



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

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**JUDICIAL COMMISSION OF INQUIRY INTO CRIMINALITY, POLITICAL
INTERFERENCE AND CORRUPTION IN THE CRIMINAL JUSTICE SYSTEM
ARISING FROM THE SPECIFIC ALLEGATIONS MADE PUBLIC BY
LIEUTENANT GENERAL NHLANHLA MKHWANAZI ON 6 JULY 2025**

AFFIDAVIT

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I, the undersigned,

SEHLAHLE FANNIE MASEMOLA

do hereby make oath and say:

- 1 I am an adult male and the National Commissioner of SAPS and hold the rank of General with my offices at 7th Floor, Wachthuis Building, 231 Pretorius Street, Pretoria, Gauteng.
- 2 I depose to this statement for purposes of testifying at the Commission of Inquiry into Criminality, Political Interference and Corruption in the Criminal Justice System, known as the Madlanga Commission of Inquiry.
- 3 This statement consists of ten parts.
 - 3.1 First, I deal with nomenclatures.
 - 3.2 Second, I deal with my participation/testifying in the Commission.
 - 3.3 Third, I deal with background history.
 - 3.4 Fourth, I deal with SAPS and the criminal justice system.
 - 3.5 Fifth, I deal with the office of the National Commissioner of Police.
 - 3.6 Sixth, I deal with the establishment of the PKTT.
 - 3.7 Seventh, I deal with GCI Ops.
 - 3.8 Eighth, I deal with the disbandment.



3.9 Ninth, I deal with the 121 dockets.

3.10 Tenth, I deal with implicated persons.

3.11 Eleventh, I deal with other issues of relevance.

3.12 Twelfth, I deal with the conclusion.

NOMENCLATURE

4 Department of Correctional Services shall be referred to as “**DCS**”.

5 Directorate for Priority Crime Investigation shall be referred to as “**DPCI**”.

6 Director of Public Prosecutions shall be referred to as “**DPP**”.

7 Gauteng Counter-Intelligence Operations shall be referred to as “**GCI Ops**”.

8 Inter-Ministerial Committee shall be referred to as “**IMC**”.

9 KwaZulu-Natal shall be referred to as “**KZN**”.

10 Mission Area Joint Operational Centre shall be referred to as “**MAJOC**”.

11 Member of the Executive Council shall be referred to as “**MEC**”.

12 National Joints and Intelligence Structure shall be referred to as “**NATJOINTS**”.

13 National Intervention Unit shall be referred to as “**NIU**”.

14 National Prosecuting Authority shall be referred to as “**NPA**”.

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- 15 Public Order Policing shall be referred to as “**POP**”.
- 16 Political Killings Task Team shall be referred to as “**PKTT**”.
- 17 Q Tech Engineering Company shall be referred to as “**Q Tech**”.
- 18 South African Police Service shall be referred to as “**SAPS**”.
- 19 State Owned Entities shall be referred to as “**SOEs**”.
- 20 Senior Public Prosecutor shall be referred to as “**SPP**”.
- 21 State Security Agency shall be referred to as “**SSA**”.
- 22 Tactical Joint Operational Centres shall be referred to as “**TACJOCs**”.

MY PARTICIPATION/TESTIFYING IN THE COMMISSION

- 23 My role as the National Commissioner of SAPS is both complex and pivotal in ensuring the effectiveness, integrity, and public confidence in the national policing system. When a commission of inquiry—such as the Madlanga Commission—is convened to investigate matters of national importance, involving allegations of misconduct, failures in operational oversight, or systemic challenges within SAPS, there is no doubt that I must participate actively.
- 24 Such inquiries provide a unique and crucial opportunity not only to respond to allegations but also to reflect honestly on existing challenges and advocate for meaningful reform. By engaging openly and constructively, I demonstrate a willingness to subject SAPS to rigorous scrutiny and to embrace recommendations that may emerge. This approach

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fosters a culture of accountability, encourages collaboration with oversight bodies, and signals to all stakeholders that SAPS leadership is both responsive and responsible.

- 25 The importance of my participation cannot be overstated. My participation upholds the best traditions of accountable and transparent policing, aligns with legal requirements, and advances both the internal development of SAPS and the broader democratic project in South Africa. It reassures the public, government and international observers that the highest level of SAPS leadership is committed to truth, justice and continuous improvement.
- 26 The benefits of participating in the Commission is not only to provide my account of the interactions with Minister Mchunu on the issues forming the subject matter for determination herein, but the hope that the Commission's findings and recommendation will lead to improved governance, public trust and institutional effectiveness which are not only critical for SAPS, but are foundational to the well-being and safety of South African society as a whole.
- 27 Of importance is that the Commission should assist in making a proper diagnosis of the circumstances that have brought us here, and make recommendations that, if accepted by the President Mr Ramaphosa, will avoid a repeat of these rather unfortunate events.

BACKGROUND/SERVICE HISTORY

- 28 I joined SAPS in 1987, serving in junior and middle management roles across Free State, Limpopo, Gauteng, Western Cape and KZN. I am currently serving as the National Commissioner of SAPS, a position I have held since March 2022. I possess over 25 years of senior management experience within SAPS and 38 years of service within the SAPS.

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29 Throughout my career, I have acquired broad managerial experience across various divisions and provinces within SAPS.

30 Below is a summary of key qualifications and experiences:

30.1 National Commissioner of SAPS (March 2022–Present): Oversees amongst other things: nationwide policing strategies, crime prevention, border security and dignitary protection.

30.2 Senior Leadership Roles:

30.2.1 Deputy National Commissioner: Policing (2016–2022): Directed national divisions focused on visible policing, border management and protection services. Chaired the National Crime Combating Forum and co-chaired NATJOINTS. Instrumental in security planning for general elections, government summits and COVID-19 response operations.

30.2.2 Provincial Commissioner: Limpopo (2013–2016): Led a province-wide force of 12,800 personnel across 99 stations and managed over 4,000 vehicles. Responsible for annual policing strategies and oversight of specialised detective and public order units.

30.2.3 Deputy National Commissioner: Operational Service (2012–2013): Directed national divisions focused on visible policing, border management and protection services. Chaired the National Crime Combating Forum and co-chaired NATJOINTS. Instrumental in

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security planning for general elections, government summits and COVID-19 response operations.

30.2.4 Acting Divisional Commissioner: Crime Intelligence (2011–2012):
Headed intelligence operations, analysis, and managed sensitive information and resource logistics, including a fleet exceeding 5,000 vehicles.

30.2.5 Divisional Commissioner: Protection & Security Services (2010–2011):
Oversaw VIP protection for high-profile leaders and strategic national sites, such as Parliament and the Union Buildings.

30.3 Operational Leadership

30.3.1 Deputy Provincial Commissioner: Operations, KZN (2004–2010):
Supervised crime prevention, public order policing, rural safety, and managed the province's 184 police stations. Chaired provincial crime forums.

30.3.2 National Head of Operations (2003-2004): Responsible for policy development for and deployment of POP, NIU, Air Wing and Special Task Force.

30.3.3 Unit Commander: Public Order Police, Durban (2000–2003):
Commanded a 900-strong unit focused on deployment and operational response during periods of civil unrest.

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30.4 Honours & Specialisation

30.4.1 Recipient of the SAPS Gold Medal for Outstanding Service.

30.4.2 Extensive experience in negotiation, peacekeeping, crisis management, and interdepartmental coordination.

31 My trajectory reflects a broad spectrum of policing expertise, from grassroots operational leadership to strategic oversight at the national level. My overall core competencies are strategic leadership in crime prevention, operational response, and intelligence. I also possess expertise in managing large teams, budgets, and resources. Moreover, I have proven ability to develop and implement policies for national and provincial policing and experience in interdepartmental collaboration and crisis management.

A complete CV is attached as “**SFM 1**”.

SAPS AND THE CRIMINAL JUSTICE SYSTEM

32 The South African criminal justice system is guided by a clear division of responsibilities, organised into three foundational pillars: the Police, the National Prosecuting Authority and Correctional Services.

32.1 The first pillar, the Police, serves as the frontline of law enforcement. Their central duties include preventing crime, investigating offences, gathering evidence and apprehending suspects with the goal to securing their presence in court and ultimately ensuring that justice is served. Through these efforts, the police form the initial response to crime and works to maintain public safety.

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- 32.2 The second pillar encompasses the NPA. The NPA is responsible for deciding whether sufficient evidence exists to prosecute a case and to present the evidence to judges and magistrates responsible to conduct fair and impartial trials, determine the guilt or innocence of the accused, and impose appropriate sentences in accordance with the law.
- 32.3 The third pillar, Correctional Services, takes over once the court has delivered its verdict. This sector is charged with enforcing and administering the sentences imposed by the courts. This work involves not only the incarceration of offenders but also the management of alternative, community-based sentences and rehabilitation programs, all aimed at maintaining security and facilitating the reintegration of offenders into society.
- 33 Taken together, these three pillars work in concert to uphold the rule of law, protect communities, ensure justice is served, and foster public trust in the criminal justice system.

The police in closer detail

- 34 The establishment of a single police service is provided for in Chapter 11 of the Constitution. Section 199 (1) states that “*the security services of the Republic consist of a single defence force, a single police service and any intelligence services established in terms of the Constitution*”.

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- 35 Matters relating to the police service are further articulated in sections 205, 206 and 207 of the Constitution and they pertain to the structural elements, political responsibility and control over the police service.
- 36 Section 205 of the Constitution is of paramount importance to understanding the context of the obligation placed on national legislation to clarify matters relating to policing. Section 205(1) provides that the national police service must be structured to function in the national, provincial and, where appropriate, local spheres of government, giving effect to the implementation of a model that seeks to create a uniform system of policing.
- 37 Section 205(2) provides that national legislation must establish the powers and functions of the police service and must enable the police to discharge its responsibilities effectively, taking into account the requirements of the provinces.
- 38 Section 205(3) provides that the police service is to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property and to uphold and enforce the law.
- 39 Section 206(7) provides for a legislative framework to regulate municipal police services to augment policing, by stating that national legislation must provide a framework for the establishment, powers, functions, and control of municipal police services.
- 40 Furthermore, section 207(2) of the Constitution states that the National Commissioner must exercise control and manage the police service in accordance with the national policing policy and the directions of the Cabinet member responsible for policing.

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- 41 The practical implementation of these constitutional provisions has led to a policing system designed to be responsive at national, provincial and local levels. This approach is crucial for addressing the distinct challenges faced by different communities across South Africa, from urban centres to rural settlements. National legislation not only allocates powers and responsibilities but also ensures that police services remain adaptable to evolving threats and societal needs. Essential to this system is the establishment of municipal police services, which are empowered to address specific policing matters, such as traffic regulation, municipal by-law enforcement, and crime prevention in collaboration with SAPS.
- 42 Central to effective policing is a clear chain of command and control. The National Commissioner is appointed to serve both as a supervisor and commander and operates within a defined legal framework including taking directions from the Minister to promote alignment with constitutional principles of transparency, impartiality and service to the public.

OFFICE OF THE NATIONAL COMMISSIONER OF POLICE

- 43 Key responsibilities for my office include:

43.1 **Management and Control:** manages and controls the police service, adhering to national policing policy and directives from the Minister of Police.

43.2 **Constitutional Mandate:** ensures the police fulfil their constitutional mandate, which includes preventing, combating, and investigating crime; maintaining public order; protecting people and their property; and upholding and enforcing the law.

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- 43.3 **Strategic Leadership:** responsible for maintaining an impartial, accountable, transparent and efficient police service.
- 43.4 **Personnel Management:** recruitment, appointment, promotion transfer and discipline of employees of the police service, including the appointment of provincial commissioners.
- 43.5 **Operational Support:** ensures the provision of vital services such as crime intelligence, criminal records, crime statistics and forensic laboratory services.
- 43.6 **Internal Security:** responsible for maintaining the internal security of the nation.
- 43.7 **International Cooperation:** international police liaison to facilitate cooperation and information exchange.
- 43.8 **Reporting:** reports directly to the Minister of Police and the President.
- 43.9 **Account:** responsible to account to Parliament and various other legislative oversight bodies, including Chapter 9 institutions.
- 44 In sum, I, as the National Commissioner, must implement the policy and strategic direction determined by the Minister, but I am responsible for the operational and managerial control of the police service.
- 45 This is due to the fact that the constitutional scheme, in express terms, removes the operational and managerial control of the police service from the hands of the political actors.

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46 The National Commissioner is, thus, accountable to parliament, but is insulated from undue political influence.

47 The constitutional scheme is axiomatically deeply rooted in and fosters the doctrine of separation of powers.

48 I say more herein later below.

49 I have autonomy in the exercise of my discretion in relation to the control and management of the police service within the prescripts of governing legislation.

50 I understand my functioning to be independent from political interference, other than receiving directions from the Minister of Police.

51 I deem it important at this stage to also refer the Commission to the senior command structure (relevant to the issue at hand) in SAPS, who report to me as National Commissioner:

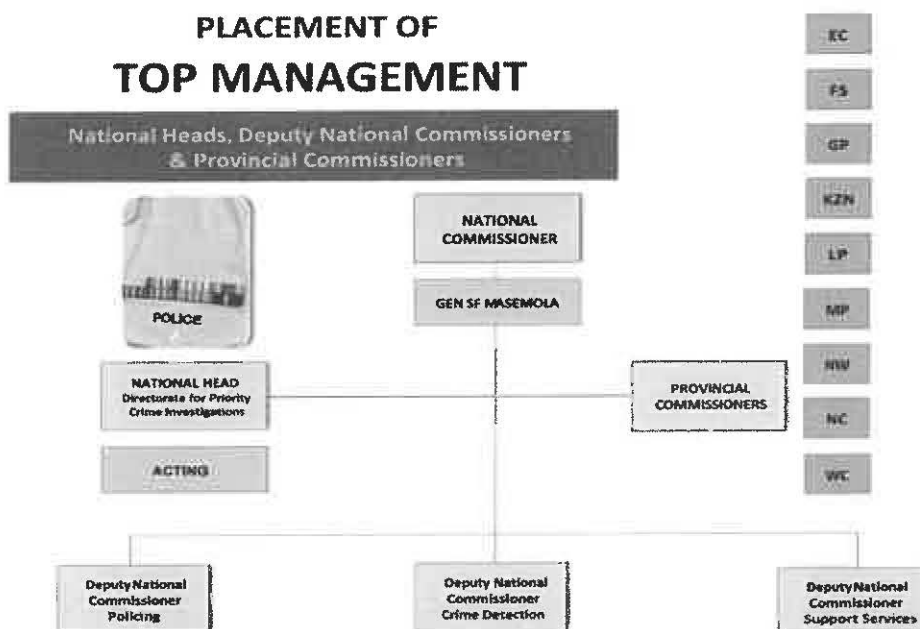
51.1 the Deputy National Commissioner: Policing: Lt Gen Mosikili;

51.2 the Deputy National Commissioner: Crime Detection: Lt Gen Sibiya;

51.3 the Deputy National Commissioner: Corporate Services: Lt Gen Dimpane/
Lt Gen Nkhuoa (acting); and

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51.4 the nine Provincial Commissioners, including Lt Gen Mkhwanazi who is the Provincial Commissioner for KZN.



My role vis-à-vis that of the Minister

52 While the Constitution grants the National Commissioner the authority to “control and manage the police service”, it expressly states that this must be done in line with the “national policing policy and the directions” set out by the Minister. In this arrangement, the Minister is responsible to provide strategic direction, which the National Commissioner is then tasked to implement.

53 However, the day-to-day operational and managerial performance and execution of the police service rest squarely with the National Commissioner. For example, while the Minister may direct that the combatting of cash-in-transit robberies should be a priority,

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the development of plans, issuing of instructions, allocation of resources and implementation thereof remain the responsibility of the National Commissioner.

- 54 This deliberate separation ensures that political leaders do not interfere with the practical functioning and management of the police service. In effect, the Constitution carefully balances two important objectives: it ensures that the police remain accountable to Parliament, while simultaneously safeguarding the police service against undue political influence. By doing so, it promotes both democratic oversight and the necessary independence for efficient law enforcement.

Minister of Police Role	National Commissioner Role
Determines National Policy: The Minister has the authority to set the national policing policy and the strategic direction for the police service.	Manages the police service: Exercises control over and manages the police service as a whole, including operational and managerial aspects.
Political Responsibility: The Minister is a member of the Cabinet and holds political responsibility for the police service as a whole.	Implements Policy: Must implement the national policing policy and the directions of the Minister of Police.
Overall Mandate: Politically responsible for the execution of the Department of Police's mandate in relation to relevant legislation.	Reporting: The National Commissioner answers directly to the Minister of Police and the President.

55 In summation:

55.1 Strategy vs. Operations: The Minister gives strategic direction, while the National Commissioner manages the operational and administrative execution of that direction.

55.2 Political vs. Managerial Control: The Minister holds political control and accountability, whereas the Commissioner has managerial and operational control.

55.3 Direction vs. Implementation: The Minister gives directions, and the National Commissioner is responsible for implementing them.

ESTABLISHMENT OF THE POLITICAL KILLINGS TASK TEAM

Formation

56 KZN has historically experienced significant levels of violence driven by political factors.

57 In response to the increased incidence of political violence and fatalities in KZN up to 2018, the President of the Republic of South Africa (President Ramaphosa) tasked his security cluster to mobilise resources. He appointed an IMC comprising the Ministers of the State Security Agency, Defence and Military Veterans, Police, Justice and Correctional Services, under the leadership of the Minister of Police (initially General Bheki Cele), which was mandated to ensure that those responsible for politically motivated incidents are held accountable. Its purpose was to coordinate national and

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provincial efforts, including intelligence and prosecutorial support against politically motivated violence.

- 58 The team was established by the Director Generals of the Departments stated above, to implement the directions of the Ministers. The team was not created through legislation or gazetted regulation. It was essentially an ad hoc, inter- disciplinary unit within SAPS and the NPA, tasked with investigating political killings, with an operational focus in KZN that later extended nationally.
- 59 The IMC directed the establishment of a Multidisciplinary Task Team, including members from key law enforcement and the prosecuting authority, to create an investigative and prosecutorial strategy for politically-related cases in the province.
- 60 The PKTT was overseen by the National Steering Committee, the IMC and the President of South Africa. At its inception in 2018, the PKTT was initially led by Maj Gen Ramatsoele. Lt Gen Khumalo was the operational coordinator. When Maj Gen Ramatsoele retired, Lt Gen Khumalo became the Project Leader of the PKTT.
- 61 I was the Deputy National Commissioner: Policing at the time. I was responsible for the initial call up of members to be part of the PKTT which is evident from the attached call up instruction. The document is attached as “**SFM 2**”.
- 62 The PKTT operates mainly in KZN and the Eastern Cape under Lt Gen Khumalo’s supervision and my oversight focused on addressing politically motivated crime, including politically motivated murders in KZN as directed by the National Steering

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Committee, the IMC and the President. In the Eastern Cape, the PKTT investigated murders and related cases, such as at Fort Hare University.

Initial plan and integrated plan

- 63 The PKTT was not the first task team established to deal with political killings in KZN. There was a previous task team (established in 2017) but it was not particularly effective. A decision was taken to disband it. During the process of disbanding that task team, a new task team was established which is now known as the PKTT. The previous task team was disbanded after consultation with the Director Generals of SAPS, NPA, SSA and DCS. These stakeholders informed the Ministers of the respective departments of the decision to disband the task team and the Ministers agreed with the decision.
- 64 I want to make it clear that Ministerial approval is not required. The decision to disband can be taken by the National Commissioner. At the time of the disbandment of the previous task team, General Khehla John Sitole was the National Commissioner and the decision to disband that task team was ultimately his to make and implement. This was indeed made and implemented by him.
- 65 During the process of establishing the PKTT, it was evident that it needed a strong operational head. At the time, Lt Gen Khumalo (who was a Brigadier then) was achieving considerable success as the commander of a national project to address rhino poaching which was prevalent in Limpopo, Mpumalanga, KZN and North West. As the commander of the high-level national rhino crisis task force, Lt Gen Khumalo led efforts that coordinated police, intelligence and analytical resources to conduct operations targeting rhino poachers and poaching syndicates throughout the country. The task force had

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carried out multiple operations resulting in arrests. The national project was eventually decentralised which in effect meant each province would have a dedicated team dealing with rhino poachers and syndicates. It made sense that Lt Gen Khumalo be the project leader of the PKTT.

- 66 The formation of the PKTT represented a significant shift in how politically motivated crimes were approached, prioritising collaboration across multiple agencies and emphasising accountability. This cross-functional approach enabled the team to leverage expertise from various sectors, thereby enhancing both investigative capacity and prosecutorial effectiveness. The PKTT's establishment was intended to address the complex nature of political violence, ensuring that interventions were coordinated, targeted and responsive to evolving challenges in both KZN and the Eastern Cape.

Governance and Reporting structure of the PKTT

- 67 The PKTT operates with a central command overseeing geographically spread sub-units. Based at SAPS KZN HQ, MAJOC directs four regional TACJOCs, each led by a senior commander and comprising SAPS detectives, intelligence collectors, analysts and combat teams and DPCI investigators. This structure co-ordinates intelligence, rapid response and prosecution efforts.
- 68 The governance and reporting lines of the PKTT reflect a multi-layered oversight and operational structure, ensuring clear accountability and coordination among key national and provincial stakeholders:

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68.1 IMC:

68.1.1 IMC, chaired by the Minister of Police, consists of senior members including the Ministers of State Security, Defence and Justice & Correctional Services. The IMC is responsible for providing strategic direction and oversight to the PKTT.

68.1.2 It reports directly to the President or Cabinet, ensuring that the PKTT's activities align with national priorities and receive appropriate guidance at the highest level of government.

68.2 SAPS:

68.2.1 SAPS leads the PKTT as the primary agency, contributing investigators, forensic support and crime intelligence resources. The task team is SAPS-led and includes members from DPCI, ensuring a comprehensive approach to investigations.

68.2.2 SAPS coordinates operational activities and integrates relevant expertise to address politically motivated crimes effectively.

68.3 NPA:

68.3.1 The National Prosecuting Authority, particularly through its KZN office, plays a key role by embedding prosecutors within the PKTT. This integration facilitates prosecutorial guidance throughout

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investigations, ensuring that cases are built to prosecutorial standards and can be effectively presented in court.

68.4 SSA:

68.4.1 SSA supports the PKTT by providing critical intelligence, particularly regarding politically targeted killings.

68.4.2 This intelligence function enhances the PKTT's ability to anticipate, detect and respond to threats, thereby strengthening the investigative process.

68.5 Department of Correctional Services:

68.5.1 The Department of Correctional Services contributes to the PKTT by assisting with matters such as witness protection and the transfer of prisoners.

68.5.2 This support ensures the security and integrity of key witnesses and the effective management of individuals in custody who are linked to ongoing investigations or prosecutions.

68.6 Provincial Government:

68.6.1 At the provincial level, the government communicates specific requirements and priorities to the PKTT. The Premier and MEC actively participate in this process, representing the interests of the

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province and ensuring that local concerns are integrated into the broader operational framework of the PKTT.

69 Thus, the PKTT is a multi-agency integrated structure which is essentially a prosecutorial-guided police investigation team supported by the NPA and security agencies, coordinated through the IMC.

Development and Approval of the PKTT Strategic Framework

70 A recommendation was made in June 2018 for the adoption of an implementation plan that would formalise the strategy for investigating and prosecuting perpetrators of politically-related cases.

71 As a member of the team, I participated in the process that led to the recommendation of the PKTT implementation plan. This recommendation, set out in the Information Note dated 18 June 2018, outlined the need for a unified approach to address politically motivated crimes more effectively. The national head of the DPCI at the time, Lt Gen Lebeya, also endorsed the implementation of the PKTT. Ultimately, the proposed plan received formal approval from General Sitole, thereby establishing a clear and coordinated strategic framework for the PKTT's activities.

72 The operational chain of command within the PKTT was structured to ensure clear lines of authority and effective coordination of activities. This was achieved by organising command through TACJOC commanders and the respective zone or unit leads. These leaders were responsible for managing operations within their designated areas and ensuring that actions were aligned with the overall objectives of the PKTT.



- 73 Oversight of the PKTT's activities was provided by a National Steering Committee, which comprised senior officers from the relevant law enforcement agencies as well as representatives from the IMC. This committee convened regularly to assess progress, address challenges, and ensure that the team's efforts remained focused on its defined mandate.
- 74 The operational model brought together various operational processes, resources, competencies, capabilities and intelligence drawn from all SAPS environments. By centralising these elements under unified command structures, the PKTT aimed to maximise efficiency and effectiveness in achieving its objectives.
- 75 Following the identification of specific operational challenges in June 2018, an integrated plan was developed to address these issues. This plan reflected the multi-disciplinary composition of the PKTT, incorporating members from a range of relevant law enforcement and the prosecuting authority. The primary goal was to establish a cohesive investigative and prosecutorial strategy that leveraged the collective expertise and resources of all involved entities. Further operational details were outlined in the Information Note prepared during this period.

Work of the PKTT

- 76 Since the PKTT was established as a task force, the National Commissioner ultimately had to approve the PKTT's budget. As part of this budget approval process, the project leader, Lt Gen Khumalo would prepare an Information Note which would be verified by Lt Gen Mkhwanazi and thereafter submitted for recommendation and approval. This Information Note was essentially a request for an extension of the PKTT's term. When

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it was established, the PKTT's term was six months. Therefore, in order for it to continue operating, its term had to be extended for a further six months and a budget had to be allocated and approved.

- 77 In motivating for the extension, the Information Note would include a progress report setting out the PKTT's docket allocation, arrests made, status of dockets and would include a detailed success report.
- 78 This comprehensive reporting mechanism ensured transparency and accountability in the operations of the PKTT. The regular submission and review of Information Notes facilitated oversight by senior management and enabled the allocation of resources in line with identified needs. Moreover, this process fostered inter-agency collaboration by keeping all stakeholders informed of ongoing challenges and achievements, thereby strengthening the overall effectiveness of the PKTT. In my capacity as Deputy National Commissioner: Policing, I was one of the functionaries who participated in the process of decision-making either recommending or rejecting the extension and budget of the PKTT.
- 79 When I was appointed as the National Commissioner in 2022, I was responsible for approving the extensions and budget for the PKTT. I attach hereto, what I refer to as the financial authority from June 2018 to June 2025. The relevant extensions and financial authority approvals are attached as "SFM 3". I will also deal with the June 2025 approval in more detail when I address events that occurred post the handover of the 121 dockets that have become known to all South Africans by now.



80 Although initially mandated for KZN, by 2021–2022 the PKTT was extended to the Eastern Cape to investigate murder and related cases at Fort Hare University.

81 During March 2024, the PKTT's mandate was extended. The decision was taken to extend the period of the PKTT and the appointment of Lt Gen Khumalo as the Project leader for the financial year 2024/2025 for the following reasons:

81.1 the mandate of the Task Team had been extended from 1 April 2024 to include the investigation of cases involving the killings of Traditional Leaders in KZN.

81.2 There were parallel major investigations that were still on-going like killings at the University of Fort Hare in the Eastern Cape that the PKTT was directed to conduct.

81.3 There was a potential risk that the court involved in politically-related cases, especially the 49 trial ready and 82 cases under investigation at the time, may collapse if the PKTT withdrew without them being finalised.

81.4 Incidents of politically-related cases were expected to increase because of the 2024 elections due to the unstable coalition governance as most municipalities within KZN were affected.

82 The extension approval is annexed as "SFM 4".

83 After an invitation from the President, on 17 March 2024 at the Durban Airport, members of the PKTT team and I briefed the President on the PKTT. The President was informed

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of the PKTT's successes. This was the last briefing to the President on the PKTT before the disbandment. I attach a copy of the presentation made to the President as "SFM 5".

84 As at 28 February 2025, the following statistics highlight the successes of the PKTT since June 2018:

84.1 612 dockets had been allocated to the PKTT;

84.2 125 were still under investigation;

84.3 9 were unfounded – this is when the investigation clearly discloses that there is no evidence that an offence has been committed;

84.4 10 were pending DPP's decision as to whether to prosecute or not;

84.5 114 were before the court at various stages in the process;

84.6 57 were withdrawn for varying reasons; and

84.7 297 were finalised.

85 These outcomes highlight both the complexity and the challenges inherent in prosecuting politically-related cases.

86 In my view the PKTT is hugely successful. As will be dealt with in detail later, on 6 March 2025, Lt Gen Khumalo presented the PKTT's success to Minister Senzo Mchunu in an effort to convince him that his decision to disband the PKTT was ill-advised, to the extent that he was advised at all. In particular, insofar as the dockets

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concerning politically-related cases within KZN, the following statistics demonstrate the success of the PKTT. A detailed breakdown of the 333 dockets is as follows:

- 86.1 Murder: 171 dockets were for murder cases, with a total of 173 victims. Among those killed were 59 local government councillors, 58 political party members, 31 political party office bearers and 25 municipal officials, illustrating the prevalence of violence targeting individuals holding public office or political affiliations.
 - 86.2 Attempted Murder: 50 dockets addressed cases of attempted murder.
 - 86.3 Intimidation: 79 dockets were categorised as intimidation, reflecting ongoing threats against political and municipal figures.
 - 86.4 Conspiracy to Commit Murder: 9 dockets involved alleged conspiracies to commit murder.
 - 86.5 Other Politically-Related Offences: 24 dockets were associated with other categories of politically motivated crime.
- 87 Out of the 333 dockets allocated:
- 87.1 Finalised Cases: 209 dockets were closed following thorough investigation, indicating a significant rate of case resolution.
 - 87.2 Pending on the Court Roll: 60 cases remained active and were scheduled or ongoing in court as at the given date.

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- 87.3 Under Investigation: 64 cases were still being investigated, reflecting the continued commitment to addressing complex and unresolved matters.
- 88 In addition, the team was tasked with handling 18 dockets pertaining to incidents of killings at the University of Fort Hare. Of these:
- 88.1 14 dockets were on the court roll, indicating that these cases had progressed to judicial proceedings.
- 88.2 2 dockets had been finalised.
- 88.3 2 dockets were still under active investigation, highlighting ongoing efforts to resolve these cases.
- 89 The team was further allocated 51 dockets associated with murders targeting traditional leadership. The status of these cases was as follows:
- 89.1 48 dockets remained under investigation, pointing to the intricate and ongoing nature of inquiries into attacks on traditional leaders.
- 89.2 3 dockets were currently on the court roll, having reached the trial phase.
- 90 These figures demonstrate both the scale and diversity of politically related violence and intimidation in KZN and Easter Cape, as well as the systematic approach adopted by the team to ensure accountability through investigation, prosecution and finalisation of cases involving political, municipal, university and traditional leadership contexts. The PKTT has an unmatched success rate.



91 The IMC was regularly briefed on the progress and success of the PKTT. To this end, I attach as “**SFM 6**”, presentations made to the IMC by the PKTT on 3 August 2018, 13 September 2018, 29 March 2019, 30 July 2019, 2 June 2021, 2 February 2022 and 6 September 2023. As far as I am aware, there were no further IMC meetings after the 6 September 2023. To further illustrate the point that the PKTT was viewed as effective, I was able to source the media briefing held by the former Minister of Police, Minister Cele, wherein he expressed the IMC’s positive view of the PKTT and its successes. A copy of this media briefing dated 6 September 2023 is attached as “**SFM 7**”.

92 The narrative that the PKTT was not effective is completely false. If at any point I was convinced that the PKTT was no longer effective, I would not have approved its extensions and budgets, which had to be considered twice a year, hence my astonishment when I learned that the Minister had issued a directive to me to implement his decision to disband the PKTT. I am convinced that if the Minister had made himself available for a briefing and engaged me with an open mind prior to issuing the disbandment directive, he would have not disbanded the PKTT.

GAUTENG COUNTER-INTELLIGENCE OPERATION

93 On 17 April 2024, Armand Swart, an employee of an entity called Q Tech in Vereeniging, was fatally shot while seated in his vehicle outside his workplace. The employer, Q Tech, had reportedly identified price inflation in a Transnet contract, which subsequently exposed a complex web involving organised crime, police corruption and significant personal risk for those conducting the investigation.

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- 94 The organised crime unit, under the leadership of Deputy PC Gauteng, Maj Gen Mbuso Khumalo, assumed responsibility for investigating Mr Swart's murder. This case became integrated into the broader GCI Ops.
- 95 Three suspects were apprehended in connection with the murder: Michael Pule Tau, a police officer; Musa Kekana; and Tiego Floyd "Danny" Mabusela. The charges included murder, conspiracy, attempted murder, possession of suspected stolen property and possession of unlicensed firearms and ammunition. Forensic examinations linked the recovered firearms to several other violent crimes, thereby consolidating the case against the accused and revealing a larger syndicate allegedly offering nearly one million rand for the assassination.
- 96 Although bail was successfully opposed initially, accused Michael Pule Tau was later released on bail on account of health grounds. This development raised considerable concern among investigators and prosecutors due to increasing threats, including both verbal and physical intimidation, such as being followed and threatened with harm.
- 97 Consequently, on 5 August 2024, a SPP formally communicated these threats to senior police officials, including me. In the correspondence, the SPP requested urgent protection measures for the investigators. The letter of the SPP is attached as "**SFM 8**".
- 98 In accordance with SAPS procedures, Maj Gen Khumalo conducted a threat and risk analysis, supported by Maj Gen Lekalakala, Gauteng's Head of Crime Intelligence. Colonel Ntuli completed the assessment, concluding that the risk level was high and recommending 24-hour protection. Subsequently, the matter was escalated to the national office, and a parallel counter-intelligence case was initiated alongside the primary



investigation. Lt Gen Khumalo, the Divisional Commissioner, was brought into the picture.

- 99 Given the apparent association of SAPS officials of various ranks with individuals under investigation, the threats directed towards investigators, allegations of bribery involving magistrates, links to cartel members, concerns over police infiltration and the reduction of the Investigation Team from five to two members (partially due to death threats), it was deemed necessary by Lt Gen Khumalo to urgently request external assistance. The request was directed to Lt Gen Mkhwanazi who then seconded 10 members of the PKTT.
- 100 The seconded PKTT members were integrated into the Gauteng investigation team, working on dockets that remained under the authority and custody of Lt Gen Khumalo. These dockets were never transferred to PKTT.

Arrest of Molefe and Matlala

- 101 The Gauteng team, assisted by the seconded team members conducted two operations on 6 December 2024 – the arrest of Mr Molefe and the questioning of Mr Matlala regarding the kidnapping of one Mr Jerry Boshoga.
- 102 The operation conducted at Mr Matlala's house originates from a referral from my office. In particular, a concerned party requested a meeting with me. Upon meeting, the person implicated General Sibiya and indicated he is known to be close friends with Mr Matlala. It was expressed that Mr Matlala was involved in various crimes and suspected to be involved in the kidnapping of Mr Jerry Boshogo. Given this background, I requested Lt Gen Khumalo to conduct an investigation into the allegations. Through investigations,

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it was established that Mr Matlala was indeed a person of interest – resulting in the search and seizure operation of 6 December 2024.

103 I am advised that soon after his arrest, Mr Molefe was charged with murder and conspiracy to commit murder.

104 On 14 May 2025, Mr Matlala was arrested on three counts of attempted murder and conspiracy to commit murder.

105 These two individuals have now been formally charged with very serious offences for which harsh sentences are imposed by law, if proven. It is my considered view that the secondment of these individuals from the Task Team was a correct strategic decision to make.

106 I am advised that Lt Gen Khumalo will provide a detailed account of GCI Ops and the PKTT's involvement.

DISBANDMENT

107 My involvement in the events that unfolded in December 2024 and early January 2025, commenced whilst I was on annual leave, approved by the Minister, from 30 December 2024 to 14 January 2025. On 28 December 2024, I was attending the official funeral of Captain Khubisa with the Minister in Richards Bay. We had an opportunity to engage.

108 Despite this, at no point during our interaction did the Minister indicate any intention to disband the PKTT, let alone immediately, or express concerns about its operations. This lack of prior warning made the subsequent developments all the more unexpected

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and perplexing, as there had been no communication or indication suggesting that such a drastic decision was imminent.

109 On 2 January 2025, I received a WhatsApp message from Maj Gen Sebola regarding a letter from the Minister. I had not seen the letter at that stage. The WhatsApp contained the letter from the Minister addressed to me dated 31 December 2024. The letter is attached as “**SFM 9**”. I did not fully appreciate the significance of the letter because, as I have said, I was on leave. The letter dealt with three topics, one of which was the PKTT. The letter informed me that the PKTT would be disbanded immediately and I had to prepare a report in this regard with a due date of 20 January 2025. I was due to return to office on 14 January 2025. I considered that I would address the issue upon my return.

110 However, it seemed that the matter could not wait. I received a call from Lt Gen Mkhwanazi on the same day (2 January 2025). He told me that he saw in the media a letter from the Minister to me to disband the PKTT. I informed him that I am on leave until 14 January 2025 and had not had an opportunity to consider the contents of the letter from the Minister but that I was aware of it. I made it clear to Lt Gen Mkhwanazi that I had nothing to do with the disbandment, and I informed him that the Minister never sought my advice before taking the decision. Lt Gen Mkhwanazi also informed me that he too had not been engaged in the possible dissolution of the PKTT.

111 Given the fact that the Minister was instructing but not soliciting our views of the disbandment of the PKTT, I deemed it necessary to speak to the President about the issue. I spoke to the President on 1 February 2025. During this meeting I mentioned

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the Minister's directive to disband such a successful task team. The President told me that he would speak to the Minister.

112 At a later stage, the President informed me that he did discuss the issue with the Minister. He did not inform me of the details of his discussion.

113 It is important to note that the PKTT had proven to be an essential unit in managing politically-related cases, particularly during periods of heightened tension such as election cycles. The abrupt directive to dissolve the team not only disregarded ongoing investigative processes but also undermined the collaborative efforts that were in place to ensure justice and stability in affected regions. This decision, taken without prior consultation or warning, created significant uncertainty among key stakeholders and risked disrupting the momentum of crucial investigations.

114 Since the letter required a report to be prepared by 20 January 2025 and given that I would be on leave until 14 January 2025, I instructed Brigadier Lethoko of my office to forward the letter from the Minister to all Deputy National Commissioners, including Lt Gen Sibiya (Deputy National Commissioner: Crime Detection) to instruct them to prepare the necessary reports. My intention was to discuss the matter with the Minister to understand his reasons and attempt to dissuade him. However, the letter contained an instruction to prepare reports that were due by 20 January 2025. If I had refused to carry out this instruction I would have been accused of insubordination since all that was required, at least insofar as that instruction was concerned, was a report.

115 I returned to the office on 14 January 2025. I had a discussion with Lt Gen Sibiya. He presented a plan/letter on how to close the PKTT in line with the directive of the

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Minister. I was however not satisfied with the proposed plan/letter and informed Lt Gen Sibiya that it would be irresponsible to summarily disband the PKTT and remove the case dockets from them as it will have a detrimental effect on the investigation of the cases, it will cause problems/complications in relation to the prosecution of matters already in court, and it will detrimentally affect witnesses in witness protection and the families that were affected by the killings.

116 I instructed Lt Gen Sibiya that the PKTT should wind down in a phased approach without compromising the proper execution of our police duties.

117 On 15 January 2025, Lt Gen Sibiya came to my office and found me with Maj Gen Sebola. He briefed me on the prepared plan/letter for the PKTT. He presented a plan/letter directed to Lt Gen Khumalo, which letter he requested that I sign. I did not sign the plan/letter and told him I would prefer that, if ultimately the PKTT was to be disbanded (which I was against), I did not want it to be abrupt but rather be taken through the process of winding it down gradually. I told him to leave the matter with me, and I will continue with it myself and develop the report/plan that the Minister required. Lt Gen Sibiya was well aware that, as the National Commissioner, only I had the authority to sign off the letter he wanted me to sign. Notwithstanding this, he proceeded to issue the same letter under his own name on 17 January 2025 (without even changing the due date which was stated as 16 January 2025). This letter was issued under Lt Gen Sibiya's name after Lt Gen Khumalo and I briefed the Minister (on 16 January 2025) on Lt Gen Sibiya's involvement and association with criminal syndicates. I deal with this briefing later.

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118 In line with my discussion with Lt Gen Sibiya, I also had a discussion with Lt Gen Khumalo. I told him to prepare a preliminary report as contained in the Minister's Directive of 31 December 2024 and that we should aim for 20 January 2025 to submit the report. Since this was a direct instruction from me, it took precedence over Lt Gen Sibiya's instruction of 17 January 2025.

119 During that week, although I do not recall the exact date, I contacted the Minister via his mobile number to request an audience. I informed him of the importance of providing an initial briefing regarding the establishment and activities of the PKTT. The Minister indicated his willingness to schedule time for this discussion.

120 At the same time, there were adverse media reports pertaining to Crime Intelligence. The Minister subsequently called me to express his intention to appoint Senior Counsel to investigate various issues highlighted by the media, including the appointments of Brigadier Lekhalanyane and Brigadier Mokwele, the security clearance of Lt Gen Khumalo, and the murder of Sindiso Magaqa. I assured him that detailed information on these topics was readily available and reiterated my previous requests to brief him comprehensively on matters related to the Division Crime Intelligence and the PKTT. The Minister agreed to attend a briefing on the afternoon of 16 January 2025.

121 On that day, Lt Gen Khumalo and I briefed the Minister with a thorough update on the aforementioned issues, as well as ongoing counter-intelligence investigations and reminded the Minister that a briefing on the PKTT should still be held. The briefing included an identified syndicate with significant influence and/or connections politically and/or within law enforcement and the criminal justice system. The report included the identity of senior SAPS officers who are associated with a criminal

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syndicate and/or who are advancing or protecting the interests of the Big Five within law enforcement and the criminal justice system. Lt Gen Sibiya was included as one of the senior SAPS officers involved with the criminal syndicate. The details of this briefing cannot be publicly disclosed given the crime intelligence implications. In fact, when we briefed the Minister, he was given a hard copy of the briefing note and after the briefing, he had to return the copy. As a result, the Minister saw the names of implicated persons, which included Lt Gen Sibiya, Katiso Molefe and Cat Matlala.

- 122 On 17 January 2025, notwithstanding my instruction to Lt Gen Sibiya not to get involved and that I will attend to the matter, he sent yet another letter to Lt Gen Khumalo, in defiance of my instruction, to implement the Minister's disbandment instruction and to prepare a report essentially justifying the decision to disband the PKTT. The letter is attached as "**SFM 10**".
- 123 The letter sets out in detail that the Minister had issued a directive to the National Commissioner on 31 December 2024 to immediately deactivate and disband the PKTT and that the decision was informed by an assessment that the PKTT no longer significantly contributed to policing efforts. According to Lt Gen Sibiya, the Minister's directive required immediate compliance, with the appropriate measures to be undertaken to ensure the effective disbandment of the PKTT in accordance with current prescripts.
- 124 Whilst the letter referred to implementing measures to ensure ongoing investigations are not disrupted or compromised, the disbandment of the team and the approach proposed by Lt Gen Sibiya would result in the disruption and compromising of ongoing investigations.



- 125 Lt Gen Sibiya's instruction was that the members of the Team must be reassigned to other units within the SAPS in consultation with the Divisional Commissioner: Detective and Forensic Services (Lt Gen Senthumule) and other relevant divisional and provincial commissioners. This would mean that members with valuable institutional knowledge of the cases and more importantly, who had formed strategic relationships with key stakeholders, including informants and witnesses, would be removed from the cases and new personnel would be assigned to the cases. This is by its very nature disruptive and compromising of the ongoing investigations. After all, the members of the PKTT belong to units and stations where they come from and cannot be re-assigned. Once they have completed their responsibilities at the PKTT, they should return to the units and stations where they originally came from.
- 126 Furthermore, Lt Gen Sibiya's instruction contemplated that all case dockets must be hand delivered to a location designated by Lt Gen Senthumule who was to establish a secure repository for case files and evidence ostensibly to ensure continuity and prevent any loss or tampering. The dockets would then be re-allocated. As previously stated, the PKTT was formed because the existing investigative units were ill-equipped to handle the sophisticated nature of political killings and organised crime. In effect, Lt Gen Sibiya's instruction was to abandon an effective model and revert to a model so unsuccessful that the President had to intervene to establish an IMC to address these killings.
- 127 I found it peculiar that the instruction letter from Lt Gen Sibiya required the Closing Report to include the very information that the Minister ought to have considered at the time when he made the decision to disband the PKTT, not after he had taken the



decision, such as “*a summary of the key considerations that resulted in the decision to disband the PKTT*”.

128 Lt Gen Khumalo prepared the report for the Minister and submitted it to me in order for me to present it to the Minister on 20 January 2025. However, I was informed by the Minister’s office that he would only be in the office on 22 January 2025. I waited for the Minister to return and on 22 January 2025 I submitted the report to him. The report is annexed hereto as “**SFM 11**”.

129 The report sets out in detail the successes of the PKTT, its strengths as well as the criticism levelled against it, which are unfounded. The report also highlights the PKTT’s successes such as the successful arrests and/or convictions of masterminds behind the political murders. Importantly, the report highlighted that the PKTT had undeniably achieved and far exceeded the purpose for which it was established and that no other task team in South Africa had achieved the successes, nor has it been able to investigate and ensure the successful prosecution of the perpetrators of politically motivated murders, especially the masterminds.

130 Insofar as the report had to include a write-up of the justification for the disbandment of the PKTT, it goes without saying that I could not justify the disbandment and neither could Lt Gen Khumalo. My position has always been that the PKTT had to remain. Therefore, in the report to the Minister, we simply stated that the directive of the Minister to disband has been noted and that the initial objective and the directive by the President has been achieved with a noticeable decrease of politically-related killings in KZN, as a result of the PKTT’s intervention and relentless pursuit of its mandate.

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This is the best we could do in the circumstances since this was an instruction and not a discussion.

131 Importantly, insofar as the way forward is concerned, we had proposed that the following steps be taken to wind-down the PKTT without compromising pending investigations or cases that were already on the court roll:

131.1 Engagements with stakeholders would to be conducted, especially the NPA who had dedicated prosecutors working with the PKTT.

131.2 The 128 dockets that were still under investigation would be retained by the PKTT and investigations would be finalised by the PKTT. An audit would be conducted of those dockets still under investigation in order to establish which dockets could be returned to the station of origin or allocated to other investigating units within the SAPS especially dockets where no arrests have been effected.

131.3 No new dockets would be taken by or allocated to the PKTT.

131.4 The 115 case dockets which were pending at the time before Court would be retained by the PKTT until finalisation in order to avoid challenges during court proceedings which may result in charges being withdrawn or adversely affect the cases. The concern was that there would be a disruption in these cases.

131.5 New investigating officers would not be familiar with evidence in the dockets which may cause unnecessary delay.

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131.6 Witnesses may not be willing to co-operate and testify due to lack of trust with the new investigators which was particularly important in these cases.

131.7 Further investigations that were still outstanding and prosecutor queries that were being attended to would be negatively affected because of delays.

131.8 The capacity of the PKTT would be gradually scaled down to only personnel who would be required to finalise the dockets retained by the PKTT and this would depend on the 115 case dockets that were at various stages on the court roll at the time, most of which had court dates for 2025. It was anticipated at that stage that the PKTT would complete the work before the end of the year (2025) but some contingencies had to be put in place due to inherent uncertainties, given the nature and seriousness of the cases, potential for political interference and ordinary court processes.

132 The recommendation was that the multi-disciplinary investigative approach (analysis-led and prosecutor guided investigations) applied by the PKTT so successfully would be adopted and used to serve as a benchmark for the realignment of contract killings and organised crime investigations throughout the country.

133 I had heard nothing further from the Minister about the disbandment until 4 March 2025 when my office received an email from the Minister's Chief of Staff; Mr Nkabinde, inviting me to attend a Ministerial meeting on the PKTT disbandment implementation plan which was scheduled for 6 March 2025 at 11h30 to 13h15 in Cape Town in the Provincial Commissioner's Boardroom.

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134 Prior to this meeting, on 5 March 2025, I appeared before the Parliamentary Portfolio Committee on Police for a briefing by the SAPS amongst others, focussing on challenges relating to Crime Intelligence, an investigation against Maj Gen Khan, the status of the PKTT and details on an interview by the Provincial Commissioner of KZN during the 2025 Police Day. The appearance was by way of a virtual meeting platform. In attendance were, amongst others, myself, the Minister, Lt Gen Mkhwanazi and Lt Gen Khumalo. During this session, Lt Gen Mkhwanazi made an allegation that the Minister knew a gentleman by the name of Brown Mogotsi. This is but one of the allegations made by Lt Gen Mkhwanazi at this meeting. Minister Mchunu denied knowing a gentleman by the name of Brown Mogotsi. After the meeting, in a meeting where I was present together with Deputy Ministers CC Mathale and Dr P Boshielo, and the Minister. The Minister repeated his denial regarding Brown Mogotsi to me and his two Deputy Ministers.

135 On 6 March 2025, I attended the Ministerial Meeting in Cape Town. In attendance at the meeting was the Minister, Deputy National Commissioners: Policing and Crime Detection, Lt Gen Mosikili and Lt General Sibiya, Lt Gen Khumalo, Chief of Staff in the Office of the Minister of Police Mr Nkabinde, Lt General Senthumule, a Lieutenant Colonel and me. In preparation for this meeting, Lt Gen Khumalo prepared an updated presentation on the PKTT. The presentation is annexed as "SFM 12". After Lt Gen Khumalo presented the briefing note to the Minister, the Deputy National Commissioner of Policing and I were in favour of the plan but the Deputy National Commissioner of Crime Detection (Lt Gen Sibiya) and the Chief of Staff of the Minister of Police, Mr Nkabinde, were against the plan. They were in favour of the immediate disbandment.

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136 The Minister's conduct in these meetings (and in general regarding the disbandment) was very concerning to me. I enquired from the Minister, at the beginning of the meeting, what was the reason and background for the decision to disband the PKTT. The Minister responded that political killings took place pre-1994, not after. During the meeting, the presentation of Lt Gen Khumalo was partially accepted. The Minister was adamant, and supported by Lt Gen Sibiya and the Chief of Staff, that the dockets had to be returned to the stations of origin and not to another unit or structure in KZN. The Minister also made it clear that the phased-out approach, or winding down of the disbandment of the PKTT, must be finalised during 2025.

137 Nevertheless, the meeting concluded that Lt Generals Khumalo and Senthumule must revise and amend the plan in accordance with the decisions taken during the meeting. This must be prepared for sign-off by the Minister. It was agreed that there would be a further meeting convened on 27 March 2025 to finalise the plan. Until then, no further action would be taken because the plan had not been approved and signed. The following was highlighted in the presentation:

137.1 The need for the avoidance of adverse and unnecessary challenges that could be faced if the PKTT is disbanded, was of paramount importance. In this regard, the proposal was that there be a phased-out approach to the disbandment along the lines set out in the preliminary report.

137.2 Insofar as the 114 dockets that were already on the court roll or before the Court, the recommendation was still that these 114 dockets remain with the current investigating officers (PKTT), both in KZN and the Eastern Cape, until

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finalisation of the prosecution process and thereafter there will be a gradual withdrawal of the remaining PKTT members until all cases are finalised.

138 The proposal recommended that the remaining members of the PKTT would have the following responsibilities:

138.1 Twenty three (23) detectives would be responsible for the cases on the court roll at the time.

138.2 Thirty three (33) combat members will be responsible for the protection of both the 23 detectives and 15 prosecutors; this is due to the high-risk nature and threat levels of these investigations.

138.3 Five (5) commanders to monitor the cases in court and provide command and control.

138.4 Two (2) analysts (digital forensic, LCRC and call data) to finalise the analysis and section 212 statements for the cases on the court roll.

138.5 Two (2) administration personnel to be responsible for the financial admin and fleet management-related administration.

138.6 Two (2) guards to safeguard the operational centre.

138.7 As and when each case was finalised, the dedicated detective and combat member would then be withdrawn and return to their respective stations.

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139 The action plan was as follows:

Activities	Responsibility	Due Date
Approval of Disbandment Plan	Minister of Police	06-03-2025
Stakeholder engagement with NPA, including prioritisation of the 114 cases	National Commissioner	17-03-2025
Approval of the new call up instruction and financial authority of 2025/2026	National Commissioner	17/03-2025
Returning the dockets under investigation to the KZN and EC	NPKTT Project Manager Divisional Commissioner Detectives and Forensic Services	17-03-2025
Provide progress to the Minister, National Commissioner, Deputy National Commissioner Crime Detection	Project Manager Divisional Commissioner Detectives and Forensic Services	31-03-2025
Submit the final close-up report to the Minister	Project Manager Divisional Commissioner Detectives and Forensic Services	31-03-2025

140 On 27 March 2025, a follow-up meeting was held regarding the implementation of the PKTT disbandment plan. In attendance at this meeting was the Minister, the two Deputy Ministers, Lt Gen Senthumule, Lt Gen Sibiya, Lt Gen Khumalo, a Lieutenant Colonel and me. I attach as “SFM 13”, the attendance list of those who were invited to attend to the meeting. I must mention that for the PKTT portion of the meeting, the other attendees appearing on the list were not present in the meeting.

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Furthermore, the Lieutenant Colone's name does not appear on the attendance list but she was in attendance in the meeting during the presentation on the PKTT as she had accompanied Lt Gen Khumalo and I understood that she had assisted in the preparation of the presentation that Lt Gen Khumalo presented at the meeting. When the PKTT disbandment agenda item was discussed, the Minister became visibly angry. At this point I (together with the Lt Gen Khumalo) was still proposing that the disbandment not be implemented but, if it was going to be implemented, that it be a gradual disbandment as proposed and agreed in the 6 March 2025 meeting.

141 I have no idea what transpired after the 6 March 2025 meeting that had such a significant influence on the Minister. He was now completely against the agreed gradual approach and reverted to the immediate disbandment. The Minister appeared to be angered by the fact that the statistics presented to him in the meeting showed that the PKTT members were still working and had made progress as reported by Lt Gen Khumalo in the meeting.

142 At some point during meeting the Minister stated that he did not understand why we were so adamant that the PKTT must not be disbanded. Then he said that the President is in agreement that the PKTT be disbanded. I was quite taken aback by this revelation since it was the President who, knowing about the effectiveness of the PKTT, had requested the PKTT be deployed to assist with the Fort Hare University murder investigations. Moreover, the President in our last briefing on the PKTT, was satisfied with its performance.

143 The Minister stated that it took a political decision to establish the PKTT, therefore it will take a political decision to disband it. The Minister directed that there will be no

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further meetings regarding this matter and any further engagements would be held with me only as the National Commissioner. However, the Minister and I had no further engagements regarding the PKTT thereafter.

THE 121 DOCKETS

144 Sometime in late April or early May 2025, I became aware that 121 dockets that were classified as “under investigation” were removed from the PKTT and handed over to Lt Gen Senthumule on the instruction of Lt Gen Sibiya. I attach a copy of the handover letters as “SFM 14”. This came as yet another surprise to me because, after the abrupt ending of the 27 March 2025 meeting, the partially accepted plan (of 6 March 2025) had still not been fully accepted, yet the dockets had been taken away from the PKTT.

145 On 22 July 2025, I disapproved a request for funding for the investigation of the 121 political task killings dockets proposed by Maj Gen Motsepe and recommended by Lt Gen Sibiya. This was in essence a proposal for the 121 dockets to be investigated and finalised by the serious and violent crime investigation: murder and robbery section. The funding request document is annexed as “SFM 15”. As recorded in the document, I disapproved the funding because it was essentially a duplication of the PKTT’s mandate. I also questioned why dockets are at headquarters when it was agreed that some dockets from the PKTT be returned to the station of origin.

146 I mention this specifically because in the document (at paragraph 3.7) it is recorded that I directed that Lt Gen Sibiya must be informed that Lt Gen Mkhwanazi did not want to take possession of the dockets and that he (Lt Gen Sibiya) will dispose of the dockets at his discretion. This is not correct. When Lt Gen Senthumule (Div-Com: Detective and

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Forensic Services) called to inform me of Lt Gen Mkhwanazi's refusal to accept the dockets, I advised Lt Gen Senthumule that she must tell Lt Gen Sibiya that he should return the dockets the same way he took them.

147 The document also incorrectly records (at paragraph 2.1) Lt Gen Sibiya was the Acting National Commissioner on 31 December 2024 when the directive to disband the PKTT was issued by the Minister. Lt Gen Mosikili was the Acting National Commissioner whilst I was on leave from 31 December 2024 up to and including 13 January 2025.

148 On 28 July 2025, I received a request from Lt Gen Mkhwanazi for a further extension of the PKTT's term and the approval of a budget until February 2026. The financial approval is attached as "**SFM 16**". Thus, at this present moment, the PKTT's operations have been approved until February 2026.

149 In line with this, and on 18 August 2025, I wrote to Lt Gen Mkhwanazi advising him that the 121 dockets will be returned to KZN. I requested that he use his discretion to decide whether all dockets should be returned to the PKTT or if others should be directed to another unit or office in the province. The letter is attached as "**SFM 17**".

150 The return of the 121 dockets became a focal point of contention between me and the newly appointed Minister of Police, highlighting again an underlying tension in both operational autonomy and potential political overreach. The concern was that the return of the dockets would effectively impair the Madlanga Commission's work. This tension was eased quickly. I advised the Minister that the decision to return the dockets was taken early on and that the dockets had been returned to KZN to continue the investigations. Copies of the dockets have been made and are stored safely. At any stage, they will be



made available to the Commission in whatever form it requires. This resolved the minor impasse.

151 It is worth noting that since the dockets were taken from the PKTT on General Sibiya's instructions, the dockets were not investigated. This heightened the need to get the dockets back to the team to progress those investigations.

152 I am advised that an audit was undertaken of the dockets comparing the state of the dockets when they arrived at head office and when they were handed back to the Task Team. The audit demonstrates that only inspections were done, but no investigations were conducted. Maj Gen Mogale who was directed to oversee the return of the dockets, if called by the Commission, will be able to explain the current status of the dockets.

IMPLICATED PERSONS

Minister Mchunu

153 Minister Senzo Mchunu was appointed as Minister of Police from 3 July 2024 until 13 July 2025.

Briefings by National Commissioner to Minister of Police

154 Following the appointment of a new Minister of Police, it is standard practice for the National Commissioner to arrange a series of comprehensive briefings. These sessions serve to familiarise the incoming Minister with the current landscape of policing operations, key policy directives and ongoing strategic initiatives. The Commissioner

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provides detailed reports on pressing matters, such as major investigations, operational priorities and any sensitive cases requiring ministerial oversight.

155 Additionally, the briefings cover the status of specialised units, recent restructuring efforts and the implementation progress of previously agreed-upon policies. By facilitating these briefings, the National Commissioner ensures that the Minister is fully apprised of critical developments, challenges and opportunities within the service. This process not only assists the Minister in exercising informed political control and accountability but also supports the seamless translation of directives into effective operational execution.

156 Such initial briefings set the tone for ongoing collaboration, establishing clear channels of communication and delineating responsibilities between political leadership and senior management.

157 If, however, the Minister does not receive these essential briefings, several significant risks arise that could undermine both the effectiveness and the integrity of the policing service. This is due to the fact that without timely access to current intelligence, the Minister may be unable to respond proactively to urgent operational challenges or emerging threats, resulting in delayed or misguided decision-making. Critical investigations and sensitive cases—such as those involving high-profile misconduct or complex unit disbandments—might proceed without appropriate oversight, raising the risk of political fallout or public controversy.

158 Moreover, gaps in communication can allow internal conflicts, insubordination or misalignment with national directives to fester, potentially leading to operational

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paralysis or the erosion of discipline within specialised units. The absence of comprehensive briefings might also hinder the Minister's ability to exercise meaningful accountability, open avenues for mismanagement, and obscure early warning signs of systemic dysfunction. Ultimately, neglecting these briefings imperils the Minister's credibility, exposes him to personal and political liability, and compromises the safety and trust of the communities the police are sworn to serve.

159 Despite standard protocol, Minister Mchunu was not open to the customary comprehensive briefing, opting instead for selective updates on areas of personal interest. On multiple occasions, I advised the Minister of the critical importance of receiving a thorough briefing across all divisions yet, though he acknowledged the reminder, he repeatedly did not allocate time for a complete session. Notably, up to the point when the decision to disband the Task Team was made, Minister Mchunu had not received any formal update on the Team's progress. This lack of comprehensive briefing is particularly pertinent to this Commission, as it underscores a significant gap in gathering of information and adequate information flow prior to key operational decisions.

160 This is further reinforced by the fact that the three individuals that could have briefed him, at the very least on the PKTT, did not get an opportunity to do so. Neither myself, Lt Gen Mkhwanazi nor Lt Gen Khumalo were asked to do a briefing.

161 The decision to disband the PKTT in KZN was fundamentally an operational matter, falling squarely within the purview of the National Commissioner, who is responsible for the management and strategic deployment of policing resources. I, supported by senior leadership, determine the structure, mandate, and continued existence of specialised units in response to evolving threats and the needs of effective law enforcement. More so, the

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PKTT is just a task team not a unit. When the Minister intervened and made determinations about the PKTT without receiving a comprehensive briefing or affording me and relevant senior officers an opportunity to present their assessments, such actions constituted an overreach into areas reserved for my operational command. This encroachment blurred the vital distinction between policy direction and operational execution, potentially compromising the integrity of policing strategies and undermining the established processes for internal accountability and decision-making. By bypassing my statutory responsibilities, the Minister's approach risked sowing confusion, eroding discipline, and jeopardising the effectiveness of law enforcement efforts in sensitive investigations.

162 Even if the decision to disband the Task Team is deemed a matter of policy rather than operational judgment, such a determination cannot legitimately occur in isolation from thorough briefings by the relevant SAPS executives and meaningful consultation with other key functionaries involved in the Task Team's work, including the NPA, SSA and Defence Intelligence. These briefings and consultations are essential to ensure that all stakeholders are apprised of the operational realities, investigative progress, and inter-agency dependencies that underpin the Task Team's mandate. Only through a considered, collaborative process—grounded in expert input and collective oversight—can such far-reaching policy decisions be responsibly and effectively implemented, safeguarding both the integrity of law enforcement strategies and the interests of national security.

163 The implementation of the disbandment, if it had to occur, was quintessentially operational in nature. This speaks to the question whether the disbandment should occur

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with immediate effect or through a gradual phased approach. This fell within the purview of my areas of responsibility and I am of the firm view that the Minister's instruction was separation of powers harm insensitive and constituted executive overreach and political interference.

164 The consequences of this breakdown became evident in subsequent developments. Without the benefit of a full spectrum briefing, ministerial interventions unfolded without the context or clarity that proper oversight demands. This not only amplified the risk of operational misalignment but also left senior officers without an avenue to communicate critical updates or concerns, particularly regarding sensitive units such as the PKTT.

165 In the absence of structured information flow, decisions regarding the PKTT were made with limited insight into the intricate challenges facing the unit, including its investigative progress and the implications of any proposed restructuring. Key stakeholders—including those with direct operational responsibility and inter-agency partners—were sidelined, further compounding confusion and eroding trust. Such deficiencies in communication and consultation undermined accountability and effective decision-making at the highest levels.

166 This context is essential to fully understanding subsequent actions and investigations, particularly those relating to Lt Gen Sibiya.

167 Even when one accepts that the authority to order the disbandment of the Task Team ultimately resides with the Minister, the responsibility for translating that policy determination into actionable steps—its operationalisation—remains vested in the office of the National Commissioner. As the principal custodian of SAPS operations, I am in

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charge of implementing ministerial directives in a manner that aligns with established protocols, preserves the integrity of ongoing investigations, and effectively manages the redeployment or restructuring of specialised units. This division of roles is not merely procedural; it is foundational to ensuring that policy intent is realised through expert execution, without blurring the boundaries between executive direction and command.

Cancellation of Mr Matlala's contract

168 Minister Mchunu raised an alarm of this matter and a meeting was held on 24 December 2024 and follow-up meeting was held on 3 February 2025. Concerns were raised regarding the Health Risk Manager contract with MediCare/Medicare24 Tshwane District, a contract for medical examinations for new SAPS members—without these examinations, new appointments are affected. In the meetings, reports of general non-performance were raised. Minister Mchunu instructed that we look into the contract. During that process, we discovered corruption, fraud, and a failure to deliver services resulting in cancellation of the contract on 13 May 2025.

169 On a conspectus of the facts that have now been revealed, I wonder whether at the time of triggering this investigation, the Minister was aware that Brown Mogotsi and Cat Matlala were associates and that if he did, would he have triggered it.

Lt General Sibiya

170 Lt General Shadrack Sibiya was appointed as the Deputy National Commissioner of Crime Detection in June 2023.

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a combination of initials and a surname.

- 171 Upon Lt General Sibiya's appointment, three points of contention surfaced almost immediately, signalling deeper complexities in the operational landscape. The first arose from Sibiya's strong desire to assume direct control over the Cold Case Unit—a unit that has always reported to the Office of the National Commissioner. This was unusual, as the Cold Case Unit typically manages investigations into unresolved matters that have previously been investigated by units under his command. As National Commissioner, I counselled him that the vast complexity of crime detection necessitates his focus elsewhere; the Cold Case Unit's specialised mandate does not require his direct involvement, given the expansive responsibilities already entrusted to his command.
- 172 The second point of contention centred on Lt Gen Sibiya's insistence that Lt Gen Khumalo, as Divisional Commissioner for Crime Intelligence, should not retain dockets for investigation—specifically, the Counter-Intelligence Investigation. Lt Gen Sibiya advocated for these sensitive dockets to be removed from Crime Intelligence and reassigned to Detectives. Again, I advised Lt Gen Sibiya that his attention should remain on the considerable and demanding portfolio for which he is now responsible, rather than seeking to restructure units that serve critical, well-established functions within our operational architecture. There is nothing wrong for Counter-Intelligence Investigations to carry dockets.
- 173 The third point of contention related to Lt Gen Sibiya's view that Lt Gen Khumalo should not oversee the PKTT, but rather, it should be overseen by Lt Gen Senthumule. I advised him that this can be done if Lt Gen Khumalo is of the view that he is overloaded and had capacity constraints, otherwise the *status quo* remains.

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174 Upon his appointment in July 2024, but at a later stage, the Minister raised the same points. I gave the Minister the same responses as those given to Lt Gen Sibiya.

175 Throughout my tenure, I generally made every effort to maintain a constructive and professional working relationship with Lt Gen Sibiya, recognising the importance of cohesion across the senior executive of SAPS. Nevertheless, in January 2025 I received a formal invitation from the Minister for a meeting, purportedly convened to mediate between myself and Lt Gen Sibiya. This is yet another example of ministerial interference which shows that the Minister had time to convene a meeting to essentially mediate a non-existing crisis instead of prioritising arranging a meeting to receive a critical briefing on the PKTT, which meeting Lt Gen Mkhwanazi and I had been repetitively requesting.

176 The cumulative effect of these dynamics became particularly salient as scrutiny intensified around the management and fate of the PKTT. The lack of a unified, transparent chain of communication left crucial operational parameters open to interpretation and debate, creating fertile ground for missteps and contentious decision-making. As the lines between strategic direction and operational command grew increasingly indistinct, differing perspectives on authority and mandate began to manifest—not only as abstract points of contention, but in practical decisions with far-reaching consequences for investigations underway.

177 It was within this environment that concerns escalated regarding the process and legitimacy of the PKTT's disbandment. The interplay between ministerial prerogative, the National Commissioner's executive obligations, and the assertive interventions of senior officers such as Lt Gen Sibiya gave rise to uncertainty over who ultimately held

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the mandate to issue, interpret and enforce instructions. These uncertainties were compounded by the perception—among both internal stakeholders and external observers—of fragmented oversight and a lack of coherent leadership, threatening the integrity of both the Task Team’s ongoing work and the SAPS as an institution.

Summary of the Report on the Investigation into Alleged Misconduct by Lt Gen SM Sibiya

178 On 15 July 2025, I appointed Lt Gen TE Patekile (Adv), Provincial Commissioner, Western Cape to conduct an investigation under Regulation 8(1) of the SAPS Discipline Regulations, 2016, following allegations of misconduct against Lt Gen SM Sibiya. As discussed above, the allegations pertain to actions taken by Lt Gen Sibiya in relation to the disbandment of the PKTT in KZN.

179 The key allegations included:

179.1 **Unauthorised Instructions:** Lt Gen Sibiya allegedly issued instructions to withdraw case dockets from the PKTT in KZN and transfer them to the Divisional Commissioner: Detective and Forensic Services. These instructions were issued on:

179.1.1 17 January 2025.

179.1.2 4 February 2025.

179.1.3 22 April 2025. These actions were allegedly contrary to the directives of the National Commissioner and hindered or delayed investigations.

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179.2 **Defeating the Course of Justice:** By issuing the above instructions, Lt Gen Sibiya is accused of intentionally hindering or delaying the investigation of the case dockets.

179.3 **Insubordination:** The instructions issued by Lt Gen Sibiya were in direct conflict with my approved phased-out plan for the disbandment of the Task Team.

179.4 **Improper Conduct:** Lt Gen Sibiya's actions allegedly contravened the SAPS Code of Conduct and brought the SAPS into disrepute.

179.5 **Alleged Associations:** There are unsubstantiated allegations that Lt Gen Sibiya has associations with individuals under investigation by SAPS, including Vusimuzi Matlala. These allegations require further criminal investigation.

180 Lt Gen TE Patekile conducted consultations and interviews with various employees and individuals to secure records and information relevant to the investigation. Statements were obtained from key personnel, including myself, Deputy National Commissioners and Divisional Commissioners. These statements were included as annexures in the report.

181 The investigation reviewed multiple pieces of correspondence, including emails and letters, to understand the directives issued by Lt Gen Sibiya and their impact on the disbandment of the PKTT. Key communications from the Minister of Police, the National Commissioner and Lt Gen Sibiya were analysed. Moreover, the dockets that were transferred to the Division: Detective and Forensic Services were analysed. The process was detailed and comprehensive to ensure that all interests were taken into account.

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182 Lt Gen TE Patekile found as follows:

182.1 Contravention of SAPS Discipline Regulations: The investigation found that Lt Gen Sibiyi contravened multiple provisions of the SAPS Discipline Regulations, 2016, including Regulation 5(3)(b)(i): Prejudicing the interests of the Service; Regulation 5(3)(f): Failing to carry out lawful orders; Regulation 5(3)(j): Improper conduct; Regulation 5(3)(u): Violating the SAPS Code of Conduct; Regulation 5(3)(gg): Neglecting duty or performing functions improperly; and Regulation 5(4)(h): Defeating the course of justice.

182.2 Impact on Investigations: The unauthorised instructions issued by Lt Gen Sibiyi resulted in the hindrance and delay of investigations into political killings in KZN.

182.3 Non-Compliance with National Commissioner's Plan: Lt Gen Sibiyi's actions were inconsistent with the phased-out plan approved by the National Commissioner and presented to the Minister of Police.

182.4 Unsubstantiated Allegations of Criminal Associations: While there are allegations of associations with individuals under investigation, these remain unsubstantiated and require further criminal investigation.

183 The investigation concluded that there is sufficient evidence to justify a disciplinary hearing for Lt Gen Sibiyi. In particular, the investigation found a *prima facie* case of serious misconduct against Lt Gen Sibiyi. His actions were deemed to have undermined the directives of the National Commissioner, hindered investigations, and constituted misconduct in terms of the SAPS Discipline Regulations and Code of Conduct. The matter has been referred for a disciplinary hearing. Moreover, the report recommended

that the allegations of associations with individuals under investigation should be pursued through a separate criminal investigation. The report is attached as “**SFM 18**”.

184 Although the issues involved appear *prima facie* to be related to employment issues, one needs to understand Lt Gen Sibiya’s conduct in its proper context. The context includes that:

184.1 As the National Commissioner, I am the designated line manager for Lt Gen Sibiya, and all directives concerning his scope of authority must flow through my office. It was therefore wholly inappropriate for Lt Gen Sibiya to act directly on the Minister’s instructions, particularly in light of my explicit directive that any such matters were to be handled by myself. By bypassing the established chain of command, Lt Gen Sibiya not only contravened clear procedural protocols but also undermined the organisational integrity and accountability mechanisms that are fundamental to SAPS operations. Such conduct erodes confidence in the proper functioning of command structures and cannot be countenanced within the police service.

184.2 Subsequent phone records obtained from an attempted murder accused revealed communications implicating Lt Gen Sibiya in the forceful and immediate implementation of the Minister’s directive to disband the PKTT. These records suggested that Sibiya’s actions were not merely procedural but rather tied to deeper connections with individuals identified as members of a criminal cartel. The timing and urgency of his compliance appeared to align with imperatives to shield cartel members from ongoing investigations. This is the subject of an ongoing criminal investigation.



185 The abovementioned issues related to Lt Gen Sibiya culminated in urgent litigation before the High Court. The application was dismissed.

OTHER ISSUES OF RELEVANCE

Complaints against the PKTT

186 Since the establishment of the PKTT, Mary de Haas has lodged numerous complaints against the PKTT ranging from irregular formation and conduct, malicious arrests and corruption, the use of torture and abuse to persecute individuals, political interference and cover-ups, questionable leadership, ineffectiveness and wasteful spending and disappearance of case files.

187 As far as I am aware, there was no substance to those complaints. Additionally, these complaints were made to IPID and to Parliament. An example demonstrating the lack of substance, Ms de Haas complained about a Sergeant S Dlamini. Sergeant Dlamini went on to be convicted by a court of law.

Minister's motives

188 In respect of the Minister, knowing what I now know, what I considered to be irrational and inexplicable encroachment into operational issues is now explained by his desire to hold investigations against criminal cartels by disbanding the PKTT. By this I mean the evidence that has emerged which links the Minister to Brown Mogotsi, Cat Matlala and Lt Gen Sibiya.

189 The political interference by the Minister was not purely innocent but was calculated and consciously orchestrated to achieve this unlawful purpose.



CONCLUSION

190 It is deeply unfortunate that these events have occurred, as they not only erode public trust in the integrity of SAPS leadership but also risk undermining critical investigations into politically motivated crimes. The disregard for established protocols and the apparent willingness to act outside the chain of command jeopardise the transparency and accountability at the heart of effective policing. Moreover, the shadow of alleged criminal associations, even if yet unproven, casts doubt over the credibility of ongoing investigations and the impartiality of officers involved. In a context where the stakes are the pursuit of justice and the safety of communities, such lapses threaten to weaken the foundational principles upon which the police service relies and diminish public confidence in law enforcement as a whole.

191 I have been asked about the key reforms I think would assist within the police service. Although I intend on making comprehensive submissions in this regard, at a later stage, I would like to highlight that the Police Minister's role needs to be urgently defined especially in light of there being a Minister on leave and an acting Minister.


SEHLAHLE FANNIE MASEMOLA

I hereby certify that the deponent stated that he knows and understands the contents of this affidavit and that it is to the best of his knowledge both true and correct. This affidavit was signed and sworn to before me at Johannesburg on this the 20th day of SEPTEMBER 2025, and the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended, have been complied with.


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