when you sent him this, were you still in the meeting or was it just after the meeting?

**MAJ-GEN SENONA:** I think it should be after. I believe it is after.

20 **ADV HASSIM SC:** Okay. So this document is at page 65 of the same bundle and it goes on to page 285. Do you see that?

**MAJ-GEN SENONA:** I see that, Commissioners.

**ADV HASSIM SC:** It is a very hefty set of documents, you would agree.

**MAJ-GEN SENONA**: It is a long document, Commissioners.

**ADV HASSIM SC**: It is the It is this docket that we were talking about yesterday, what we call the Nangy docket.

**MAJ-GEN SENONA**: Commissioners, this is a docket that was opened by Nangy and other people that were with him in Gauteng, Beaufort West. This docket is investigated in Gauteng because when cases are opened against members of the police, IPID will be the investigator. So this docket,  
10 this docket, it has never reached my office. I only picked it up there through the media space.

And over and above that, there is a civil claim in relation to this docket against General Mkhwanazi and other members there. If you look this thing properly, the mere fact that I have sent this document to him, I saw the affidavit of Mr Nangy, of which I said it yesterday, I am repeating it again, that I saw that they are staying in the same place. Then I sent it to just sensitise him that there is this gentleman of this nature staying in your home.

20 **ADV HASSIM SC**: Sorry, where did you obtain the docket? This is the docket of Bedfordview Police Station.

**MAJ-GEN SENONA**: Yes.

**MS MAFISA**: Where did you obtain the docket?

**MAJ-GEN SENONA**: I am saying it was in the public domain.

**ADV HASSIM SC:** Where in the public domain? How did you find it?

**MAJ-GEN SENONA:** I am not 100% sure because on one of my – let me check a bundle of documents. Because the very same owners of these documents and everything, you will see that all these documents, it was an application before the High Court by Mr Nangy and his associates.

**ADV HASSIM SC:** Yes.

**MAJ-GEN SENONA:** Ja, so ...[intervenes].

10 **ADV HASSIM SC:** But this is the contents of a police docket that is under investigation.

**MAJ-GEN SENONA:** The contents of a police docket under investigation in the public domain.

**ADV HASSIM SC:** Where in the public domain did you find it?

**MAJ-GEN SENONA:** I am saying, I am looking at my file, I will tell you now. Because it was already on that very same day in the public domain. Just bear with me, Commissioners. I think it is S6. I think it is S6. The file is  
20 File 1, Annexures Witness Bundle. I think so. I just want to be 100%.

**ADV KHUMALO SC:** Are you sure, General?

**MAJ-GEN SENONA:** I am looking. I said I think. I am still ...[intervenes].

**ADV HASSIM SC:** Are you looking at S6? I am just

waiting for you to ...[intervenes].

**MAJ-GEN SENONA**: I am still checking, Commissioner.  
Just bear with me.

**ADV HASSIM SC**: Yes, that is fine. I will give you time.

**MAJ-GEN SENONA**: All I am trying to say, I want to rephrase my answer. This issue of this document was already in the public domain, but I believe I got it from the media. But I wanted to showcase that, but it seems my S5, it shows that this thing was already in the public domain.

10 But this document is not actually a case docket, but they depicted a case number of Bedfordview, but these are High Court documents.

These documents were served in the High Court in relation to a civil claim. But when you look at the case docket, the case docket, the case number that they wrote there, and then on your left-hand side it is a SAPS official stamp that depicts Bedfordview SAPS.

**ADV HASSIM SC**: Yes, I am not asking you about that. We have the docket. We looked at it. I confirmed that that  
20 is from the Bedfordview Police Station.

**MAJ-GEN SENONA**: Ja.

**ADV HASSIM SC**: I am asking, you said it was available in the public domain. You said, you will take me to where? I am asking, where is it?

**MAJ-GEN SENONA**: I cannot 100% recall. It can be on

the media platform in terms of either a WhatsApp or whatever, but I cannot recall. But I know this thing was in the public domain. I did not want to say here. Because my challenge was the issue of my gadgets, as I indicated earlier, because I went to double-check there. But this document was in the public domain. I even further said the other one in Mpumalanga also did publish his statement, who was with them, as well as the interview, but I do not want to say in the News24 or in, but I believe it should be  
10 between – I got to know about it via WhatsApp or on the News24. So I cannot recall 100%.

**ADV HASSIM SC**: So now you cannot recall. First you said we will find it here in S6. It is not in S6. S6 ...[intervenes].

**MS MAFISA**: Chairperson? Chairperson, perhaps maybe I can assist the Commission. Maj-Gen Senona should perhaps just look at the statement. It is S5 of the statement. Yes.

**CHAIRPERSON**: Thank you, Ms Mafisa.

20 **ADV HASSIM SC**: Okay. Can you show me S5, where it is, please?

**MAJ-GEN SENONA**: Sorry, Commissioner?

**ADV HASSIM SC**: Your counsel has assisted you by taking you to the annexure to look at.

**MAJ-GEN SENONA**: To S5.

**ADV HASSIM SC:** Yes. So where in S5 do we find the contents of this docket that you shared?

**CHAIRPERSON:** Do you have S5? Do you have your annexure there?

**MAJ-GEN SENONA:** Correct.

**CHAIRPERSON:** Thank you.

**MAJ-GEN SENONA:** Yes.

**CHAIRPERSON:** S5, which starts at page 94.

**MAJ-GEN SENONA:** Yes, correct, Commissioner. Hence,  
10 earlies, as I was saying, this information in relation to this docket was already in the public domain on the 10<sup>th</sup> of March.

**ADV HASSIM SC:** Can you show me where in S5 the dockets are?

**MAJ-GEN SENONA:** Can we go to page 97?

**ADV HASSIM SC:** 97, yes.

**MAJ-GEN SENONA:** Paragraph from the bottom, 1, 2, 3, 4, 5, 6.

**ADV HASSIM SC:** Yes.

20 **MAJ-GEN SENONA:** Can I read it?

**ADV HASSIM SC:** Yes.

**MAJ-GEN SENONA:**

“News24 has since signed affidavits by Nangy and Brites that were due to be submitted in court in support of their bail

applications.”

That is now, it reminded me that I think it was there when I sent it, because these people, they just posted these things there. I did send it. It is not actually a police docket. It is affidavits with attachments that they were going to submit in the High Court. Thank you, Commissioners.

**ADV HASSIM SC:** The affidavit, if you want to call it that, is not in this S5. This is a news report where News24 is saying that they have seen affidavits. They do not post  
10 those affidavits in this article. They do not link to it, for example.

**MAJ-GEN SENONA:** The question is, where did you find it?

**ADV HASSIM SC:** That is my question, but it is not in S5.

**MAJ-GEN SENONA:** I am saying in relation to this document here, already this affidavits, News24 has seen it, and I believe that I got it from the News24, and if not, it should be a WhatsApp. But this was already there. It is not a docket, a police docket that I have sent to Mr Matlala. It  
20 is not a police docket.

**ADV HASSIM SC:** It is affidavits in a complaint ...[intervenes].

**MAJ-GEN SENONA:** It is affidavits and attachments.

**ADV HASSIM SC:** Yes.

**MAJ-GEN SENONA:** You will realise when you look into

that document, there is also correspondences between Mr Nangy's attorneys and the NPA, of which we do not have that in our case docket that we have been investigating of the KwaDukuza case. This is in Gauteng. KwaDukuza is the KZN.

**MAJ-GEN SENONA**: Okay. I am not sure what question you are answering. I am saying to you, where did you get the affidavit that you shared? You said you got it at S5. S5 is a report from News24 where they say they have seen  
10 affidavits and they are reporting on the contents, but they do not make those affidavits available, so you could not have got it from here. So my question is, where did you get it?

**MAJ-GEN SENONA**: I said either here or over WhatsApp from somebody. Then I also said my problem is with my gadgets, because I do not want to make something that I cannot substantiate. But what I want to say, this is my response, Commissioners.

**ADV HASSIM SC**: And your purpose for sharing it with Mr  
20 Matlala, I heard you say that – why did you need to share the contents of that affidavit? Because the article itself provides the information you wanted to convey to him. Is that not so?

**MAJ-GEN SENONA**: I shared with him and I indicated yesterday to sensitise him that there is this person in his

area where he is staying that was arrested for kidnapping extortion and then he was released. He must just be careful, him and the wife and the children. He must just be careful and take more precaution on that. That is the reason why I sent it to him. That is why you say if you say why have you sent it, I have already indicated this yesterday.

**ADV HASSIM SC:** Yes, you could have sent him the media report, but you did not send him that. You sent him the  
10 affidavits. Why did you not send him the media report?

**MAJ-GEN SENONA:** I do not know. I do not have an answer why I never sent him the media reports, but these documents are documents that they utilise to file in the Department of Justice and Constitutional Development to institute civil claims against the police.

**ADV HASSIM SC:** Okay. So, it comes back again to this question of your role and your possession, sharing these kind of documents with members of the public, even if it were and we do not know that it was, as you say, circulating  
20 in the public domain because you have not been able to show us that. Why do you become part of the circulation and distribution process? Should you not, in your position, refrain again from that conduct?

**MAJ-GEN SENONA:** I do not think sensitising a person about an individual who is residing within the same vicinity,

it has to do with the office that I am holding. On that, it was just a fair sensitisation of Mr Matlala in relation to that individual and the things that this person was arrested for.

**ADV HASSIM SC:** Ja, I hear what you are saying, but I am saying you could have done that by sending him the media report and not sharing the affidavits with all of those annexures, some of which are very sensitive. That is the distinction I am making. Do you understand? Do you understand the distinction?

10 **MAJ-GEN SENONA:** I hear what you are saying. You are saying why I never sent him only the newspaper clip.

**ADV HASSIM SC:** Yes, because the newspaper clip would have served the function of sensitising him.

**MAJ-GEN SENONA:** I believe by then the decision that I have taken is to send him whatever I was having.

**ADV HASSIM SC:** Right.

**MAJ-GEN SENONA:** Not necessarily to distinguish that I must send this or this. I sent him whatever I was having.

**ADV HASSIM SC:** So ...[intervenes].

20 **ADV KHUMALO SC:** General, sorry, just look at page 65 again.

**MAJ-GEN SENONA:** I am looking at it, Commissioner.

**ADV KHUMALO SC:** Do you see that it is a police document and it has a SAPS stamp on it?

**MAJ-GEN SENONA:** On the left, I have indicated that it

has got a stamp of the SAPS.

**ADV KHUMALO SC:** So this is a SAPS document.

**MAJ-GEN SENONA:** But on top, Commissioner, it is written, South African Police Services and Department of Justice and Constitutional Development. Then underneath there is the state stamp of the police. Affidavit, Criminal charges, kidnapping, extortion, theft, assault, intention to do grievous bodily harm, all those things. And then it says, in the matter between, there is complainants, two of them,  
10 and then there is a list of people that are listed there.

**ADV KHUMALO SC:** General, do you want to answer my question? But bear in mind that I can read, so you do not have to read for me. I am saying, do you accept that this is a SAPS document?

**MAJ-GEN SENONA:** For me, it is not, although it has this stamp. These are documents that were utilised for civil claim.

**ADV KHUMALO SC:** So you are saying this is not a SAPS document?

20 **MAJ-GEN SENONA:** I am saying these documents, according to me, are documents that were utilised for civil claim.

**ADV KHUMALO SC:** No, no, I am not asking you where they were used. I am saying this is a SAPS document bearing a SAPS stamp. That is the reason why it would

have that stamp, because it is a SAPS document.

**MAJ-GEN SENONA**: If it is a SAPS document, Commissioner, we index such SAPS documents differently than what is happening here.

**ADV KHUMALO SC**: So you are saying this is not a SAPS document?

**MAJ-GEN SENONA**: I do not know, because as I am trying to explain, the Commissioner says, you cannot say this. The Commissioner wants me to say it is a SAPS document.  
10 A statement of a police document differs from this one. They differ. They are not having this preamble and the way this one is being crafted. Hence, I have got the difficulty in believing that this is a SAPS police docket.

**ADV KHUMALO SC**: Let us move on. Did you consider it appropriate to share with a private citizen, such as Mr Matlala, a document that shows that Mr Nangy and Mr Brites have lodged complaints against members of the SAPS? I will not mention their names, but you see them on page 66. One, two, three, four, five, six of them. Do you  
20 consider it appropriate to share with Mr Matlala a document that shows that Nangy and Brites have lodged complaints against members of the SAPS? What does that have to do with Mr Matlala?

**MAJ-GEN SENONA**: I said, I read, when I read the statement of Mr Nangy, I saw that he is residing in

Midstream, Centurion. That area, that Midstream security complex, Mr Matlala is also residing there. I sent it based on the statement that this gentleman is staying there and he has committed kidnapping where they have demanded the ransom of 35 million and then the case was withdrawn. I did not even say the case was withdrawn against them or what. But the purpose of me sending this, because of this affidavit, was to sensitise him to be careful of this gentleman.

10 **ADV KHUMALO SC:** But you are sending him details of the SAPS members with their ID numbers and telephone numbers. That is what appears on page 66. Do you see that there are ID numbers of people there with their cellular phone numbers, with the stations where they are based?

**MAJ-GEN SENONA:** I see what ...[intervenes].

**ADV KHUMALO SC:** What interest does Mr Matlala have in this?

**MAJ-GEN SENONA:** Commissioner, I see only one ID number.

20 **ADV KHUMALO SC:** Do you not see the 7521 ID number? Why do you say you only see one?

**MAJ-GEN SENONA:** Can I be assisted? Where is the another one?

**ADV KHUMALO SC:** Do you see the top one is 8304? On page 66.

**MAJ-GEN SENONA:** I see now.

**ADV KHUMALO SC:** Yes.

**MAJ-GEN SENONA:** I see now. Commissioner, if I can respond? When I read this affidavit, I never read the entire file. I read this affidavit and then I send it.

**ADV KHUMALO SC:** I am going to try to save time. The point is simply this. If all you wanted to do was to warn Mr Matlala about this person who lives in the Midstream Estate, the newspaper article does that. There was no need  
10 for you to send SAPS documents that has details of SAPS officers to Mr Matlala because that has got nothing to do with Mr Matlala.

**MAJ-GEN SENONA:** I hear you, Commissioner.

**ADV KHUMALO SC:** So it was wrong to do that.

**MAJ-GEN SENONA:** Maybe it is a fault that I have done. I did not read the entire thing to see what exactly is inside so that maybe I must be selective to say, let me send only this one.

**ADV BALOYI SC:** General, did you have reason to believe  
20 that Mr Matlala does not know that Mr Nangy lives in that estate with him, that is his neighbour? Because I understand you to say that you saw from these documents that Mr Nangy lives in Midstream and you wanted to warn your friend. Did you have reason to believe that he does not know that he lives in Midstream?

**MAJ-GEN SENONA**: What I believe, Commissioner, is that this man is dangerous. The issue of me believing that he did not know or knew, no, it never pitched up. What pitched up in my mind was the mere fact of the crimes that this man was picked up for, arrested for.

**ADV BALOYI SC**: So you just wanted to warn him what? What were you warning him of?

**MAJ-GEN SENONA**: There is this guy who is committing kidnapping for a ransom, residing in that security complex.

10 **ADV BALOYI SC**: Ja, exactly my question. You say you wanted to warn him that this person who has now had charges relating to kidnapping withdrawn against him, you wanted to tell him that he lives in that complex. And that is exactly my question. Why did you think Mr Matlala does not know that, that this man lives in that complex?

**MAJ-GEN SENONA**: It is because we never talked about this person before this date, before that. And then me now, I only send him this thing to say there is this person. He might have known, but he might have not told me. But the  
20 purpose of me informing him was to sensitise him to be careful.

**ADV BALOYI SC**: You have talked about Mr Nangy, because in the meeting with General Mkhwanazi already, Mr Nangy's name, according to your statement, did come up.

**MAJ-GEN SENONA**: My statement, Commissioner, assist

me with the paragraph?

**ADV BALOYI SC:** Where you list, where you tell us what happened in the apartment. You tell us that General Mkhwanazi said to Mr Matlala, I will assist you if you can get Mr Nangy. No? Am I remembering your evidence wrong?

**ADV HASSIM SC:** That is not in paragraph 64. It is not in the statement, I believe. It is in other parts of the record.

**ADV BALOYI SC:** Is it in other parts of the record? Okay,  
10 I will leave it. No, hold on, let me look at my 64. Okay,  
yes, I am going to leave it. I do apologise, I did not mean  
to mislead you about this.

**MAJ-GEN SENONA:** Yes.

**ADV BALOYI SC:** But I think to still make the point, and Ms Hassan, stop me if I am anticipating a line that you are going to explore. In the Ad Hoc Committee transcripts that you have, Mr Matlala does say that his child and Mr Nangy's child go to the same school, they live in the same complex, which suggests that Mr Matlala knew that Mr Nangy lives in  
20 the same complex. That is why I asked the question, why did you have reason to think he does not know that Mr Nangy lives in that complex with him?

**MAJ-GEN SENONA:** Thanks, Commissioner. And I said he might have known him, or he might not have known him. However, I sent this to sensitise him about this person who

did this type of a crime.

**ADV BALOYI SC:** Okay. And I think yesterday you said part of your job as a police officer is also to prevent crime or something. That is part of your justification why you did this. Did you warn anyone else about Mr Nangy's release as a police officer? Or you preferred your friend over everyone else and did not bother to tell the residents of Midstream that there is this man in your midst, be careful?

**MAJ-GEN SENONA:** After his release, we informed the,  
10 what is this team? There is a team, a national team that is dealing with kidnappings, where you have Crime Intelligence and some other police officials, even some of the Hawks. So we informed Crime Intelligence because they were part and parcel of who assisted us when we arrested this Mr Nangy.

**ADV BALOYI SC:** So your answer is you did not inform anyone else of the residents of Midstream, you informed only Mr Matlala in Midstream?

**MAJ-GEN SENONA:** Because I know him staying there.

20 **ADV BALOYI SC:** So your answer ...[intervenes].

**MAJ-GEN SENONA:** The other people, I do not know.

**ADV BALOYI SC:** Your answer is only Mr Matlala got the benefit from you of being warned about Mr Nangy. No one else in that estate got the same benefit.

**MAJ-GEN SENONA:** Commissioner, I only know Mr

Matlala.

**ADV BALOYI SC:** No, no, no. Your answer is yes or no.

**MAJ-GEN SENONA:** Not a question of a benefit. I informed him because I know he is staying there and I only know him.

**ADV BALOYI SC:** So you informed only Mr Matlala?

**MAJ-GEN SENONA:** Yes ...[intervenes].

**ADV BALOYI SC:** Can you give me a yes or no answer, please?

10 **MAJ-GEN SENONA:** In that complex, yes, because I know only him.

**ADV BALOYI SC:** Thank you.

**ADV HASSIM SC:** Thanks, and just to be clear, you sent it to him to warn him because these individuals were released. Is that why you wanted to warn him that they were released, that they were released, or that Mr Nangy was released?

**MAJ-GEN SENONA:** I did not say that, Commissioner. I warned him that there is this gentleman who is staying in  
20 your complex who was arrested for this type of crimes, kidnapping, extortion.

**ADV HASSIM SC:** So you warned him that there was this gentleman who was arrested for these type of crimes, but the arrest took place the year before.

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** So you did not warn him then?

**MAJ-GEN SENONA:** No.

**ADV HASSIM SC:** No, but you saw fit to warn him when they were released. So why did you not warn him? If that is your concern, why did you not warn him at the time that he was arrested?

**MAJ-GEN SENONA:** I am saying after I have seen this affidavit I have read, I realised then that he is staying in the same complex. Before, I did not know where this man was staying. That is why I warned him, Commissioner. That is what I have said.

**ADV HASSIM SC:** You did not know where Mr Nangy lived before then?

**MAJ-GEN SENONA:** Correct.

**ADV HASSIM SC:** But this arrest and this case, this is the KwaDukuza case. Is this the same case?

**MAJ-GEN SENONA:** Correct, KwaDukuza.

**ADV HASSIM SC:** This is under your command, is it not?

**MAJ-GEN SENONA:** It is under my command, but this is how it works there. General Senona does not read dockets. He is at a strategic position. And when suspects are arrested, General Senona does not demand their address and particulars. They will only say, report, suspect Mr so and so has been arrested, KwaDukuza case, so and so will be appearing in court on this day. They do not put

addresses of suspects and everything.

Then the investigation continues. NPA will come on board and assist in terms of external stakeholder. Addresses where the suspects are residing, they do not tell General Senona. The investigators there at the ground level, they deal with this type of issue. So I happened to pick it up when I read this affidavit that was there on the public domain. I see Midstream Centurion. That is where it clicked and that is why I did what I did, Commissioners.

10 Thank you.

**ADV HASSIM SC**: So you had no knowledge of this, of any of the details of this arrest? Where he was arrested and none of that? You knew none of that until this media report?

**MAJ-GEN SENONA**: They were arrested somewhere in Joburg. It is just that I do not have my stuff with me. I think you gave me something that my people were giving me. Let me have a look here, Commissioners. I think this document is called EXH that you gave us yesterday  
20 morning, this one. I wrote this information note depicting all the things that have been done by the team up until the arrest and the attendance before court.

So eventually, I do not think in this report there was any address of any of the arrested suspects. So I did not know where the suspect was residing. Normally, when

suspects are arrested, we are not provided with their addresses and so forth. Thank you, Commissioners.

**ADV HASSIM SC:** We will come back to that exhibit. You still have not explained why it is, if you wanted to inform Mr Matlala of this, why the newspaper article was not sufficient.

**MAJ-GEN SENONA:** I think I have already given an answer, Commissioners.

**ADV HASSIM SC:** I do not think you have.

10 **MAJ-GEN SENONA:** I did. You can replay the recording.

**ADV HASSIM SC:** Well, can you repeat it? Why was the newspaper article not sufficient? Why did you need to send all of these police documents?

**MAJ-GEN SENONA:** Sorry, apologies.

**ADV HASSIM SC:** You can answer now.

**MAJ-GEN SENONA:** I said at that point, when I read this, I just sent it to Mr Matlala after I have seen this. I think also Commissioner Khumalo asked me the same question earlier.

20 **MS MAFISA:** Chairperson, my apologies, evidence leader, for the objection. Perhaps maybe I must make it clear to the Commissioners that the newspaper article is actually an article that the legal team found online. Obviously, Maj-Gen Senona can answer the question whether he was privy to the newspaper article at that time outside of the affidavits. However, I must make it clear to the

Commissioners that the newspaper article that has been attached as S5 is something that the legal team found online.

**ADV HASSIM SC**: So, well, that makes it a bit worse, because then the explanation that you have given was that it was already in the public domain, and that was S5, and there it is, and that is how you circulated it. But that is not the case, because it is your legal team that found the news article and provided it to you to include in your statement.

10 **MS MAFISA**: Sorry, Chairperson, I would just like to respond to that. So, now I am perhaps trying to see how constrained I am, just to explain to the Commissioners.

**CHAIRPERSON**: Ja. The problem is that the objection also gave evidential material to the witness. I cannot suggest how perhaps you could have or should have raised the objection, but now the witness already knows what you say about that document and he may now respond in accordance with what you say, or something evidential, if you see what I mean. But as I say, I am not sure how you  
20 should have phrased your objection.

**MS MAFISA**: Yes.

**CHAIRPERSON**: Perhaps it is something that could have been left for re-examination. I do not know. I do not know, but now, potentially now it affects how the witness may respond. But you wanted to respond to Ms Hassim?

**MS MAFISA**: Yes, perhaps maybe I must explain. The question that was initially asked by the evidence leader was the proof of the leak of these affidavits. And so, when Maj-Gen Senona went to S5 and read that particular sentence, in the News24 article it had stated that News24 had gained sight of the affidavits. So, the statement itself was aligning itself to what has – sorry, the News24 articles align itself to has been said in the statement. And I was merely just directing Maj-Gen Senona as to the proof in relation to that  
10 particular statement which can be found in S5.

Regarding, I think, the issue now, which is it is providing some sort of an evidential response which might be against Maj-Gen Senona, my statement was purely just that to say that S5 is evidence of what he has already stated in his statement. It was just, it was purely that.

**CHAIRPERSON**: At this stage, I am by no means suggesting that what you have said may be against the General. I was just making an observation at this stage. Thanks, Ms Mafisa.

20 **MS MAFISA**: Sorry, Chairperson, I just had a chat with my attorney. And I think the question that was posed, it made it seem as if Maj-Gen Senona had possession of that particular article at that particular time. So, the objection was also just to make the Commissioners aware that if we are relying on that particular article ...[intervenes].

**CHAIRPERSON**: Ja. You see, what you say now, actually, because earlier I said I do not know how you should have dealt with or presented your objection. But what you have just said now actually tells me how you should have handled it. You should, in re-examination, have asked the General, General, at the time that you shared X information with Mr Matlala, did you have in your possession this document? If you see what I mean.

**MS MAFISA**: Yes, Chairperson.

10 **CHAIRPERSON**: Yes, yes, yes.

**MS MAFISA**: Thank you.

**CHAIRPERSON**: Ms Hassim, you have heard what Ms Mafisa says, but what I will say is, please continue.

**ADV HASSIM SC**: Thank you, Chair. It does not really affect me and my questioning in any way because I am really basing it on what the witness is telling us now and ...[intervenes].

**ADV BALOYI SC**: I just wanted to clarify something with him arising from this discussion so that I know what the  
20 position is.

**ADV HASSIM SC**: Okay.

**ADV BALOYI SC**: General, you have heard Ms Mafisa. Now, at paragraph 74 of your statement, and that is what we have always accepted until Ms Mafisa's intervention, as your evidence. Your evidence is:

“The affidavit of Mr Nangy had been leaked to the media as of 10 March when I forwarded the same to Mr Matlala. I attach hereto a News24 article evidencing the aforesaid.”

The aforesaid being that the affidavit has been leaked to the media, marked Annexure S5:

10 “I therefore deny the allegation that I may have leaked sensitive and/or confidential and/or classified information.”

Can I just clarify this in the light of this? That you are not saying to us that you saw this article, which is S5, on the day that it came out. You are not saying that. Because I have understood, so far I had understood your evidence to be that. Is it your evidence still that you saw this article on the day it came out and it had attached to it the documents that you then sent to Mr Matlala? Is that your evidence?

**MAJ-GEN SENONA:** When this document was sent, Commissioners, this article on that day, I did not see it. But  
20 I said I do not remember whether it is News24 or WhatsApp and then I even talk about my gadgets that I went to check. Unfortunately, it could not provide me with assistance. I even said I do not want to mislead the Commission, but it is either this one or via WhatsApp. But that is what I have indicated, Commissioners.

**ADV BALOYI SC:** So you are not saying to us, and now I understand that I had misunderstood your evidence. You are not saying to us that you got these documents as a link to this News24 article that is attached. You are not saying that to us.

**MAJ-GEN SENONA:** I am saying a possibility, Commissioners. Because I am saying I am not sure whether it is this article or News24 or WhatsApp.

**ADV BALOYI SC:** General, let me ask you differently and  
10 just try and give a direct answer.

**MAJ-GEN SENONA:** Okay.

**ADV BALOYI SC:** Did you see this article when it came out? On the day that it came out, did you see the article?

**MAJ-GEN SENONA:** On the 10<sup>th</sup> of March?

**ADV BALOYI SC:** Yes. Did you see the article? Or soon thereafter, at any time, before it was pulled by your attorneys from wherever they pulled it now for purposes of the Commission? This article, did you see it before you sent the documents to Mr Matlala? And this article being  
20 the News24 article that you have given to us.

**MAJ-GEN SENONA:** I believe I may have, because hence I also indicate that I am not 100% sure whether it was on, I forwarded it from there or from the WhatsApp.

**ADV BALOYI SC:** Okay. So can we, because you are not sure, can we then disregard your paragraph 74? Because

in paragraph 74 you are very sure where this comes from. You are very sure about this article and the documents, the contents of a police file that you have provided to Mr Matlala. You are sure that they come from and are connected to the News24 article. You speak very certainly in paragraph 74. Now you have just said you are not sure whether it was from the article or from WhatsApp. And I accept if you are not sure. I am not saying you have to be sure for purposes of our discussion. But because you are  
10 not sure, can we disregard this paragraph as truth where you say it came from News24? It was in the public domain, an affidavit that even News24 refers to.

**MAJ-GEN SENONA**: Can I consult my legal counsel?

**ADV BALOYI SC**: No, you may not. Unless the Chairperson, it is the Chairperson's decision actually. I do apologise for answering, Chairperson.

**CHAIRPERSON**: General, you see, at this stage you are being asked probing questions and to seek advice is a bit problematic because we do not know now whether you want  
20 assistance with the answer that you should give in response to the question. That is a bit problematic.

**MAJ-GEN SENONA**: As I have indicated earlier, even if I cannot consult my counsel, it is okay. But I would not want us to disregard this, but there is that possibility, Commissioners. Because indeed my counsel asked me

these questions and I told them the very same thing I am telling the Commission and then they assisted me to go draw this thing, but I may have seen it and sent it. So I would not want to disregard this.

Once that thing comes, that is where I draw my conclusion that definitely this is the thing. But now I am saying, when the advocate is asking me that also, there is this WhatsApp thing and this News24. I consulted with my gadget, but I could not even pick it up there. Hence, the  
10 legal counsel assisted me. So I would not want us to disregard it, Commissioners. Thank you.

**ADV BALOYI SC**: Thank you, General.

**ADV HASSIM SC**: Thanks. General, do you agree that that article does not attach the affidavits that you attached? Do you agree that the article, this 10 March News24 article does not contain – what it says, they have seen affidavits, but they do not actually provide a link to the affidavits. Do you accept that?

**MAJ-GEN SENONA**: As it stands on the file now, it does  
20 not look like it has attachments. But by then, it may have had these articles and these affidavits and then I did forward it to Mr Matlala.

**ADV HASSIM SC**: Okay. So let us say that you did, for the sake of moving forward, that you saw these, you came into possession of these affidavits, whatever it means, and

the fact of the arrest had already been reported on in the News24 article. You are not just an ordinary member of the public. You have been given top-secret security clearance. Is that not so?

**MAJ-GEN SENONA**: I did have. It has expired in September, as I testified yesterday. I have applied. There is a process. It is in the process of being dealt with by Division Crime Intelligence.

**ADV HASSIM SC**: You had top-secret security clearance  
10 when you sent this police information?

**MAJ-GEN SENONA**: My top-secret security clearance has expired in 2025, September.

**MAJ-GEN SENONA**: Yes, and you sent this in March  
2025?

**MAJ-GEN SENONA**: Ja, ja. Yes.

**ADV HASSIM SC**: Yes. And to obtain top-secret security clearance means that a high level of trust was reposed in you by the state. Is that not so?

**MAJ-GEN SENONA**: I think that Division Crime  
20 Intelligence will come and explain the purpose and the processes why they give a person top-secret security clearance. When you apply, you submit everything to them. You complete the forms that they are giving you. They do their own investigations. And then you tick that I am applying to be issued with a top-secret security clearance.

Then you also go through a polygraph test that they ask you a lot of things like I am being asked here. And after that, they make that determination.

**ADV HASSIM SC:** General, you are a very experienced, seasoned police officer, are you not?

**MAJ-GEN SENONA:** You are saying so, yes.

**ADV HASSIM SC:** You have said so. You told us you spent some time yesterday explaining your different levels of experience.

10 **MAJ-GEN SENONA:** I did explain my career pathing and my experience before here.

**ADV HASSIM SC:** Yes.

**MAJ-GEN SENONA:** So it is a given.

**ADV HASSIM SC:** Yes. So you are saying you do not understand what the purpose of top-secret security clearance is.

20 **MAJ-GEN SENONA:** If I tell you my understanding, Commissioners, the purpose of top-secret security clearance is once you are issued with it, is that when the documents in possession of the state that have been classified and that you have been entrusted with, you cannot distribute them to any other person. It does not talk about unclassified documents. It talks about my understanding that classified documents, because it has to do with a mis-document, which means the classification has

got three levels. That is my understanding.

**ADV HASSIM SC**: So all of this information you need to provide in order to get top-secret security clearance, that is in order to see whether you are somebody who is trustworthy, who can be entrusted with sensitive information, is that not so?

**MAJ-GEN SENONA**: What information am I providing?

**ADV HASSIM SC**: You said that to get top-secret security clearance you have got to submit a lot of information.

10 **MAJ-GEN SENONA**: I said you complete the forms, then you submit the documents that are required there, and then what I did not say I must edit now. You also give a list of people, references, starting with your supervisors, Crime Intelligence do their own investigation, vetting investigation it is called, and then they make that determination after you have went through a polygraph test at the end.

**ADV HASSIM SC**: And the purpose, you are not answering the question, is to determine whether you are somebody who can be trusted to have top-secret clearance. Is that  
20 not so?

**MAJ-GEN SENONA**: Yes.

**ADV HASSIM SC**: All right. And the purpose of that is because you will come into contact with sensitive information.

**MAJ-GEN SENONA**: Classified information.

**ADV HASSIM SC:** Well, whether you are a trustworthy person or not depends on how you handle sensitive information that comes into your possession. Is that not so?

**MAJ-GEN SENONA:** Classified information, Commissioner.

**ADV HASSIM SC:** Classified, but not confidential. So if you were to distribute confidential information as a top-secret security-cleared officer, that would be okay?

**MAJ-GEN SENONA:** Commissioner, confidential falls  
10 within classified information. The levels of classification is confidential/restricted, secret and top-secret. So if a document is not endorsed, restricted or confidential or secret or top-secret, that is not classified information.

**ADV HASSIM SC:** So then ...[intervenes].

**ADV KHUMALO SC:** So let me ask you this. When the National Head of the Hawks gives a directive to the Provincial Heads and it is in the form of a letter, you are perfectly entitled to share it with Mr Matlala and say, hey, look at what the National Head says to us. You can read  
20 and enjoy it at your leisure.

**MAJ-GEN SENONA:** No, I cannot.

**ADV KHUMALO SC:** But then it does not have classification, so why can you not share it?

**MAJ-GEN SENONA:** But I cannot. I have testified yesterday that I have never took information from the police

and sent it outside. And there was no evidence, Commissioner, that was presented before this Commission that confirmed or suggested that I took a docket and scanned it or took pictures of it and sent it to Mr Matlala for whatever reasons. All I am saying, whatever I forwarded, I sent to Mr Matlala, it was documents that were in the public domain. I even indicated here, Commissioners, that I have never, I will not, and I will never, even in my grave, I will not do it. I even said this yesterday. So I will never do  
10 that.

**ADV KHUMALO SC:** So if somebody leaks a letter that the Minister sends to a National Commissioner and it is in the public domain, you as Provincial Head of the Hawks, you are then entitled to circulate it and to forward it to other people simply because somebody was naughty and they leaked it?

**MAJ-GEN SENONA:** Commissioner ...[intervenes].

**ADV KHUMALO SC:** Is it not your responsibility to stop the leak?

20 **MAJ-GEN SENONA:** Commissioner, it was already in the public domain, that letter. According to the evidence that was presented before you, Commissioners, one of the witnesses indicated the letter was leaked on the 31<sup>st</sup>. General Khumalo said it was on the 1<sup>st</sup>. They indicated a lot of people had that letter ...[intervenes].

**ADV KHUMALO SC:** General, that is not what I am asking you.

**MAJ-GEN SENONA:** I am going to answer the question.

**ADV KHUMALO SC:** What I am asking you is if other people have leaked a letter, are you saying you are then entitled to continue with that and to continue circulating it? Is it not your responsibility to say, whoever leaked it made a mistake, I should not be doing that also?

**MAJ-GEN SENONA:** It is not a question of entitlement,  
10 Commissioner.

**ADV KHUMALO SC:** Is that not precisely what you did? Because you say it is in the public domain. You did not put it in the public domain. You see it, but then you feel entitled to circulate it and share it with Mr Matlala. Factually, that is what happened.

**MAJ-GEN SENONA:** It is not a question of entitlement. I was sharing a document that was garnering in the public domain. Maybe in your submissions, Commissioners, that may be included, but now this is my answer.

20 **ADV BALOYI SC:** General, you say no one has presented evidence here that you took a picture or you made copies of dockets or documents, official documents, and shared them with the public. You are right. Nobody has presented that. But we have documents here that are official state documents.

You send them to a private citizen who is your friend, brother, who is accused of involvement in serious crimes or alleged crimes. You send that. What we are doing is battling to get an understanding of this, how it is you gained possession of these documents that you forward.

That is why this engagement with you. Do not reduce it to, well, you did not see me standing at a photocopier. Do not reduce it to that. We are dealing with  
10 trying to establish how did you get these documents and sent them and why. We know it is not from the News24 article. Now we know that. And the question is, well, how else would you have gotten them? That is the one issue.

But the second issue is just a case of re-paging through these documents, they include, for example, an ID copy of Mr Nangy at page 141 with his picture and details. You give that to Mr Matlala. And I am doing this randomly. Page 150 has got his marriage certificate. You give that to Mr Matlala with full details. And then you go to page 260,  
20 and again, it is random, you have got a deed of transfer of property, which has property details of, I think, Maria or somebody.

So you are giving documents. You are sharing documents with Mr Matlala. And quite a hefty number of pages, which we are battling to accept. At least I am

battling to accept that all of this would have been attached to a news article. Starting from page 65, it goes beyond 277. It goes beyond that. That all of this would have been an attachment that you found in a media report. I am battling with that.

But the further area of concern is there is highly personal information, which in a different context you are precluded by the Protection of Personal Information Act from distributing further, but you have shared it with Mr  
10 Matlala. Mr Nangy's business address, somewhere you have got Ekurhuleni City bills for electricity or rates and taxes of Mr Nangy.

So you really put his personal information, and you say you did not know whether Mr Matlala knew him and knew that he lived in the estate. So you have shared seriously personal information. You are a police officer. You have come into access to seriously personal information. You share it with a person who is accused of serious criminal conduct, and you do not seem to think at  
20 best there was a lack of judgement if it was not deliberate.

You do not seem to sit there and say, well, ja, now I see I should not have done this. You are making it appear it is all benign. It was nothing. And yet again I find it very difficult to accept that there is an innocent explanation behind you sharing this bundle. It is this big, just to give

you context, that there is a benign, innocent explanation behind you sharing all of this information of Mr Nangy and I think Stephanie ...[indistinct] somebody, with Mr Matlala. And I think it is much more sinister than you are prepared to share with us. Do you have any comment to that?

**MAJ-GEN SENONA**: Commissioners, when I sent the affidavit to Mr Matlala, I never realised this whole other attachments here until they were presented to me by the Commission. But I have now taken note, the magnitude of  
10 this, I have now taken note, but I have never realised that this document is having so large documents. So I see what happened. I see what this has caused in terms of these people's particulars and everything, but I understand where the Commission is coming from.

**ADV BALOYI SC**: Thank you, General.

**ADV KHUMALO SC**: I am assuming it applies ...[indistinct] to you sharing this with Mr Matlala personal details of DPCI officers in the case of ...[indistinct]. These are police officers. There are personal details with their ranks  
20 ...[indistinct] phone numbers ...[indistinct]. At least four of them, you have shared their ID numbers with Mr Matlala in circumstances where you know that DPCI is investigating Mr Matlala. Do you now accept that that was wrong? You should not have done that.

**MAJ-GEN SENONA**: I am saying when I sent the affidavit,

I did not realise the magnitude of this document. I only read the affidavit and sent it. Not that it is wrong of me sending it, but I have realised now when the Commission has given me this document that this document is too huge. It contains this type of information. When you show me, because I see here there is one, as you indicated, Commissioner, three ID numbers. Commissioner says four. It is three Commissioners.

**ADV KHUMALO SC:** No, no, you missed the one on the  
10 first page.

**MAJ-GEN SENONA:** Which?

**ADV KHUMALO SC:** [Indistinct].

**MAJ-GEN SENONA:** The first page. Let me check. Page  
60?

**ADV KHUMALO SC:** No, no, you do not need to go there. Remember my focus was details of police officers. At least two of them are ...[indistinct] of ...[indistinct]. On page 66. So look at the last colonel and their name. You will see that they are with DPCI KZN.

20 **MAJ-GEN SENONA:** Correct.

**ADV KHUMALO SC:** And then the second one is the captain. You will see that they are with DPCI KZN.

**MAJ-GEN SENONA:** Correct.

**ADV KHUMALO SC:** You see that. And then you have got SAPS detectives. And then you have got Crime Intelligence

people whose ID numbers you have identified. Do you see that?

**MAJ-GEN SENONA**: I see that.

**ADV KHUMALO SC**: Yes. And that is wrong.

**MAJ-GEN SENONA**: But the ID number on these pages are two. Is that one of anti-kidnapping unit?

**ADV KHUMALO SC**: Please do not mention the names. Just accept the principle that it is wrong to share with Mr Matlala personal details of police officers and DPCI  
10 officers. That is all I am putting to you. Not how many ID numbers are there. We can see that there are ID numbers there. In some places, the ID numbers are not there. But you have shared personal details of your subordinates, DPCI KZN people. You have shared details of General Mkhwanazi and his office and email address. You have shared details of Crime Intelligence officers, including their ID numbers, in circumstances where you know that Matlala is under investigation by the very same institutions.

**MAJ-GEN SENONA**: Commissioner, I said in my response  
20 that when I read the affidavit, based on that I did not realise the magnitude and the volume of this document. So I only forwarded it.

**ADV KHUMALO SC**: Now you realise the magnitude.

**MAJ-GEN SENONA**: I said I realised after I received this document from the Commission.

**ADV HASSIM SC:** General, when you say you received this document from the Commission, you accept that these are the documents that you sent. I mean, we get this from you. You sent this long list of documents. Right?

**MAJ-GEN SENONA:** I sent it. I agree.

**ADV HASSIM SC:** Okay.

**MAJ-GEN SENONA:** But I do not, Commissioner, have a capacity in terms of the problems of my gadget to retrieve it for myself to come here. So after, when the Commission  
10 was established, I got what transpired there from the Commission in order for me to come in.

**ADV HASSIM SC:** So when you received it from us, you realised that what you did was wrong?

**MAJ-GEN SENONA:** Not wrong, but I did not realise the magnitude of this document by the time I sent it.

**ADV HASSIM SC:** You did not realise the magnitude of the document?

**MAJ-GEN SENONA:** Ja, I never thought this document ...[intervenes].

20 **ADV HASSIM SC:** The size? Meaning the size?

**MAJ-GEN SENONA:** The size and some of the documents, because I only read, as I have earlier indicated, the affidavit. It caught my eye there with the address, then I sent it. So I never realised the magnitude of this document and other documents that have been attached. But that is

my response, Commissioners.

**ADV HASSIM SC:** But you realised when you looked at it again that what you did was wrong? Because as you said to me earlier when I asked you about this, you said that there are a number of annexures to this. So you know that there were annexures to the affidavit?

**MAJ-GEN SENONA:** I did not accept the part of wrongfulness from my side, but maybe it might be an oversight for not reading the entire document before I sent  
10 it.

**ADV HASSIM SC:** You see, this is why I asked you about top-secret security clearance. The Commissioners intervened with where I was going, because the attachments contain a great deal of information that is confidential, that is personal. There are personal photographs in those annexures. And for somebody in your position, with top-secret security clearance, you are required to handle state documents with care. Is that not so?

**MAJ-GEN SENONA:** The state documents with care,  
20 correct.

**ADV HASSIM SC:** Yes. So these documents contain information, as we have already gone through, we do not need to repeat it now, that is information that is part of a docket. It is SAPS information, including other people's personal information, And you forwarded it without looking

at all of that. And that was improper.

**MAJ-GEN SENONA**: Hence I am saying it was an error that I only read the affidavit and sent it. But when you look at it, the entire document and the magnitude, you will see that when I look at it after I have received it, I have realised that this, for me, is a document that was utilised for the civil claim.

**ADV HASSIM SC**: You did not realise that when you sent it to Mr Matlala?

10 **MAJ-GEN SENONA**: Correct.

**ADV HASSIM SC**: You did not look at it, you just sent it to him?

**MAJ-GEN SENONA**: I read the affidavit, I saw the address and I just sent it, as I have indicated before.

**ADV HASSIM SC**: So you did read the affidavit, so you did see what the contents were?

**MAJ-GEN SENONA**: You see, when I talk about reading the affidavit, first, second paragraph, I saw the address, and then I never read it fully, and then I sent it. Hence I  
20 say it was an error on my side, that I never read the entire document before I sent it.

**ADV HASSIM SC**: But the names and personal information of DPCI officers and others are in the affidavit, they are at the front of the affidavit.

**MAJ-GEN SENONA**: That I did not see when I read and

sent by the Commissioners.

**ADV HASSIM SC:** But you do accept the duty on you, as a person in your position, I am going to keep repeating it, because you hold a senior office, and all South Africans expect that people in your kind of office will conduct themselves consistent with their duties. Your duty, the duties that you held, required that you do not share this kind of information with a member of the public, regardless of whether it was in the public domain or not.

10 **MAJ-GEN SENONA:** I think the issue of regardless whether in the public domain or not, Commissioner Khumalo asked me, I responded. And I want to repeat myself again, that I made an error by not reading the entire document. I only read the first page, that page of the affidavit of Mr Nangy, and then I forwarded it. So I think that is the response I can give.

**ADV HASSIM SC:** And that was not consistent with your duties, particularly somebody with top-secret security clearance who is meant to conduct themselves in a way that  
20 does not make them vulnerable to compromise. Correct?

**MAJ-GEN SENONA:** That is how you see it, but not how I see it.

**ADV HASSIM SC:** You do not see your duties in that way?

**MAJ-GEN SENONA:** No, in relation to this document here. I have explained why I sent it, and then I am also telling the

Commissioners that I never read the entire document. It is the error that I have done. I do not know how do I explain it further or whatever, but that is what happened.

**ADV HASSIM SC**: I am not going to go any further on this, Commissioners. I am going to move on. I think you have answered the question. We are going to return to it again because it is not the only instance. So I am afraid that you will have to face this again. Let us just move on that page, page 30, where we were.

10 **MAJ-GEN SENONA**: 3-0?

**ADV HASSIM SC**: 3-0.

**MAJ-GEN SENONA**: Okay.

**ADV HASSIM SC**: You say after you send the ...[intervenes].

**CHAIRPERSON**: Is that still ...[intervenes].

**ADV HASSIM SC**: It is the WhatsApp conversation, File 1 of 1.

**CHAIRPERSON**: Thank you. And you say 3-0?

**ADV HASSIM SC**: 3-0.

20 **CHAIRPERSON**: Thank you.

**ADV HASSIM SC**: So on that page, you say on the 18<sup>th</sup> of March, you sent a message to Mr Matlala:

“Brother, did you find those guys?”

What were you referring to?

**MAJ-GEN SENONA**: I do not have a recollection of this

one, Commissioners. It must be made clear that I am also a human being. I cannot recall each and every little thing that is here. I cannot recall.

**ADV HASSIM SC:** You do not recall?

**MAJ-GEN SENONA:** Yes, Commissioners.

**ADV HASSIM SC:** Okay. So the page that we were on, page 29. If we go to page 34, you will see 9 April 2025 at the bottom of the page.

**MAJ-GEN SENONA:** Page?

10 **ADV HASSIM SC:** 34.

**MAJ-GEN SENONA:** 3-4?

**ADV HASSIM SC:** Yes.

**MAJ-GEN SENONA:** I am there.

**ADV HASSIM SC:** This, you arranged to meet again on 9 April, is that correct? If you look at the bottom of the page, you send him a message. You say:

“I am here in Emperor's Palace and we are finishing around five to six.”

20 **MAJ-GEN SENONA:** Ja, I see this one. I was in Emperor's Palace and he wanted to see me. I said we will be finishing our engagement there between 17:00 and 18:00. But when you turn the page over ...[intervenes].

**ADV HASSIM SC:** You were at Emperor's Palace on work duty?

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** Work duty?

**MAJ-GEN SENONA:** Yes. When you turn over, he said:

“Can I come after 18:00?”

I say, yes. But eventually this meeting never took place.

**ADV HASSIM SC:** It never took place? How do you know that? How do you recall that?

**MAJ-GEN SENONA:** I am telling you because I know what we were doing there. It never took place.

**ADV HASSIM SC:** Why did it not take place?

10 **MAJ-GEN SENONA:** Because he could not come through. After we worked, I went to the room and then we slept. He could not come through. The meeting did not take place.

**ADV HASSIM SC:** Okay, so you remember on that day that the meeting did not take place?

**MAJ-GEN SENONA:** Yes, I remember. I said, I am going to tell the truth. Whatever I remember, I will assist the Commission. What I cannot remember, I am still begging maybe for forgiveness for not remembering, but I am a human being as well. That needs to be noted.

20 **ADV HASSIM SC:** Can you turn over the page? So we were on 35, page 36.

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** At first, you have a conversation. You ask him:

“Are you coming?”

This is 11 April. He say:

“I am with the kids. As soon as their mother gets home, I will leave. Where am I going to find you?”

And then you respond:

“Let us meet tomorrow morning at our usual place at 09:00.”

**MAJ-GEN SENONA**: Yes.

**ADV HASSIM SC**: And what is our usual place? Is that  
10 Menlyn Maine?

**MAJ-GEN SENONA**: Menlyn Maine.

**ADV HASSIM SC**: Menlyn Maine?

**MAJ-GEN SENONA**: Yes, Commissioners.

**ADV HASSIM SC**: At 09:00 in the morning?

**MAJ-GEN SENONA**: Yes, Commissioners.

**ADV HASSIM SC**: And did you have that meeting?

**MAJ-GEN SENONA**: I want to check properly. 11 April,  
what day of the week was it? Check. 11, it was a Friday.  
And some of these things, they are just running away from  
20 me, but I believe we might have met. I believe, I am talking  
under correction. I believe we might have met.

**ADV BALOYI SC**: General, you probably, we are at page  
38, Ms Hassim?

**ADV HASSIM SC**: Yes.

**MAJ-GEN SENONA**: 38 or 37?

**ADV HASSIM SC:** No, hold on a second. We were at 11 April, let us meet tomorrow morning at our usual place at 09:00. All right, and then I am asking whether you then met.

**MAJ-GEN SENONA:** No, you see what I wrote here on the 11<sup>th</sup>, when you look at the top on page 37, Commissioners, I see there I wrote spent time with the family. That is giving me an indication that we might not have met because there were some things that we had to meet with the family and  
10 do. I have just picked up this and then it tells me we never met because there were issues that he had to attend to the wife and kids.

**ADV KHUMALO SC:** No, but is the problem with that not that the WhatsApp is from the 11<sup>th</sup>, so it is the day before? If you look at the earlier WhatsApp of 18:56, it says:

“Let us meet tomorrow morning at our usual place.”

The next WhatsApp is a WhatsApp of the same date and it says spend time with the family. So it can be referring to  
20 the following day.

**MAJ-GEN SENONA:** Thank you for correcting, for highlighting that, Commissioner. I think it I really appreciate it. I really appreciate it, ja. So, on the following day, it should have been the 12<sup>th</sup>. Normally, if I leave or I arrive there, I will say I am on my way to our usual place,

but I do not see that we did talk about that. So I am just worried to say we met or we never met. I see it is not there. Normally, we say I am going to our place.

**ADV HASSIM SC:** So you do not remember?

**MAJ-GEN SENONA:** I am not 100% sure whether we met or not because immediately after that, we were talking on the 13<sup>th</sup>.

**ADV HASSIM SC:** And then on the 13<sup>th</sup> of April, you sent a message saying:

10                    “I am on our way to our place.”

This is at four o'clock in the afternoon.

**MAJ-GEN SENONA:** Ja, the time we met. You see, as I was indicating before, it even came quicker to assist me there.

**ADV HASSIM SC:** Sorry, did you meet on the 13<sup>th</sup> of April?

**MAJ-GEN SENONA:** Yes, I believe so, we did meet.

**ADV HASSIM SC:** When did you meet on the 13<sup>th</sup> of April? Was it that afternoon?

**MAJ-GEN SENONA:** In the afternoon.

20 **ADV HASSIM SC:** And you sent that to him at 16:01 and you say:

                         “On our way to our place.”

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** So what time roughly do you think you would have arrived there?

**MAJ-GEN SENONA:** It depends on the traffic, but I can say roughly 30 minutes.

**ADV HASSIM SC:** Okay. So the next message then is from Mr Matlala. By now you would have arrived. The next message is from Mr Matlala, and here he shares with you certain documents.

**MAJ-GEN SENONA:** Ja, I see. He shared with me these documents.

**ADV HASSIM SC:** All right. So let us go to those  
10 documents. The first one is SEN3 and you will find that at page 286 of the same file, the same WhatsApp file.

**MAJ-GEN SENONA:** 2?

**ADV HASSIM SC:** 286.

**MAJ-GEN SENONA:** Okay.

**ADV HASSIM SC:** Okay. Can you identify that document that he sent you?

**MAJ-GEN SENONA:** I see the document.

**ADV HASSIM SC:** Yes. What is it?

**MAJ-GEN SENONA:** It is a company of – on top there, it  
20 says Senzo and Thembeke.

**MAJ-GEN SENONA:** It says Senzo and Thembeke Mchunu Foundation.

**MAJ-GEN SENONA:** Ja.

**ADV HASSIM SC:** And the number of the company.

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** Company registration number.

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** And then the details of the company and the directors.

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** Et cetera.

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** So why did Mr Matlala share this with you?

10 **MAJ-GEN SENONA:** I definitely do not know because this document, when he sent me on that day of the 13<sup>th</sup>, we were talking there. I never read them. I never read these documents. You will see it is one, two, three documents that I did not read, but he did send it to me.

**ADV HASSIM SC:** I am going to them one by one. So let us start with the first one.

**MAJ-GEN SENONA:** Okay.

**ADV HASSIM SC:** You received this. You say you did not read it.

20 **MAJ-GEN SENONA:** I did not open it. Yes, because we were talking.

**ADV HASSIM SC:** So you knew what he was sending you because by now you are in the meeting with him.

**MAJ-GEN SENONA:** I know when you open it here because when you sent us the Rule-3 notification, these

things were never there. This SEN3, SEN4 and SEN5, they were not there. And the document that we received through the Rule 3 has got certain things that maybe I will show the Commissioners in the document that was sent to me initially, but I did not open this document.

**ADV HASSIM SC:** I am not sure what you are saying. This document is the document that was sent to you on your phone, on your WhatsApp?

**MAJ-GEN SENONA:** Yes. I am saying I did not open it.

10 **ADV HASSIM SC:** You did not open it when?

**MAJ-GEN SENONA:** I do not know the contents of this document.

**ADV HASSIM SC:** At any point ever? You never opened this document?

**MAJ-GEN SENONA:** I never opened this document, Commissioners.

**ADV HASSIM SC:** And this document would have been sent to you while you were in the meeting with Mr Matlala. So he would have told you what he is sending you. It would  
20 have been part of your conversation.

**MAJ-GEN SENONA:** No.

**ADV HASSIM SC:** So you are in a meeting with him and while you are in a meeting with him, he sends you documents but you do not talk about it?

**MAJ-GEN SENONA:** Yes. I did not open this document.

We were sitting there having our talks and then from there I saw he sent me documents, then I left. I did not open these documents, Commissioners.

**ADV HASSIM SC:** And what talks were you having? This is now 13 April.

**MAJ-GEN SENONA:** 13 April, we were having our general discussion, social discussion there and eventually, I agree, he did send these documents and for that matter, me, I did not read this one.

10 **ADV HASSIM SC:** You did not read this one, okay.

**MAJ-GEN SENONA:** Ja.

**ADV HASSIM SC:** But sorry, what conversation? You said you were having your discussions. What discussions? What was the purpose of your meeting?

**MAJ-GEN SENONA:** It is personal things that I do not want to disclose here.

**ADV HASSIM SC:** It had nothing to do with the upcoming meeting on 15 April?

20 **MAJ-GEN SENONA:** The issue of the upcoming meeting on 15 April, we talked about it on the 14<sup>th</sup>.

**ADV HASSIM SC:** But not on the 13<sup>th</sup>.

**MAJ-GEN SENONA:** No.

**ADV HASSIM SC:** You can remember that you did not discuss it on the 13<sup>th</sup>.

**MAJ-GEN SENONA:** There we were talking personal stuff

that I am not in a position to disclose here, even in camera.

**ADV HASSIM SC:** Okay, but this is now 13 April where you were very wary and you said exercising caution in relation to Mr Matlala. Correct?

**MAJ-GEN SENONA:** Caution?

**ADV HASSIM SC:** You said you were exercising caution in relation to Mr Matlala because you were disturbed by what you read about him.

**MAJ-GEN SENONA:** What are you talking about? I am  
10 lost.

**ADV BALOYI SC:** You earlier said you ...[intervenes].

**CHAIRPERSON:** Ja, 5 March ...[intervenes].

**MAJ-GEN SENONA:** Oh, he is going back to 5 March?

**CHAIRPERSON:** Yes.

**ADV HASSIM SC:** Ja. 5 March is a pivotal moment in our life in this Commission with you.

**MAJ-GEN SENONA:** Ja, I think I have already indicated that maybe my fault was that not to terminate it instantly as the Commissioner was asking me before we break for lunch.  
20 So I still stand by my submission to the Commissioner that me, I was doing it gradually like that. However, here we met and did that. You know, as people, we differ how we deal with things. That is what I said.

But I was hammered here that you as the head of the Hawks, you should have done instantly. So I have

taken note of that seriously so, and I believe maybe in the near future the same kind of practise, it will never happen. I am one person who learns when you are advised and told about issues that you should have done the other way around when they are seen as issues that are being done wrong, whereas I did not see it as a wrong thing. So I have taken note and it is going to help me in my further life.

**CHAIRPERSON**: What I was debating with you is actually more than that. It is more than merely indicating how you  
10 ought to have behaved in this context.

**MAJ-GEN SENONA**: Yes, Commissioner.

**CHAIRPERSON**: Yes, that is part of it. But the point was more that you were cosy, cosy, cosy with Mr Matlala throughout until, as you say, he was arrested. He is arrested, I am very sorry, I am very sorry. And I put all of these texts together, just page 28 to page 60. Now Advocate Hassim has taken you through all of them, and nothing, and we are now in April, and nothing indicates that this is somebody who wants to terminate communication.  
20 Oh, I do not know, you said you wanted to terminate the relationship and you sort of wanted to suggest that there is a difference between terminating the relationship and terminating the communication.

**MAJ-GEN SENONA**: There were ...[intervenues].

**CHAIRPERSON**: So look how this starts, what Advocate

Hassim is taking you through. You say, I am here, let us meet at our usual place, and you are the one initiating that. And remember I said when I put all of these together, 28 to 60, and I said, and some of them were actually initiated by you and now you are basically inviting Mr Matlala, let us go meet at our usual place.

So when I say it is more than just what you referred to as advice, what I am saying is all of this actually gives the lie to what you are suggesting, which is that you wanted  
10 to terminate the relationship or communication with Mr Matlala. All of this gives the light to that.

**MAJ-GEN SENONA:** Commissioners, when you look at the communication, when we were supposed to meet and then he said it is with the kids and we postponed, we postponed up until that day. Sometimes you become that type of a human being who would want to understand and curious. So we went there, we had our discussions, but I understand why the Commissioner is like this and feeling like this. I understand that. But having said that, Commissioners, I  
20 say my fault is not to terminate it with immediate effect.

**CHAIRPERSON:** But do you agree that what this points to is that it actually points to the opposite of what you are suggesting to us, which is that you wanted to terminate the relationship. It actually shows that you were very, still very friendly towards him. Do you accept that that is what this

evidences, this shows?

**MAJ-GEN SENONA**: I am saying I took too much time, too long to terminate it.

**CHAIRPERSON**: Do you accept that that is what the texts show? They indicate that you were still ...[intervenes].

**MAJ-GEN SENONA**: It does not show that I am lying, Commissioner.

**CHAIRPERSON**: No, no, no, no, no, no. Do you accept that these texts actually show the opposite of what you are  
10 suggesting to us? They actually show that you were still very friendly towards Mr Matlala. Do you accept that?

**MAJ-GEN SENONA**: Friendly but not close.

**CHAIRPERSON**: Do you accept that they show that you were friendly towards him?

**MAJ-GEN SENONA**: I accept that I was still talking to him.

**CHAIRPERSON**: In a friendly manner.

**MAJ-GEN SENONA**: Of course we are not fighting, Commissioner.

**CHAIRPERSON**: Do you accept that you are  
20 communicating with him in a friendly manner?

**MAJ-GEN SENONA**: I accept I was communicating with him in a friendly manner.

**CHAIRPERSON**: Thank you.

**ADV BALOYI SC**: Can I follow up on that? Do you accept that from page 28 up to where Ms Hassim is, it shows that

you are communicating with him a lot? A lot. And if you want to check, you are free to do that. You can go to page 28. It is that message about General Mkhwanazi and the DPCI. You go to the next page. There are two WhatsApp messages. One of them is from him saying good morning. You respond, see you at 20:00. Next page, Mr Matlala writes once at page 30. You are there three times. You are there. Here you say the next one, you send that document that we discussed, that thick document. You have an  
10 audio/video call. And then you say:

“Brother, did you find the guys?”

You tell us you do not remember what this is about. And the last one, it is you again. You go to the next page, it is you again. No, Mr Matlala, it is you. You go to the next one at the top, it is you. Mr Matlala once. The next one is you. The next one is Mr Matlala. The next one is you. Next page, two messages, both from you. Next page, 34, it is you. Mr Matlala, Mr Matlala, you. Mr Matlala, you. Mr Matlala, you. Next page, Mr Matlala, you, Mr Matlala, you,  
20 and then you again.

Page 36, the same pattern. It is you, Mr Matlala, you, Mr Matlala, Mr Matlala, you, you. And the next page, it is you. And then we are at page 38. Mr Matlala twice. It is you three times. And then it is Mr Matlala twice. That is a lot. Ja, throughout, up to where we are, you are

communicating a lot with Mr Matlala, and you say you want to terminate the relationship. That does not bear it out. It shows someone who is still closely involved with Mr Matlala.

**MAJ-GEN SENONA**: [No response].

**CHAIRPERSON**: Do you wish to comment, General?

**MAJ-GEN SENONA**: No comment.

**CHAIRPERSON**: Thank you, thank you. Ms Hassim?

**ADV HASSIM SC**: The second document that you  
10 ...[intervenes].

**ADV BALOYI SC**: Before you do that, I would like to talk about this first document.

**ADV HASSIM SC**: Oh, yes.

**ADV BALOYI SC**: Yes. The document that is about the business of Minister Mchunu, you say it is sent – you seem to accept that Mr Matlala sent it to you as you are in a meeting with him. That is how I understood your discussion with Ms Hassim. Am I correct in that understanding?

**MAJ-GEN SENONA**: As it was given to me, I see the way  
20 these things are. I say, yes, Mr Matlala ...[intervenes].

**ADV BALOYI SC**: You accept that at that time you were still in the meeting, okay.

**MAJ-GEN SENONA**: Because, you know, Commissioners, at one stage, when one look at these things, they leave sometimes much to be desired for. These messages,

according to what I heard, is a download, and then from there they did the screenshots. These messages.

**ADV BALOYI SC:** What are you saying about it? Let me understand.

**MAJ-GEN SENONA:** Sometimes one might have to have a problem with the messages, because sometimes they say it is a download and screenshots messages. Maybe the evidence leader might assist us, that how did they retrieve this information from the cell phones.

10 **ADV BALOYI SC:** No, no. I am still having the discussion with you. You have testified that you did receive this, but you did not open it.

**MAJ-GEN SENONA:** Correct.

**ADV BALOYI SC:** Yes, that is all I am checking. That you are in a meeting, he sent you this, you have admitted to us that you received this, but you say that I did not open it.

**MAJ-GEN SENONA:** Yes, Commissioner.

**ADV BALOYI SC:** Okay. Do you know why Mr Matlala, as you are sitting with him in a meeting, why he would send  
20 you a document that relates to the business of Minister Mchunu?

**MAJ-GEN SENONA:** I do not know.

**ADV BALOYI SC:** You do not know?

**MAJ-GEN SENONA:** I do not know.

**ADV BALOYI SC:** And you say you were not discussing,

you are telling the Commission that that document, you were not discussing anything to do with Mr Mchunu's business or Mr Mchunu when he sent that document.

**MAJ-GEN SENONA**: Correct, correct, Commissioners.

**ADV BALOYI SC**: And you were not curious in that meeting what document he has sent you.

**MAJ-GEN SENONA**: I was not curious. I did not open this document, Commissioner.

**ADV BALOYI SC**: You did not open it?

10 **MAJ-GEN SENONA**: No.

**ADV BALOYI SC**: Okay. I must say I think it is improbable that you are sitting with a person in a meeting and they send you a document and they do not say anything to you about it. There is no discussion between you where they tell you, I am sending you this document as I am sitting with you. I think it is very hard to believe that anything like that would happen, and you do not ask, that you have just sent me something, what is it? It is really improbable, and I want to propose it did not happen that way. You knew as  
20 he sent it to you at that time what it is that he is sending to you. Do you have any comment?

**MAJ-GEN SENONA**: I did not know, Commissioners.

**ADV BALOYI SC**: All right. Thank you. Ms Hassim?

**CHAIRPERSON**: Sorry, Ms Hassim, let us take a body break, please. But we would like to see counsel. Let me

not indicate what time we will be back. We will just get Mr – I do not see him – to come indicate that we are coming back. Let us adjourn and let us quickly see counsel. Let us adjourn.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**MALE SPEAKER:** It seems we are ready to resume, cell phones off please.

**CHAIRPERSON:** As we indicated to counsel outside we  
10 will adjourn at 17:00.

**ADV HASSIM SC:** General, we were dealing with page 38 and we dealt with the first document that was shared with you that we have looked at. which was the Senzo and Thembeke Mchunu Foundation company information. And you said that that was sent to you while you were meeting, but that you did not look at the document. That was sent to you at 16:32:07. So there were three documents that were sent immediately all at exactly the same time, simultaneously. The second one is attached here as SEN4  
20 and that is on page 201. Can you turn to that please? Do you have it? Page 201.

**MAJ-GEN SENONA:** 200 and?

**ADV HASSIM SC:** 2-0-1.

**MAJ-GEN SENONA:** 201?

**ADV HASSIM SC:** 201, yes.

**MAJ-GEN SENONA:** On which file?

**ADV HASSIM SC:** It is the same file.

**MAJ-GEN SENONA:** 201?

**ADV HASSIM SC:** Yes.

**MAJ-GEN SENONA:** Okay. I am at 201.

**ADV KHUMALO SC:** Advocate Hassim, 201 or 291?

**ADV HASSIM SC:** I am sorry. It is ...[intervenes].

**ADV KHUMALO SC:** 291.

**ADV HASSIM SC:** Very late in the day. My eyesight, it is  
10 291. Thank you very much, Commissioner Khumalo.  
Apologies, General, 291.

**MAJ-GEN SENONA:** Yes, I see it.

**ADV HASSIM SC:** Okay. So you will see this is a  
document that is marked strictly confidential at the top and  
it says confidential information concerning the identity of  
the President and then it has information relating to  
President Ramaphosa. Do you see that?

**MAJ-GEN SENONA:** I see the document, Commissioners.

**ADV HASSIM SC:** So why did he send this to you?

20 **MAJ-GEN SENONA:** I also do not know and if he sent it to  
me, I did not open. If he sent it to me, I did not open it.  
You know these documents, when I look at them now,  
because it is now that I see the contents, I would have  
reported this to my principal.

**ADV HASSIM SC:** So you would have reported this to your

principal?

**MAJ-GEN SENONA**: Yes, because it is unusual that a private person can have these documents. So I did not open them, I did not know what was inside, but if I knew, Commissioners, definitely I would have written an information note to my supervisor informing him about this what I have just discovered with a person of so-and-so, Mr Matlala.

**ADV HASSIM SC**: So you are saying that, again, you are  
10 saying in the meeting where he sends you simultaneously these documents, he does not say anything to you about what he is sending to you, you have no discussion about it in the course of the meeting, and you have no discussion about it after the meeting either?

**MAJ-GEN SENONA**: That is correct, Commissioners. I did not read it. If I read it, the communication after that was going to be there about it, but I was going to write an information note to my supervisor in order for action to be taken, what needs to be taken. Investigations  
20 ...[intervenes].

**CHAIRPERSON**: Sorry, Ms Hassim, there are actually two things that arise from this, and one is what Ms Hassim has referred to, which is he did not tell you what this was. The second thing is, did he tell you anything at all with regard to sending these documents? This is actually a question that

my colleague, Commissioner Baloyi, asked, but I just want clarity on it and to say we just must be clear what you say about these two things. You have responded to the one that Ms Hassim is raising, but I want to know, did Mr Matlala say to you, my brother, I am now sending you something? Did he say that at all as you were sitting there?

**MAJ-GEN SENONA**: No, Commissioners.

**CHAIRPERSON**: So you are sitting there, you are at a meeting, you are discussing whatever it is you are  
10 discussing, so he silently just sends you these documents, these three documents, and he is completely mum about them?

**MAJ-GEN SENONA**: Commissioner, he will be the one who will answer why did he send it to me. It is unfortunate I never happened to open and read this document ...[intervenes].

**CHAIRPERSON**: No, no, no, no, no, please, I am not asking you about opening. I am asking you now about the two of you sitting together, having a discussion at a  
20 meeting, and he sends you these, he is silent, completely silent, he does not even say please have a look, I have just sent you something, or I have sent you something, please have a look when you find time. Nothing like that. He just sends them, he is silent about them.

**MAJ-GEN SENONA**: That is correct, Commissioner.

**CHAIRPERSON:** I will say to you that is totally, totally improbable, General.

**MAJ-GEN SENONA:** You see, this one, Commissioner, I would have taken action. This ...[intervenes].

**CHAIRPERSON:** I will suggest to you that you say what you are saying, which is that, one, he was completely silent about sending you something, and two, you did not read it. You are saying all those things exactly because you realise that you definitely ought to have done something about this  
10 “strictly confidential” document. That is why you are saying, one, he did not say I am now sending you a document, and two, you are saying I never read these attachments. You are saying that because this is staring you in the eye, and you cannot say I did read this and did nothing about it. That is why you are saying what you are saying. What do you say to that?

**MAJ-GEN SENONA:** Commissioner, I did not read it, and he never told me he is sending me this document. I saw the document came in. I never read it. After our meeting, I get  
20 into the car, I went home. I am saying because I happened to see the actual contents when the Commission's attorneys have sent us this thing. But prior to that, I did not know what are the contents of these messages he sent me, these documents.

**CHAIRPERSON:** Are there many other messages from him

that you never read?

**MAJ-GEN SENONA**: It is these three.

**CHAIRPERSON**: These three?

**MAJ-GEN SENONA**: Ja.

**CHAIRPERSON**: That is very interesting.

**MAJ-GEN SENONA**: It is these three, Commissioners, and that I can recollect that ...[intervenes].

**CHAIRPERSON**: That is very interesting.

**MAJ-GEN SENONA**: Ja. These three, Commissioners, I  
10 have never read, and now I am advised they were sent to me, but I never read it. If I read it, Commissioner, I would have written a report recommending investigation.

**CHAIRPERSON**: At the risk of repeating myself, it is just not the natural thing for people. You are sitting together, someone sneakily sends you a text and it is mum about it. That is just, it is odd. I am not saying, I am not discounting, 100% discounting the possibility that some people might do that, but it is not the natural way in which people relate.

20           When a person is sending you something and they are with you, they will say, I am now sending you X document. Please have a look. If, for example, they know it is something short, they could even say that whilst we are sitting together. Or they may say, please have a look when you have time. But one, to be silent about it, and then

coincidentally, you also not reading it at all. I will leave it at that. Yes, Ms Hassim.

**ADV BALOYI SC:** Let me add another improbability to what is being put to you by the Chair. It is that you do not ask him. You are sitting with him. You do not say, what have you just sent me? It is improbable that happened. It is unbelievable that human conduct, that it is consistent with normal human conduct. You are sitting with a person in a meeting. You tell us you are not discussing anything  
10 that comes out of this, which, by the way, in their content, are controversial.

They are controversial. Why would he tell you about these things? What were you discussing with him? So these are not benign documents. These are documents and their content are controversial. You say, well, he sent them to me. I saw them coming. And I want to correct what you said earlier, General, when you say I am being advised they were sent. No, your evidence is they came in as I was sitting in the meeting. I saw them and I got into my car and  
20 I left. So you received them.

The further improbability that I am adding is that you do not ask him, what have you just sent me? Unless you knew what he has sent you. That is the most reasonable explanation. You did not ask. He did not tell you because you knew what it is that he is sending you.

**MAJ-GEN SENONA:** I did not know, Commissioner, what is it that he was sending me.

**ADV BALOYI SC:** Yes, you said that. Thank you.

**ADV HASSIM SC:** Just to go back to these documents, I am going to go to the next document and then ask further questions about this. So if the Commission just give me a little bit of space to do that. The next document is SCN5, page 295 and it is an article. This is a media article.

**MAJ-GEN SENONA:** Two?

10 **ADV HASSIM SC:** 295. It is a news report regarding corruption in the Rustenburg Municipality.

**MAJ-GEN SENONA:** I see.

**ADV HASSIM SC:** You see that?

**MAJ-GEN SENONA:** Yes.

**ADV HASSIM SC:** Okay. And now this document was also sent simultaneously with the other two. So your answer is the same in respect of this as with the other two?

**MAJ-GEN SENONA:** Correct.

20 **ADV HASSIM SC:** So can you explain to the Commission why you did not deal with this in your statement? You now hear in response to the questions, you are saying that you did not see this and if you had seen it, you did not open them. If you had opened them, you would have taken steps. But you do not address any of that. That evidence, that answer, that response is nowhere in your statement. Why

did you not address this in your statement?

**MAJ-GEN SENONA**: It is because I was not, I did not read them.

**ADV HASSIM SC**: You did not read it even in preparation for your statement, your written statement?

**MAJ-GEN SENONA**: This you gave us after we have already submitted our statement.

**ADV HASSIM SC**: That is not true.

**MAJ-GEN SENONA**: Okay, I will prove to you. During, I  
10 think on Sunday, Sunday they sent documents to my  
attorneys. I was sitting there. They were supposed to  
deliver documents this past Sunday. Already, I think my  
affidavit was in if my memory served me well. Can I,  
because now even if I request to consult, I do not know if I  
will be allowed because I want to show the Commissioner  
and my attorneys something here on these documents and  
also here so that I can get a clarity. But the documents  
...[intervenes].

**ADV HASSIM SC**: General, I have got to intervene  
20 because this is disingenuous. What you are saying is this  
file, that is correct, this exhibit file you received a few days  
ago. But the contents, this document was provided to you  
last year.

**MAJ-GEN SENONA**: With the Rule 53, Rule 3.

**ADV HASSIM SC**: Last year, it was in response to the

Rule 3. It was in response to correspondence from your side asking for further information. All of these annexures were provided to you before your statement. That is why you were able to respond to certain other things in your statement.

**MAJ-GEN SENONA**: If, Commissioners, it is alleged that these things were sent to me last year, these are the documents that – this document that I am having now here is the document that was sent to me with Rule 3 last year.

10 This one that I am having. Because I was looking into these things, and then I am looking for something here that I want to show the Commissioners.

**ADV HASSIM SC**: We will prove to you that you received it before your statement.

**MAJ-GEN SENONA**: Commissioners, can I be allowed to also respond? Otherwise, if I am not allowed to respond, I feel that I am not protected.

**CHAIRPERSON**: Please respond, General.

20 **MAJ-GEN SENONA**: Can I talk to my counsel and show them this, then I will bring it to the Commissioners and remind them that this is what I am talking to? Please?

**CHAIRPERSON**: Do you not want to just articulate the point that you are articulating?

**MAJ-GEN SENONA**: Okay.

**CHAIRPERSON**: Are you not able to articulate it such that

we understand the point you are making, General?

**MAJ-GEN SENONA**: Commissioners?

**CHAIRPERSON**: Yes, yes, yes.

**MAJ-GEN SENONA**: I want to bring it to you so that you can have a look at it.

**CHAIRPERSON**: Okay. Or to us, ja, fine.

**MAJ-GEN SENONA**: No, I will bring it. I will bring it, Commissioners. I want you to show them this picture. Can I request, Commissioners, that the very same documents  
10 must be shown to my attorneys?

**CHAIRPERSON**: What we have observed is that there appears to have been texts, WhatsApp texts, but everything is redacted. That is what we see here. I do not know whether that is what you want us to observe, General.

**MAJ-GEN SENONA**: Further ...[intervenes].

**CHAIRPERSON**: Ja, ja, let us leave it there. Let me just state what we observed here. Yes, General, what point do you want to make about what you just showed us?

**MAJ-GEN SENONA**: Here, I am able to see at the bottom,  
20 date 13-04-2025, 16:31. It correlates with SEN5, page 39. On top, again, it correlates with ...[intervenes].

**CHAIRPERSON**: Just before you move, please.

**ADV KHUMALO SC**: SEN5 is on page 295. So when you say 39, it is 39 of which annexure?

**MAJ-GEN SENONA**: My apologies, Commissioners. 38,

sorry. Not SEN5, but on page 39 is Annexure SEN5, which is on the page that the Commissioners indicated.

**CHAIRPERSON**: So in the texts, are you saying we look at page 39?

**MAJ-GEN SENONA**: From 38, Commissioners.

**CHAIRPERSON**: From 38. Okay. And then, so you say what you showed us correlates with what is on page 38?

**MAJ-GEN SENONA**: The dates.

**CHAIRPERSON**: Okay.

10 **MAJ-GEN SENONA**: And this document goes hand in hand with this one.

**CHAIRPERSON**: Yes.

**MAJ-GEN SENONA**: This is the document that the advocate says I received last year. So what you say you received was that document ...[intervenes].

**MAJ-GEN SENONA**: Yes, Commissioners.

**CHAIRPERSON**: Where all the texts are redacted?

20 **MAJ-GEN SENONA**: Not all of them. Some, the redaction is on the cellular phone. It was highlighted – how do I put it? It was highlighted in black, which it prevented one to see the cellular telephone numbers. This is the document that I have received with Rule 3 of the Commission, with the allegations, with the transcripts of three pages of General Khumalo from the Commission, and then from there I instructed my attorneys.

Then the documents, these ones that are with these documents on the 200 and something, the ones that we just dealt with, these files were sent electronically on Sunday. I had to sit with my attorneys at his offices. And then we waited, and then the files never arrived because there were correspondences between the attorneys of the Commission and my attorney. Up until Monday, these files, we were promised they would come, and they never came. And these documents, this one, I think we eventually, they sent  
10 an electronic one, but certain things could not be opened, and they promised us to send hardcopies like I am having here, of which it did not happen.

But coming back to what I showed the Commissioners, this thing, the way it is, Commissioners, it leaves a lot to be desired for. When you download the phone, you use a software that is called XRY. You download the phone, it will tell you everything. You will see which ...[intervenes].

**CHAIRPERSON:** I do not think we need to get into that  
20 detail.

**MAJ-GEN SENONA:** I want to explain this, Commissioners. If I am not given the opportunity to explain this, then I think whatever is happening with me will be totally unfair.

**CHAIRPERSON:** What is the process of how this

information gets extracted from the phone ...[intervenes].

**MAJ-GEN SENONA**: I am saying ...[intervenes].

**CHAIRPERSON**: What is the relevance of that to whatever point you want to make about what appears to be a redacted document?

**MAJ-GEN SENONA**: I am saying this document, I suspect it has been fiddled with, this document.

**CHAIRPERSON**: And you say that for the first time when you are being asked the probing questions? You say you  
10 received that last year, and your statement which was due when? Quite some time back, I think, and which was received? When was your statement received, do you know? By the Commission. Ms Hassim?

**ADV HASSIM SC**: An unsigned version was received very late. It was due on the 16<sup>th</sup> of January, we received it on the 22<sup>nd</sup> unsigned, and a signed version on the 23<sup>rd</sup> of January.

**CHAIRPERSON**: Yes. You accept the correctness of that, Ms Mafisa?

20 **MS MAFISA**: Chairperson ...[intervenes].

**CHAIRPERSON**: Just the detail about the receipt of the statement by the Commission.

**MS MAFISA**: Yes, the statement was sent on the 22<sup>nd</sup>, and then – sorry, Chairperson, what was the second question?

**CHAIRPERSON**: Maybe let us leave it, let us leave it.

What I wanted to get at is you say, General, you received what you just showed us last year, correct? The Commission received your statement a few days back, correct?

**MAJ-GEN SENONA**: Correct, Commissioner.

**CHAIRPERSON**: And your statement says nothing about what you are now for the first time wanting to tell us, which is that you are basically querying the contents of the texts based on the process in accordance with which texts are  
10 extracted from cell phones. So what I am saying is, you received that last year, and you are saying that only now, when you are being asked probing questions, you have not raised it in your statement, and at no point, at no other point have you raised that. Why is that so?

**MAJ-GEN SENONA**: I thought I would raise it to the Commission.

**CHAIRPERSON**: Was the earliest point not when you prepared your statement? Ought you not to have raised it in your statement? Why is it that you are raising it only  
20 now?

**MAJ-GEN SENONA**: This one with these disclosures, when we submitted my statement ...[intervenes].

**CHAIRPERSON**: I am sorry?

**MAJ-GEN SENONA**: This file with the disclosures of these messages that were sent, the disclosures.

**CHAIRPERSON:** What about them?

**MAJ-GEN SENONA:** We got it on Sunday, through what you call – is it Sunday when they sent the file via email, the documents via email? And this one, I received it when I arrived here yesterday.

**CHAIRPERSON:** I am asking you about the one that you received last year and which you say is doctored. That is what I am asking you about. I am not asking you about what you received recently. Why is it that in your statement  
10 you did not say, last year I was given a document that purported to be texts? Actually, those purported texts are doctored. Why did you not say it at the latest in your statement?

**MAJ-GEN SENONA:** Maybe it might be an error that I did not do this, because I thought when I come here, whatever will be received will be like this. It will be the same like this. Now I see it is not the same. Here, it is opening up. It has opened up. Here, it has been hidden. That is why I am raising it now with the Commissioners, because now I  
20 remember I am having this document, then I just took it from my bag. But this is the document that it was sent to me with the Rule 3. If we can go back to those emails of Rule 3 that were sent to me before I instruct my attorney, this document, it will be like this. That is why I am raising it now.

**CHAIRPERSON**: Thank you, General. Ms Hassim?

**ADV HASSIM SC**: Chair, it is such an extraordinary turn of events, because I am trying to find the ruling. The Chair may recall that in November, General Senona was here. I was not present on that day, but we do have the transcript of the ruling in our files, if I could just get the reference, please, in which there was discussion about documents that the witness required in order to come and give his evidence here. If you recall, he was due to give his evidence at the  
10 end of November last year.

In the ruling and between the counsel teams, it was agreed that at that point, all information that had been requested was now in the possession of the witness. So, in fact, the ruling says:

“It is recorded that General Senona is in possession of all documents emanating from the Commission that he requires to consider for the purposes of preparing his witness statement.”

20 **CHAIRPERSON**: But as I understand it, Ms Hassim, his point is that is one of the documents he received, and what you have just read now may well have been referring to this very document that is basically blank. And that when you said that, that is he has received everything that he requires. By that, he meant even receiving that which is

blank. From where he was sitting, he may well not have known how and for what purpose that blank document was going to be used for. So, I guess the point of substance is, did the evidence leaders furnish him or the Commission's attorneys furnish him with that blank document? And if so, to what end?

**ADV HASSIM SC**: I would have to enquire why that particular document was sent. But as for sending the information that is relevant for the purposes of the  
10 statement, it was clear from the ruling, because there had been a discussion and a meeting at that time with the evidence leader who was present and the legal team for the witness. There was a discussion about the documents and what was required prior to the ruling being made and that was the agreement that we had come to. So, there are two separate issues here. I do not know about this document that the General is waving around.

**MS MAFISA**: Chairperson?

**ADV BALOYI SC**: Ms Hassim, maybe another question or  
20 another way of asking the same question of the Chairperson, if it is not a different question, is whether whatever he was given, that General Senona was given in November or earlier last year, did it include these annexures? So, what he has given us, the reduction does not tell you.

And his complaint is, but that is what I got. He did not have these annexures. That is how I am understanding him. And so the question is, when material was given to him, whether electronically or in hardcopy, did it include these three annexures? And that is a relevant question because he is being text on, he did not address this in his statement. And basically what he is saying is, I could not have addressed it because I did not have these annexures.

**ADV HASSIM SC**: My understanding is that he was  
10 provided with the chats and the annexures, and I am asking  
the attorney to just look for the record of that. But I do not  
have it in front of me now to be able to definitively say to  
you on this date or what happened. And it was never  
brought to my attention at any point that he was not in  
possession of these annexures until now.

**ADV BALOYI SC**: Perhaps then in that case, you have to  
pen your discussion with him about not having addressed  
this in his statement until you have verified.

**ADV HASSIM SC**: I am happy to do that because  
20 ...[intervenes].

**CHAIRPERSON**: I guess I should be the one penning  
because I am the one who asked the question. I will stop it  
there, asking questions along why you are only raising this  
now, General. This has been going into a little bit more.  
But what I would want to place on record, though, is that

what you are being taken through now are your own texts, together with Mr Matlala. And at no point from yesterday until now did I ever hear you say that you are not in a position to deal with your own texts, which were shared between you and Mr Matlala. I thought I should just place that on record. Yes, Ms Hassim?

**ADV HASSIM SC**: Thank you, Chair. So we will continue on the basis of the chats and I will hold my question about why the statement does not deal with these annexures, 10 these particular three annexures that we were just addressing. But, General, what we were saying was, what you had said was, you did not open these documents when Mr Matlala sent them to you.

**MAJ-GEN SENONA**: Correct.

**ADV HASSIM SC**: And so you did not know what they concerned. He was sitting with you when he sent it to you, but he did not say anything to you about it, why he is sending it, correct?

**MAJ-GEN SENONA**: Correct, Commissioners.

20 **ADV HASSIM SC**: And you did not ask him either?

**MAJ-GEN SENONA**: Correct, Commissioners.

**ADV HASSIM SC**: You did not ask him at the time that he was sending it and you were receiving it with him, nor did you ask him at any later stage?

**MAJ-GEN SENONA**: Correct, Commissioners.

**ADV HASSIM SC:** Okay. So, and you do meet soon after that. If we just look at page 39, you say on the 14<sup>th</sup> of April:

“Good morning, my brother. Can we please postpone our Wednesday evening meeting to Thursday? I mixed up the dates.”

**MAJ-GEN SENONA:** We never met. It was a postponement of the meeting, that one, Commissioner.

10 **ADV HASSIM SC:** Yes, so you were due to meet. So the 14<sup>th</sup> of April was a Monday, so you were due to meet on the Wednesday and you said you asked him to postpone it to the Thursday, right?

**MAJ-GEN SENONA:** Correct.

**ADV HASSIM SC:** Okay, and then the response from Mr Matlala to you is:

“Okay, thanks, I will let him know.”

Who is him?

20 **MAJ-GEN SENONA:** I do not know, but maybe you will come and assist us because, as I am saying, I cannot recall all these things.

**ADV HASSIM SC:** You do not recall who it is?

**MAJ-GEN SENONA:** Ja.

**ADV HASSIM SC:** It was some person that you were supposed to meet, but you cannot recall who it was?

**MAJ-GEN SENONA**: I do not know. Ja, I cannot recall who was, what is this that he said he will let him know.

**ADV BALOYI SC**: But do you accept that on his response to you, on this response, you were supposed to meet somebody else, to have somebody else in the meeting? That is what this conveys. Your meeting with him was going to have somebody else, and then you postpone, you ask him to postpone, and then he says, I will let him know. Just from that, do you accept that there was supposed to be  
10 somebody else in the meeting? You just do not remember who?

**MAJ-GEN SENONA**: I did not know if there was going to be somebody in the meeting. I know I was going to meet with him.

**ADV BALOYI SC**: And you did not ask him, who are you talking about when you say I will let him know? You did not ask him that?

**MAJ-GEN SENONA**: Yes. It is unfortunate when we talk on that level. We sometimes do not ask too much and  
20 everything, but as for me, I was supposed to meet him.

**ADV BALOYI SC**: No, General. No, General. Mr Matala says I will let him know. He does not mention a name. He just says I will let him know. So he is responding to you. A reasonable reading of his email is that you know this other person that is supposed to be there. You know. That is

why he does not give you names. He does not give you details. He just said, okay, I will let him know. So a reasonable person reading this must say that General Senona knew who Matala was talking about. Otherwise, Mr Matala would have given you a long story. He would have said, oh, I was going to have so-and-so in our meeting, but now I will let him know. He just simply says, I will let him know. You knew who it was he is referring to, and you are not being honest when you say you do not know, he must  
10 come and explain. You are just simply not being honest with us.

**MAJ-GEN SENONA:** Must I give an assumption?

**ADV BALOYI SC:** No, I am not asking you for assumptions. We do not work with assumptions. We are a fact-finding body. You are choosing not to give us the facts. And the fact is, and I am putting to you, that the fact of this WhatsApp message from Mr Matala, when he says I will let him know and does not tell you who he is talking about, the most probable and reasonable reading of this is  
20 you knew who he is talking about, and if you say to us as you do that you did not know who he is talking about, you are not being honest.

**MAJ-GEN SENONA:** Commissioners, if I cannot recall, I cannot recall and I do not know. I do not know how, I am not sure what is it that I must respond on. But if one maybe

was unable to consult with him, maybe a recollection would have been here so that I can assist the Commission.

**ADV BALOYI SC:** But, General, there is a difference between I do not recall, I do not know, or I do not want to tell you. And I am putting to you that this I do not recall or I do not know who he was talking about in fact, it is I do not want to tell you because you know. The text tells us that you knew who he was talking about, otherwise you would have asked him, what are you talking about? It was  
10 supposed to be just the two of us.

**MAJ-GEN SENONA:** Commissioner, what I know, I am telling the Commissioner, the Commissioners. What I do not know, I would not want to talk about something that I do not know or I do not remember.

**ADV BALOYI SC:** Okay. Thank you, General.

**MAJ-GEN SENONA:** That is what I came here to do.

**ADV BALOYI SC:** All right, thank you.

**MAJ-GEN SENONA:** To tell what I know.

**ADV KHUMALO SC:** General, your answers worry me  
20 because you have had a lot of time to think about this, and these are some of the texts that are referred to in your statement. So we can tell from your statement on page 18 that you have had this text for quite some time. So you have had time to think about this. And to come here and say I do not remember, ask Matala, how would Matala

remember if you do not remember?

**MAJ-GEN SENONA**: He might be lucky. We might be lucky he remembers, Commissioners. So if me, I do not remember, maybe must I be crucified?

**ADV KHUMALO SC**: No, it is not a satisfactory answer, I am afraid.

**MAJ-GEN SENONA**: Thank you, Commissioner. I see I am being crucified.

**CHAIRPERSON**: That is not the intention.

10 **MAJ-GEN SENONA**: I feel.

**CHAIRPERSON**: That is not the intention, General. Ms Hassim, Ms Mafisa, it is 5 o'clock. Let us take the adjournment at this stage and resume at 09:30 tomorrow.

**ADV HASSIM SC**: Thanks, Chair.

**CHAIRPERSON**: See you at 09:30 tomorrow, General.

**INQUIRY ADJOURNS**