

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

**HELD AT**

**BRIGITTE MABANDLA JUSTICE COLLEGE**

**14 NOVEMBER 2025- LT-COL THEPA**

**DAY 33**



**PROCEEDINGS ON 14 NOVEMBER 2025**

**CHAIRPERSON:** Good morning, Ms Motlhasedi.

**ADV MOTLHASEDI:** Good morning, Chairperson. Chairperson, we are ready to proceed. Our next witness has indicated that she will take the oath.

**CHAIRPERSON:** Good morning.

**LT-COL THEPA:** Morning. Morning, Commissioner.

**CHAIRPERSON:** Please state your name for the record, full name.

10 **LT-COL THEPA:** My name is Kelebogile Thepa.

**CHAIRPERSON:** Do you swear that the evidence you are going to give is the truth, the whole truth, nothing but the truth? If so, please raise your right hand and say, “So help me God”.

**LT-COL THEPA:** So help me God.

**KELEBOGILE THEPA** (d.s.s.)

**CHAIRPERSON:** Thank you.

**QUESTIONS BY ADV MOTLHASEDI:** Thank you, Chairperson. Ms Thepa, please confirm that you have in  
20 front of you two white files, one containing your witness statement and another one containing your annexure bundle.

**LT-COL THEPA:** I do have both, thank you.

**ADV MOTLHASEDI:** With respect to the file containing your witness statement, please confirm that that is your witness

statement.

**LT-COL THEPA:** It is indeed my witness statement.

**ADV MOTLHASEDI:** And that it was prepared for purposes of the evidence you intend to give before the Commission.

**LT-COL THEPA:** That is correct.

**ADV MOTLHASEDI:** Can I ask you to turn to page 27 of your witness statement, please.

**LT-COL THEPA:** I am on 27.

**ADV MOTLHASEDI:** Thank you. And do you confirm that is  
10 your statement that appears at the top of page 27?

**LT-COL THEPA:** My signature, that is correct.

**ADV MOTLHASEDI:** Your signature. My apologies. That appears.

**LT-COL THEPA:** That has correct.

**ADV MOTLHASEDI:** Thank you. Do you confirm the correctness of your statement and stand by its contents?

**LT-COL THEPA:** That has correct.

**ADV MOTLHASEDI:** Thank you, Ms Thepa, can I ask you to  
turn to page 2, please, of your witness statement and can  
20 we begin with paragraph 1 on page 2 and I ask you to read  
that into the record, please.

**LT-COL THEPA:** -:

“I am an adult female police officer in  
the Ekurhuleni Metropolitan Police  
Department, EMPD. I hold the rank of

a Lieutenant Colonel. Prior to my deployment to my current station I was the EMPD spokesperson and Head of the EMPD Media and Public Relations unit. The facts set out in this statement are within my personal knowledge unless otherwise stated or indicated by the context. To the extent possible or feasible, I will attach any documents I rely on in substantiation of averments I make.”

**ADV MOTLHASEDI:** Ms Thepa, immediately thereafter, you will see a heading titled “Background or Service History”. That is paragraph 4 of your statement. Please share very briefly with the Commission your service history at EMPD.

**LT-COL THEPA:** Commissioners, I started with the EMPD in 2009 as a Constable, trained, of course, at the Ekurhuleni Metro Police Department's Training Academy in KwaThema. I was then deployed at Tembisa Precinct, where I was a Constable there. Whilst at Tembisa Precinct, I then moved to the Freeway Unit, where I had operated. From the Freeway Unit, I was then seconded to the Training Academy as an instructor. Whilst an instructor, I was appointed and promoted to an Inspector in 2014.

I then continued the services within the training

academy and furthermore, I was further promoted in 2019 as a Superintendent. I was then deployed at the Winnie Mandela Precinct Station in Tembisa, where I was a Shift Commander.

And whilst there, I had completed my LLB and identified by the Director of the region who had then taken to maybe celebrate the fact that I had acquired this and said you know, she would much rather refer me to an office where I would be more helpful and she then referred me to  
10 the office of the Deputy Chief of Police, then who was Commissioner Mzolo. Commissioner Mzolo then referred me to the office of the Chief of Police, and that has where I had been working and being Chief Mapiyeye.

During my time in the EMPD, I was again the Commander for the VIP Unit, and this was, amongst others, responsible for the conveyance and the protection of the City Manager, Dr Imogen Mashazi. So in 2021, I was then appointed the first female spokesperson of the department, which is still my designation, only that I am redeployed to  
20 the OR Tambo International Airport as precinct Commander there. Thank you.

**ADV MOTLHASEDI:** Thank you. And attached at paragraph 7 of your witness statement is your CV marked KX1. You confirm that?

**LT-COL THEPA:** I do confirm it, Commissioners.

**ADV MOTLHASEDI**: Our next heading then relates to an overview of your role as spokesperson at EMPD. Can I ask you that you tell the Commission what your duties as an EMPD spokesperson involve.

**LT-COL THEPA**: So the duties as the spokesperson would be, in essence, dissemination of information by the department. You know, being a spokesperson, you speak on behalf of a department where the Chief of Police is accountable to same.

10                So by virtue of speaking on behalf of a department and being a representative of such, you speak on behalf of the Chief of Police and the duties would be taking things like conducting interviews when requests are being put, publication of death notices within the department, and the circulation of media releases that would have been compiled by the department, and of course taking all sorts of media enquiries that would have been directed to the department for that purpose.

**ADV MOTLHASEDI**: In paragraph 8.2, still on page 3 you  
20 have indicated there that in addition to conducting interviews, your role also involves responding to basic media enquiries from various stakeholders. What kind of stakeholders does that include?

**LT-COL THEPA**: It would be media, it would be members of the public, it would be those that are coming forward and

reporting anything that would be linked to the EMPD. So the first line of communication, it would be that it sends to me and I would have to then disseminate it in the various sections of the department.

**ADV MOTLHASEDI:** Paragraph 9 of your witness statement on page 4, please go there.

**LT-COL THEPA:** Yes.

**ADV MOTLHASEDI:** You set out how your role as EMPD spokesperson fits in a broader context within the City.

10 Please describe that in detail to the Commission.

**LT-COL THEPA:** So the city of Ekurhuleni does have a Communications and Brand Management Department, and those are the custodians of communications within the city. And furthermore, from the policy that has been drafted, they had made provision for four sections or four departments within the city where spokespersons are appointed. We are now talking the Ekurhuleni Metro Police Department, where I am assigned to and speak for the department.

20 We are talking the Disaster and Emergency Management Services, where Mr William Ntladi is responsible for. We are talking the Office of the City Manager, where Mr Zweli Dlamini, who is the City Spokesperson again, is assigned to. And of course, the Office of the Executive Mayor, where another spokesperson is assigned.

**ADV MOTLHASEDI**: You can continue to paragraph 10 as well.

**LT-COL THEPA**: Okay, so despite these demarcations in area of responsibility, the EMPD structure of the media and PR unit makes provision for only two posts or positions, being one, a Lieutenant Colonel or a Chief Superintendent and the other being an Inspector, which is held by Inspector Kobedi Mokheseng.

A request was further made to the department due  
10 to the nature and extent of the work that is being conducted to expand the team and we were quite fortunate to have people seconded to the team, making a total of nine members responsible for the three regions of Ekurhuleni, being the northern region, southern region, and the eastern region, and on a 24-hour basis, in essence.

**ADV MOTLHASEDI**: Colonel Thepa, still in paragraph 10, you say there that, this is the second sentence, you indicate that a request was made to expand the team due to reasons that EMPD generated quite a bit of media attention. Please  
20 explain what you mean by that.

**LT-COL THEPA**: You would understand that our role and responsibility as, or rather our mandate, is that of traffic law enforcement, municipal bylaw enforcement, and crime prevention. So having to branch it out would get enquiries pertaining to the municipal bylaws, pertaining to the

successes that we would have as a department, pertaining to any other complaints. So in essence, it would just be a demarcation of all that.

**ADV MOTLHASEDI**: Thank you. That then brings us to paragraph 11 of your witness statement on page 4. It begins a new theme titled “The blue lights scandal”. Can I ask you to describe with reference to paragraph 11 the events you set out from there and subsequently.

**LT-COL THEPA**: So on the 2<sup>nd</sup> of February in 2023, I  
10 received a call from a Mr Jeff Wicks, who is a journalist or claimed to be a journalist, making enquiries about certain documentation that he had in possession. But what he had sought from me on the call was to furnish my e-mail address, which I did, and he then sent me the media enquiry.

**ADV MOTLHASEDI**: To assist you, In responding to my next few questions, Colonel, could I ask you to go to paragraph, my apologies, to page 10 of your annexure bundle. So if you go to your other file, you go to page 10.

20 **LT-COL THEPA**: I am on page 10.

**ADV MOTLHASEDI**: Thank you. Please then turn back to your witness statement, paragraph 12 on page 5.

**LT-COL THEPA**: Yes, mam.

**ADV MOTLHASEDI**: Yes, and then ...[intervenes].

**ADV BALOYI SC**: Sorry, Ms Motlhasedi, we are looking at

what annexure?

**ADV MOTLHASEDI**: Annexure KX3, Commissioner, on page 10.

**ADV BALOYI SC**: Thank you.

**ADV MOTLHASEDI**: Thank you. Colonel, we are then on page 5 of your witness statement, and I would invite you to describe and discuss, you know, with the Commission from page 12, from paragraph 12, the enquiry you received from Mr Wicks. and you can have reference to the actual e-mail  
10 itself in your annexure bundle.

**LT-COL THEPA**: Okay. So the enquiry was accompanied by a single page document entitled “Letter of Confirmation”, signed by Brigadier Mkhwanazi, of course. I immediately recognized the signature as it is marked as KX2. So the e-mail read as follows.

20 “Good morning, Sup. Thank you for coming back to me so promptly. I approach you today regarding a story that we are pursuing which centres on a Pretoria-based security firm called CAT VIP. According to PSIRA, CAT Protection and Security (Pty) Ltd ...[indistinct] VIP Protection Services, PSIRA 2748723 is registered with the authority as a security service provider

since 07 June 2018. I have in my position correspondence under the letterhead of the City of Ekurhuleni and the Metropolitan Police Department. It is dated to 16 October 2021 and is signed by Brigadier JD Mkhwanazi of Specialised Services. It is attached for your ease of reference.”

**ADV MOTLHASEDI:** Ms Thepa, can I ask you to confirm the nature of that document referenced by Mr Wicks. If you turn to annexure KX2, which is on page 7 of your annexure bundle, KX2 on page 7 of your annexure bundle.

**LT-COL THEPA:** Yes, so I had received this as an attachment to the e-mail. So the letter reads:

“To whom it may concern from JD Mkhwanazi, Acting Deputy Municipal Police, Commissioner/Brigadier: Specialized Services.”

It is of course on an EMPD and City of Ekurhuleni's letterhead. It reads:

“Date 16 October 2021, letter of confirmation. This letter serves to confirm that the Ekurhuleni Metropolitan Police Department (EMPD), under the command of Acting

Deputy Municipal Police  
Commissioner/Brigadier JD Mkhwanazi  
of Specialized Services, has an  
endless working relationship and  
memorandum of understanding with  
CAT VIP to assist EMPD officers in any  
VIP protection and security services in  
and out of the City of Ekurhuleni.”

**ADV MOTLHASEDI:** Thank you. And in the remainder of  
10 the letter, the writer sets out certain vehicles. Do you see  
those there?

**LT-COL THEPA:** That is correct, Commissioners.

**ADV MOTLHASEDI:** And how many vehicles are listed  
there?

**LT-COL THEPA:** There are seven vehicles listed.

**ADV MOTLHASEDI:** At the bottom, of that page, please  
inform the Commission what appears at the bottom of that  
page on page 7.

**LT-COL THEPA:** What appears at the bottom, it is the  
20 signature of JD Mkhwanazi, also the Acting Deputy  
Municipal Police Commissioner/Brigadier.

**ADV MOTLHASEDI:** Thank you. Colonel, if we go back to  
your witness statement, in the final sentence of paragraph  
12, where you were, paragraph 12, you say there that when  
you looked at the document entitled “Letter of

Confirmation”, the document we just had regard to now ...[intervenes].

**LT-COL THEPA**: Yes.

**ADV MOTLHASEDI**: You say there, I immediately recognized the signature. Please describe to the Commission why you said that.

**LT-COL THEPA**: Commissioners, you would understand that as part of my process and experience within the EMPD, I had worked under Specialized and Operations where the  
10 Commanders would be responsible for signing various documentations, it be operational plans, our time sheets, and various other communique within the City. So it was easy for me to identify and recognize such a signature.

**ADV MOTLHASEDI**: Still on page 5 of your witness statement, in paragraph 13, you share more details about the enquiry from Mr Wicks. Please continue.

**LT-COL THEPA**: So paragraph 13, Mr Wicks also shared two video clips via WhatsApp. That is to my number.

20 “The videos had been circulating on social media and involved a woman subsequently identified as the wife/partner of Mr Vusimuzi Matlala, who was seen being ferried to the airport in a vehicle ostensibly linked to the EMPD and fitted with blue lights.

The lady said, the third lady rather,  
then posed with a caption, “#Mama Cat  
N her fleet.”

**ADV MOTLHASEDI**: Please continue.

**LT-COL THEPA**: To properly respond to the enquiry, I then  
approached Commissioner Spies. He was the Deputy Chief  
of Police with the title Commissioner Spies, who was then  
the acting Chief of Police at the time due to the fact that the  
Chief of Police was on leave of absence.

10           And because, of course, we are not, the to  
document looked very, very suspicious. I mean, how does  
one then reduce to writing something that would speak to  
whom it may concern?

So, but above all, what caught my attention was the  
fact that it was on an EMPD letterhead. So in the event  
that it needed to be authenticated, this would be the  
process then to do it.

**ADV MOTLHASEDI**: And so, was it, you know, a standard  
response for you to take a media enquiry to an Acting Chief  
20 of Police, or was this a situation that warranted something  
out of the ordinary?

**LT-COL THEPA**: It depends on the complexity of the  
matter. When we speak of an enquiry on what would be  
illegal dumping that would be referred to as part of our  
municipal bylaws, then I would direct such correspondence

to the Director responsible for the bylaw section in that aspect. But I had said that when you speak, or rather when you are the spokesperson for the department, you speak on behalf of the Accounting Officer. It was only fitting that he has again informed of the occurrence or what has been brought to the attention of the department as a media enquiry.

**ADV MOTLHASEDI**: Colonel, if I take you back to page 10 in the annexure bundle, page 10. This is still the e-mail of  
10 Mr Jeff Wicks to yourself of the 2<sup>nd</sup> of February.

**LT-COL THEPA**: Yes, Mam.

**ADV MOTLHASEDI**: You have taken the Commission through the introductory paragraphs, as well as the fact that two videos were provided to you via WhatsApp. Towards the end of that page, you will see there is a heading there titled “Questions”. Do you see that?

**LT-COL THEPA**: Yes, indeed.

**ADV MOTLHASEDI**: And please take the Commission through the questions directed to you from Mr Wicks.

20 **LT-COL THEPA**: So the questions from Mr Wicks were that question number one:

“Please confirm that my assertion regarding the Road Traffic Act prohibits the use of blue light, blue dash lights and sirens are for the exclusive use of

law enforcement is correct. Please, can you explain the substance of the letter from Mkhwanazi? How does this private firm assist EMPD officers in any VIP protection and security services? Please, could you supply me with a copy of a memorandum of understanding as mentioned in this letter? Do you acknowledge that it is uncommon for private security companies to have this authority bestowed upon them? Can you please describe the relationship between the EMPD and Mr Matala, *inter alia* his company, as we will assert that this is proof of connections of undue influence in a law enforcement body.”

And the last question was that:

“Please feel free to add anything beyond this which may be pertinent. Kindly note that the deadline for response is close of business tomorrow. Please speak to me if you require more time.”

**ADV MOTLHASEDI**: And in paragraph 16, you then detail

the response you received, paragraph 16 of your witness statement.

**LT-COL THEPA:** Yes. So what had happened is Commissioner Spies had further taken to respond to the media enquiries in saying that this letter looked very illegal. So he then, I suspect, took steps to verify if the listed vehicles were indeed registered under the EMPD or other EMM's fleet.

And then he further sponsored a response, and the  
10 response which I had to take to consideration and which I did consider and worked on the core agendas and further finished it as an official response from the department.

**ADV MOTLHASEDI:** So, Colonel, at the end of paragraph 16 of your witness statement, you attach there annexure KX3. Can I ask you to then go to page 8, page 8 of your annexure bundle, the other file.

**LT-COL THEPA:** Yes.

**ADV MOTLHASEDI:** So you will see this is the same annexure we were working from, which is moving  
20 backwards. And page 8 there, is a document. Please identify for the Commission what this document is.

**LT-COL THEPA:** So this document is an e-mail from Commissioner Revo Spies to myself, Kelebogile Thepa, and had cc'd Lizel Tyres and Ivan Du Plessis, Lizel Tyres being the PA at the Office of the Chief of Police, and Ivan Du

Plessis being the Staff Officer, and again, also cc'd Henie Erasmus, who is Head of our Internal Affairs Unit, and where he had said that, the subject was of course being "Request for comments, News24 investigation".

**ADV MOTLHASEDI**: So when you have a look at that e-mail, which you say is the response to you from Commissioner Spies, is that correct?

**LT-COL THEPA**: That is correct, Commissioners.

**ADV MOTLHASEDI**: Please read for the Commission what  
10 that first opening sentence is in his e-mail.

**LT-COL THEPA**: So what he had reduced to writing as his response, the first opening line is:

"This is an illegal letter/decision."

And then he further states that he will then refer, it reads:

"I will refer it to Lieutenant Colonel Erasmus for proper investigation."

And he makes further submissions in saying that:

20 "No civilians can be allowed to impersonate police officers at all. And the fact that this letter was actually issued assist these private individuals in committing the crime of impersonation. It is thus part of the crime. I have addressed the query, but

it needs to be properly ventilated and confirmed with maybe Deputy Chief of Police, Mzolo, as well. There are no formal MOU's, and the officers act out of their own personal conduct, according to me."

**ADV MOTLHASEDI**: Colonel Thepa, the remainder of this e-mail from Commissioner Spies utilises 2 colours. Do you see that?

10 **LT-COL THEPA**: That has correct.

**ADV MOTLHASEDI**: There are five paragraphs there. Could you explain to the Commission what the purpose is of each of those separate paragraphs and the difference in the colours, what that represents?

**LT-COL THEPA**: Okay. So what the colour coordination is that what is being captured as black, that would be the questions that Mr Wicks had posed to the department. And what is inserted in red, it would be the responses that Commissioner Spies had provided for consideration. And it  
20 just moves on according to the numbering of the questions and the responses given for each question.

**ADV MOTLHASEDI**: And if you stay in your annexed bundle, but you turn to page 9, still in your annexed bundle, turn to page 9. What is that? Could you read that final paragraph in the e-mail from Commissioner Spies? It says,

“Can I therefore”, could you read that?

**LT-COL THEPA**: Okay, it reads:

10                   “Can I therefore request that this not  
                          be divulged yet in order for us to  
                          investigate this matter urgently before  
                          the evidence is being removed or  
                          destroyed. Once we have all the  
                          evidence, then we can initiate the  
                          correct recourse and it will not matter  
                          anymore.”

                  And he signs it off with kind regards, Revo Spies,  
Deputy Municipal Police Commissioner, Auxiliary and  
Support Services.

**ADV MOTLHASEDI**: Colonel Thepa, can we then go back to  
your witness statement. You had just finished with  
paragraph 16, so we are now paragraph 17 on page 6.

**LT-COL THEPA**: Yes.

**ADV MOTLHASEDI**: At this juncture, you have received the  
response from Commissioner Spies.

20 **LT-COL THEPA**: That is correct.

**ADV MOTLHASEDI**: So please detail your next steps with  
reference to paragraph 17.

**LT-COL THEPA**: So I worked on the ...[indistinct] and I  
reduced to writing a formal response to Mr Wicks, which in  
essence was that the document does not look authentic, but

that an internal investigation was being initiated and conducted.

**ADV MOTLHASEDI**: And that then is the content of what is transmitted to Mr Wicks, is that correct?

**LT-COL THEPA**: Correct.

**ADV MOTLHASEDI**: Just for confirmation purposes, could I ask you to please turn to page 19, page 19 of your annexure bundle.

**LT-COL THEPA**: I am on page 19.

10 **ADV MOTLHASEDI**: Please have regard there to paragraph, let us actually start, could I ask you to turn to page 18, actually and read that heading in bold to the Commission, please, at the top of page 18.

**LT-COL THEPA**: The top of page 18, it is a statement under oath in English of Kelebogile Thepa.

**ADV MOTLHASEDI**: And this is a statement you prepared for what purposes?

**LT-COL THEPA**: This was part of what would be an investigation into the allegation.

20 **ADV MOTLHASEDI**: Indeed. And then could I ask you to turn to paragraph 4 of that statement.

**LT-COL THEPA**: Paragraph 4.

**ADV MOTLHASEDI**: Are you there?

**LT-COL THEPA**: Yes, I am.

**ADV MOTLHASEDI**: And could I ask you to read the second

sentence of paragraph 4, second sentence of paragraph 4, it starts “the department submitted”.

**LT-COL THEPA**: Yes.

“The department submitted the responses to the media house responding to the questions posed. The department furnished the following responses in verbatim.”

**ADV MOTLHASEDI**: Thank you, Colonel Thepa.  
10 Commissioners, at the time of preparing Ms Thepa's witness statement, we were unable to source the exact e-mail that was transmitted to Mr Wicks. However, it is replicated here in verbatim in the affidavit that she provided to IPID. And do you confirm the correctness of that?

**LT-COL THEPA**: I do confirm the correctness.

**ADV MOTLHASEDI**: Thank you. And so just to conclude then, Ms Thepa, upon receipt of the responses from Commissioner Spies that we have worked through, you then modified or edited the responses and provided that to Mr  
20 Wicks in response to his media enquiry.

**LT-COL THEPA**: That is correct, Commissioners.

**ADV MOTLHASEDI**: Okay. Could I then ask you to turn back to page 6 of your witness statement, page 6?

**LT-COL THEPA**: I am on page 6.

**ADV MOTLHASEDI**: We are on paragraph 19. So after you

submitted the response to Mr Jeff Wicks, what were any further developments thereafter.

**LT-COL THEPA**: On the 8<sup>th</sup> of February 2023, I received another e-mail from Mr Wicks, again inserted and I would read it into record, which said:

10                   “Good morning, Chief Sup. Please see follow-up questions below as regards the memorandum previously sent to you. It is my information that the following vehicles are registered to the EMM, Ekurhuleni Metro Municipality Fleet.”

And he listed three vehicles there with the registrations Delta Lima 03 Hotel Hotel Golf Papa, Juliet Papa 35 Juliet Whiskey Golf Papa, Bravo Zulu 99 Charlie Kilo Golf Papa. And his two questions that he posed to the department was, number one being:

                  “Are these EMPD vehicles?”

And the second was:

20                   “Have these vehicles ever been allocated to EMPD?”

And then he closed it off with:

                  “Please, may I have the first round of responses today and these tomorrow?  
Many thanks.”

**ADV MOTLHASEDI**: Thank you. And when you turn over the page in your witness statement, when you turn over the page at paragraph 20, you attach an Annexure KX5, which reflects the contents of what you have just read. Do you confirm that?

**LT-COL THEPA**: I do confirm, Commissioners.

**ADV MOTLHASEDI**: Thank you. What then was your response to this follow-up enquiry from Mr Wicks.

**LT-COL THEPA**: I had remembered that I had forwarded to  
10 Commissioner Spies for further handling, but furthermore, that, you know, as the EMPD, we do not have, or rather, we do not reside with the powers of checking the fleet of the EMM and that is the sole responsibility of the Transport Department.

So within all vehicles that are under Ekurhuleni Municipality, they are controlled from the Transport Department where there is a proxy who has been assigned for the administration purposes of the said vehicles. So it was not anything that was easily accessible for me at that  
20 stage, but I would, of course, resorted to explaining that element to him, that it is not information that I have in possession.

**ADV MOTLHASEDI**: And can I ask you to have regard to what is contained at paragraph 21 of your statement?

**LT-COL THEPA**: Yes.

**ADV MOTLHASEDI:** The second last sentence in paragraph 21, it starts with “I directed the”. Do you see that, paragraph 21?

**LT-COL THEPA:** Paragraph 21, yes.

**ADV MOTLHASEDI:** Could you address the Commissioners with respect to that?

**LT-COL THEPA:** Okay, so the information sought in relation to the vehicles was not easily accessible as the Transport Department Fleet Section is responsible for the  
10 management of all EMM vehicles. There is one proxy allocated for the City's fleet, named Mr Chris Steyn. I directed the further enquiry to Commissioner Spies, but I do not recall whether I had obtained responses to these further enquiries or questions.

**ADV MOTLHASEDI:** And to your knowledge then, when did the blue lights story by Mr Jeff Wicks break? When did the story come out?

**LT-COL THEPA:** So between, in February, he was busy doing the media enquiries and I think early in March,  
20 between late February, early March, that has when the story broke and it drew such traction.

**ADV MOTLHASEDI:** Please continue from paragraph 23 and tell the Commission about the impact of the story and the response, if any, from your office.

**LT-COL THEPA:** The story was indeed massive and I

received more media enquiries. The consistent theme was what was the outcome of the investigation into the conduct of Brigadier Mkhwanazi and what steps did the department intend to take in respect of consequence management.

**ADV MOTLHASEDI:** Please proceed.

**LT-COL THEPA:** The Media and PR unit, as I had explained earlier, constituted members, about nine members as medializing officers. I had taken this story on as the Head of Media and PR by virtue of the complexity  
10 that it came with it. And then from me having initiated and having received the enquiry, I just continued with further enquiries. which I would get regular queries again from various media agencies and news agencies. We are talking the likes of your News24, IOL, so it is Daily Sun, the likes.

**ADV MOTLHASEDI:** And of the members of the Media and PR unit, who handled the TV or the radio interviews and who, you know, took on the task of responding to the further enquiries that you describe in paragraph 24.

**LT-COL THEPA:** We have not responded as a department  
20 to further enquiries, yes, because at that time, I would have informed the office of the City Manager that, you know, let us have a consolidated type of approach when having to respond to such things.

**ADV MOTLHASEDI:** Okay. If you have a look at paragraph 24 of your witness statement.

**LT-COL THEPA:** Yes.

**ADV MOTLHASEDI:** In the last sentence, you say, “I regularly received queries and follow-up questions from various news agencies.” Do you see that?

**LT-COL THEPA:** Yes.

**ADV MOTLHASEDI:** Then, you know, were these queries and follow-up questions ever responded to, and if so, who handled the responsibility of responding?

**LT-COL THEPA:** I would direct them to the office of the  
10 City Manager that the City's spokesperson takes charge of it, because now they are making enquiries on matters that would not fall within the competency of a department. We are speaking Human Resource related matters as to issues of discipline, what steps is the department taking. It would not be the prerogative of the department but that of Human Resources.

**ADV MOTLHASEDI:** Colonel Thepa, can I ask you to expound further on what you just said with reference to paragraph 25 and 26? So if you turn over the page, your  
20 witness statement, page 8, and you just explain to the Commission a little bit more about what you just said about the competencies.

**LT-COL THEPA:** So being a spokesperson for the department, I speak for the policing leg of the Metro Police Department and Zweli who is responsible, or rather is the

spokesperson for the City of Ekurhuleni, will then be better placed to respond to questions that are HR related, transport related, department related, but mine was really restricted to the policing leg of the City.

**ADV MOTLHASEDI:** And if you have regard to paragraph 25 of your witness statement ...[intervenes].

**LT-COL THEPA:** Yes.

**ADV MOTLHASEDI:** The last sentence of paragraph 25.

**LT-COL THEPA:** Yes, it reads:

10                    “I suggested that EMPD as well as the  
Office of the City Manager issue a  
comprehensive response, that  
whatever information the Office of the  
City Manager would seek as a  
department we are able to provide, and  
that her office then takes charge in  
responding to what would be the  
Human Resource element of it, the  
Transport Department element of it,  
20                    because it is nothing that the EMPD is  
having jurisdiction in, in that regard.”

**ADV MOTLHASEDI:** With reference to paragraph 26 of your witness statement, what was your motivation for proposing a joint statement between EMPD and the Office of the City Manager?

**LT-COL THEPA:** Above anything else, it would be that which would be conflicting statements coming out from the same institution dealing with the same matter, but yet there would be conflict with the statement, and that you know, again, the questions were rather technical and required further engagement with other departments that I would not be able to acquire, and that the office of the City Manager would be better placed.

And this again, the questions required technical  
10 response, and the office of the City Manager could quickly assist with directing that a proper response be obtained from various agencies like Fleet, HR, etcetera. And above all, again, the seriousness of the issue also warranted a response to handle any further enquiry.

**ADV MOTLHASEDI:** Thank you, Colonel. What then was the response to your proposal?

**LT-COL THEPA:** I was told to back off. I was told to back off and allow the office of the City Manager to handle further media enquiries.

20 **ADV MOTLHASEDI:** And who told you to back off?

**LT-COL THEPA:** I was informed by the spokesperson for the City of Ekurhuleni, Mr Zweli Dlamini.

**ADV MOTLHASEDI:** And so, after the direction that you allow the City Manager's office to handle any further enquiries as they relate to the blue lights issue, what was

your sense of their response? Please tell the Commission what you considered their intervention.

**LT-COL THEPA**: Their efforts did very little to calm the storm, did very little to calm the fire. I recall at a stage Mr Dlamini was quoted saying that the vehicles do indeed belong to the EMPD and that he was not sure which unit they have been allocated to. It did not make sense at all, but nonetheless.

**ADV MOTLHASEDI**: And why do you say the response  
10 provided by Mr Dlamini did not make any sense?

**LT-COL THEPA**: You know, when we speak of EMPD vehicles, we tend to know what vehicles we have within our fleet by virtue of being the end users. So under no circumstance can you come with a V-class and claim it to be an EMPD vehicle. We know the type of vehicles we have as operational vehicles and those allocated, of course, to our VIP's under Protection Unit.

**ADV MOTLHASEDI**: And just as a question of clarity, then you say in paragraph 29:

20                   “The use of black BMW's, the types,  
                          the type as identified by Mr Wicks,  
                          were restricted to VIP's.”

Do you see that?

**LT-COL THEPA**: That is correct.

**ADV MOTLHASEDI**: And not law enforcement. Over the

page.

**LT-COL THEPA**: That is correct, Commissioners. So under no circumstance would you find a black BMW within the City of Ekurhuleni doing law enforcement. That is the same vehicle that would never stop vehicles and enforce a traffic violation or anything of that sort. But they are directed solely for the purpose of the conveyance of our principals within the Ekurhuleni Municipality. That would be the Executive Mayors, the MMC's, and other city officials.

10 **ADV MOTLHASEDI**: Your last sentence in paragraph 29, it is at the top of page 9 of your witness statement.

**LT-COL THEPA**: Yes. Oh, yes.

“Therefore, the lady in the video could not lawfully be ferried in such a vehicle as she was not an EMPD employee, let alone a VIP that we would know of.”

**ADV MOTLHASEDI**: And is it therefore correct that in your view, the response provided by Mr Dlamini did not make sense when considered against how the EMPD typically  
20 uses the vehicles there?

**LT-COL THEPA**: That would be correct.

**ADV MOTLHASEDI**: Colonel Thepa ..[intervenes].

**ADV BALOYI SC**: Sorry, Ms Motlhasedi, the, so far, Ms Thepa, Colonel Thepa has not told us what vehicles, Mr Wicks was enquiring about and so that paragraph 29 that

refers to BMW's does not have a context. Perhaps you should have the witness speak to page 7, at least, which is the letter that she says came with the enquiry, just to list for the record the model of the vehicles that Mr Wicks was enquiring about.

**ADV MOTLHASEDI**: Thank you, Commissioner. Colonel, Thepa, could I ask you to turn to page 6 of your witness statement?

**ADV BALOYI SC**: Page 7. Mine is 7.

10 **ADV MOTLHASEDI**: Oh, the witness statement, yes, paragraph 19.

**LT-COL THEPA**: I am there.

**ADV MOTLHASEDI**: Are you there? And just to remind you, this is the e-mail of the 8<sup>th</sup> of February that was sent to you by Mr Jeff Wicks. Do you see that?

**LT-COL THEPA**: It is correct.

**ADV MOTLHASEDI**: Thank you. And inside the body of the e-mail, there is some introductory remarks and there is a list of certain vehicles registered to EMM. That is what is  
20 provided in the e-mail.

**LT-COL THEPA**: That is correct.

**ADV MOTLHASEDI**: Could I ask you with reference to the three vehicles, do you see them there, the three vehicles? Yes, to describe the types of vehicles that were referenced there.

**LT-COL THEPA:** The types of vehicles referenced here, I am not privy to that information. I am making reference specifically to the video that has been sent by means of WhatsApp to me where you would see this vehicle has been displayed in such a manner where you are able to identify the make and models of such vehicles. Thank you, Commissioners.

**ADV MOTLHASEDI:** And for clarity then, the comment you make in paragraph 29 of your witness statement concerning  
10 the use of black BMW's, do you see that?

**LT-COL THEPA:** Correct, yes.

**ADV MOTLHASEDI:** Your evidence then is that your comment there does not reflect the content of Jeff Wick's e-mail on the 8<sup>th</sup> of February. Is that correct?

**LT-COL THEPA:** That would be aligned, because it is a follow-up from the initial e-mail sent on the 2<sup>nd</sup>. So it would be everything inclusive and that which has been of a physical tangible thing to be seen by me was the video that has been sent via WhatsApp and that was when I was able  
20 to identify some of this fleet of vehicles.

**ADV MOTLHASEDI:** So the reference in paragraph 29 to the use of black BMW's is a reference to the two WhatsApp videos sent to you by Mr Wicks. Is that correct?

**LT-COL THEPA:** That would be correct.

**ADV MOTLHASEDI:** On the 2<sup>nd</sup> of February as described in

paragraph 13 of your witness statement.

**LT-COL THEPA**: That would be correct and leading into the further enquiries. So in essence, I would not be in a position to, like I said, that would be the sole responsibility of the Transport Department under the Fleet section.

**ADV MOTLHASEDI**: Thank you, Colonel. Colonel Thepa, could I then ask you to turn back to page 9 of your witness statement.

**LT-COL THEPA**: I am on page 9.

10 **ADV MOTLHASEDI**: From paragraphs 30 to 32, you set out the aftermath of the blue light story. Could you detail those events to the Commission, please?

**LT-COL THEPA**: So from paragraph 13:

20 “At that time it became increasing clear that the story was not going to die down. And then in March or April of 2023, I learned that Commissioner Spies had by then referred to the matter for an internal investigation under the administration of Lieutenant Colonel Hennie Erasmus.”

This was again attached. It was one of the recipients who was cc'd in the initial response.

“So the outcome of that process was never communicated with me as the

spokesperson. And then I came to know that Brigadier Mkhwanazi was suspended and at a later stage returned to work after the three-month suspension.”

**ADV MOTLHASEDI**: Please proceed to paragraph 32.

**LT-COL THEPA**: You know, though time had passed and there has been other developments within the country, but this blue light story just kept gaining traction for whatever  
10 reasons and you know, it continued to grow legs and you know, it made news every time that there would be further developments. The media attention flared up at the news of Brigadier Mkhwanazi's suspension, but above all, his return back to work.

**ADV MOTLHASEDI**: Colonel Thepa, that then introduces a new theme under the heading, “My engagements with IPID”. That is paragraph 33 of your witness statement.

**LT-COL THEPA**: Yes.

**ADV MOTLHASEDI**: Can I ask you to tell the Commission  
20 about your engagements with IPID from paragraph 33.

**LT-COL THEPA**: So during May and June of 2023, I was approached by a Mr Xulu, who introduced himself as an investigating, as an official investigating the blue light saga. But when he had introduced himself, he informed me that he wanted to discuss pertinent issues within the department,

one being, of course, the blue light saga and the other being an enquiry where it was alleged that EMPD officers had taken under false pretence a motor vehicle along the R21 and that he was also investigating that story.

So with that said, you know, I explained that these issues he wanted to raise were very serious and concerned other individuals within the department. It was only fitting that you know, I be in attendance with somebody who in turn would be the Staff Officer in the office of the Chief of  
10 Police and why the Staff Officer, it is easier for him to then brief the Chief of Police as to the engagement that we had with investigation priority crime, or IPID rather.

**ADV MOTLHASEDI:** IPID. At paragraph 35, please, you know, detail to the Commission what you discussed in that meeting with Mr Xulu.

**LT-COL THEPA:** So, in the nutshell, he had made enquiries as to how the media enquiry was given to us as a department and what responses had we furnished as a department and just the basic stuff that would speak to  
20 steps taken by the department in coming to this, what would be his investigation.

**ADV MOTLHASEDI:** You can proceed to paragraph 36.

**LT-COL THEPA:** So that, you know, I had to handle the media enquiry and the responses from EMPD was obtained from Commissioner Spies, which I had then taken to be

what would be the true reflection of the responses from the department.

After that initial meeting, I had further meetings with Mr Xulu. I had several meetings, actually, with Mr Xulu and at subsequent meetings, he introduced me to the members of his team. There was a lady that he had introduced, another gentleman, I think an advocate from the North West. I just cannot remember their names. So the lady was again from a different province.

10 **ADV MOTLHASEDI**: Colonel, we know from your evidence, as given in the course of this morning, that the blue lights story was massive. You described it, you know, it was a widespread story. But how widespread was knowledge within the EMPD about the IPID investigation? You know, was it something publicly known or was it something known to a limited amount of people? You can answer this question from paragraph 37.

**LT-COL THEPA**: I would suspect that it was known within the department, because all the meetings that we would  
20 have, or most of the meetings that we would have, they would be held at the EMPD offices and in essence, I would not just attend those meetings alone.

At times, I would have Colonel Du Plessis, and in the one meeting I had, one of the Media Liaison Officers, who is Marie Mashishi, because she had handled the R21

story, and she was better placed with it to just assist with collating info on that story.

**ADV MOTLHASEDI:** And in your engagements with Mr Xulu, what specifically did he require from you for purposes of his investigation?

**LT-COL THEPA:** He requested that we, within the department, all those which he had interviewed now, that we reduce to writing statements that would then be submitted as evidence.

10 **ADV MOTLHASEDI:** And with reference to paragraph 38, what was your response to his request that you prepare a statement?

**LT-COL THEPA:** You know, when we sat with Mr Xulu in one of the boardrooms, I actually sat across him and needed him to understand the magnitude and the danger which he then seeks to put me in, in requesting information that he has no intention of following up or even investigating. So I had put it to him in saying that, Mr Xulu, I really need to understand the seriousness and your  
20 commitment into this case, because you are really asking me to take a personal risk.

**ADV MOTLHASEDI:** And what ...[intervenes].

**ADV KHUMALO SC:** Can I just ask a question, Colonel, Why did you believe that you were taking a personal risk simply by providing information about whether or not

vehicles belong to EMPD?

**LT-COL THEPA:** You know, Commissioners, in the back, at the back of the scene, things are happening as we move forward and you could just see the nature in which, how things are now shifted in saying that, no, the office of the City Manager will start handling enquiries moving forth.

And furthermore, in saying that, you know, now here is IPID that has come to the party, I am sure IPID, Mr Xulu, was not the first to be informed or having investigated  
10 matters pertaining EMPD. So there was a lot at play in this instant.

**ADV BALOYI SC:** Can I just follow up on that. You say in the statement:

“Before I agreed, I stressed to him that the individuals involved in this case are highly connected and powerful.”

What were you speaking to there? You speak of individuals in the plural. So that is the first question, who are these individuals that you are speaking to? And then  
20 when you say they are highly connected and powerful, what are you speaking to then?

**LT-COL THEPA:** Commissioners, when the initial enquiry came to me and it had made reference to a Mr Vusimuzi Cat Matlala, I did not know the gentleman from a bar of soap. I was, I only got to learn of him as things transpired within

the City and South Africa in its entirety. But above all, the fact that communication would be restricted in one office, then that just gave me the shivers in saying that what exactly is at play here and am I even competent to be attending to same.

So that just really created an element of discomfort that I needed him to assure me as to he will then take this process and he will investigate and he will do what is expected, because you know, in my opinion, there are  
10 certain IPID members that we know who are just captured by a certain system and it is not a place for me to indulge in that, but it is just things that we know by virtue of being law enforcers.

**ADV BALOYI SC:** Thank you. Thank you, Ms Motlhasedi.

**ADV MOTLHASEDI:** Thank you, Commissioner. Colonel Thepa, after you have then shared your concerns with Mr Xulu, what is his response to you? We are in paragraph 39.

**LT-COL THEPA:** This is responded to on paragraph 39. He had assured me in saying that, you know, rest assured that  
20 I am going to work tirelessly, endlessly with dedication towards this matter, because you know, I am not even attached to the Gauteng Province's IPID or even a Ekurhuleni's IPID, that you know a team, a task team has been established or set up for the purpose of this investigation, comprising of people coming from different

provinces.

So, the other two members which he had come with, they were not even from the province which he came from, so it gave a bit of relief to me in saying that, okay, meaning that there is an element of being serious with this matter so let me just give it my all.

**ADV MOTLHASEDI**: And in that discussion with Mr Xulu, did he ever explain to you why IPID decided to use a team made-up of individuals from outside of the Gauteng  
10 Province?

**LT-COL THEPA**: Yes, yes. They wanted to minimize the risk of threats and, of course, undue influences and that, you know, a proper team is established for the purpose of investigating this that will not be infiltrated by powers that be.

**ADV MOTLHASEDI**: And please have regard to the contents of paragraph 40 and inform the Commission what else Mr Xulu shared with you during that meeting.

**LT-COL THEPA**: So this was on the day he had taken the  
20 liberty to come to my house and we had a discussion after losing a phone and he informed me that Brigadier Mkhwanazi had told him that I was a dirty cop and that I had a defeating the ends of justice case registered against my name. And, you know, I could see how this was about to unfold going forward.

**ADV MOTLHASEDI:** What is your understanding of the meaning of a dirty cop?

**LT-COL THEPA:** You know, if you are being investigated for issues that are related to blue lights and what his action was contributing to that, how is it defeating the ends of justice case related to his investigation. But nonetheless, I am more than willing to share what the content of that is, of the defeating the ends of justice, if you so permit.

10 So whilst, while, we had an incident where one of our officers in the EMPD was shot in an attempted hijacking, so I got to the scene, being one of the first higher ranking officers that arrived at the scene. Upon arrival, I am issued with this firearm, which has been taken out of a vehicle by one of the colleagues and said to me that I had kept this safe to give to our Armoury. But since you are here, mam, as a ranking officer, please do ensure that it gets to our Armoury section. And I did precisely that, I called our Armoury section to come to the scene of the incident.

20 But before they had arrived, an officer from Northam Park SAPS, they arrived at the scene where EMPD already had cordoned off the scene. We have used cones to close off what would be remaining cartridges on the scene, but at no given point was the firearm placed anywhere on the scene. It was taken from a vehicle and

handed over to me in my capacity as senior official within the EMPD, and of course, with the intention that from the scene itself, it would be given to our Armoury section.

When this officer, Barbara Ferreira, I think she is a Communications Officer under the South African Police Services for Northam Park, she came there and had misconstrued that the firearm was removed from the scene by myself.

And of course, I only obtained it from the officer,  
10 and furthermore, the officer had explained that, no, it was not part of the activities of that scene, and that he only kept it with him for safekeeping and that it was given to me to then give to the Armoury. And I do not know what the merit of the case is, I do not even know how far it is. It is a 2023 matter though.

**ADV BALOYI SC:** Who would have laid the criminal charge?

**LT-COL THEPA:** It was opened by the very same Communications Officer, and I think what was a  
20 misunderstanding there was I am a Communications person within the EMPD, I am here in my capacity as the spokesperson to report on the occurrence of what had transpired. But when she comes from the South African Police Services and having to want to make communication, I just politely declining that, then it just became something

of ego testing fights that was very unnecessary. Thank you, Commissioners.

**ADV MOTLHASEDI**: Colonel Thepa, please then just update the Commission on what the status of that, of that criminal complaint is, as you know it.

**LT-COL THEPA**: It is unknown to me. The last we had met up with the investigating officer, Van Wyk, also aligned to the Northam Park Detective section, we had taken warning statements. What is the outcome thereof, it is unknown to  
10 me, Commissioners.

**ADV MOTLHASEDI**: And in paragraph 41 of your witness statement, paragraph 41 on page 11, you set out some comments or reflections there in light of what Mr Xulu disclosed to you.

**LT-COL THEPA**: Yes.

**ADV MOTLHASEDI**: Please share those.

**LT-COL THEPA**: Ja, you know, it became quite clear that Brigadier Mkhwanazi carried ill wills and you know, will do anything to discredit anybody who then comes forward and  
20 has to reduce to writing or even give a statement as to the occurrence of what happened with the blue light saga.

And furthermore, I think what disturbed Mr, or rather Brigadier Mkhwanazi then, it is the fact that how I choose to handle this media enquiry, you know, having to had sent it to the Acting Chief as opposed to maybe just

making him aware of what the developments were within the department.

**ADV MOTLHASEDI:** And if you turn over the page, you go to page 12 of your witness statement, in those last two paragraphs of this theme, please detail to the Commission any further developments after that meeting with Mr Xulu.

**LT-COL THEPA:** No, I did not get any feedback from Mr Xulu, but it would be a continuous checking in on how far are we, is there anything? So there was a point, I  
10 remember, where Mr Xulu was promising imminent arrests to say that you know, we are almost on the verge of completion and there would be arrests affected and as such just hang ten.

But it then became clear that there were three individuals whose assistance was critical in this investigation. That would be myself for the role which I had played by virtue of receiving this media enquiry and forwarding it to Commissioner Spies without notifying or involving the Deputy Chief of Police Operations and  
20 Specialized Services, and or the Brigadier himself, who is the man in question.

And again, Commissioner Spies, who had then taken the stance in referring this into an investigation through our internal affairs, and furthermore, Ivan Du Plessis, who was then responsible for critical

documentation in the office of the Chief of Police as being the Staff Officer, and furthermore, the role that he had played in facilitating the information sharing sessions with the IPID.

**ADV MOTLHASEDI:** Thank you, Colonel Thepa. You are now at paragraph 44 in your witness statement. Can I ask you to share the details of that paragraph with the Commission.

**LT-COL THEPA:** You know, it was only later then that I had  
10 discovered that this is going to have some effect on me and that I was going to get some blowbacks, blowbacks rather, for the role which I had played. So in essence, in responding to this media enquiry and assisting IPID, you know, powerful individuals were not pleased with the transparent response of the EMPD Media Unit and it became clear that I offended some people by responding to the media enquiry in the manner that I did.

**ADV MOTLHASEDI:** Can I then ask you to have regard to  
20 paragraph 45 of your statement under the new sub-heading there. Can I invite you to share with the Commission what you experienced in July of 2023?

**LT-COL THEPA:** So in July 2023, it was the day of my first attack where it was a Saturday morning, I remember. I woke up to go to the cemetery where my late mother was. And I also had a relative who had recently bought a car, so

I had taken that vehicle and made a turn at the Bredell Cemetery.

And coming back, I was well within where I live, the street that I live in Tembisa. I was sitting with a neighbour who was on the passenger seat and three men came up to the vehicle that I was in. They came there. The one that came around to the driver's seat cocked a firearm and pointed it to me.

I had the windows down and he then demanded that  
10 I switch off the vehicle of the - so he puts his hand in to try and reach for the keys on the ignition, but it is not the kind that you start manually with the key. It is those press buttons.

And there was a lot of things that was being said. Behind me, as I was on the driver's seat, another came in and there was this sharp metal object against my neck. Initially, I thought, a knife that has going to slit my throat, only to discover that is a firearm and that, you know, I think what hurt me the most with everything that was said at that  
20 point, it was then, it is things that are work-related and the fact that, you know, they want a phone from me, and the information which they want and the fact that they would be - sorry, Commissioners.

I was hit on the head with a firearm. The accosters pushed, shoved me to the side of the passenger seat. They

got into the car and they drove off. They drove past my house and I could see my neighbour who is literally looking inside the vehicle to identify who the drivers are.

**CHAIRPERSON:** Ms Thepa, should we take a short adjournment for you to compose yourself, perhaps?

**LT-COL THEPA:** Please, Commissioner.

**CHAIRPERSON:** Let us adjourn. You will please indicate to us, Ms Motlhasedi.

### **INQUIRY ADJOURNS**

#### 10 **INQUIRY RESUMES**

**CHAIRPERSON:** All right, Ms Thepa, let us continue if you can.

**LT-COL THEPA:** Thank you, Commissioner.

**CHAIRPERSON:** Thank you.

**LT-COL THEPA:** As I had stated that some time in July 2023, it was on a Saturday where I had gone to my late mother's grave situated in Bredell and on my way back I had parked just in the street that I live in. I had a neighbour who was sitting on the passenger seat when  
20 three accosters, you know, came to the vehicle that I was driving.

The one came onto the driver's side, the one sat behind me at the, behind the driver's seat and the one had cordoned, or rather closed in the passenger that was sitting on the side and you know, after seeing that firearm and you

know when you work with firearms you think that you have it under control up until it happens to you. So he cocks a firearm, point at me and then he reaches to switch off the ignition, but he cannot, because it is those press start button vehicles.

And he instructs me ...[vernacular] meaning switch off the car. I am very confused, I am puzzled as to what is happening, am I being mugged, are they taking something, what is it that they want these people. So the three guys  
10 they, the one that was sitting on the passenger side they then take him to place him at the back seat and I am now being shoved to sit on the passenger seat where the one that had cocked the firearm initially then gets onto the driver seat.

They then drive off with us, but in the vehicle there is only four of us. As to where the third person had gone, probably back to the vehicle that they had came in, and so they drive the car past my house and the entire time things being said. It is things that you know, they would want  
20 information, the phone, it is things that you know, I am a problem at work.

I am wondering as to say how am I a problem at work? We drive, they take us through Ivory Park. The driver then parks on the side of the road and, but by then you know, I am confused. When you have an out of body

experience, it be out of fear, it be out of whatever that comes with it, I had passed out and seemingly these guys, the only thing they were mainly concerned about was my phone. They had even ...[intervenes].

**CHAIRPERSON:** Can you please explain the out of body phenomenon? I have heard people use that term. I am not quite sure what it means.

**LT-COL THEPA:** I am unable to do anything. I am numb. I am mute. I am not responsive. I am trying to even make  
10 sense of how I could even project this thing that I was going through. But in essence I am so out of it that I am even unable to respond to say, to even lift a, to even make a sound.

**CHAIRPERSON:** But you continued to see or perceive what is going on?

**LT-COL THEPA:** I continued seeing every – everything that was happening I had saw. I had saw them drive past my house. I would even direct as to say which streets they were, they used going there to Ivory Park. But upon the  
20 Ivory territory I am not so familiar with it, but that is where the vehicle eventually came to a stop.

And whilst halted there, they tried getting this, the neighbour now to open my phone and said that ...[vernacular]. I am thinking what information would that be? Why would I be in possession of any information that

anybody would want in that ...[indistinct].

You know, Commissioners, this, this must have been one of the most scariest things by far, because I am hit with this metal object, a firearm. I have another one sticking out on my neck.

**CHAIRPERSON**: When you described it earlier before we adjourned, you said you felt a sharp object.

**LT-COL THEPA**: Correct.

**CHAIRPERSON**: In your statement you said you felt a cold  
10 object.

**LT-COL THEPA**: Correct.

**CHAIRPERSON**: Yes.

**LT-COL THEPA**: It was a cold object that had a reflection, a silver reflection, so if you just take a glance at it, you would seemingly think it is a knife under the circumstance only to discover it is a firearm. And when we got through Ivory Park and from recollection you know, they had then taken my phone, they had taken my wallet, but what puzzled me the most it is the fact that I even had my bank cards in  
20 there, they could have easily accessed money from them.

I am driving a brand new vehicle that still had a temporary permit at the back that they could have taken. So what exactly do they want? They did not come there for the car, they did not come there for the wallet, nor the money, but the ultimate thing that was being said

consistently was the phone that had information. As to what information, it is still unknown to me.

**ADV MOTLHASEDI:** Thank you, Colonel. Perhaps you could continue from paragraph 55 and discuss what happened thereafter.

**LT-COL THEPA:** So they then request my neighbour to, they ask him as to what is wrong with me, but he then informs them that I am epileptic, so the one had already exited the vehicle, so they instruct him to then come around  
10 and drive me to hospital. And he managed to move the vehicle slightly off. He is not much of a driver himself, but just to attempt in getting us away from it. And we then drove straight to home, because my phone is gone, my bank cards are gone. The one thing that I would put as a priority it is the stoppage of the bank cards.

Upon getting home I was able to access a phone, one of the relatives. I then called a friend who I had given my ID numbers to say please call Standard Bank, call Capitec, that they block my cards and I then moved from  
20 home with the guy. We went to the Rabasotho Police Station.

Whilst at the police station I am registering this case of kidnapping and you know, being pointed with a firearm and theft, robbery. They assist me to an extent that you know, the docket is open, the A1 statement is written,

the three M forms I have completed, even the cover, the docket cover, the diary, SAP5 is then made and just on its completion they then tell me that because at some point where this accosters had driven the vehicle they would need to obtain the fingerprints and you know, it was a correct procedure to say the least, but what had been a bit of a hinderance for me, Commissioners, is this vehicle does not even belong to me, what they had wanted to do is they wanted to take this vehicle and take it to their pounds, 10 maybe between Van Rhyn Deep or even Evaton for that matter.

You know, we, or rather I am privileged by virtue of being a law enforcement agent to know exactly what happens at those pounds. A new vehicle coming in, coming out it would be having certain parts gone, certain things removed from it, how am I then liable to things that was not my own making. I think it is the only thing that had directed me or rather pushed me not to want to give in the vehicle for further processing.

20 But I further suggested to the station and the guy that was assisting me, that officer that was taking the statement to say I do not mind if the LCRC is called to the station that they process and take fingerprints at the station, but what would be challenge for me, it would be that which would allow the vehicle to be taken to the

SAPS13 and be kept at their pound over a certain period due to the theft that happens there.

**ADV MOTLHASEDI**: Sorry, Colonel, what is the LCRC?

**LT-COL THEPA**: The Local Criminal Register Record, the LCRC, Criminal Register, the Local Criminal Register Record, yes.

**CHAIRPERSON**: Local Criminal Record Centre.

**LT-COL THEPA**: Centre, my apologies.

**CHAIRPERSON**: That is at the top of page 15 of your  
10 statement.

**LT-COL THEPA**: My apology, Commissioner.

**CHAIRPERSON**: No problem.

**ADV MOTLHASEDI**: Thank you, Colonel. So after you have explained your hesitation or reluctance to hand the car over at the police station, what then was the response you received there? You are at paragraph 58.

**LT-COL THEPA**: They told me that they cannot register the case. They told me that if I am refusing then to have this vehicle taken into the pound, then they will not register the  
20 case.

**ADV MOTLHASEDI**: Please continue.

**LT-COL THEPA**: So I am in paragraph 55 you said?

**ADV MOTLHASEDI**: 59.

**LT-COL THEPA**: 59, my apology. So ...[intervenes].

**ADV BALOYI SC**: Maybe before you do that, Colonel

Thepa, before this incident had you ever had any incident, negative incidents that relate to the performance of your functions?

**LT-COL THEPA:** Absolutely not, Commissioner. Absolutely not. In my 16 years of experience working as an officer I have never been in any altercation, any physical thing that would amounts to this that I am further handled for lack of a better word.

**ADV BALOYI SC:** Thank you.

10 **CHAIRPERSON:** I am just trying to think and I will mention personal experiences, you know when you used to have those detachable radios in cars, on one occasion that was stolen from my car the police came to my house and did that dusting up thing and all that to take fingerprints and ...[intervenes].

**LT-COL THEPA:** You know ...[intervenes].

**CHAIRPERSON:** There was a second incident also involving my car. I forget what that was about. Again, the police came to my house and again took the fingerprints at  
20 my house. I am just trying to understand why the police could not have gone to wherever car was to do this, or have things since changed?

**LT-COL THEPA:** Commissioner, it is still a confusing element for me, because as a law enforcement in my existence within the EMPD in execution of my duties I would

recover vehicles. Part of the recovery would be summoning the LCRC, having a photographer come out to the scene, unless it would be unfavourable weather conditions that then they would request that you know, it be done at the station or even at the pound, but under no circumstance would they then say let us take this vehicle to an SAP13 pound for processing, whereas I know in my personal capacity that you know, these people do come out to the scene and it was not even an instruction being given, it was  
10 a humble request to the SAPS in saying please, the vehicle does not belong to me, if it can be processed at the station I do not even mind waiting, I will do just that, but seemingly that was not the case.

**ADV MOTLHASEDI**: Thank you, Chairperson.

**ADV BALOYI SC**: Sorry, I mean in that last paragraph at, rather last sentence at paragraph 58 you say:

“They declined to register the case at that point, even though the docket was completed.”

20 Can you just speak to that a little bit, because you seem to be suggesting that there was sufficient information to open a docket.

**LT-COL THEPA**: Yes, so there was sufficient information. Already they had reduced to writing the statement I had deposed to them and the fact that you know, here is an A1

statement that is existing, here are the preamble statements, the diary that gets inserted into the docket, the nature of the crime that is being created, the elements thereof, but the only thing that was now a bone of contention was the physical object that they needed to impound.

The docket was literally complete, Commissioner. I would believe that from that point it would have gone to somebody for perusal, maybe a Colonel of some, a Captain  
10 of some sort, for perusal and just ...[indistinct] and then it was ready for processing.

**ADV BALOYI SC:** Do you mention this in your statement, this which you have just spoken to now? Do you mention it, because you, there is a particular point you want to make and maybe let me ask it as a form of a question, that is it possible that you had this experience, because the police officer that was assisting you may not have known that they could call the LCRC to come to the place, or do you think there was more to it, and if there was more to it, what is it  
20 and why do you think so.

**LT-COL THEPA:** I honestly suspect that the officer was not courteous enough to even attempt. Had there been such an act on his part, he would have then made further enquiries to the colleagues that he was with, or even maybe just checked with a Station Commander as to the extent to

which they would assist in this regard, but of course you know, I would not go to an SAPS station as a complainant and further want to dictate or direct them as to how they need to do their work as it would be expected that as an officer I know what my duties and work is.

So I did not want to project that in approaching them and say but I know that LCRC could come. But I had recovered vehicles previously where LCRC could come and A, B, C. So it was really one of those that I just choose not  
10 to read too much into it, the SAPS portion that is, let us just say it was an error of, material error on their part.

**ADV MOTLHASEDI:** Thank you, Commissioner. Colonel Thepa, you were at paragraph 59, please.

**LT-COL THEPA:** Yes, so at a later stage my brother tried to assist to register a case, but I was not in a space to try and fight. I wanted to heal from the trauma that I had experienced. During the weekend incident one of the Media Liaison Officers, Marie Mashishi came to see me. When she came to my house, she came a bit late and I was  
20 between the station and home.

She had said that she learned of my incident from one of the Freeway members. A Freeway unit it is a section within the Operations and Specialised divisions, but Freeway being more specialised services than Operations. So she had learned of the incident from colleagues in the

Freeway Unit.

I was shattered. I was out of it. I did not even say much. You know, all that I had told her was that I was not okay, I was not okay.

**ADV MOTLHASEDI**: And Colonel, at the point in time where ...[intervenes].

**CHAIRPERSON**: Sorry, Ms Motlhasedi. Is there anything that you are perhaps implying here by for example saying only friends and family were aware of the incident? Are you  
10 implying anything?

**LT-COL THEPA**: You know, I do not want to be drawing inference into things that cannot be substantiated, Chair, but it is prudent that one also reads between the lines in what has been the occurrence of a media enquiry within the department.

**CHAIRPERSON**: Thank you. Because I was asking, because there is that saying that news travels.

**LT-COL THEPA**: Maybe, maybe ...[intervenes].

**CHAIRPERSON**: You may only have been aware of friends  
20 and family, but ...[intervenes].

**LT-COL THEPA**: Perhaps. Perhaps, Commissioner.

**CHAIRPERSON**: But the friends and family also have friends and family ...[intervenes].

**LT-COL THEPA**: And families elsewhere, that is correct, Commissioner.

**ADV MOTLHASEDI:** Thank you. Thank you, Chair. So Colonel Thepa, when your colleague comes to see you at home, what was your engagement with her like and what was your, ja, interaction with her?

**LT-COL THEPA:** No, she came to check up on me and she had said that she had heard of my incident from the Freeway Unit guys and you know, what more can I say in that if already something had just happened and, I think she, when she had arrived she had found me at the station  
10 and then said she wait for me at home. And that alone just creates a whole lot of disparities that if questioned and properly ventilated, I am sure dots and the domino effect will then happen. But of course like I said, I am not casting any sort of aspersions in this instance.

**ADV MOTLHASEDI:** You can please continue. You are at paragraph 60 of your statement.

**LT-COL THEPA:** So on the Sunday I then informed the Chief of Police of what had happened and of course the Chief then implored that please look after yourself and I  
20 must take some time off and coming back to the office I must then come see him.

**ADV MOTLHASEDI:** And please describe from paragraph 61 what happened when you did go back to the office.

**LT-COL THEPA:** So going back to the office I get to see Chief and further explained in full detail what transpired and

the fact that you know, I had believed it to be related to work, because of the things the assailants kept saying to me. And you know, he seemed extremely sympathetic. He seemed extremely sympathetic and actually provided that you know, I must use office resources to try and track and get to the bottom of it, but pertinently so it was the tracking of my cellphone, which at a later stage it pinned in Johannesburg at the central business district and near a taxi rank. The chaos and the havoc that happens there  
10 only, there is no way of getting the phone. I mean who do you chase after at a taxi rank.

**ADV MOTLHASEDI:** You are in paragraph 62, Colonel.

**LT-COL THEPA:** So when I got to meet with the PA for the Chief of Police, Ms Lizel Tyres, she then informs me that, so it was still within the week of, the weekend of my incident, she then informs me that a lady came looking for you here ...[vernacular] Nomapa look for me. Commissioners, it should be noted that this Nomapa is a lady that had a relationship with Brigadier Mkhwanazi and  
20 they also share a child together.

As to reasons why Nomapa would look for me in an office that we do not even operate from the same division, we are not even related in any way coming to work stuff, so that truly puzzled me. It truly, truly puzzled me.

**CHAIRPERSON:** She works for the EMPD as well?

**LT-COL THEPA**: She is an EMPD officer.

**CHAIRPERSON**: Thank you.

**ADV BALOYI SC**: Colonel Thepa, I know you say you do not want to cast aspersions because you do not have any facts, but you must have thought something about this and that is why you mention it in the statement.

**LT-COL THEPA**: Correct, Commissioner.

**ADV BALOYI SC**: And I think you should say what, why you thought it was significant enough to mention and say that  
10 even with the qualifier, if you want to put in that qualifier that you do not have facts, but this is what you thought of it.

**LT-COL THEPA**: Correct, Commissioner. I would not want an element of what would be hearsay evidence to further be recorded as what is being given by me now. Lizel Tyres then tells me that Nomapa came to the office looking for me on a Monday. It puzzles me, because under no circumstance would I communicate with Nomapa unless it is things that would be related to media that she needs to then  
20 – no, actually even the Public Order Policing there is nothing that they report to us as media on.

Media is more the successes, operational guys and under no circumstance would we have any – I am trying to link as to whether what would Nomapa be wanting from me in that aspect. We are not even friends, we are not even

associates, we are just colleagues but we know each other from the EMPD. When we walk past each other a salute, morning, hi, and we would never even engage in a conversation of any sort.

**ADV BALOYI SC:** Let me ask you directly and you can say yes or no so that this part of the evidence can make sense. Are you with that paragraph communicating that her relationship with Brigadier Mkhwanazi, because you do mention the relationship and the fact, and how close the  
10 relationship was.

Are you communicating, at least you are thinking about it without facts that because of the relationship with Brigadier Mkhwanazi that is how she came to know about what happened to you? Is that what you are seeking to convey, even though you do not have facts for that?

**LT-COL THEPA:** My thinking, Commissioners, is an incident happens over the weekend that is unknown, but like Commissioner had said the family of a family, the news travels fast. But how weird is it that a woman who has a  
20 child with Brigadier Mkhwanazi would randomly on a Monday morning ensure that if I did arrive at work and if not, if maybe Lizel was to say, no Lebo is off sick, she would seek reasons as to say what is wrong with her, hypothetically, and based on my thinking I think this is somehow linked to the attack, but that is my thinking.

**ADV BALOYI SC:** Thank you.

**ADV MOTLHASEDI:** Thank you, Commissioner. Colonel, can I ask you, once you got back to work and in light of your belief that the attack you endured was linked to your work, did you make a request to anyone, Chief Mapiyeye, or a superior to provide you with some additional security in light of what you had experienced?

**LT-COL THEPA:** Commissioners, it must be understood the type of environment we work in where protocol is  
10 everything. A chain of command is everything. And furthermore, where seniority would play a role in that I am a Lieutenant Colonel, I am literally three positions below what a Deputy Chief of Police is, if not more, we have an incident where a Deputy Chief of Police life is in danger, seeks then assistance from the institution, maybe not even department, the institution, but seemingly could not receive it, who am I if I am just ...[indistinct] within the department to receive such protection.

**ADV MOTLHASEDI:** And who, which Commissioner in  
20 particular are you speaking about now?

**LT-COL THEPA:** I am referring to Commissioner Spies where you know various threats have been made against him, you know, where you would hear the officers that because he is operating a motorcycle it would be easy to get rid of him. I remember this one time, Commissioner,

that prior to my attack I had a vehicle, a grey Audi that was following me for some time. I further informed Commissioner Spies. Now it seem like because of this blue light saga that everybody is just crumbling.

This vehicle that is subsequently following me, I sent him the registration, he conducts a vehicle enquiry on it and it is discovered to be linked to somebody by the surname of Mkhwanazi that is not even coming from the region or area of Ekurhuleni, but instead it is a Pretoria  
10 based address. So it, that alone, I think just putting the dots together, says a lot. Maybe, maybe ...[vernacular] and nothing beyond that.

**CHAIRPERSON:** Can you please repeat and explain the last thing you said?

**LT-COL THEPA:** Oh, sorry, Commissioner. [Vernacular]... translated to they happened to have the similar surname with Brigadier Mkhwanazi.

**ADV MOTLHASEDI:** Thank you, Chairperson. Colonel, if we could turn back to paragraph 63. You were explaining to  
20 the Commission your views on the usefulness or the effectiveness potentially of asking for help and you did so with reference to the experience of Commissioner Spies. Can I invite you to you know, explain that in some detail and how it informed the decision you ultimately took.

**LT-COL THEPA:** You know, Commissioner Spies is also a

seasoned officer wherein I have never come across anything that would put him in an instant that he was in at that time, threats, but due to the role which he had played pertaining the blue light saga, he found himself now being threatened and with the threats that he had received you know the insinuation that he operates a motorbike and he could, he is an easy target, and the security which has been sought and further discovered that the responses received from the Accounting Officer was that Revo is issued with a  
10 gun and he can protect himself. I am now issued with a gun and I a Council vehicle but why would I be told any different to what he was.

**ADV MOTLHASEDI:** So you know, just to clarify your position there, based on the experience of Commissioner Spies, in addition to the fact that he is a superior officer to you, you interpreted how he had been treated and made a decision that it was unlikely that he would be afforded security if you sought it, is that an accurate reflection?

**LT-COL THEPA:** It was unlikely that I would get security,  
20 because already Chief Mapiyeye was in the know of my incident, was in the know of whatever that has been alleged to, or rather said around Commissioner Spies, looking at the rank difference alone that spoke volume. And furthermore, you know, I just needed to take it and move on, move on with life.

**ADV MOTLHASEDI:** Thank you, Colonel. In paragraph 66 and 67 of your witness statement you make some concluding remarks on this theme. Please share those with the Commission.

**LT-COL THEPA:** -:

10                    “In light of the above I believe that the attack on me was related to my work. The accosters were not financially motivated. Despite driving a brand new vehicle it was not taken. The accosters did not take any money from me and did not attempt to remove funds from my account. Finally, the continued comments made about looking for information on my phone in circumstances where I did most of my work was on my phone.”

**ADV MOTLHASEDI:** Please continue.

**LT-COL THEPA:** -:

20                    “It was clear to me that this was meant to serve as a stern warning and that the assault was done to deliver that warning. Despite my years working out in the field and engaging members of the general public, I have never in my

16 years of service been assaulted  
doing my job.”

**ADV MOTLHASEDI:** Thank you, Colonel. That then concludes that theme and we then begin a new theme on page 17 with the title “My role in the EMPD Media Unit”. Are you there?

**LT-COL THEPA:** I am there.

**ADV MOTLHASEDI:** Thank you. In paragraph 68 could you please share the contents of that with the Commission.

10 **LT-COL THEPA:** -:

“So in the aftermath of the blue light standdown, Mr Dlamini told me that going forward, all media enquiries concerning Brigadier Mkhwanazi must go through the office of the City Manager. This was during a call made to him concerning another media enquiry that I had received.”

**ADV BALOYI SC:** Colonel Thepa, what was your  
20 understanding, did you understand Mr Dlamini to convey an instruction from the City Manager or it was his own initiative or decision? What was your understanding?

**LT-COL THEPA:** No, it was one that was coming from the City Manager, so there is absolutely no way that Zweli could then formulate or structure instructions that would not be in

line with policy, that would bypass policy as opposed to you know, having a situation where he then takes to himself to say no ...[vernacular] he calls me Mshana, so I think in a very polite manner of saying that no, all enquiries pertaining to that ...[vernacular] Mshana. That was his instruction but of course coming from the office of the City Manager, would have been the instruction of the City Manager.

**CHAIRPERSON:** Just to be clear on that, he did not say so  
10 specifically?

**LT-COL THEPA:** No, he did not say so specifically.

**CHAIRPERSON:** All right, all right.

**LT-COL THEPA:** But I ...[intervenes].

**CHAIRPERSON:** But you are saying there is no way he could have said this because ...[intervenes].

**LT-COL THEPA:** Yes, Commissioner.

**CHAIRPERSON:** It did not accord with how the media sections were structured and ...[intervenes].

**LT-COL THEPA:** That is correct, Commissioner.

20 **ADV MOTLHASEDI:** Thank you, Chairperson. Colonel Thepa, still on paragraph 68, prior to the Jeff Wicks article on the blue lights issue, would a story of this nature involving an EMPD officer in the person of Brigadier Mkhwanazi, go through your office in the Media Unit or would it have proceeded in the manner directed by Mr

Dlamini here?

**LT-COL THEPA**: No, it would have come directly to our office and the responses would be sponsored by the office itself. When we speak of Directors, they are still within the employment of the Metro as ordinary employees without having contracts attached to them, so when it starts taking that view then that is when I would refer matters for consideration in the office of the City Manager that would speak to a section 56 appointees, of the contractual  
10 appointees.

**ADV MOTLHASEDI**: Thank you. Could I ask you to turn the page in your witness statement. You are now on page 18, paragraph 69. Before you address the Commission regarding the contents of paragraph 69, could I ask you to go to your annexure bundle, the other file and please turn to page 22. Look at the annexure bundle, page 22.

**LT-COL THEPA**: I am there.

**ADV MOTLHASEDI**: Thank you. And then if you have regard to your witness statement, you are on page 18,  
20 paragraph 69.

**LT-COL THEPA**: Yes.

**ADV MOTLHASEDI**: I would ask you to describe the contents of paragraph 69 to the Commission.

**LT-COL THEPA**: So paragraph 69:

“Late in October 2023, still the year

which a media enquiry was forwarded in February, in October then I received a memorandum from the office of the City Manager seeking to herein centralise all outbound communication in her office. The upshot of that memorandum was that all interviews and statements, regardless of subject matter and urgency, must go out of her office. It is then marked and attached as KX7.”

**ADV MOTLHASEDI:** Colonel Thepa, if we turn to the document itself on page 22.

**LT-COL THEPA:** Yes.

**ADV MOTLHASEDI:** Thank you. Please just read in bold the title of the document there.

**LT-COL THEPA:** It is titled:

“Centralisation of communications and media enquiries”.

20 **ADV MOTLHASEDI:** Thank you. And the document is directed to?

**LT-COL THEPA:** It is directed to all Heads of Department.

**ADV MOTLHASEDI:** From?

**LT-COL THEPA:** From Dr MI Mashazi, City Manager.

**ADV MOTLHASEDI:** And please confirm the date for the

Commission.

**LT-COL THEPA**: The date it is the 13<sup>th</sup> of October 2023.

**ADV MOTLHASEDI**: Thank you. Now you informed the Commission as to what the upshot of the memorandum was, but could I ask you to have regard to paragraph 1, paragraph 1 of the document, the final sentence in paragraph 1. It begins with the words “department”, do you see that?

**LT-COL THEPA**: Yes.

10 **ADV MOTLHASEDI**: Could I ask you to read.

**LT-COL THEPA**: It reads:

“Departments are still expected to sponsor information, but the final communication will be signed off and disseminated from office of the City Manager.”

**ADV MOTLHASEDI**: Thank you. And then could you just read the final paragraph there.

**LT-COL THEPA**: It says:

20 “Trust that the request will be well received and adhered to. Kind regards, Dr MI Mashazi, City Manager.”

Signed and dated 13<sup>th</sup> of October 2023.

**ADV MOTLHASEDI**: Thank you. If you then go back to your witness statement here in paragraph 70 of your

witness statement. Could I ask you then what was your response to, upon receipt of this document?

**LT-COL THEPA:** You know, Commissioners, I was taken aback. I was taken aback by the content of this communique. In the event that there were some issues, errors or even challenges that were identified in the department I am sure they would have communicated that as such, but at no given point have we ever received criticism about the work that the EMPD Media and PR Unit  
10 was conducting at the time.

**ADV MOTLHASEDI:** Commissioner, it is almost half past 11. Thank you.

**CHAIRPERSON:** Let us adjourn and resume at 11:45.

**ADV MOTLHASEDI:** Thank you.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON:** Yes, Ms Mohlasedi.

**ADV MOHLASEDI:** Thank you, Chairperson. Colonel Thepa, just before the adjournment you had shared with the  
20 Commission the memorandum you received from the Office of the City Manager. We had gone through the document itself with some detail. There is something quite urgent that we must attend to. Can we adjourn for a couple of minutes? Apologies to everybody.

**ADV MOHLASEDI:** Indeed, Chairperson.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**ADV BALOYI SC:** Sorry about that. We are resuming again. Thank you.

**CHAIRPERSON:** Yes, Ms Mohlasedi?

**ADV MOHLASEDI:** Thank you, Chairperson. Colonel Thepa, just before we took the tea adjournment, we were on page 18 of your witness statement. Page 80, paragraph 70. I had asked you to give your response to the memorandum  
10 from the Office of the City Manager. Please do.

**LT-COL THEPA:** Commissioners, I was taken aback by the content of this correspondence from the Office of the City Manager. As I had stated that at no given point was there anything critically pointed out to us in saying we are failing to deliver on the work or maybe there are some erroneous elements with the work conducted itself.

So this was just on an abrupt instruction that centralisation of communication. It was apparent that clearly there should be a degree of a specific office  
20 announcing or even just releasing media statements in relation to the matter itself. I think what they had missed was the fact that, you know, EMPD carries a great bulk of media inquiries. We are speaking now of the bylaws. We are speaking of accidents when, you know, a news agent would take interest in a particular accident that had

happened.

So those trivial things they had missed, and when they have drafted this, it was in a generic form of saying including those which are so trivial should be directed to the Office of the City Manager when they again had other departments to attend to and further speak for the same departments that did not have spokespersons. Thank you.

**ADV MOHLASEDI:** And in paragraph 71 of the statement, you set out some developments after receipt of the  
10 memorandum.

**LT-COL THEPA:** Yes. So in that month, Mr Dlamini asked me to come and see him and took the opportunity to ask whether this new communique meant that all media inquiries had to go through him. I found this position unsustainable because the Office of the City Manager was a very busy office and not realistically to take upon itself to respond to the very basic inquiries received by the EMPD media unit. I also expressed to him that this instance, that all communication go through the City Manager, significantly  
20 delayed the response time at EMPD. His position was that we comply with the decision.

Commissioners, I need to further illustrate that when you get a media inquiry, there is also a deadline being given with that inquiry. So having to wait for a Mr Dlamini, who at times would miss the emails, the correspondence or

anything that has been forwarded, in essence, it would reflect bad on an institution because what our role is, it is the maintenance of the EMPD's good name, in turn, which would be that of the City. But I was not responsible for the City. I am or was responsible for the department itself. So that delay that would be experienced from the responses from the Office of the City Manager would be to the detriment of the department as opposed to the City itself.

**ADV MOHLASEDI**: Colonel Thepa, at the commencement  
10 of your testimony this morning, you also explained that there were a number of other spokespersons.

**LT-COL THEPA**: Correct.

**ADV MOHLASEDI**: One of whom you said was a spokesperson for Disaster and Emergency Management Services. Is that correct?

**LT-COL THEPA**: That is correct. Mr William Tladi.

**ADV MOHLASEDI**: Could I then ask you to comment on your view about a communiqué around centralisation of information, particularly as viewed against a department  
20 like the Emergency Services?

**LT-COL THEPA**: You know, the Emergency Services does not carry a bulk of media inquiries that would be carried by the EMPD, no wonder hence the request to expand the team. I think Mr Tladi operates as a spokesperson with having, I think, less than four media liaison officers that

assist him in the regions, when we are nine because of the work itself.

So the impact which it has for the department cannot be compared to that of the Disaster and Emergency Management because we are talking of a service where there would be an accident, either he speaks or I speak on that, or we just do a joint statement as the two departments, the one that responds to do the rescue operations and us that comes and do the gathering of info and reducing it to  
10 accident reports.

So as much as it had affected all of us, but I do not think Disaster and Emergency Management was heavily affected in that because he still continued with his functions. He still had media releases out. He still took interviews. You know, I would see him on TV reporting on maybe some burn checks within the City of Ekurhuleni and that alone just set the tone for me to say maybe the target here is the Ekurhuleni Metro Police Department as opposed to the Disaster and Emergency Management Services.

20 But then why again would you construct to all heads of department a memorandum of this nature in wanting to centralise communication for the entire city? I think it has about 26 departments or so to a single office that already with the capacity it has, it is virtually impossible for them to meet the standard, or rather the

deadlines.

**ADV KHUMALO SC**: Colonel, I just want to find out something from you. This communiqué is dated October 2023 and in the last few days we had evidence that there was an anonymous email sent to, or anonymous information sent to Jeff Wicks and copied to a lot of people within EMPD and Ekurhuleni Municipality. I think there were two, one in August and one in September, enquiring about the Mkhwanazi allegations, the blue lights and the fact that he  
10 was charged and the charges were quashed. In other words, they did not continue with the proceedings against him. Were you aware of those emails and can you comment on whether or not this communiqué was in response to that?

**LT-COL THEPA**: I was never aware of such correspondence that came anonymously to the department, the City. I knew nothing about it, but what I had picked up was the communiqué itself, the memorandum from the Office of the City Manager sought[sic] to restrict communication, dissemination of saying which is a core  
20 function and the mandate of the media and PR unit.

**ADV MOHLASEDI**: Thank you, Commissioner. Colonel Thepa, you have shared with the Commission your response to that memorandum, but you detail a further interaction with Mr Dlamini from paragraph 72. Can I ask you to go there?

**LT-COL THEPA:** So, I later reached out to Mr Dlamini and asked him whether he was certain that we should continue in strict compliance of this policy amendment. Commissioners, it is done so for reasons that already we are falling behind schedule in terms of our deadlines. You know, you would need to make follow-ups with him. At times he is not even available, not on his phone. You send an email and it takes longer for a response to reach you. So it became a bit problematic and very second draining us  
10 as a team that needed to execute our duties.

So he said, no, keep the standard routine inquiries and send me the complex ones. Where do I then draw a line to say this is more complex and this is standard routine? I think at the back of my head, I would believe what he meant is when it pertains to an accident inquiry that you guys know, then deal with it, attend to it, have a full day with media. But when it comes to those that are complex, like I said, complexity in this instant, what would it be? How do I then draw the line? Would I at any given  
20 point step over what would be boundary set by the very same directive issued by the Office of the City Manager? It left me in a very tight predicament of having to distinguish between right and wrong in this instant.

**ADV MOHLASEDI:** And what did you make of that response, keep the simple ones, send me the complex

ones? How did you go about implementing that, if at all?

**LT-COL THEPA**: He was overwhelmed. I could just conclude right there and there that he was overwhelmed. In essence, he is now saying, let us have the lesser important ones be dealt with by the team in you and in the media space. But once that would speak volume on the City, the department, send them to me. But everything speaks to the City and the department. So what is to be sent to him? I wish for clarity's sake they had reduced it to writing and  
10 said when we speak of complexities, this is what we are referring to, that I do not then bypass or seemingly would want to circumvent a memorandum.

**CHAIRPERSON**: And even if that was written, if it was not written by Doctor Mashazi, you were still open to possible discipline?

**LT-COL THEPA**: Correct. Catch-22 situation, Commissioners. This is what we call it ...[vernacular] what do you then do in such instances?

**CHAIRPERSON**: That sounds quite beautiful. Can you  
20 translate it?

**LT-COL THEPA**: It is, in essence, a catch-22 situation where, you know, damned you do, damned if you do not.

**CHAIRPERSON**: Okay. I will get someone to give me the literal translation. Anyway, and there was this layer of administration as well. You now have to keep checking with

him. When are you finalising this one? When are you finalising that one? All of this unnecessary.

**LT-COL THEPA**: Correct. Correct, Commissioner.

**CHAIRPERSON**: Ja. And is there anything other than the Jeff Wicks inquiry and your response that you would attribute this to? Is there anything else you could? That is Doctor Mashazi's instruction.

**LT-COL THEPA**: Not that would come at the top of my mind at that particular point. But of course, having learned  
10 what I now know it is, clearly this was a prohibition of some sort for us to not even be making further announcement or reports on it. So stay away from it, and let us have a system where we move on.

**CHAIRPERSON**: Thank you.

**LT-COL THEPA**: Thank you, Commissioner.

**ADV MOHLASEDI**: Thank you, Chairperson.

**ADV BALOYI SC**: Colonel, do you, other than this letter at page 22, or this instruction at page 22, was any reason ever provided why this change in the way that you now do the  
20 media work?

**LT-COL THEPA**: Yes, Commissioner, of which it is part of the submissions which I had made in my statement that, you know, one of the reasons was that ...[vernacular] media. So because the City Manager is not happy with media, and probably how we had gone to handle the inquiry forwarded,

of which there was nothing wrong with the way the inquiry was handled. It is standard practice. It is what has been stipulated to say media inquiries would be that. We get a media inquiry, we get a deadline, we respond with truth, transparency, even though it is that difficult, we still respond because a response is better than we never received comment from the EMPD, of which it directly points to me.

**ADV BALOYI SC:** So you were informed that the reason  
10 for this change is because the City Manager was not happy with how you dealt or responded to the Mkhwanazi issue?

**LT-COL THEPA:** How it was termed by Zweli did not make reference to the City Manager, but when he starts saying ...[vernacular], then one must then read between the lines that so clearly the City Manager is not happy. Not happy with what? The content, the language used, maybe even grammar in that aspect. But can I have something specific that would point to what the error is in the response I had furnished? Was it against the law? Yes, it is against the  
20 law. We have the National Road Traffic Act that governs the use of blue lights. Does the letter look authentic? I do not know. Can we have it authenticated in the department? Those are the responses submitted to Mr Wicks. But at what point are they then saying that *Umama* is not happy with media? If the responses, what in the responses was

not she happy with?

**ADV BALOYI SC:** Thank you.

**CHAIRPERSON:** Yesterday we watched a video clip in which people were singing. It was about *Umama* as well.

**ADV BALOYI SC:** Yes, I think they were saying *Umamalo*.

**CHAIRPERSON:** Ja, ja, ja. [Vernacular]... depending on whether it was IsiZulu. I did not quite hear that part. Is or was Doctor Mashazi generally referred to as *Umama*?

**LT-COL THEPA:** Correct, correct. Everybody just referred  
10 to – well, those that I have been in contact with. We are speaking now, at some point I was a commander for the VIP unit. So these are people responsible for the conveyance, for the protection of our principal. So every time we would make reference to the City Manager, it would be, no, they would call *Umama*. To me, she remained the City Manager. She is the accounting officer. And Zweli, also every time he would speak to me about anything that is perceived, envisaged within the communications framework ...[vernacular]. He would then call me *Umchana* and then  
20 refer to the CM as *Umama*.

**CHAIRPERSON:** Thank you, Colonel.

**ADV MOHLASEDI:** Thank you, Chairperson. Colonel, in your exchange with Commissioner Baloyi, you indicated that Mr Dlamini had explained to you that *Umama* was not impressed, *Umama* was not happy by the work of the media

unit. If I can take you to paragraph 73 of your statement? Could you please have regard to the first sentence of paragraph 73 and detail that response to the Commissioner?

**LT-COL THEPA:**

10 “So in that very same conversation, Mr Dlamini advised me to lay low as a spokesperson and limit further media engagements in my capacity as head of media unit. He explained that *Umama*, a reference to the City Manager, was not impressed by media unit and its handling of the Mkhwanazi issue.”

**ADV MOHLASEDI:** And what did you understand by advice to the effect that you must lay low?

20 **LT-COL THEPA:** Advocate, it is amazing you would ask me that because it is the exact question that I had asked Mr Dlamini in saying, *Manje Babu* Dlamini, are you saying I should not do my work? If that is the case, are you then going to move me elsewhere? What must be the story? What must be of the EMPD media? Because I also have a target that I am chasing. We need to get our stories out. Are you then saying I must restrict communication altogether? But I mean, based on this centralised communication, it would seem like it is a function that is

falling off from the EMPD media and PR unit.

**ADV MOHLASEDI**: And what transpired in subsequent to that conversation? You are at paragraph 74.

**LT-COL THEPA**: Okay. It reads:

“At that time, I did not appreciate the closeness between the City Manager and Brigadier Mkhwanazi. In hindsight, I see that he was trying to warn me.”

You know, I really took this for granted. I really took it for granted. Had I had an understanding of what he meant when he said, *Umama* is not impressed. There was a time he made reference to say ...[vernacular] I did not understand what he meant by associations. Clearly, maybe I am perceived to not be within the group of people that needed to be wherever. I have no idea. I said no, man ...[vernacular] I am asking who, Mr Dlamini? I am not understanding what is happening. Is there even an association? I am just here doing my work. You guys have taken me to school. And after getting the qualification which I had, now I need to use it to the full max. But instead, I am now receiving backlashes for doing my work. I do not even know what the expectation is in this instance. Maybe if it is one that digresses from my job description, I would be better placed to then say, no, you are going against this which is what you are appointed for.

**CHAIRPERSON:** Did he ever get to explain what associations he was referring to?

**LT-COL THEPA:** No, no. No, he never explained, Commissioner. To date, I still wonder what are those associations. Maybe roughness from truthfulness. Maybe lies from truth. It could be anything, really. It would just be chasing pavements in this instance.

**ADV MOHLASEDI:** Thank you, Chairperson. Colonel, you are still taking the Commission through subsequent events  
10 to that discussion. You are now at paragraph 75.

**LT-COL THEPA:** So, I returned to the office after the meeting held at the EGST. The EGST is an administration building in Germiston where the Office of the City Manager is, other HODs and the like. So, after getting back to our office in Bedfordview, I then informed the Chief of Police, Chief Mapiyeye, who then is also amazed by this. I further informed Colonel Du Plessis because we happened to work relatively close in the space of, you know, including the matter when IPID came through where I had roped him in.  
20 So, it was only fitting that he takes note of what the recent developments are, of saying, Lebo, lay low, do not do your work as a spokesperson, do not – be scarce. Make yourself scarce. Make yourself scarce. That was the expectation. And I did indeed make myself scarce.

**ADV MOHLASEDI:** Please proceed. You are at paragraph

76.

**LT-COL THEPA:** 76. So, I later became aware of the fact that the City Manager and Brigadier Mkhwanazi have a close bond and that Brigadier Mkhwanazi not only had access to the City Manager, but was protected by the City Manager. How do we go about, Commissioners, to change the entire structure of communication because of a single matter?

I could trace it back, Commissioners, to an event  
10 that happened in the City of Ekurhuleni during lockdown when an Executive Mayor was involved in an accident and seemingly media inquiries came flying in. What was expected there was for the EMPD to sponsor a response because of the vehicle that was in use being a police vehicle.

Now, things have changed, have taken a drastic change, a 180-degree change, where the Executive Mayor, I needed to take interviews and explain processes and procedures pertaining to the accident he was involved in.  
20 Like I had mentioned, there is a spokesperson in the Office of the Executive Mayor and the City of Ekurhuleni, being ...[indistinct], I mean, but I then had to take what would be the challenges that came with the accident involving the Executive Mayor and there was no issues there.

I had a sit-in with Carte Blanche and I was

chastised greatly in what seemed to be the protection of our Principal within the City of Ekurhuleni, I had taken that and never even received any criticism on the same matter. Yet we have a very junior person in the department who had taken to be a blue light blesser allegedly, now having to change that which would be policies in the City of Ekurhuleni. It seriously raised eyebrows for me. It seriously raised eyebrows.

**CHAIRPERSON:** You mentioned just a change within the  
10 EMPD which you attribute to Brigadier, or the protection of Brigadier Mkhwanazi, allegedly.

**LT-COL THEPA:** Correct, allegedly.

**CHAIRPERSON:** And I use allegedly advisedly. That is not the only change. Other change is the process to be followed with regard to discipline was also changed. But during the break, to myself internally, I think I counted about three changes including this one, but now I forget the third one. But the simple point I want to make is that if these allegations are true, one wonders what lay behind all  
20 of this for all of these changes to have been made. And in respect of all of them, Brigadier Mkhwanazi having been at the centre is just amazing. But as I said, I use allegedly and I do so advisedly. Do you wish to comment on that?

**LT-COL THEPA:** Correct, Commissioner, that the changes were only seen and experienced in the City of Ekurhuleni

upon a single media inquiry that it necessitated as other speakers have spoken before me, it necessitated the change in discipline, the change in delegation systems, the change in now what is a PR function for the department. So even forget the PR, the public relations work of the unit. Everything has just been cut and placed at a halt in saying you will not.

So what do not I do? Does it mean communication? Is it only communication? If I start now venturing into  
10 public relations, that in essence in turn is, you know, I could simply say it implies that I should not even engage public relations events in this instance.

**CHAIRPERSON:** You say that in paragraph 76, the last paragraph you read, you say:

“I later became aware of the fact that  
the City Manager and Brigadier  
Mkhwanazi have a close bond.”

That is a conclusion. On what facts do you base it?

**LT-COL THEPA:** Commissioners, as I had said previously  
20 that, how does one receive such protection when it is just allegation? We know what is required by law is for one to be proven guilty beyond a reasonable doubt. But these are just simple allegations levelled to an individual that would be properly investigated and ventilated. There is no need to touch base with people that are not involved or even

linked to this whole debacle.

As a spokesperson, I had received an inquiry and I had done what is expected of me and further furnished responses. What was it then for the City to change a system of communication through the centralisation? It is protection. What was it then for the City to say, no, I am taking away rights or even powers of what would be a divisional head coming to issues of discipline. It is the very same issue.

10 So everything is centralised around Mkhwanazi because of the fact that, you know, an inquiry came into the department that we were never aware of and seemingly it just led to a whole lot of revelations.

**CHAIRPERSON:** So the short point is there is no way that Doctor Mashazi would have done any of this if they were not close.

**LT-COL THEPA:** I suspect that. I know that to be true, Commissioner.

**CHAIRPERSON:** Thank you.

20 **ADV MOHLASEDI:** Thank you, Chairperson. Colonel Thepa, you are still on page 19. Can I ask you to deal with the contents of paragraph 77 and then please also move on to 78?

**LT-COL THEPA:** So:

“In December 2023, Brigadier

Mkhwanazi is then promoted to a Deputy Chief of Police having the rank of Deputy Municipal Commissioner under the Operations and Specialised Services.

**ADV MOHLASEDI:** Please proceed.

**LT-COL THEPA:** So around Feb again in 2024, I received a media inquiry. This was after the department had taken to do a verification of the members as to the criminal  
10 records that were captured. It was discovered that a few of them had criminal records and more inquiries started coming in. I had received a directive, an instruction from the Office of the City Manager in October of 2023 and February the next year, I received further inquiry pertaining to the criminal records of our members.

The long and short of it is here is an HR matter that speaks on what the City intends to do and the HR processes that are involved in what would be processing these people because it is a contractual element that has been  
20 questioned here to say you have Metro Police officers having criminal records and furthermore, what is the City then doing to address the issue that its members who are linked to the policing league have criminal records?

I think this circular or this communiqué would have been proper to then direct and divert this inquiry to the

Office of the City Manager. Commissioners, to my dismay, I was instructed that I will handle the inquiry. How am I now handling an inquiry after being told that this, any form of correspondence, any interviews, anything that is to go out of the department must go out from the Office of the City Manager?

Now I must take interviews on national TV, responding to questions that are HR related when Zweli is there who is better placed to then extract information from this department that would be better placed and suited to respond. But nonetheless, it is an instruction given and as it has been announced, as an officer, you comply and complain later. So I complied with the instruction.

**CHAIRPERSON**: Maybe you said so, but who said you must deal with this one?

**LT-COL THEPA**: The Office of the City Manager.

**CHAIRPERSON**: I want an individual.

**LT-COL THEPA**: Zweli Dlamini. So my line of communication in the Office of the City Manager would be as Zweli Dlamini because of the role and the function which he holds as a specialising in media related matters.

**CHAIRPERSON**: It is all very confusing in the sense that the instruction that everything is going to be done in the City Manager's office still stands and yet there are these – was this verbal, I assume?

**LT-COL THEPA**: This was verbal. This was verbal, Commissioners.

**CHAIRPERSON**: Or oral. And yet on the side there are these oral – I do not even know whether to say instructions or requests. Were you not at the same level?

**LT-COL THEPA**: I would believe ...[intervenes].

**CHAIRPERSON**: This is for purposes of the verb I should use. Should I say request or instruction?

**LT-COL THEPA**: I would say by virtue of the office which  
10 he holds that they are an accounting body. So he, in essence, is more senior.

**CHAIRPERSON**: Okay. So I am saying all of this is quite confusing. The instruction from the City Manager stands and yet orally he gives you these instructions.

**LT-COL THEPA**: Commissioners, I suspect two folds into this matter. I am given an instruction that upon fumbling, then they have a leg to stand on in dealing with me. And the instruction is not even in writing. In the event that I do fumble, they have a communique which has been issued as  
20 a directive in saying we had told you that you will not be issuing media statements either than the Office of the City Manager.

How do you even function in such an institution? It is almost like everything, you wake up in the morning and then somebody feels however they are feeling, they give a

different instruction to what is purported to be the instruction given previously. It is very confusing to try and work in such an environment because, like I said, as a police officer, you comply, unless the instruction is of course unlawful, Commissioners.

**CHAIRPERSON**: I would have thought as a police officer you comply when the instruction comes from another police officer.

**LT-COL THEPA**: Indirectly, Office of the City Manager, 10 they are the head of administration. As police officers under the head of Chief Mapiyeye, we are also administrators. So ours, it is to carry out instructions that have been given and pray and hope that they are not unlawful in any way.

**CHAIRPERSON**: Thank you.

**ADV BALOYI SC**: Colonel, at paragraph 77 you speak to General Mkhwanazi's, not General, Brigadier Mkhwanazi's promotion. And then earlier on you had said at paragraph 37 when you were speaking to, you do not need to go there, 20 when you were speaking to – when you started engaging with IPID when Mr Xulu [?] started engaging with you. at 37 you said that EMP members were aware that there was an ongoing IPID investigation. So, at the time of his promotion in December 2023, do you have a recollection of where the IPID investigation was? Was it still ongoing? Had it been

concluded?

**LT-COL THEPA**: You know, it is very vivid in my head because, Commissioners, even having to collate this information what is documentary placed before you, I needed to maybe just express the fact that I was suspended and recently returned to the office. And as such, I was not able to retrieve anything that would speak to documentary evidence. But vividly, I remember that I had submitted my statement as to whether the conclusion of IPID report was  
10 done, it is very blurry for me. I am sorry I could not answer that with an affirmative.

**ADV BALOYI SC**: Okay, then I hold back my question. Thank you.

**ADV MOHLASEDI**: Thank you, Commissioner. Colonel Thepa, we are still on page 20 of your witness statement. You are on paragraph 79. Can I ask you to deal with that paragraph?

**LT-COL THEPA**: May I go back to 77, please? Maybe just to state in record that it is common cause that when  
20 members of the EMPD grow within the ranks, that it is something to celebrate as a department. It is something to brag about as a department. We have had instances where we have seen two Deputy Chief of Police appointed and we had done a proper media coverage on it. You know, a media release has been sent out in now announcing the two

Deputy Chief of Police, being Commissioner Spies responsible for Auxiliary Support Services, and Commissioner Gcwabe who was responsible for Security and Loss Control.

So we had done a coverage of that story. This one with Deputy Chief Mkhwanazi now, there was never anything of that sort. There was never anything formally done where, you know, part of the event would be media, take us through this and prepare a media statement, announce on the promotion of a senior officer within the department. So due to all this that has been happening, the instruction that contradicts and conflicts itself, I am now caught up to wonder if he is promoted, why did media not cover it?

I mean, as a spokesperson, I would have wanted to brag that yet again, in the City of Ekurhuleni seeing promotion where internal growth is imminent, you know. A whole director has now been promoted to the level of a Deputy Chief of Police, creating an upward, you know. Something to brag about as a department, but it never happened in this instance. So I just needed to place that on record, Commissioners. Thank you.

**CHAIRPERSON:** Of course, in accordance with the instruction from Doctor Mashanzi. Ordinarily now, according to the instruction, this would have had to come

from her office.

**LT-COL THEPA**: Technically. Technically, I would suspect ...[intervenes].

**CHAIRPERSON**: Yes. I am not at all taking anything away from the points you make.

**LT-COL THEPA**: Correct, Commission.

**CHAIRPERSON**: All things being equal, it is your office that should have done this. I accept that. I am just saying, but now it is a fact the instruction from Doctor Mashazi  
10 exists and therefore it lay with them to issue that sort of media statement.

**LT-COL THEPA**: That is correct, Commissioner.

**CHAIRPERSON**: Yes, yes.

**LT-COL THEPA**: And the question is, was such was such ...[intervenes].

**CHAIRPERSON**: Now – yes, yes, yes.

**LT-COL THEPA**: Was such media release ever published in the City? I have never seen one that spoke to that.

**CHAIRPERSON**: Yes, yes. Then the point I want to make  
20 is, would I be speculating in a manner that has no foundation whatsoever if I said, if I were in their position, I too would not have issued that media statement? The reason being, rather than being celebrated that is the promotion, it would have caused people to go back to the Jeff Wicks inquiry and article. They would say, how is such

a person being promoted? So speculating, I would say that is the reason why it was done quietly. Do you wish to comment on that?

**LT-COL THEPA**: You are 100% correct, Commissioner, in that in hindsight it is exactly that. They cannot even announce his promotion to the world, to the nation and say the EMPD has now appointed a Chief when there is still a dark cloud hanging over what is allegations linked to those blue lights. And furthermore, the explanation that had to be  
10 provided in saying, but why then was he considered a candidate if already there is still some unfinished business? But like we said, Commissioner, not even casting any aspersions, I think the Commission is quite competent to handle those elements.

**ADV BALOYI SC**: Was this promotion announced internally to the staff?

**LT-COL THEPA**: I do not remember. Commissioner, normally it is common cause that when appointments are done in the department, media, I would have to avail one of  
20 us as media liaising officers to go do a coverage of that. Did we ever have that? Absolutely not. I too was shocked when – it was in December of 2023, we had a festive season launch in the Thembisa area along the R562, where Commissioner Mkhwanazi came with his ranks and I was taken aback to say, okay, you know, if it does not concern

you, then do not ask questions. Ask no questions and hear no lies. So I just kept it to that.

**ADV BALOYI SC:** Then that reaction that you say you had in December would suggest that internally you did not become aware of this.

**LT-COL THEPA:** I was not aware. I was not aware, Commissioner.

**ADV BALOYI SC:** Yes. Is it fair to say then in all likelihood, there was no announcement internally?

10 **LT-COL THEPA:** There was no announcement, yes.

**ADV BALOYI SC:** Thank you.

**ADV MOHLASEDI:** Thank you, Commissioner. Colonel Thepa, for purposes of this section of your testimony, could I ask you to go to your annexure bundle, the other file? Please open up page 27. Page 27 is annexure K8. It falls under annexure K8, but could you please go to page 27. Are you there?

**LT-COL THEPA:** Yes, ma'am, thank you.

20 **ADV MOHLASEDI:** Then could you please go to your witness statement? We are at paragraph 79. Please speak to that paragraph.

**LT-COL THEPA:** So on paragraph 79, I slowly started to get restricted in my work and, finally, on the 31<sup>st</sup> of July 2024 at about 17:00 hours, an email was – an email is sent by Brigadier Mkhwanazi to the Chief of Police, the HOD

Human Resource, Ms Linda Gxasheka, and has copied the management of the department, stating that the media unit is disbanded with immediate effect, and it is attached as KX8.

**ADV MOHLASEDI**: Thank you, Colonel. Could you please have regard to page 27 itself? I will ask you a few questions based on the document. You say in paragraph 79 that that is an email from Brigadier Mkhwanazi. Could you read – let us start with the email at the bottom of the page.

10 The page reflects two emails, do you see that?

**LT-COL THEPA**: Okay. So the email is from Julius Mkhwanazi with an Ekurhuleni email address.

**ADV MOHLASEDI**: Thank you. Please tell the Commission when the email was sent.

**LT-COL THEPA**: The email was sent on the 31<sup>st</sup> of July at 05:05 on a Wednesday.

**ADV MOHLASEDI**: And the subject matter of the email?

**LT-COL THEPA**: It says the subject being immediate disbandment of media unit.

20 **ADV MOHLASEDI**: Okay. Can you go back to the list of the recipients of the email? Under 2.

**LT-COL THEPA**: So 2, it is directed to Isaac Mapiyeye, who is the Chief of Police, Linda Gxasheka, who is the human resource head of department, Hamilton Ledwaba, who was the divisional head for Licencing then, Revo Spies,

Deputy Chief for Auxiliary and Support Services, Ndumiso Gcwabe being the Deputy Chief for Security and Loss Control, and lastly it is Linda Naicker who is the PA for Doctor Mashazi.

**ADV MOHLASEDI**: Colonel Thepa, were you copied in? Was this communication directed towards you? Are you listed either under 2 or CC on the email?

**LT-COL THEPA**: No, Commissioners.

**ADV MOHLASEDI**: Could I then ask you to look at the  
10 bottom of page?

**CHAIRPERSON**: And sorry, sorry. Those cc'd were some of them at your level or perhaps even below your level? Do not run, ja, just do not go through the list, but just, ja, go through it purely for purposes of looking, ja.

**LT-COL THEPA**: I think it would be difficult for me to say, Commissioners, because there has been appointments that have happened in the City and, at that time, I am not sure who got appointed to what level.

**CHAIRPERSON**: Okay.

20 **LT-COL THEPA**: But looking at it, I think give or take, it would be around after the promotions were done and it would be the middle to upper management of the department.

**CHAIRPERSON**: Okay. I just wanted to get an idea of whether you were deliberately sidelined. Thank you.

Thanks, Ms Mohlasedi.

**ADV MOHLASEDI**: Thank you, Chairperson. Colonel, we are at the bottom of page 27. You have told the Commission what the subject matter of the email is. It is the immediate disbandment of the media unit. Could I ask you to read those two paragraphs at the bottom of page 27?

**LT-COL THEPA**: So it reads:

10                   “Good afternoon. As per yesterday's meeting with the City Manager with regards to the immediate disbandment of the media unit, I have come to a decision that the members will be deployed to different regions under operations and Specialised Service. They will report directly to the Directors as of the 1<sup>st</sup> of August 2024.”

20                   **ADV MOHLASEDI**: And when you turn over the page to page 28 without necessarily disclosing the names of the individuals there, please inform the Commission what the content of that page is.

**LT-COL THEPA**: So, I would suspect that the content is to announce the immediate disbandment of the unit and to further deploy or transfer or even redeploy the members of the media and PR unit.

**ADV MOHLASEDI**: And, Colonel Thepa, the first sentence

on page 28, could you just read that into the record?

**LT-COL THEPA**: It speaks to the deployment is as follows. It lists all the nine members.

**ADV MOHLASEDI**: And is your name included in that list or not?

**LT-COL THEPA**: It is included, Commissioners.

**ADV MOHLASEDI**: And when you speak about all the nine members, is that a specific reference, is that a category? Please explain what you mean by all the nine members.

10 **LT-COL THEPA**: So it is the nine members that had belonged to the Ekurhuleni Metro Police Department's media unit.

**ADV MOHLASEDI**: And what appears at the bottom of the page?

**LT-COL THEPA**: It is a signature which before that it reads:

“Hope you find the above in order.

Kind regards, JD Mkhwanazi, Deputy

Chief of Police, Operations and

20 Specialised Service, Ekurhuleni Metro

Police Department.”

**CHAIRPERSON**: Did anybody ever write to you directly, Colonel, and say that Colonel, now you are being redeployed?

**LT-COL THEPA**: The very same email that was forwarded

to the Chief of Police, he then took liberty to forward to myself and Colonel Du Plessis in his office. Probably for noting, maybe to inform. It could have been anything, Commissioners, but I suspect that this to me was very confusing. As to the author of the email, it is somebody who does not even have power to deploy ...[intervenes].

**CHAIRPERSON**: Before we get to the power, we should do deal with, I think, paragraph 80 of your statement.

**LT-COL THEPA**: My apology.

10 **CHAIRPERSON**: I am just interested in the communication of the decision. I know nothing about HR issues, but I would imagine that if you are being redeployed, someone must write to you directly and say, Colonel Thepa, I am now redeploying you and from now onwards you are going to be stationed at OR Tambo International Airport. I just find that strange, and to say strange, I think it is even an understatement.

**LT-COL THEPA**: It speaks to the management that is within the department, where such emails would be reduced  
20 to writing. You are not even sure whether it is an instruction or is it still on a consultation basis, if it is anything to go by. It is the EMPD.

**CHAIRPERSON**: So you are saying basically to this day you never ever got any communication that was directed to you with regard to the redeployment.

**LT-COL THEPA**: Commissioners, I had on numerous occasions requested for my redeployment to be in writing. I have strings of emails sent to the author of the email, including the Office of the Chief of Police being Chief Mapiyeye, but seemingly nothing was forthcoming. Eventually when a grievance was lodged, it was lodged in the absence of a redeployment letter.

**CHAIRPERSON**: So effectively, the writer of KX8 took the view that this would eventually reach you through other  
10 people, other people who may by their own choice share this with you.

**LT-COL THEPA**: I honestly do not know what the author was thinking in this regard, Commissioner. Since the affected people will be media and PR unit, it was only fitting that even on a level of noting purposes that, you know, would have included me as the commander for the media and PR. But furthermore, I see even the omission on the staff office and the Office of the Chief of Police, who happens to be on the same rank as majority of the  
20 recipients of this email, who was whether deliberate or erroneously excluded, but it is the communique that eventually reached us and shocked us.

**CHAIRPERSON**: Ja, because I would have thought if Brigadier, he was Commissioner by now, right?

**LT-COL THEPA**: Yes, he was a Commissioner at this

point.

**CHAIRPERSON:** If Commissioner Mkhwanazi thought he had the power to write this, he should have written somewhere in it something to the effect that those in authority over the affected employees or officers must bring this to the attention of those officers. Something like that would have made sense at least. Let us leave aside the justification for writing it at all.

**LT-COL THEPA:** True, true, Commissioner. Like I said, as  
10 a spokesperson, you speak on behalf of the Head of Department. Is it the Head of Department in this instance that has brought this to my attention? Yes. Has the Head of Department then said anything around him in saying he endorses, he refutes, he approves? No. So it was, whether for noting purposes, I take it and that I am not just surprised and shocked the next day I am called in to say you go report at OR Tambo. Maybe it was the purpose and it is a very challenging one, Commissioner.

**CHAIRPERSON:** And what did Chief Mapiyeye say when  
20 he shared this with you?

**LT-COL THEPA:** I was shocked. I was shocked. I asked the staff officers to say, and now what is happening? But furthermore, Commissioners, I had seen where there was a meeting that had taken place, where in attendance the City Manager was there. Knowing how things are operated,

nothing will be approved or done without that which would be the instruction or even the approval of the City Manager.

So it reads that:

“As per yesterday's meeting with the City Manager with regards to the immediate disbandment of the media unit.”

So meaning the agenda point there was disbandment of the media unit. As to reasons behind given for the  
10 disbandment, it is unknown to me. Like I said, at no given point were we critiqued on the work that we had done. At no given point were we challenged or even had issues with the work that was done by the media team within the EMPD. So from this, where the City Manager had endorsed or approved or even instructed for the disbandment, I think that is when I knew that, look Lebo, you have bitten more than what you could chew.

**CHAIRPERSON:** We have come to know at this Commission that the words immediate and disbandment go  
20 together.

**LT-COL THEPA:** It is synonymous, Commissioner.

**CHAIRPERSON:** Yes, Ms Mohlasedi.

**ADV BALOYI SC:** Let me just ask this. In that first line in that email, it says:

“As per yesterday's meeting with the

City Manager with regards to the immediate disbandment of the media unit.”

Did Chief Mapiyeye, and if not him, through your own information, ever come to say to you or inform you rather, that that meeting, whatever meeting he is referring to, discussed the disbandment of the media unit, whether there was such a discussion as a matter of fact?

**LT-COL THEPA:** You know, I cannot remember because  
10 during this period, we were also having what would be awareness notifications sent to members of the public where they would have their vehicles impounded, to say that this is a call being made to the owners of these movable properties to come and claim. So, it was a busy week where we had invited media houses and furthermore, preparing for the bid with our pound section for that aspect of – but as to whether I was – I cannot remember. I cannot remember and maybe I would not have received it as a shock. Maybe I gained reasons for not telling me as I do  
20 not even know the content. I could just speculate, Commissioners, my apologies.

**ADV BALOYI SC:** So as you sit now, you do not know whether as a matter of fact a meeting with a City Manager held on the 30<sup>th</sup> of July discussed the disbandment of the media unit. You do not know that as a matter of fact.

**LT-COL THEPA:** I do not know if there was ever a meeting invite sent out and with the agenda points that would speak to maybe media or disbandment thereof to the Office of the Chief because that diary would be arranged by his personal assistant. I would not know, Commissioner.

**ADV BALOYI SC:** Thank you.

**ADV MOHLASEDI:** Thank you, Commissioner. Colonel, we are still on page 27.

**ADV KHUMALO SC:** Are you leaving the communication?

10 **ADV MOHLASEDI:** Please ask your question, Commissioner.

**ADV KHUMALO SC:** In the annexures, the Colonel's response to the email is there, so I was wondering if you are going to deal with it.

**ADV MOHLASEDI:** May I allow you to ask the question, Commissioner? I am not sure I...

**ADV KHUMALO SC:** Colonel, you were asked how the email reached you, and you said it was forwarded to you by Chief Mapiyeye. So, on page 27, I see that there is an  
20 email the following day on Thursday, 1 August 2024, where Isaac Mapiyeye forwards the same email to you. Was that the email you are referring to?

**LT-COL THEPA:** That is correct, Commissioner.

**ADV KHUMALO SC:** Yes, and then if you go to page 24, it is now the same day, 1 August 2024, at around 14:41. I am

assuming that that is then your response to the email you have just received from Chief Mapiyeye.

**LT-COL THEPA**: No, Commissioner.

**ADV KHUMALO SC**: Page 24?

**LT-COL THEPA**: Page 24. No, Commissioner. So, what this is, is I had received further media inquiries. So, on the file there is a page 26 where the Caxton group – Caxton, it is a local media group that we have in Ekurhuleni. They had forwarded this communique to me, and, you know, I am  
10 in no position, no liberty to respond to it due to the disbandment of the unit.

I then forwarded to the office of, I think by then it was the Acting Chief who was Commissioner Mkhwanazi. I had forwarded to his office, who then said I must forward it to Zweli. So, I am being redeployed to do operational work at the OR Tambo. I must further do administrative work for media and PR. So, it was just confusing for me, and that is when I had said, with all due respect, exactly where am I working and what is my work precisely.

20 **ADV KHUMALO SC**: So, then what is that email on page 24, bottom of the page, at 14:41?

**LT-COL THEPA**: So, it says 1<sup>st</sup> of August. Okay, so it was after the inquiry came in. I write to the management. It says:

“It has come to my attention that I keep

receiving communique, even internally, for media-related purposes. From the meeting held today, chaired by Deputy Chief of Police Mkhwanazi, it was established that the unit was banned two days ago, and no engagements were made with various stakeholders. So, although the redeployment is done, and received with great protest, I am  
10 humbly requesting for it to be in writing. I wish to exercise my discretion over it. Can the City please issue or notify various media houses of my redeployment, that I know the then media team engages with them? I will be comfortable knowing that my request is receiving your utmost attention. Regards, KT.”

So, it was in response to having been disbanded, and  
20 having received further media inquiries, and having an expectation to say every time a media inquiry is forwarded to you, then directed to the Office of the City Manager. Can we have a system then where the institution, the department, powers that be, inform our stakeholders, the media that is, in saying that, no, this person is no longer, or

that we do not have a media team anymore, and as such, all correspondence will go to the Office of the City Manager. That is the gist of it, Commissioner.

**ADV KHUMALO SC:** And the people you copied on this email, did they include the now Deputy Chief Mkhwanazi?

**LT-COL THEPA:** Correct. Correct, Commissioner. I am not finding it here. But it would have, because in essence, it is a request being put to him, and it would be, again, to the Chief of Police, to the Deputy Chief of Police, and also  
10 the communications department under the, or in the Office of the City Manager, Mr Zweli Dlamini saying, can we have this rectified, please, or else I am going to be expected to do operational work, only that there is still a great expectation with media work from me.

**ADV KHUMALO SC:** [Indistinct]... barred. His email says the EMPD's media unit is disbarred.

**LT-COL THEPA:** Yes, it does say so, Commissioner. From the Caxton Group, where the questions are as follows to say:

20                   “May the City kindly confirm on whether or not the EMPD's media unit has been disbarred, and the reason why this is the case? And furthermore, what specific action led to the media unit disbarment? As we have been

informed that it was involuntary, how long will the disbarment last, and will this disbarment not impact the local media and its operations? What impact will the disbarment have on the media unit's operation and employees?"

I think Caxton was correct in taking interest as one of our local media house that we have there. In essence, it covers the three regions of Ekurhuleni. You would have your  
10 Kempton Express, your Thembisa, and belonging to the Caxton group. You have your Brakpan Herald belonging to the Caxton group, and furthermore, the Alberton Records in the southern region, and the Germiston News in the southern region also belonging to the Caxton group.

So I think theirs was quite important in asking what about us, because here is this section division unit that we relied on, and knowing that whatever it is we needed would refer to them. At times, they even refer things that are not related to EMPD, and we just divert them to the relevant  
20 departments as such.

**ADV MOHLASEDI**: Thank you, Commissioner.

**CHAIRPERSON**: Ms Mohlasedi, I see that it is getting close to 1 o'clock and we are still to start with another witness, as I understand. I hope you will not fight with me if I suggest that perhaps we should request the Colonel to

simply read what remains of her statement, and I hope my colleagues will not ask their copious questions. I will try to keep mum. Are you fine with that? No, I am kidding, Commissioner. This is an inquiry. This is an investigation. If we must ask questions, we must.

**ADV MOHLASEDI**: Chairperson, I would not have an objection with that proposal.

**CHAIRPERSON**: Yes.

**ADV MOHLASEDI**: It would come with one request, of course, which is that the line of witnesses who have come to the Commission are usually given an opportunity at the end, usually to discuss under the impact of their lives.

**CHAIRPERSON**: Yes, yes.

**ADV MOHLASEDI**: Yes. Colonel Thepa did not have an opportunity to do that in her witness statement.

**CHAIRPERSON**: Yes.

**ADV MOHLASEDI**: So if she would be provided ...[intervenes].

**CHAIRPERSON**: No, by all means.

20 **ADV MOHLASEDI**: Otherwise ...[intervenes].

**CHAIRPERSON**: By all means, yes.

**ADV MOHLASEDI**: Yes.

**CHAIRPERSON**: And by that, I do not mean if, for example, you want to substantiate on an issue. Please feel free to do so.

**ADV MOHLASEDI**: Thank you, Commissioner.

**CHAIRPERSON**: Thank you, thank you. Will you direct the witness to the relevant ...[intervenes].

**ADV MOHLASEDI**: We will. Thank you, Chairperson.

**CHAIRPERSON**: Thank you.

**ADV MOHLASEDI**: Colonel, we are on page 20 of your witness statement. You were at paragraph 80. And following on from the direction from the Chairperson, please read.

10 **LT-COL THEPA**: So the email is then sent to myself and Colonel Du Plessis, who is the staff officer, shocked, of course, shocked as to the content, what has happened now, what have we done. Well, I think looking at the content thereof and the author, I had then understood to say, but no, wait, who is redeploying me in this instant? Because he further says in the email that I had taken a decision to please these people in this fashion.

20 So is he now taking over the competency of what would be that restricted for the Chief of Police? Or is he now then saying that by powers vested in him through the Office of the City Manager, he is now taken a decision to do that? And why is he even the one to be announcing to the entire management of the department when the Chief of Police hasn't even had his input or even disseminated such information to us, the affected parties?

And maybe he would have wanted to take in a process of consulting us and just explaining the process and furthermore deploying us, as it is rightfully his competency to do and prerogative.

**CHAIRPERSON:** Can you then read your statement from paragraph 80 all the way to the end?

**LT-COL THEPA:** Yes.

**CHAIRPERSON:** And after you are done, can you then state the impact of all of this on you?

10 **LT-COL THEPA:**

“So firstly, I did not accept that Brigadier Mkhwanazi had the power to disband the media unit. Secondly, he did not have the power to redeploy us as EMP officers. That is a power and competency exercised by the Chief of Police as the head of department. But from reading the email, it was clear that this took place with the approval of the City Manager. I decided to put up a fight against the decision. I attended a meeting in Germiston on the 2<sup>nd</sup> of August 2024. I relayed my questions to him and wanted to understand the basis for disbanding the media unit.

20

No direct or sufficient answer was provided to me. In order to protect myself, I requested that my redeployment be placed in writing. It was at that stage clear to me that a proper process was not followed for the disbandment and the purported deployment. I demanded to be provided with a letter confirming my deployment in writing. I resolved to institute a grievance against the decision makers and a written document would assist with this. Brigadier Mkhwanazi, Commissioner now, had committed and said that he would prepare the redeployment letter for me. After I left his office at the end of the meeting, Brigadier Mkhwanazi said to me that I must not challenge the City Manager. I explained that I was not challenging the City Manager, but I am challenging the procedure adopted. Brigadier Mkhwanazi never sent me a redeployment letter. To date, even seated here, I have not

received a redeployment letter. I then lodged a grievance and that just took the route of labour matters. In early August 2024, I accepted my fate and moved to the airport and complied with the instructions being given. Whilst there, again in August, I learned that Chief Mapiyeye is now suspended.”

Of course, I am no longer in the media space, but yet, you  
10 know, it is what it is:

“Over the course of time, I became settled in my new role. However, I subsequently discovered that the EMPD media unit was never disbanded. My team of eight liaison officers had been deployed to various places and they continued to be doing media work. At this point, I realised that the plan was just to move me out of the media  
20 unit.”

And this, of course, Commissioners, it is where I am appointed. I am the appointed spokesperson with an appointment letter. And having to be the responsible person moved out, and when people who are seconded in that are being kept to run the work, it enunciates on the

level of competency within the City, and my apology for that, but it just spoke volumes to show the type of management systems that are in there.

Dictatorship would best describe it because, you know, when given an instruction, you cannot even question, how do I not challenge a process, the fairness of being moved out of an appointed position? I was not seconded there. If maybe it was issues of capacity, let us start with the seconded group and then let us look at that which would  
10 be your contract of employment. But that was never the case, Commissioners.

On paragraph 89, ja, it just took a turn of notifying my union and, you know, instituting grievance procedures, and furthermore, what would be expected to be an outcome. I remember that my issue was such a hot potato, it could never be handled. And as a last stage of handling internally, because on a grievance procedure, you start with the immediate supervisor and then it moves on to the head of department. If it is not resolved, then it becomes the  
20 responsibility of the City Manager.

When it got to the level of the City Manager, it was referred to Advocate Behari, who is the head of Department for Legal and Corporate Services. Despite factual evidence provided to him, we are talking appointment letter, the work being done, the fact that the unit is not even disbanded,

that they are still continuing doing media work, he simply told me he will not rule in my favour and I must seek relief elsewhere and find alternative means of challenging the system.

**ADV BALOYI SC**: Colonel, your immediate supervisor, now you are redeployed.

**LT-COL THEPA**: Correct. To this OR Tambo precinct commander.

**LT-COL THEPA**: Correct.

10 **ADV BALOYI SC**: Your immediate supervisor is who?

**LT-COL THEPA**: The immediate supervisor is a Colonel Malefofani [?], who then makes the ruling that he does not have a mandate in this matter. The instructions given were given from above and he cannot then make a ruling on the same. So that is when it escalated to the head of department, who is now is the person in question and then because it is never handled, it escalated to the Office of the City Manager as a third step.

**ADV BALOYI SC**: Thank you.

20 **ADV MOHLASEDI**: Chairperson, if I may, it is 1 o'clock.

**CHAIRPERSON**: Let us carry on to the end, please.

**ADV MOHLASEDI**: Please proceed, Colonel.

**LT-COL THEPA**: So again...

**CHAIRPERSON**: I think that takes you to 92. I think you have summarised.

**LT-COL THEPA:** Yes.

**CHAIRPERSON:** Yes. After Advocate Behari's decision that you must seek relief in another way.

**LT-COL THEPA:** Correct.

**CHAIRPERSON:** Then that takes you to 92.

**LT-COL THEPA:** So my union proceeded to lodge a case in the Bargaining Council. So we are still just running with those processes as we speak.

**ADV BALOYI SC:** Now, when you were appointed head of  
10 media, and I think your testimony just a short while ago is that you had a letter of appointment.

**LT-COL THEPA:** Correct.

**ADV BALOYI SC:** And what is the substantive change in your functions now that you are commander of a precinct? What are the differences between the two jobs?

**LT-COL THEPA:** You know, Commissioner, there is also a certain title attached to being the spokesperson of a department. I mean, we are well known by our media counterparts. This is an element of, you know, demotion in  
20 its nature. We are now speaking and not even having rather announced the reasons behind it. We are being demoted to now attend to operational league. Had I wanted to be operational, I would have applied for an operational and Specialised Services post. But now my speciality was that which is media, communications, drafting of things,

and, and, and, which by then, in contrast to the operational league.

And the terms of the conditions of working, you know, the fact that as a media somebody, you get to attend public relations event. Being placed at the airport, you are bound in the office to do operational work. A simple, very silly example I would give is, Fridays you are not even in uniform in the media space. At the airport, 24/7, in uniform and such. So it was again a demotion of its nature.

10 And furthermore, it just left that, which is scrutiny by media in saying, what has happened and where is she? She was introduced to us officially with the media publication and a whole media coverage. But now that she is absent, nothing and nobody is saying anything. So it just leaves room to wonder and say.

**ADV BALOYI SC:** So the content of your job was changed.

**LT-COL THEPA:** It was extensively changed.

**ADV BALOYI SC:** It was a completely different job.

**LT-COL THEPA:** Correct.

20 **ADV BALOYI SC:** And this was done without consultation or your agreement.

**LT-COL THEPA:** Correct.

**ADV BALOYI SC:** And without any document that tells you that now you have a different job.

**LT-COL THEPA:** Correct. I still do not have a job

description for a commander of the OR Tambo International Airport. It is just based on the experience of growing within the ranks that I know what is expected operationally.

**ADV BALOYI SC:** Thank you.

**ADV MOHLASEDI:** Thank you, Commissioner. Colonel Thepa, before we pick up on paragraph 93, could I ask you to have regard to paragraph 88 on page 21? Just to ensure that we cover this aspect, could you please read 88 into the record?

10 **LT-COL THEPA:**

“So over the course of time, I became settled in my new role. However, I subsequently discovered that the EMPD media unit was never disbanded. My team of eight liaison officers had been deployed to various places. They continued to be doing media relations. At that point, I realised that the plan was to move me out of the media unit.”

20 **ADV MOHLASEDI:** Thank you, Colonel. Can I then ask you to turn to page 23 and then please detail that experience to the Commission as it begins at paragraph 93?

**LT-COL THEPA:** So I am now at the Operations and Specialised Services. I am commanding the airport. There is a shift system now that has been introduced in saying

that night shift duties I would also need to cover. So I would also need to take that responsibility under Ops of being a night shift commander.

Night shift commander, to me, in the experience of my work, has always been that you are out operational with the members. Should anything happen to the members and you are the commander, you are better placed to account and respond to anything that is to come. I am having the last night on a Thursday, the Friday being that when I knock  
10 off Friday, then I am done with my night shift.

**CHAIRPERSON**: For the record, perhaps, let us indicate that this section of your statement is headed second violent attack.

**LT-COL THEPA**: Yes, Commissioner.

**CHAIRPERSON**: Please continue.

**LT-COL THEPA**: So I am getting ready to go to the 10 o'clock, 22:00 shift and get ready. Then a friend came over to see me after she knocked off work. On my way out, I am like, no, I need to pump the tyres. We will just do that  
20 exercise. I stop outside her house. While stopping there, two gentlemen then approaches the vehicle at gunpoint again. Get us in the vehicle, direct me to drive, make me drive around Thembisa and eventually get us to this secluded place.

I think what pains me the most is that which is

always having to make reference to work. This time the modus operandi was that, you know, I am a problem at work and they had made the threat of saying they want to burn me in the car. How do they then want to burn me in the car? This gentleman makes a call to somebody and they start speaking in Zulu. Describe me, the height, the vehicle that I operate, of which it does belong to Council. It was a white Ford Ranger.

Ask this person on the other end of the line and  
10 they confirm that ja ...[vernacular]. I am being made to park under an electricity tower and, you know, it is just one thing after another. These instances I remember I had requested to go pee because I needed to get rid of the phone which I had in my position. As I moved away to go pee, I see that these people are watching me like a hawk and I was not even able to throw it out or anything of that sort.

Coming back to the car as I am being chaperoned in, I then throw it under the seat, the vehicle, that at least it is no longer in position. It found, I do not know. Then they  
20 ask me for docket. I am asking what docket? Honestly, I thought they had confused me with somebody in the South African Police Services. I tell them I do not work with docket. [Vernacular]... docket. They open the cabbie hole, they check behind the seat pockets at the back.

And hey, Commissioners, you know when you are

dedicated to your work and you keep on receiving lash, you are chastised for the work that you do. And then it could only just raise a question as to say, what is the expectation then? I had signed a contract of employment. You had identified me. I did not promote myself. I did not make myself to be the spokesperson. I did not even request for these inquiries to come my way.

But why now? Why now? And at what expense? I have a daughter that I need to raise. Am I then saying that  
10 I must die in the line of duty for them to come and celebrate and put my coffin at the top of a fire engine and say she was a hero? It could never be that.

After the second attack, I knew that things are really personal. I do not even have a leg to stand on. I do not have anybody to go to. I am being manhandled in the department for reasons that are foreign to me. I would say this, Commissioners, because again on the 19<sup>th</sup> of March this year, members of the EMPD, they had taken to protest over salary adjustments. This is known because it had  
20 media traction.

The procedure and process that was adopted in dealing with the matter itself was that anybody who was identified to be part of the strike will then receive a dismissal notice. Commissioners, I am seated here today further saying I was never part of the strike. But needless

to just mention that I am one who had received a pre-dismissal notice for a strike that I never even participated in.

Whatever that I had done to the EMPD management, I think this is the time for me to say it was never done deliberately. It was just an execution of my duties that they needed to know and understand that I too am human. They cannot just keep sending random people to come and deal with me for the work that I do. And if at  
10 any given point I am no longer sufficient in carrying out the functions, they must just find a replacement and I will find my way out.

**ADV MOHLASEDI**: Thank you, Colonel.

**CHAIRPERSON**: I do not think you told the full narrative with regard to this second attack. For example, you mentioned that you threw your phone under the vehicle. Part of the narrative says the phone rang or something and so on. If you could take us to the end of the narrative.

**LT-COL THEPA**: I think, Commissioners, I am just  
20 ...[intervenes].

**CHAIRPERSON**: You do not? No, no, no.

**LT-COL THEPA**: Ja, I think because you have a record there.

**CHAIRPERSON**: No, no, no, I understand that. I am sorry. I am sorry. I had not realised. I had not realised.

**ADV BALOYI SC:** Yes. You say you do not know what happened to this Rabasutu case, so this matter was reported.

**LT-COL THEPA:** The matter was reported and a case number was given as it reflects on the statement. So, ja.

**ADV BALOYI SC:** And you do say in that section that you were assisted or rescued by members of the EMPD and the SAPS. They arrived at the scene.

**LT-COL THEPA:** Correct, they did arrive at the scene and  
10 when Commissioner – sorry, Commissioners. When Colonel Nhlapo, Colonel Nhlapo is a Deputy Director within the EMPD. He is the one that had come to the scene and the state that he had seen me in and I was not having any of it. I told him right there and there to say, you know, I am tired of your department. If this is the treatment that I must get from the department that I worked so tirelessly for, then it is not worth it. But I will not be subjected to any form of punishment for doing the work that I did.

**ADV BALOYI SC:** And you are certain that these people,  
20 they knew you. They knew that you are an employee of the EMPD. Were you in uniform?

**LT-COL THEPA:** On the top part it was the uniform with the boots and whatnot. So when they had looked for docket, that is when it became confusing to me as to say but no way, I do not deal with docket. I am not SAPS.

You are probably mistaking me for somebody within the South African Police Services, but I am not that person.

**ADV BALOYI SC:** All right. Maybe then to move on, you also mentioned the EMPD strike. You say you got a pre-dismissal notice. Did anything come out of that? Was there a further step, or it is just left hanging?

**LT-COL THEPA:** You know, Commissioners, it was approached in a very generic way because now we are employed by the human resource of the department. From  
10 the employment itself, you sign a contract or enter into a contract with the City by virtue of representation of HOD HR. Issues of discipline now come and seemingly things have changed.

They are urging me to be at a strike that I was never part of and the letter of pre-dismissal inquiry is signed by ...[indistinct] Mkhwanazi. I had requested countless of times to say, you know, I am operating a council vehicle. It has trackers. Please provide me with data that had placed me at the scene or even a photo of me  
20 being there. The video footages that you had told medias that you had collected in identifying people on strike, none of that was forthcoming, Commissioners, because they do not even exist. They are not in existence.

**ADV BALOYI SC:** So what is the status now of that pre-dismissal notice? Nothing? Has it been set aside or you

still expect, you think something might still happen in the light of that?

**LT-COL THEPA**: I am having labour matter after another labour matter.

**ADV BALOYI SC**: I see.

**LT-COL THEPA**: It is now the unfair suspension that I was placed. There is the moving from position I was appointed to. There is a post I had applied for involving a director of administration that I had submitted and I was shortlisted.

10 So with the outcome and the discovery that we do not need requirements, I then object to that. Already I am being targeted for doing what is procedures of the City.

**ADV BALOYI SC**: Lastly from me, when you started earlier in your evidence, you said you had been on suspension and you are now back at work. Did I hear you correctly?

**LT-COL THEPA**: That is correct, Commissioners.

**ADV BALOYI SC**: And this is back at work to the commander, precinct commander position?

20 **LT-COL THEPA**: I am still reporting in the Office of the Chief of Police for now. That would be along – I am reporting to Colonel Du Plessis for the process and procedures of the Commission that I was kept in his wing for purposes of consultation, for purposes of being in attendance of such a Commission and that it avoids having to report to different structures that know ...[vernacular]

know this and that.

**ADV BALOYI SC:** But you are back at work.

**LT-COL THEPA:** Yes.

**ADV BALOYI SC:** All right. Thank you. Thank you, Colonel.

**CHAIRPERSON:** Yes, Madlala and Madlanga sound quite similar. It is Madlanga.

**LT-COL THEPA:** My apology, Commissioner.

**CHAIRPERSON:** Thank you. Although this relates to the  
10 attack, I hope you will be relatively comfortable to respond  
to it. You also mentioned that your attackers demanded  
money from you. You reached out to a friend and the friend  
sent R3000. Is that correct?

**LT-COL THEPA:** That is correct, Commissioner.

**CHAIRPERSON:** Yes. I just wanted that to be on record  
as well. Thank you.

**ADV MOHLASEDI:** Thank you.

**ADV KHUMALO SC:** Sorry, Adv Mohlasedi. I want to take  
you back to paragraph 5 of your statement. So your ordeal  
20 started with the blue lights. And I see in your paragraph 5  
statement, you say at one point you were the commander of  
the VIP unit responsible for protection of the City Manager.  
So I have two questions about that. For the protection of  
the City Manager, did the City of Ekurhuleni use private  
security companies? That is question one. If the answer is

yes, did those private security companies use blue lights during your time in that position?

**LT-COL THEPA**: Thank you, Commissioners. During my time as the commander for the VIP unit, members of the Ekurhuleni Metro Police Department officers were responsible for the protection of all our principal. We are talking the City Manager, where I happen to be one of the BGs or bodyguards in that term. And the Executive Mayor, member of the EMPD. At no given point did we have  
10 security personnel responsible for the conveyance nor the protection of any of our city officials including the principal when I was commander there. And I think the next question cannot be answered because we never had a situation where security companies were.

**ADV KHUMALO SC**: Thank you.

**ADV MOHLASEDI**: Thank you, Commissioner.

**CHAIRPERSON**: Does that take us to the impact or...

**ADV MOHLASEDI**: Could I ask the witness just one more question and then I will give her an opportunity to...

20 **CHAIRPERSON**: Thank you.

**ADV MOHLASEDI**: Okay. Colonel, on page 26, paragraph 108, you ...[intervenes].

**LT-COL THEPA**: 100 and?

**ADV MOHLASEDI**: Paragraph 108 of your witness statement, 108.

**LT-COL THEPA:** Yes, yes.

**ADV MOHLASEDI:** You deal there with your issuance of a pre-dismissal notice. Please tell the Commission were you the only officer who received one or was it a number of you?

**LT-COL THEPA:** You know, Commissioners, things that are happening in the City of Ekurhuleni, you would only imagine them not to be happening in South Africa. Means of identifying people that were on strike, they had reported  
10 and said to the media that they had used tracking devices, photos of people identified, the video footages, and I think there was even a time when they had made reference to a drone that they had made use of.

Commissioners, on this platform, members of the EMPD who embarked on a strike, most of those that had received pre-dismissal inquiries, they were not on strike. Some were off duty, some were not even in the province. I remember there is a case where this person was in hospital yet was listed as a person who had participated in the  
20 strike. And to even show the wrongfulness of this conduct, how is HOD HR distancing herself from signing pre-dismissal inquiries and allowing an Acting Chief of Police to be signing those pre-dismissal inquiries, and who then delegates the responsibility to supervisors?

Because there would be legal issues that are raised

in that aspect, and who then is to answer other than that who has deposited a signature on the document? It seems like everybody is just moving away from what would be comebacks of this whole thing, and they go out and pronounce unreasonable and things that have never happened, to say this is how we have, and now we have taken a decision.

And we are again filled by organised labourers, because you make a mention of such things and you inform  
10 them, but I was not even at the strike, or I was not even around, I was out of the province, I was sick with a sick note and having been admitted in hospital. How am I then placed to that? Irrespective of what the representation submitted was, mine was simple.

I am accused of while in uniform, operating a Council vehicle, carrying a firearm, have blocked the R21, N12, N17, M2. It is an impossibility. How am I in all these areas at once, for one? Secondly, they said in uniform. I have not been in uniform since they had taken my work  
20 boots from the incident I had in October of the previous year. Carrying a firearm, I do not carry a firearm if I am not in uniform because it would mean I would have to conceal it.

Why would I need to conceal a firearm in execution of my duties? Because I am not in uniform, I do not carry

the firearm. So just based on that alone, and all these other submissions that have been given by members, when it was decided through the political administration of the City that we would much rather take a decision with issuing final written warning and written warnings, I was the one who had received a final written warning in that aspect.

Final written warning with the intent that something will be created and that would be a better way of getting rid of me. Commissioners, I am in awe of the things that are  
10 happening in the department. I am in great awe. And this has been a platform for the world to know and understand the criminality that goes into an institution of that nature and what people must be subjected to, and how the animal farm then would dictate that all animals are equal, but some are more equal than others.

That used to be the favourite saying of the City Manager. She would say it laughing. I never understood then, but I know now. And I know better. I had fallen victim to them a few times. I do not even know what my fate is,  
20 moving away from this, but I will take it as it comes. There is no way.

**ADV MOHLASEDI:** Thank you. Thank you, Colonel. Colonel, for completion, I must ask in paragraph 109 of your witness statement. 109.

**LT-COL THEPA:** So, in April of before everything went

down, because I think we were served with suspension letters in May or so, I directed an email to the Acting City Manager then and said that I am requesting for an intervention as I had failed dismally in the department to find joy. Despite their policies that look proper on paper, yet the executors, or perhaps the legislators, were not even abiding by the very same Council policies.

**ADV MOHLASEDI:** And did you ever receive a response to that email?

10 **LT-COL THEPA:** Not in writing, no. What had happened is he had called me to his office. He sat with me and said, you know, I hear you, and because I know you to have been linked to the Chief of Police, Chief Mapiyeye, you had worked in the media space, so we know you. We know you in the City of Ekurhuleni. We do know who you are. And it is painful to learn and hear what you are subjected to. The email was very comprehensive, Commissioners. It included things like where my salary would be cut, the overtime will not be paid, various internal processes that they did to wind  
20 and make me suffer.

I think it was before another matter transpired. So in the nutshell, it was just explaining that which would be the kind of work environment that we find ourselves, and all because of one fateful day, a media inquiry happened to come to me as the spokesperson. And upon responding,

has really taken a different turn for me.

**ADV MOHLASEDI**: Thank you, Chairperson. I have no further questions for the witness, but unless there is further questions from the Chair and the Commissioners, this might be an – my apologies, Chair. This might be an opportunity for her to speak on the personal income, the personal impact.

**CHAIRPERSON**: Ms Thepa, if you still have more on impact, because I think you have touched on it here and  
10 there, but if you still have anything else to say...

**LT-COL THEPA**: Commissioners, what I need to be understood is that criminality within our space as law enforcement, what do you make of having to fight crime beside criminals themselves? How am I expected to go out onto the battlefield against a criminal, with a criminal only that resourced in full uniform, and having all these powers that they could do what they do?

It seems like we are a doomed nation as South Africans because it does not speak, it does not address, it  
20 does not even defend the victim. In this instant, myself, I have no defence. I have to find means of fending for myself, my family who is also exposed to all these dangers, the frustration that comes with financial challenges, the fact that, you know, twice already, I was almost admitted in an institution.

I had a referral to go to Akeso. I had refused blatantly and said I needed to be sound and sober. I had another referral to go to Glen Vista, I believe, the hospital. Commissioners, it is extremely difficult to work under the conditions that we do in the EMPD, by virtue of criminality, that there is a great expectation and powers vested in us to fight the very same crime. With my case in that aspect, what more when the criminal know who you are? Above all, they know my face and forever be a target in that element.

10 I thank you for the opportunity.

**CHAIRPERSON**: Thank you very much, Ms Thepa. Let us adjourn and resume at 14:15. Let us adjourn.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON**: Yes, miss.

**ADV SELLO SC**: Thank you, Chair. Thank you, Commissioners. We continue with the EMPD stream, and we are ready to present our next witness. Commissioners, the witness we are about to present, whose statement  
20 serves before you and you have had opportunity to consider, intends to testify on a matter, a specific matter, that Commissioner Revo Spies highlighted in the table under his paragraph 33, when he dealt with the matters outstanding with IPID involving members of the EMPD.

This witness we will be presenting today will be

speaking to one of those matters. Commissioners, we submit, as you can tell from the nature of the testimony set out in his statement, that this is very sensitive information. And we have considered, and he would prefer as well, that his image not be published, his name as well not be published. And under the circumstances we apply to the Commission to permit him to testify by way of partial *in camera*, meaning he shall testify remotely into the room.

10 His name will not be mentioned, nor any other detail that could identify him, and he will not be present in the room. If that is acceptable to the Commissioners based on the nature of his evidence, we hereby apply that the evidence of this witness ...[incomplete]. Thank you Chair, in the circumstances based on the nature and sensitivity of the evidence he is about to adduce, we apply that his evidence be heard by way of partial *in camera* format in the manner that I have described. Thank you Chair.

**CHAIRPERSON:** Perhaps for the record, because you have referred to the fact that we have seen and read the  
20 statement, I should just mention that those viewing remotely and those present here will soon realise what the nature of the evidence is. It is ordered as requested by Ms Sello.

**ADV SELLO SC:** We are indebted, Chair. The Chair will recall that this is the same format we adopted for Witnesses A, B and C. And on that basis, would it be appropriate to

term this particular witness, Witness D?

**INQUIRY ADJOURNS TO 17 NOVEMBER 2025**

-----