

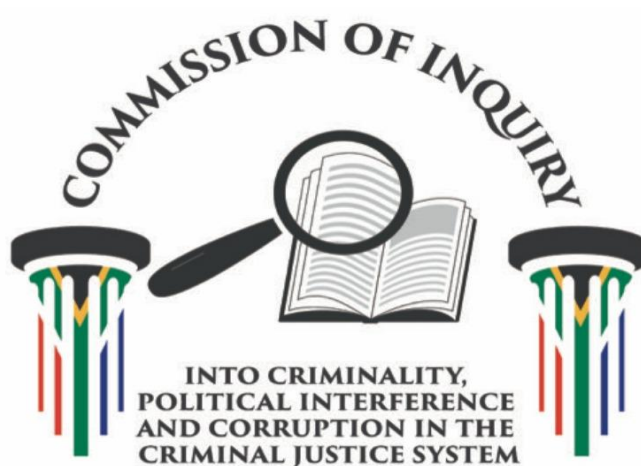
JUDICIAL COMMISSION OF INQUIRY INTO CRIMINALITY,
POLITICAL INTERFERENCE AND CORRUPTION IN THE
CRIMINAL JUSTICE SYSTEM

HELD AT

BRIGITTE MABANDLA JUSTICE COLLEGE

30 SEPTEMBER 2025

DAY 9



PROCEEDINGS ON 30 SEPTEMBER 2025

CHAIRPERSON: Good morning. I am very sorry. Good morning, General. You are still under your oath. Yes, Ms Hassim.

SAMUEL DUMISANI KHUMALO: (still under oath)

EXAMINATION BY ADV HASSIM SC (CONTINUES):

Morning, Chair, Commissioners. The bundle that you will need to have in front of you today is Annexure WB1 and WB2.

10 **CHAIRPERSON:** Okay, and do I put aside the statement for now?

ADV HASSIM SC: For now.

CHAIRPERSON: Thank you.

ADV HASSIM SC: Morning, General. When we left off yesterday, we left off just after you gave a very general overview of five WhatsApp chat communications between Mr Matlala and five individuals, and we were at the point of beginning to go through the first chat communication, and that would be between Mr Matlala and Mr Brown-Mogotsi.

20 So, if you could please open Bundle WB1, which contains the chats between Mr Matlala and Mr Mogotsi. Do you have it in front of you?

LT-GEN KHUMALO: Yes, Commissioners.

ADV HASSIM SC: And you have provided the Commission with this, and I take it you have read through it closely, the

chats.

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: Before we begin with a page-by-page going through of the chat analysis, can you tell the Commission what are the overall themes that for you emerge from this particular conversation we are about to go through?

LT-GEN KHUMALO: Thank you, Commissioners. The analysis of the chats gave us about six themes that we are
10 going to present as evidence as extracted from the cellular phone of Mr Vusimuzi Matlala.

ADV HASSIM SC: And General, sorry if I can just pause you there. Sorry to interrupt. But when you say six themes, it is the six themes that emerge just from the conversation between Cat Matlala and Brown Mogotsi. So, it is just the one chat that we are looking at for now.

LT-GEN KHUMALO: That is correct. For now, we will be looking at one chat that is between Vusimuzi Matlala and Brown Mogotsi. The themes that we will use for this
20 briefing will be those chats that are talking to the IPID, the use of IPID. The second one will be the one talking to the payments for politicians. The third one will be looking at the chats related to the tender protection. And the fourth one will be the chats talking to the disbandment of the Political Killings Task Team. And the fifth one will be the

links to the Senior Crime Intelligence and South African Police Service members. And then the sixth one will be talking to the access to the Minister. Those will be the six themes that will guide us as we go through the chats.

ADV HASSIM SC: Thank you. Commissioners, I then propose we begin going through the chats in detail. So, on page 1, you have it in front of you, General Khumalo. It says Brown Mogotsi is the number. And you confirmed yesterday that this is a number that is indeed registered to

10 Brown Mogotsi.

LT-GEN KHUMALO: That is correct.

ADV HASSIM SC: And is this the same number that was used to contact General Mkhwanazi in September last year?

LT-GEN KHUMALO: That is correct, Commissioners, the same number that was used during the communication with General Mkhwanazi.

ADV HASSIM SC: And the second name is not under the name Matlala, it is Dlamini. Can you explain why it is under the name Dlamini?

20 **LT-GEN KHUMALO:** Thank you, Commissioners. Dlamini is another name or second name, surname of Vusimuzi Matlala. And he possesses an identity document to that effect. And also, he is using that surname in some of the gadgets where he is communicating with Brown Mogotsi and others.

ADV KHUMALO SC: General, the second identity document you are referring to, is it a South African identity document issued by Home Affairs? The one that bears the surname Dlamini.

LT-GEN KHUMALO: Apologies, Commissioners, it is a Swaziland identity document that bears the surname Dlamini.

ADV HASSIM SC: Thank you. And then we see that the chats we are about to go through begin on 19 December
10 2024. Do you know why they begin on that date, 19 December 2024?

LT-GEN KHUMALO: That is, Commissioners, the beginning of the whole communication data on the cell phones that were extracted. All the data or information begins on that day, 19 December 2024.

ADV HASSIM SC: And it ends on 15 May 2025. And is that because, obviously, he was arrested on the 14th and that was when the phone was confiscated?

LT-GEN KHUMALO: That is correct, Commissioners.

20 **ADV HASSIM SC:** Commissioners, if I could just explain the date of the 15th, because Mr Matlala was arrested on the 14th. But if you turn to page 91 of the chats, the reason it reflects as 15 May is that strange thing we were talking about yesterday that the system kicks in, called unknown sender, which is reflected as 15 May, but that is the date on

which the contents of the phone were extracted. So, obviously, there was no chats between Mr Matlala after the 14th. So, just to explain why it goes up to the 15th. Okay, all right, so let us begin then with the first communication from Mr Matlala to Mr Mogotsi. And that contains a video link, which we will display for the Commission. That was dated 18 December. General, it is followed by a photograph of the same people, a photograph, a still. It looks like it is a still photograph taken from that video. Is that correct?

10 **LT-GEN KHUMALO**: That is correct, Commissioner.

ADV HASSIM SC: Can you explain what that is a video of?

ADV BALOYI SC: Sorry, Ms Hassim. You say that was the 18th. What we have here is the 19th on the document. Is there an explanation for that?

ADV HASSIM SC: Yes. Maybe what we should do is play the next two videos and then deal with this. If we can pause there. Okay, so what we see, General, is a series of videos of people entering a building called Menlyn Capital, including two pretty seriously armed officers. And it is on
20 two days, the 18 December 2024 and 19 December 2024. Is that correct?

LT-GEN KHUMALO: It is correct, Commissioner.

ADV HASSIM SC: Okay, can you explain what is happening in that video and that photograph and who the people are?

LT-GEN KHUMALO: Thank you, Commissioners. The two videos were forwarded, as well as the still photo, were forwarded by Mr Vusimuzi Matlala to Mr Brown Mogotsi. The two videos and the still photo are depicting the two-day operation that was conducted by the members of the Gauteng Counter Intelligence Operation with regards to the Firearms Control Act compliance inspection, which was a follow-up from the operation that was done on the 6th of December.

- 10 **ADV HASSIM SC**: Was Mr Matlala informed that the team would be arriving for this inspection on those dates?

LT-GEN KHUMALO: That is correct, Commissioners. The arrangements were made with Mr Vusi Matlala, as well as his legal representative, and the appointment was set initially for the 18th, and one of them was not available. Hence, then it was postponed to take place the following day, the 19th.

ADV HASSIM SC: Can you explain why it was necessary to have an armed escort?

- 20 **LT-GEN KHUMALO**: It is a standard operational procedure for the Gauteng Counter Intelligence Operation members because of the threat and risk assessment that is still in place, and it is also our operational procedure to provide the protection for the investigating officers by a suitable tactical capability during the conducting of their operations.

ADV HASSIM SC: And the threat and risk assessment you referred to, we have not got to that point yet in your statement. So, could you at this point just give a bit more of an explanation of why there was a need for a threat and risk assessment, and what the findings were?

LT-GEN KHUMALO: Yes, the threats against the operation, which would include also the members attached to it, were identified at the beginning of the operation that was reflecting an operation as a very high-risk operation.

10 **ADV HASSIM SC:** Hence, then, as part of our counter intelligence measures, we had to employ the 24-hour protection to the members that are involved in this particular operation.

ADV HASSIM SC: So, the findings of the threat and risk assessment was high?

LT-GEN KHUMALO: Threat and risk assessment was high.

ADV HASSIM SC: The individuals, you say, who arrived are members of the task team?

LT-GEN KHUMALO: Are the members of the task team, that is correct.

20 **ADV HASSIM SC:** So, in the next photograph, can you explain who are the people in that photograph and what is taking place?

LT-GEN KHUMALO: The photograph depicts the members of the GCI Ops conducting an inspection together then with the personnel from Vusi Matlala's business premises.

CHAIRPERSON: Please mention the page numbers for the record.

ADV HASSIM SC: That is on page 3. Pardon me.

CHAIRPERSON: No, I do see it, just for the record.

ADV HASSIM SC: Thank you, Chair. That is on page 3, the photograph. And so, this is where they are conducting the firearm compliance inspection.

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And what were the outcomes of that
10 inspection?

LT-GEN KHUMALO: The outcomes of the inspection was there were possible contraventions of some of the sections of the Firearms Control Act. Hence, an enquiry was registered, which was then investigated from that day on, and it is still under investigation.

ADV HASSIM SC: And ...[intervenes]

LT-GEN KHUMALO: And the firearms were all confiscated for ballistic analysis. After the ballistic analysis was completed, they were returned back to the owner, lawful
20 owner, Mr Vusimuzi Matlala.

ADV HASSIM SC: Do you know when they were returned?

LT-GEN KHUMALO: I do not have the specific date, but it was three to four weeks after the operation.

ADV HASSIM SC: Thank you. If we can turn to page 4. After a call between Mr Mogotsi and Mr Matlala, there is

then a text exchange. Can you read that, please?

LT-GEN KHUMALO: The first text exchange from Brown Mogotsi to Vusimuzi Matlala, it has got the message that reads IPID guy name, which is the first text that is talking to our first theme of this presentation.

ADV HASSIM SC: And can you read the next message?

LT-GEN KHUMALO: The next message, which is a follow-up on the first, where Mr Brown Mogotsi is following up from Mr Vusimuzi Matlala on the same IPID discussion, asking:

10 “My brother any news from IPID.”

ADV HASSIM SC: So, you say that this is the first mention of the theme regarding IPID that you have highlighted for the Commissioners.

LT-GEN KHUMALO: That is correct. Commissioners, maybe also to add or to sensitise the Commissioners that will find the discussion under this theme. As we continue to the next page, page 5, 6, 7, as well as page 11 and 12. As we get to those pages, we will be coming across the discussion around IPID theme.

20 **ADV HASSIM SC:** Thank you. So, we will move off that because we want to go sequentially through the chats, but it will recur, the theme of IPID. Okay, so the next message, if you can read that.

LT-GEN KHUMALO: The next message reads:

 “My brother, how is the court

proceedings?”

According to our analysis and interpretation of the message, we are aware of the fact that after the compliance inspection operation, Mr Vusimuzi Matlala initiated an urgent court application for the return of the firearms that were confiscated. Our analysis of the chat based on the timeline is giving us that possibility that the chat or the question was with regards to the court proceedings because the matter was expected to be heard on the date of the
10 message, which is the 24th of December 2024.

ADV KHUMALO SC: Advocate Hassim, I know we are dealing only with the chats, but between the chats, I see that there are audio calls and video calls. Are we leaving those and just assume that there were video calls and audio calls, but nothing more about it?

ADV HASSIM SC: We have no further information on the audio or video calls, so all we are able to discern from the chat is that a call was made at that point in time and when that call was returned and the times at which the calls were
20 made, but we have no information beyond that. And I think that it is useful to just note, General, as we are going along, even though we are skipping sort of over the calls, but to just note for the record that a call was made between the two individuals.

ADV BALOYI SC: On that same note, Ms Hassim, I think it

will be helpful for purposes of a complete record when we read it later that perhaps you also mentioned the date and the timestamp as you go along.

ADV HASSIM SC: Of the calls?

ADV BALOYI SC: Well, not just the calls, more the messages, really.

ADV HASSIM SC: Yes, no, I think, I mean, certainly for the messages, but we could do the same for the calls. I am sorry, so we were on, how is the court proceedings and your
10 interpretation of this is that it related to the application by Mr Matlala for the return of his firearms and cell phones. Do you know anything further about that court application?

LT-GEN KHUMALO: What we know is that on the same day, the 24th of December 2024, when the matter was expected to sit, the applicant, Mr Vusimuzi Matlala, withdrew his application.

ADV HASSIM SC: Okay, so can you just provide the date and time of the next set of calls, one by one?

LT-GEN KHUMALO: On the next page, there are calls
20 between Mr Brown Mogotsi and Vusimuzi Matlala, as well as the greeting on the Christmas Day.

ADV HASSIM SC: Let me pause you, General. So, the first one is, I think we are going to be quite specific about this. The first call was 24 December 2024 at 13:45. That is at the bottom of page 4.

LT-GEN KHUMALO: That is correct, the first call of the day from Brown Mogotsi to Mr Vusimuzi Matlala, followed by another call. And thereafter, then the response or greetings back, or maybe an indication that he did miss the calls. And then the next message ...[intervenes]

ADV HASSIM SC: So, let me pause for a second, just so we get all of the calls in as Commissioner Baloyi requested. The next call was – so the first call on that was 24 December 13:45. The next call was from Mr Mogotsi, 10 24 December 2024 at 14:05. And then another call from Mr Mogotsi, 24 December 2024 at 23:03. And then a message on 25 December 2024. Can you take it from there?

LT-GEN KHUMALO: Thank you, Commissioners. And then the first message from Mr Vusimuzi Matlala to Mr Brown Mogotsi on 25 December 2024 at 06:17.

ADV HASSIM SC: Yes.

LT-GEN KHUMALO:

20 “Morning, my brother. Did you call by mistake last night?”

Then followed by the message from Brown Mogotsi to Vusimuzi Matlala on the same date, 25 December 2024 at 08:42 with the message reading as follows:

“Good day, bro. I believe it was a misdial. Sorry, it is a response to the

previous message.”

And then there are three items that are sent by Mr Brown Mogotsi. The first one being IPID. The second one being the court case date. As well as the 25 percent we may lose ACOM and flight packages. The first two, according to our analysis, are referring to the two subject matters that we have heard or seen on the preceding pages.

ADV HASSIM SC: And the third?

LT-GEN KHUMALO: The third is talking to the sub-theme
10 that we are still going to unpack as we move forward. The
25 percent we may lose ACOM and flight packages.

ADV HASSIM SC: And which theme is that?

LT-GEN KHUMALO: That theme will be talking to the
payments to the politicians.

ADV HASSIM SC: Can you turn to the next message?

LT-GEN KHUMALO: The next message on the same day or
the next four messages starting with:

“When are you available? I am in
Mafikeng.”

20 The next one meaning in Joburg. The next one:

“Are you in Joburg or you are in
Joburg?”

Those are messages that are suggesting that there was an attempt to set up a meeting between the two.

ADV HASSIM SC: And those messages begin, when are

you available begins 25 December 2024, 08:47. And the response by Mr Mogotsi I am in Mafikeng is the same day at 09:15. The next message meaning in Joburg is at 09:15, immediately after the previous one. Followed by, on the same day, the message from Mr Matlala saying, are you in Joburg and that is at 09:15. And then if we turn to page 6, Mr Mogotsi responds, same day, 09:16, no. Okay, and then can you take it from there?

LT-GEN KHUMALO: Then the next message from
10 Mr Vusimuzi Matlala to Mr Brown Mogotsi on the
25th of December 2024, at 09:16, it reads thus:

“Let me know when you are back and
the banks open tomorrow. I will
circulate that deposit thing and the rest
we will discuss whenever you are
available.”

According to our analysis of the chat, it relates to the lists
of three items that were shared between the two. The same
day in the morning, the same day, the
20 25th of December 2024, at 08:42.

ADV HASSIM SC: Thank you, we can continue with the
chats.

CHAIRPERSON: It can be all three things. Can it possibly
be one, two, or is it about three only?

LT-GEN KHUMALO: Apologies, Commissioners, it refers

to number 3 of the list.

CHAIRPERSON: Thank you.

ADV HASSIM SC: It refers to the 25 percent payment for accommodation.

LT-GEN KHUMALO: Yes, the 25 percent, yes, that is correct.

ADV HASSIM SC: Okay, so the next message.

LT-GEN KHUMALO: The next message on the same day, 25th of December 2024, at 09:16. Mr Brown Mogotsi to Vusi
10 Matlala:

“I am asking if you want me in Joburg.”

The continuation of an attempt to have a meeting with the response from Vusi Matlala. On the same day, 25th of December 2024, at 09:17:

“No, I was just wondering if you are around so we can discuss what is happening.”

And then the next message.

ADV HASSIM SC: Can you pause for a moment there? Do
20 you have any views on what is meant by when Mr Matlala says we can discuss what is happening? What was happening at that time?

LT-GEN KHUMALO: According to our analysis, Commissioners, the issues that were discussed mainly during that period was firstly the operation by the GCI Ops

members to the businesses of Vusimuzi Matlala. And also, during the operation on the 6th of December, the initial operation, it was the first time that the issue of the tender that Vusimuzi Matlala was having with the South African Police Service. So, it was also an issue that was discussed a lot. And on a previous day, the day before Christmas, is when the SAPS Management and Ministry had a meeting around the same issue of the tender. So, according to our analysis, the question or the issues that Vusimuzi Matlala
10 wanted to discuss with Mr Brown Mogotsi are referring to the discussions or issues around that tender.

ADV HASSIM SC: Thank you. You can continue with the messages.

LT-GEN KHUMALO: The next message is on the same day, 25th of December 2024 at 09:18pm. Brown Mogotsi sending to Vusimuzi Matlala indicating that the 26th is a holiday. And with the response from Vusimuzi Matlala on the same day at 09:18pm:

“Yes, they open half day tomorrow.”

20 And then the next message.

ADV HASSIM SC: You can just pause there. He probably meant they open half day tomorrow. Do you have any view on what he is referring to there? Who is open half day tomorrow?

LT-GEN KHUMALO: According to our analysis of the

previous messages or discussions and the ones that we are still going to go to, they are talking to the 25 percent deposit that had to be done.

ADV HASSIM SC: So, is it referring to the banks being open?

LT-GEN KHUMALO: To the banks, yes, Commissioners.

ADV HASSIM SC: All right, continue.

LT-GEN KHUMALO: And then on the same day at 09:18, Brown Mogotsi indicating to Cat Matlala the continuation of
10 the IPID theme. Indicating to him that IPID can be a breakthrough. And then on the same day, Vusimuzi Matlala is responding back to Mr Brown Mogotsi at 09:18 again. Indicating that:

“There is a bit of a hurdle there, but I will fill you in.”

Our interpretation is there means IPID as a direct response to the previous message from Brown Mogotsi.

ADV HASSIM SC: The next message?

LT-GEN KHUMALO: On the same day, Brown Mogotsi
20 responding with:

“Will it work?”

ADV HASSIM SC: At 10:32.

LT-GEN KHUMALO: At 10:32 on the same day.

ADV HASSIM SC: So, there is a bit of a hurdle there, but I will fill you in. Followed by from Mr Mogotsi, will it work?

Okay, and the next message?

LT-GEN KHUMALO: And then the response to Mr Brown Mogotsi by Vusimuzi Matlala on the last message asking whether will it work. It reads as:

“Needs someone brave enough.”

Our interpretation is the response on the question whether it will work or not.

ADV HASSIM SC: And do you have any view on what, it is responding to the previous message, but do you have any
10 more insight into what that means? Needs someone brave enough.

LT-GEN KHUMALO: Following the order of the discussion, the question will it work will still be part of the IPID theme as the previous messages or the initial message on that day came from Brown Mogotsi indicating to Vusimuzi Matlala that IPID can be a breakthrough. Then followed by a response that there is a bit of a hurdle there, but I will fill you in. So, if you read those messages, they give the suggestion that it is a continuation of the IPID discussion
20 ending with the message from Vusimuzi Matlala that it will need someone brave enough.

ADV HASSIM SC: Can you proceed to the next message?

LT-GEN KHUMALO: The next message, what we can indicate Commissioners ...[intervenes]

ADV HASSIM SC: Date and time first, please.

LT-GEN KHUMALO: The message is on the 25th of December 2024 at 13:06 where Brown Mogotsi sent a picture to Vusimuzi Matlala that is having a picture of what looks like a business or travel agency advertisement. And what is of importance there is to note the name of the travel agency because it is going to come up very often as we move with this data chart presentation which is Gotlhe Travel.

CHAIRPERSON: Can someone who is speaking please
10 pronounce that for us? Adv Pooe.

ADV POOE: It is Gotlhe.

CHAIRPERSON: Thank you.

ADV BALOYI SC: Maybe it has to be spelt for the transcript.

CHAIRPERSON: Thank you.

ADV HASSIM SC: And that is spelled G-O-T-L-H-E. Gotlhe.

CHAIRPERSON: Thank you. General, it also looks like it is a still picture taken off a video.

20 **LT-GEN KHUMALO:** Yes, that is correct, Commissioner. Thank you for the correction for the Gotlhe Travel. It looks like a still.

CHAIRPERSON: I would not have gotten it right either, so you are in good company.

LT-GEN KHUMALO: That is correct, Commissioner

Chairperson. It looks like it is a still picture of a video that was sent then to Matlala, Mr Matlala.

ADV HASSIM SC: So, the next message is still on the same day, that is 25 December 2024. Can you take it from there?

LT-GEN KHUMALO: Thank you. On the same day, Commissioners, on the 25th of December 2024 at 13:12, Mr Brown Mogotsi is forwarding the message that was sent by someone to him. He is now forwarding it further to

10 Mr Vusimuzi Matlala which reads as follows:

“Hello, sir. You have been promising to do the payment, and I constantly requested that you do a 25 percent which is R37 000 of the amount of ...[intervenes].”

ADV HASSIM SC: Sorry, General, I will just pause you there. I think it is 37 million. It is 37 and then it has a – no, it is R37 000, that is correct, yes. Yes, apologies, it is R37 000,000.

20 **LT-GEN KHUMALO:**

“A 25 percent deposit or amount of R37 000 of the amount R148 000. Unfortunately, we have to prioritise the next available client should you not do the payment by tomorrow, the 26th of

December 2024, noon.”

The next message ...[intervenes]

ADV BALOYI SC: Before that, General, you say this was forwarded by Mr Mogotsi to Mr Dlamini, is that what you said?

LT-GEN KHUMALO: That is correct, Commissioner.

ADV BALOYI SC: Can I maybe just to clarify that now, at the top right hand, you have received and then you compare the next one, it says delivered. The way that I had
10 understood it was that received there shows that it was received by Mr Mogotsi, am I correct, in the one that you have just read now?

LT-GEN KHUMALO: Thank you, Commissioners. It was received by Mr Matlala, as these are chats from Mr Matlala's phone.

ADV BALOYI SC: I see, okay.

CHAIRPERSON: I have a different question, General. When I receive chats on my phone, if it is something forwarded, I am not sure off the top of my head now
20 whether it will actually have forwarded, but I think it also has arrows that turn sort of at 90 degrees like that. If I am not mistaken, there is two such arrows turning at 90 degrees, but I think there is also the writing forwarded, so you can tell from that that it is forwarded. So here, how can you tell it is forwarded? Besides the content does indeed

suggest that it may have been forwarded. It is unlikely that it would have been something written by Mr Mogotsi to Mr Matlala. But aside of that, how are you able to tell that it was forwarded?

ADV HASSIM SC: So, Chair, this is the issue that we alerted yesterday, that the Commission's own software was unable to reflect it in that way in which we normally see it on our phones. So, the only way we could establish that it is forwarded is by looking at the metadata that indicates it
10 and the spreadsheet that is in your annexures. If you were to - I do not propose we do it now, but if you were to go to the spreadsheet and look at 25 December 2024, and then at the timestamp, it will indicate that this is a message that was forwarded.

CHAIRPERSON: Thank you for the explanation. Let us go by what the General says then, even with others that follow. Thank you.

ADV HASSIM SC: Thank you, Chair.

LT-GEN KHUMALO: Thank you, Commissioners.
20 Continuing on the same date, 25th of December 2024, we are noting the response from Vusimuzi Matlala to Mr Brown Mogotsi at 13:58, which reads as follows:

“First thing tomorrow morning, I will attend to it. Soon as the banks open, I will be there. I could not do it before

because of the obstacles, which you also are aware of. But I made a promise to you, and I will not disappoint.”

Then on the following day, on the 26th of December 2024 at 08:05, the message sent by Mr Brown Mogotsi to Mr Vusimuzi Matlala containing the banking details of the same Gotlhe Company on that business card or advert with the FNB, Gotlhe Specialists, and the account number
10 reflected as 628952 ...[intervenes]

ADV HASSIM SC: You do not need to read out the account number.

LT-GEN KHUMALO: Okay, and then it is for the current account, and then followed by the greetings.

ADV HASSIM SC: So just to pause there, General. So, it is Mr Mogotsi sending the bank account details to Mr Matlala for payment.

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And it is Gotlhe Specialists, and what
20 was on the advert was Gotlhe Travel. Okay, you can continue.

LT-GEN KHUMALO: Then that ...[intervenes]

CHAIRPERSON: When you get to details like the banking details, please just say banking details indicated without reading it into the record, please, General.

LT-GEN KHUMALO: Noted, Commissioners. Then that message on banking details is followed by the greeting on the same day, 26 December 2024 at 10:59. Then on the next page, on the same date, the 26th of December 2024, there are audio or video calls exchanged between the two, and then followed by on the same, there is a video call at 11:05 on the 26th of December, followed by the message from Mr Vusimuzi Matlala to Mr Brown Mogotsi on the 26th of December 2024 at 11:06, which reads thus:

10 “Let me call you in 20 minutes,
 meeting.”

The response from Mr Brown Mogotsi at 11:06 on the same day reads:

 “Okay.”

Followed by another message on the 26th still of December 2024 at 11:06 from Mr Brown Mogotsi to Mr Dlamini Vusimuzi, which reads:

 “Just send me a message that you are
 held up so that I send this woman,
20 these women, please.”

Our interpretation is that message is talking to the forwarded message of a person who was reminding the two chatting gentlemen about the 25 percent deposit. The response thereof on the same day, 26 December 2024 at 11:13 from Vusimuzi Matlala reads thus to

Mr Brown Mogotsi:

“Do not stress my brother, I will take care of it.”

And then on the same day, the response from Mr Mogotsi to Mr Dlamini at 12:08 indicating that:

“Share a POP and thank you hence.”

Then the next message on the same date ...[intervenes]

CHAIRPERSON: POP, which I understand to be proof of payment.

10 **LT-GEN KHUMALO**: Proof of payment.

ADV KHUMALO SC: Is that a thank you or a please, as if somebody is pleading?

ADV HASSIM SC: I think it is a please, the interpretation, because there has not been a payment made yet, so it is a pleading hands, Commissioner.

CHAIRPERSON: That is a reference to the emoji on the side, General.

ADV HASSIM SC: So, General, it says share a POP and then the emoji of the hands. And the interpretation is that
20 that is a please.

LT-GEN KHUMALO: A please.

ADV HASSIM SC: I do not know what your interpretation is.

LT-GEN KHUMALO: I would have to agree that one is not using these emojis often, let alone the understanding.

ADV BALOYI SC: Ms Hassim, I was asking the Chair if we are entering the territory of calling experts, emoji experts now.

ADV HASSIM SC: I certainly hope not. Let us stay as far away from that as possible if we can in this hearing. Share a POP. And the next message.

LT-GEN KHUMALO: The next message is forwarded again by Mr Brown Mogotsi to Cat. Maybe this message we can read it together with the next one for better understanding.

10 The two messages are sent more or less the same time, on the 26th of December 2024, by Mr Brown Mogotsi to Vusimuzi Dlamini the first one ...[intervenes]

ADV HASSIM SC: At 12:43.

LT-GEN KHUMALO: At 12:43.

ADV HASSIM SC: And you say that is forwarded?

LT-GEN KHUMALO: Yes. The first one is a forwarded message which reads:

“Comrade Brown.”

Which means someone forwarded or sent that message to

20 Mr Brown Mogotsi referring to him as Comrade Brown:

“The travel agency called in, please talk to them.”

Then Mr Brown Mogotsi is forwarding the same message to Vusimuzi Matlala as sent to him. The next message now is not forwarded. It is sent by Mr Brown Mogotsi after that

forwarded message which reads:

“Chief of Staff.”

ADV HASSIM SC: And your understanding of that?

LT-GEN KHUMALO: Our understanding of that is the indication by Mr Brown Mogotsi as who had originally sent that message to him. The very same message that he is forwarding to Mr Vusimuzi Matlala, an indication that this message above is originally from the Chief of Staff.

ADV HASSIM SC: And do you know anything more about
10 we do not know which Chief of Staff?

LT-GEN KHUMALO: We do not know which Chief of Staff.

CHAIRPERSON: And perhaps at this stage, unless something clearer comes up, let us not speculate.

ADV HASSIM SC: Noted, Chair. Can we move to the next message?

ADV BALOYI SC: Before you do that, let me ask Ms Hassim. These two chats, they look on their face that they could be controversial or become important later on. You have referred to annexures which have metadata. Is
20 the intention that at some point you will take us to the metadata that indicates that indeed this was forwarded from a source that hopefully would be identified?

ADV HASSIM SC: My understanding is we cannot verify the source, the original person who sent it, the message that was then forwarded. All we are able to establish is that

this was indeed a forwarded message, but not the identity of the person behind it. Can we continue? So, we are on page 10.

LT-GEN KHUMALO: On page 10, Commissioners. The first message on the 26th still of December 2024 at 12:48. The message from Mr Vusi Matlala to Mr Brown Mogotsi reading:

10 “I think when they wake up tomorrow, it
 will be in. I will send you a video of my
 banking app. It is off. I cannot do
 anything without going to the bank. I
 was hoping they would be open today
 but still closed.”

Our interpretation of that message is it relates to the previous chats between the two gentlemen about the possibility of the banks opening on the 26th. So, this message is indicating that it is the 26th today, so the banks are still closed. And Mr Vusimuzi Matlala is indicating that he has got a problem with his banking app, which will need
20 him to go into the branch. Then with a response on the same day, 26th of December 2024 at 12:49, from Mr Brown Mogotsi, indicating that that is sufficient with another emoji.

ADV HASSIM SC: Which is?

LT-GEN KHUMALO: I will guess that it refers to I will be

strong.

ADV HASSIM SC: So, it is that submission, and then an emoji of a muscular arm. And the next message?

LT-GEN KHUMALO: The next message is still from Mr Brown Mogotsi to Mr Vusimuzi Matlala on the same day, 26th of December at 12:49. Mr Brown Mogotsi indicating to Vusimuzi that:

“No need to send the video.”

The video, according to our interpretation, refers to the
10 previous message at 12:48, where Vusimuzi Matlala wished
or promised to send a video of his banking app to
Mr Mogotsi to show that it is not working.

ADV HASSIM SC: And the next one is a link, if we could just play that video attachment. And that sent, sorry, just for the record, before you play it, it is 26th of December 2024 at 12:49 pm. And then maybe you can just read the next message to explain that.

LT-GEN KHUMALO: Thank you, Commissioners. As the
previous message is, the first one on the same page
20 indicated to Vusimuzi Matlala prepared to send a video of
his app that was not working as a proof. And then followed
by the message where Mr Mogotsi said there is no need to
send a video. But still, on the same day, at 12:49, same
day, 26th December 2024, Mr Vusimuzi Matlala is sending a
video proving that his app is not working. The next

message, on the 26th of December 2024 at 12:50, Mr Vusimuzi Matlala explaining to Mr Brown Mogotsi that:

“He can check it, it just turns blue,
nothing happens.”

Our interpretation is, he is indicating, of course, that his app is giving him a problem. The same day, on the 26th of December, at 13:18, Vusimuzi Matlala asking if Mr Brown Mogotsi can take a call. And then after that, there is a call from Brown Mogotsi to Vusimuzi Matlala.

10 Two calls.

ADV HASSIM SC: At 13:18 and 13:21, respectively. Can we turn to page 11?

LT-GEN KHUMALO: Then on page 11, we see the screenshot for the communication between Mr Brown Mogotsi and the Minister. According to our interpretation, on the screenshot, we see Senzo Mchunu. The screenshot is forwarded by Mr Brown Mogotsi to Mr Vusimuzi Matlala with the messages, reading the first one:

20 “It was during your tenure.”

And then there are calls in between. And then on Monday ...[intervenes]

CHAIRPERSON: Before that, General, just explain that it was during your tenure. I do not quite get what it is.

ADV HASSIM SC: And as you do so, if you could explain

who is communicating. So, the darker blue versus the lighter blue. Who is the person who is communicating?

LT-GEN KHUMALO: According to our understanding and analysis, the communication, which is coloured blue, is from the holder of the phone. In that case, it will be Brown Mogotsi. And the responses then will be different as we move on.

ADV HASSIM SC: So, the first message is, please update with the response, it was during your tenure. Do you know
10 what that is referring to? And we do not seem to know when that exchange took place either, because there is no date above it. Is that right?

LT-GEN KHUMALO: That is correct at this moment, because it is a screenshot with having previous discussions. One cannot then conclude or suggest or claim to be understanding as to what was the communication all about.

CHAIRPERSON: But who is supposed to have said, please update?

20 **LT-GEN KHUMALO:** It is supposed to be the Minister Mchunu.

CHAIRPERSON: And who says it was during your tenure? Can we tell?

LT-GEN KHUMALO: It is supposed to be Mr Brown Mogotsi.

CHAIRPERSON: And then there are phone calls?

LT-GEN KHUMALO: Yes.

CHAIRPERSON: Okay.

ADV BALOYI SC: The same for the breakthrough, where it says Monday, December 2020.

ADV HASSIM SC: So, I think that is where the witness wants to go to, is actually that exchange, Monday, December 2023. Can you go there, General Khumalo?

ADV BALOYI SC: Maybe before that, thank you for that,
10 Ms Hassim, right at the top there. So, we have got the time stamp and date stamp of the 27th of December, and then 12:01, then you have got 11:02. Is that in the screenshot, what is that 11:02? Do we know, General?

LT-GEN KHUMALO: Our limited knowledge will talk to the 27th, 12th, was when the screenshot was sent to Vusimuzi Matlala by Brown Mogotsi at 12:01.

ADV HASSIM SC: The 11:02 may be the time that was reflected on the screenshot, but it is not linked to a date, so it is not that helpful.

20 **LT-GEN KHUMALO:** And then after those two messages exchanged between 13:55 and 15:07, there are three calls, and then on Monday, the 23rd of December, there would have been a message from Brown Mogotsi to Senzo Mchunu, reading:

“We got a breakthrough.”

And then followed by the calls on the same day.

ADV HASSIM SC: Do we know whether that was a call received by Mr Mogotsi or a call made by Mr Mogotsi?

LT-GEN KHUMALO: The interpretation of the screenshot is these two calls were received by Mr Brown Mogotsi as compared to the three above that were made by Mr Brown Mogotsi.

ADV KHUMALO SC: General, before you go to the next page, still on page 11, top left of the page, it says there the
10 message was deleted. What does that mean?

LT-GEN KHUMALO: According to my observation, Commissioners, this is a screenshot, and there is a gap between that message that is written, message was deleted, which might suggest that it is the previous message. When you take the screenshot, then that other page happened to encroach with the page that you wanted to use.

ADV KHUMALO SC: Thank you.

ADV HASSIM SC: It is, I think, as a result of the printout, so if you were scrolling through the phone, you would see it
20 is actually linked to the Brown Mogotsi message before that.

CHAIRPERSON: Just for the record, you said the first set of calls, and there are three of them, you said those were made by Mr Mogotsi. For the record, I think we should say the writing there says 'outgoing', in respect of all three, and

then the next set, you say those were received by Mr Mogotsi. I think for the record, we should say that it says 'incoming'.

LT-GEN KHUMALO: That is correct, Commissioners. The first three calls, they were outgoing, and then the two after the message were incoming voice calls.

ADV HASSIM SC: And can you just give the time? We know it is Monday, December 23, but could you give the time of the two incoming calls?

10 **LT-GEN KHUMALO**: The two incoming calls, the first one is at 11:23, the next one is at 14:49.

ADV HASSIM SC: Can we continue with the screenshot? There is a next date within the screenshot.

LT-GEN KHUMALO: The continuation of the same screenshot on Tuesday, the communication now is on Tuesday, the following day, as reflected partly on top, page 12, where Mr Brown Mogotsi receives the message from the number saved as for Senzo Mchunu on his phone with the message:

20 "Was the arrest effected."

At 19:19.

CHAIRPERSON: And the date there is reflected as Tuesday, December 24.

LT-GEN KHUMALO: December 24.

ADV KHUMALO SC: Just remind us, what was the date of

that operation where weapons were seized? Was it the second operation? Was it on the 24th?

LT-GEN KHUMALO: It was on the 19th, Commissioner.

ADV KHUMALO SC: On the 19th.

ADV HASSIM SC: And this screenshot of this conversation is a screenshot not of WhatsApp, but of Signal.

LT-GEN KHUMALO: Of Signal App, yes. Thank you, Commissioner.

ADV HASSIM SC: So, the communications were taking
10 place on Signal, is that right?

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: Can we move to the next text then?

LT-GEN KHUMALO: The next text, which is the return of the theme 1 under IPID, Mr Brown Mogotsi is sending a message to Mr Vusimuzi Matlala reading:

“IPID.”

That is on the 27th of December 2024 at 12:05.

ADV HASSIM SC: So, this is now the third reference to IPID. We had it on page 4, page 6, and now on page 12.

20 **LT-GEN KHUMALO**: Page 12.

ADV HASSIM SC: Continue.

LT-GEN KHUMALO: Then the message from Mr Vusimuzi Matlala to Mr Brown Mogotsi at the same day, 27th of December 2024 at 12:25, reading:

“Let me know when you are back.”

And then the next message now, the two messages from Brown Mogotsi to Mr Vusimuzi Matlala on the same date, 27th of December 2024, the first one at 12:31, Mr Brown Mogotsi asking:

“What does the guy need?”

And the second message at 12:32, reading:

“I am heading to Cape Town for January 8th 08.”

And then the response by Mr Dlamini – Mr Vusimuzi Matlala
10 at the same date, 27th of December 2024 at 12:37, which reads thus:

“The case needs to have assault for him to effect arrest. He is saying he cannot do arrest if there is no J88 to prove assault. And my wife is not keen to open up an assault case. The guards who were assaulted at my house, only coming back in January, they went home for Christmas.”

20 **ADV HASSIM SC:** Okay, if we can just pause there. What is that reference to in your analysis of this of this the arrest. The case needs to have assault for him to effect arrest.

LT-GEN KHUMALO: Yes, reading or maybe understanding the whole discussion that involves IPID from the first

message culminating to messages on this page 12, where the previous page, there was a discussion on signal in terms of Mr Brown Mogotsi indicating a breakthrough, and then followed by the question was the arrest affected? And then Mr Brown Mogotsi now wanting to get the correct information from Mr Matlala, indicating the IPID status according to our analysis.

And then the question by Mogotsi, what does the guy need the IPID guy, because the IPID at previous
10 message was referred to as IPID guy. And then with the explanation now as to, according to our interpretation, that is what the guy needs, as is provided by Mr Dlamini, Mr Matlala, Mr Vusimuzi Matlala to Brown Mogotsi. The explanation as to what the guy needs as per that message that the case needs to have assault for him, the guy, our interpretation, to effect arrest as there were enquiries about the status of arrest, then the guy saying he cannot do arrest in the absence of J88 and other reasons that are provided by Mr Vusimuzi Matlala on that WhatsApp chat is why the
20 arrest cannot be effected.

ADV HASSIM SC: The arrest of whom?

LT-GEN KHUMALO: Maybe then, Commissioners, if I may give a possible conclusion on this theme under IPID discussion that we have seen on this pair of chats. The discussion to us suggests that Mr Vusimuzi Matlala and

Brown Mogotsi had a discussion on the involvement of IPID to intervene after the operation by the team on the 18th and 19th, but we can also include the 6th of December, because the encounter with Mr Vusimuzi Matlala and the team, or encounters, started from the 6th of December.

Furthermore, the manipulation of IPID process comes out of possible manipulation as we read the responses of how IPID could not effect arrest, our interpretation, or open a case in the absence of the
10 complainants as well as the J88. So, the interpretation is an attempt to manipulate IPID processes for the benefit of Cat Matlala, including the private discussion around how to make this case valid, the case that had to be dealt with by IPID.

And also in the conversation, Mr Brown Mogotsi seems to suggest that IPID could be a breakthrough as we have read some messages indicating the breakthroughs and the breakthrough that they needed to sort Cat's issue. There was a message that read IPID can be a breakthrough.
20 It also suggests that Cat might have an IPID person referred to as IPID guy whom he is chatting to get the case opened, investigated, up to the arrest, though they are struggling because of the absence of J88 and also the guards not being around so as they can affect the arrest. The Brown Mogotsi in his discussion with a contact saved

as Senzo Mchunu in his phone, that discussion that is ...[intervenes]

CHAIRPERSON: See you are referring to it in short?

LT-GEN KHUMALO: Yes, on the Signal. We are presuming that will refer to the Minister of Police looking at the number saved as Senzo Mchunu. The discussion shared between Mr Brown Mogotsi and the saved Senzo Mchunu suggesting or giving the update that there is a breakthrough followed by a question as to whether was their
10 arrest affected. So, the analysis talks to the discussion stemming from the use of IPID to come up with these charges, further investigations leading up to the arrest which appears to be ...[intervenes]

CHAIRPERSON: No, ...[intervenes]

ADV HASSIM SC: No, General, the arrest of whom?

CHAIRPERSON: General, does the picture get clearer with other texts or chats perhaps? Because if it does, I would suggest that we should leave this here and see how things unfold as we go through later chats perhaps or not.

20 **ADV HASSIM SC:** I think the only question is still - the only thing that we can, I would like to ask the witness, but we can then move from there, is who is the arrest when there is a discussion of an arrest, who is the subject of the arrest?

CHAIRPERSON: You see the issue is will the General

respond based on facts that he knows, or will he be speculating and why I say if the picture does get clearer, let us go to where it does get clearer. Maybe we will get to know if we do not, because if it does there is no need to rely on speculation. I hope I am making sense. If you know the picture better than I can ever hope to.

ADV HASSIM SC: Well, I think maybe we can park it for now and we will see where it goes.

CHAIRPERSON: Thank you.

10 **LT-GEN KHUMALO:** Thank you. Commissioners, we are then going to move to the next page, 13. The continuation of the chats between Mr Brown Mogotsi and Vusimuzi Matlala on the 27th still of December 2024 at 12:38. The message reads, from Mr Vusimuzi Matlala to Mr Brown Mogotsi:

“Oh, and that payment is done with another emoji.”

CHAIRPERSON: A thumbs up emoji.

20 **LT-GEN KHUMALO:** A thumbs up emoji, and the response from Mr Brown Mogotsi at 12:41 the same day, 27 December, with:

“Thanks.”

And then followed by the message then still from Brown Mogotsi to Mr Vusimuzi Matlala after thanking him, saying:

“POP.”

Which can be interpreted as the proof of payment stemming from that discussion at that moment.

CHAIRPERSON: And in context, Mr Mogotsi appears to be asking for the proof of payment.

LT-GEN KHUMALO: For the proof of payment after a report by Mr Vusimuzi Matlala that it is done. And then at 12:44, we see then the screenshot forwarded to Brown Mogotsi by Mr Matlala, which indicates that the payment indeed was done. There is the proof of payment.

10 **ADV HASSIM SC:** And then in the next message, there is an attachment of payment confirmation.

CHAIRPERSON: R38 000.

ADV HASSIM SC: BM1. BM1, Commissioners, is page 92, which is the proof of payment. Chair, at this point, I would like to just bring to the Commissioners' attention that we have done some investigative work on this account. And that will be provided to the Commission in due course. But for now, we can confirm that there were payments from this account to Mr Brown Mogotsi.

20 **ADV KHUMALO SC:** Do you mean payments other than the one reflected in the POP?

ADV HASSIM SC: So, the POP reflects a payment from Mr Matlala to that FNB account number belonging to Gotlhe Specialists. And then from that account, there are outgoing payments. And what we can confirm for now is

that there were outgoing payments to one Brown Mogotsi. So, we are on page 14. So BM1 was a proof of payment. And the next message, if we can move to that, on 27 December 2024.

LT-GEN KHUMALO: After then the payment confirmation as per Annexure BM1 was sent, and then Mr Vusimuzi Matlala is sending a message now to Mr Brown Mogotsi, indicating that:

10 “There is something I need to clarify
 from, please let me soon as you back.”

That message is sent at 12:46 on the 27th of December 2024. It is followed by another message on the same date, 27 December 2024. In the early evening 18:51, reading as follows:

 “Can I call brother?”

And then the response on the same date, 18:57, from Mr Brown Mogotsi to Vusimuzi Matlala, indicating 19:30:

 “Please.”

20 Which can be interpreted as a response to the previous
 question. And indeed, then at 19:32 on the same date,
 Mr Mogotsi then is making a call to Mr Matlala.

ADV BALOYI SC: Just check, Ms Hassim, do you in the metadata get information that call was made and this is how long it was? Do you have that kind of information?

ADV HASSIM SC: I am not sure of the answer to that

question, Commissioner, but I will check.

ADV BALOYI SC: Thank you.

LT-GEN KHUMALO: The next communication is now on the 29th of December 2024 at 18:01. The first message there from Vusimuzi Matlala to Mr Brown Mogotsi:

“Afternoon brother. Do you know Brigadier Mokwana from internal audit?”

Followed by another message on the same date, 10 29 December 2024 at 20:04 with just two question marks. Interpretation is the reminder of the question that I asked on the previous message. And then we see then the response at 20:19 on the same date from Mr Mogotsi to Vusimuzi Matlala with the question:

“SAPS or CI.”

Then Mr Vusimuzi Matlala is responding on the same date at 21:25 that:

“SAPS.”

ADV HASSIM SC: Continue.

20 **LT-GEN KHUMALO:** And then on the next page, the continuation of the same discussion or chat on the same day, 29 December 2024 at 22:02. The response by Mr Brown Mogotsi on the previous question:

“I do not know the person.”

That response or that message is sent by Mr Brown Mogotsi

to Mr Vusimuzi Matlala, followed by the next same day at 22:03, which reads:

“Nut we can search for the person.”

According to the understanding. Then ...[intervenes]

ADV HASSIM SC: So, the ‘nut’ is a typo for but, is that right?

LT-GEN KHUMALO: It can be interpreted by, with that, that it is a typing error, which meant that, but we can search for a person.

10 **ADV HASSIM SC:** Continue.

LT-GEN KHUMALO: Then on the 30th, the following day, early in the morning, 05:18, Mr Vusimuzi Matlala is sending a message to Mr Brown Mogotsi, reading:

“He requested to be briefed regarding my bid document. I thought you guys know something about it.”

Then the response by Mr Brown Mogotsi at 07:48 on the same day, the 30th of December, reads:

“No.”

20 And then after that, on the same day, 30th December at 11:08, Mr Brown Mogotsi is sending - Mr Brown Mogotsi is sending another message to Mr Vusimuzi Matlala, reading:

“Sure, bro, court date.”

As a question of when is the court date.

ADV HASSIM SC: Can we just pause there, General? So

that is going to a different topic. The previous exchange comes in the context of the meeting with the Minister of 24 December enquiring into a contract between SAPS and a company owned by Mr Matlala, is that correct?

LT-GEN KHUMALO: That is possibly correct, based on the information obtained outside these chats, in an attempt to understand as to what the chat is all about. Firstly, the chat is after the 24th that according to obtained information was the day of the meeting discussing the tender issue.

10 But Mr Matlala is having with the South African Police Service, and one of the decisions was for the internal audit section of SAPS to start the auditing process of the tender. And again, according to our correct information, we have a Brigadier Mokwana, not Brigadier Nkwana, Brigadier Mokwana, who is the head of internal audit in the South African Police Service. That can be our interpretation about whom Mr Vusimuzi Matlala is enquiring from Mr Mogotsi.

ADV HASSIM SC: Thank you. Continue. So, you have
20 ...[intervenes]

CHAIRPERSON: Sorry, sorry, Advocate. Can you please spell the name of the ...[intervenes]

ADV HASSIM SC: The Brigadier?

CHAIRPERSON: Mokwana. Please spell that. I want to write it against Nkwana.

LT-GEN KHUMALO: It is M-O-K-W-A-N-A.

CHAIRPERSON: Thank you. Thank you.

ADV HASSIM SC: So, we were – you read from 30 December 2024, 11:08, sure bro, the court date, question mark. Can you take it from there?

LT-GEN KHUMALO: And then the response by Mr Vusimuzi Matlala to Mr Brown Mogotsi is, on the 30th of December 2024 at 11:53, it reads:

10 “Remember I said I need to see you. It
 is regarding this court date issue.
 There is something I need to discuss
 with you.”

Our interpretation, that is the response then on the previous question asked by Mr Brown Mogotsi, with Mr Brown Mogotsi responding same date at 13:06 with:

“Okay.”

ADV HASSIM SC: Okay, continue.

20 **LT-GEN KHUMALO:** Then on the 31st, the following day
 now, on the 31st of December 2024, there is a message
 from Brown Mogotsi to Mr Vusimuzi Matlala sent as and
 attached as Annexure BM2.

ADV HASSIM SC: On 31st of December and BM2 is at page 94 of the bundle. I am sorry, 93 of the bundle. And it is a constitutional court judgment of Matlala v The Director of Public Prosecutions in the Western Cape. I believe we

will come to this in a moment. You can continue with the text messages, General.

LT-GEN KHUMALO: Thank you, Commissioners. Continuing on page 16, the communication is dated the 31st of December 2024 at 10:49, that is after then the previous page message where the court judgment was sent then by Mr Brown Mogotsi to Mr Vusimuzi Matlala. The message reads:

“This thing.”

10 My own interpretation, this thing might make it difficult, a very hundred percent typing error if it was meant MYKZ, unless it is a lingo that is used then between the two.

CHAIRPERSON: Yes, for the record, let us read how it is typed, which is M-Y-K-Z.

LT-GEN KHUMALO: I can spell it, Commissioners, M-Y-K-Z.

CHAIRPERSON: Thank you.

ADV HASSIM SC: Chair ...[intervenes]

CHAIRPERSON: Before going to the next chat, perhaps let
20 us take the adjournment now. Come back at 11:15. Let us adjourn.

ADV HASSIM SC: Thank you, Chair.

INQUIRY ADJOURNS

INQUIRY RESUMES

EXAMINATION BY ADV HASSIM SC (CONTINUES): We

were at page 16 and you just read out the first message, this thing MYKZ is difficult. Can you take it from there, the next message?

LT-GEN KHUMALO: Thank you Commissioners, the next message on the same date, 31st of December 2024 at 10:49. Mr Brown Mogotsi is sending to Mr Vusi Matlala, reading”

“There is hope.”

And followed by the message again from Brown Mogotsi to
10 Vusimuzi Matlala, same day at 10:50:

“Let us take a call for that.”

Followed by the call then a second after that message from Brown Mogotsi to Vusi Matlala and another one at 11:09, another call.

ADV HASSIM SC: On the same day?

LT-GEN KHUMALO: On the same day. Then on the same day, 11 – on the same day at 11:10, now a call from Vusimuzi Matlala to Brown Mogotsi followed by another call from Mogotsi to Vusi Matlala, same day, 31st of December
20 at 11:10.

ADV HASSIM SC: So it looks like they were missing each other. Is that right?

LT-GEN KHUMALO: That is correct.

ADV HASSIM SC: It is so quick. Continue.

LT-GEN KHUMALO: Then the next message, it is a

screenshot again for the communication on signal between Mr Brown Mogotsi and the number saved as Senzo Mchunu on the 31st of December, 11:18: The screenshot on the next page 17 with the message in the screenshot that reads:

“Thus, this is a Constitutional Court judgment that was issued on the 20th of December 2024.”

And then the message as screen-grabbed, it reads:

10 “Minister, I am going to get this case number of this judgment for you. Now we got something proven by the court. This is the matter now, which either Sibiya or the Minister can charge Khumalo and apply Rule 9 of the disciplinary hearing. It took the Constitutional Court to release a man who was sentenced to life imprisonment through a forced section-204 confession. Imagine Comrade
20 Senzo, after 30 years of democracy, having this kind of policing. The good thing now is that these are not allegations, but a court judgment.”

That is the message as contained in the screenshot of the communication between Brown Mogotsi and saved number

Senzo Mchunu, which was screen-grabbed and sent to Vusumuzi Matlala by Mr Brown Mogotsi.

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

ADV KHUMALO SC: Sorry, General, you say it is a screenshot, so I am assuming it is sent by Brown Mogotsi to Mr Matlala.

LT-GEN KHUMALO: That is correct.

ADV KHUMALO SC: And it reflects the discussion between Mr Mogotsi and Minister Mchunu.

10 **LT-GEN KHUMALO:** That is correct, Commissioner.

ADV HASSIM SC: And it is ...[intervenes].

ADV BALOYI SC: Sorry. On the back, just for accuracy, Commissioner, it reflects communication from Mr Mogotsi to the Minister, instead of communication between the two of them. It is one-sided.

ADV HASSIM SC: This screenshot shows communication one way to the Minister.

ADV BALOYI SC: Okay.

20 **ADV HASSIM SC:** And it is a reference to the Constitutional Court judgment that we referred to earlier at BM1. General Khumalo, have you seen that judgment, that Constitutional Court judgment?

LT-GEN KHUMALO: Yes, that is correct. The main interest was to determine the Khumalo that is in question in the judgment, and then one then realised that it is not the

same Khumalo testifying in this Commission now. It was referring to another Khumalo, so that is where the interest ended.

ADV HASSIM SC: So your name was not mentioned in the text of the judgment anywhere. Is that correct?

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: So, Commissioners, at this point, may I seek leave to hand up CJC3, which is an extract from the record of that matter in the Constitutional Court, the only
10 part of the record in which we could find a reference to Khumalo, to a Khumalo? And on the second page of that exhibit at line 19 is where you will find the reference. It was from a court transcript from the Lower Court in which the witness says:

“I think on the day we were told to come to Knysna, and then I was also called by Brigadier Khumalo to bring the witness on the site, but I did not get the story well why.”

20 That is the reference to Khumalo, one Brigadier Khumalo. General, do you know who that is? Is that you?

LT-GEN KHUMALO: Thank you, Commissioners. Definitely it is not me. Enquiries were made to lots of Khumalos that one might associate with the judgment. Until then, we found that it is the current Deputy Provincial

Commissioner in Gauteng, Deputy Provincial Commissioner Crime Detection in Gauteng, who was a Brigadier Khumalo by then in the Western Cape, in Cape Town.

ADV HASSIM SC: Did you serve in the Western Cape at any point?

LT-GEN KHUMALO: No, I have never served or worked in the Western Cape.

ADV HASSIM SC: Thank you. You can continue then to page 18:

10 **LT-GEN KHUMALO:** Continuing on page 18, still on the 31st of December 2024 at 11:31, the message from Mr Brown Mogotsi to Mr Vusi Matlala:

“I am now worried, my bro.”

With the response on the same day, more or less the same time, a second after, asking:

“Worried about? About what? “

It is a question. And then the response on the same day at 11:32, a minute after, a response by Mr Brown Mogotsi to Vusi Matlala, which reads thus:

20 “Outstanding issues. Now this again, today is D-Day on the other side. I also think you must stand back.”

Then the response in a question format from Mr Vusimuzi Matlala on the same date, 31 December at 11:33:

“Stand back. I do not understand what

you mean.”

And then the response on the same date at 11:35 by Mr Brown Mogotsi, indicating that:

“For your safety and business.”

And the next chat, two minutes after that on the same date at 11:37, Mr Mogotsi to Brown, saying:

“We must fight what comes your way.”

ADV HASSIM SC: We must just fight.

LT-GEN KHUMALO:

10 “We must just fight what comes your
way.”

In response by Mr Matlala on the same date, 31 December at 11:40, it reads thus:

 “This will not change my contribution
 towards the Minister though. I made a
 conscious decision and I am not
 backing down. Whatever help the
 Minister from my side, I will be happy
 to assist. I just do not want to fight
20 losing battles.”

The message then from Mr Vusimuzi Matlala has a response to Mr Mogotsi.

ADV HASSIM SC: Okay.

LT-GEN KHUMALO: Moving on to the next page 19, Mr Brown Mogotsi to Vusimuzi Matlala with the message on the

31st of December 2024 at 12:25. With the message reading:

“Here is our backlog and we now need to deal with this. It is a last day.”

Followed by another message at 12:30 on the same date, 31 December 2024 from Brown Mogotsi to Vusimuzi Matlala:

“I thought we spoke about it, but we did many regions. It is only two regions left.”

And then the next message at 13:55 on the same date, the
10 31st of December 2024, Brown Mogotsi to Vusimuzi Matlala asking:

“Is it possible for you to intervene on the membership for two regions, 12:5k each, cause CKZ, today we must pay.”

That message is followed by a call from, after sending that message, a call from Mr Brown to Vusimuzi Matlala at 13:57 the same day, and another call at 16:46 from Mr Mogotsi to Matlala on the 31st of December 2024. Then at 17:44 on the same date, Mr Dlamini, Mr Matlala is responding to Mr
20 Mogotsi as follows:

“I am sorry I missed your calls. I do not have a problem to help. There is some things I need to understand and also hear what my concerns are. Please, like I said before, can we

kindly meet whenever you have time
and hear what I have to say.”

That message from Mr Matlala to Mr Mogotsi is followed by a call at 17:49 on the same date and another call at 17:50 from Mr Matlala to Mr Mogotsi. And then the next page 20, on the same date, 31 December, Mr Brown Mogotsi responding to Mr Matlala with the message:

“Sure, boss.”

Followed by a deleted message that was from Brown to Mr
10 Matlala on the same date at 19:07. On the same day, 31
December at 19:08, Mr Brown Mogotsi is sending a
message to Mr Cat Matlala which reads thus:

“We managed to push. We only need 4
those two regions. We only need 4
those two regions.”

CHAIRPERSON: The figure four perhaps being F-O-R.

LT-GEN KHUMALO: F-O-R, that might be correct.

CHAIRPERSON: I ask you not to speculate and there I am
speculating.

20 **LT-GEN KHUMALO:** Thank you, Commissioner. Then
after that, on the 31st still of December 2024, a minute
after, Brown Mogotsi is following that message with the
banking details to Mr Matlala. And then the same minute,
few seconds, then Mr Brown Mogotsi is sending a message:

“We need 25K only.”

The next message still from Mr Brown Mogotsi to Mr Cat Matlala, a minute after that, it reads:

“We will engage with everything and anything we need, my boss. The problem is we are going to lose voters in the two regions.”

Then that message then is followed by calls from Brown Mogotsi on the same date, 31 December. The first one is at 19:11, followed by the second one at 19:19 to Vusi Matlala.

10 **ADV HASSIM SC**: Keep going.

LT-GEN KHUMALO: Then on the 21st, page number 21, on the same date, another call from Vusimuzi Matlala, followed by a return call from Brown Mogotsi at 20:30 still on the same date. And then same date at 20:44 Mr Brown Mogotsi is sending a message to Mr Matlala, reading:

“My brother.”

And then at 21:02, same date, Mr Matlala is responding to the fact that he was taking a bath:

20 “Was taking a path. I will let you know if I win or not. Still waiting.”

With the response at 21:03, December 31st, with:

“Oh.”

From Mr Brown Mogotsi, and then correcting that a few seconds after to read:

“Okay.”

And then on the same date at 22:06, Mr Brown Mogotsi is sending a message to Vusimuzi Matlala:

“It means we did not win, my brother.”

And then the following day on the 1st of January 2023, at 13:51, the message from Brown Mogotsi to Mr Cat Matlala at 22:13, no, at 13:51, the message reads:

“Good day. I have arranged a meeting for Sibiya, and the Minister must have a solution.”

10 Then on the same date, 01-01, at 22:13, Mr Brown Mogotsi is making a call, followed by an emoji of a strong arm on the same date then at 22:13. Same day, the 1st of January at 22:14, a call from Mogotsi to Mr Matlala, followed by the message at 22:38, same day, 1st of January 2025, the message reads:

“The task team that came to your house and harassed you has been dissolved/disbanded.”

20 Then on the 2nd of the following day now of January, the first communication between the two is at 07:12 in the morning, where Dlamini is then in responding to the message of the previous night with a message:

“Oh, really?”

Followed by another message a minute after that:

“I see you tried calling me last night.”

Then the next message at 07:14, another minute later, the question:

“When is this happening?”

Then the response is at 08:58 from Mr Mogotsi responding to Mr Matlala, indicated on the message:

“They got the letter on Monday. As we speak, they are bringing all the dockets to Sibiya.”

Followed by an attachment as Annexure BM3 that is sent by
10 Mr Brown Mogotsi at 10:05, still on the 2nd of January, forwarding the attachment to Mr Matlala, which is annexed as indicated as BM3.

ADV HASSIM SC: And BM3 is the letter from the Minister to the National Commissioner dated 31 December 2024?

LT-GEN KHUMALO: That is correct.

ADV HASSIM SC: And that is at page 150 of the bundle, Commissioners.

CHAIRPERSON: Page, I am sorry?

ADV HASSIM SC: Page 150.

20 **CHAIRPERSON:** Thank you.

LT-GEN KHUMALO: Then on the same day, the 2nd of January at 11:13, there is a call between the two gentlemen, and thereafter on the same date from at 11:57, same date, the 2nd of January, there are lots of forwarded messages that are forwarded then to Mr Mogotsi, starting

from page 23 to page 34, to page 34A the bottom part, all those messages are containing the information as well as the screenshots of classified information that is used or that belongs to the Division Crime Intelligence of the SAPS.

ADV HASSIM SC: Can we then proceed to page 34?

CHAIRPERSON: Just explain this please, General. So are you saying Mr Mogotsi was in possession of classified information?

LT-GEN KHUMALO: Yes, Commissioners, Mr Mogotsi was
10 in possession of all this classified information that he is forwarded to Mr Matlala.

CHAIRPERSON: Thank you. And that also, as at the 2nd of January 2025, in the morning already at 10:05, he was already in possession of the Minister's letter to the National Commissioner, the letter that disbanded the PKTT.

LT-GEN KHUMALO: That is correct, Commissioner.

CHAIRPERSON: Thank you.

ADV HASSIM SC: Yes. So, Chair, just to clarify, that is
20 on the 2nd of January at 10:05 that he forwards the letter following the earlier message on the 1st of January informing Mr Matlala that the task team is disbanded.

CHAIRPERSON: Yes, yes.

ADV HASSIM SC: Then comes a series of information that is classified in the possession of Mr Mogotsi, which he forwards to Mr Matlala, and we will go past that to page 34

at the bottom of that page. Can you take it from there please, General?

LT-GEN KHUMALO: And then at page 34, the message is a screenshot, again from Mr Brown Mogotsi to Mr Matlala, which contains the communication between Mr Brown Mogotsi and a certain Deon. The screenshot is having the first message that is visible, reading as follows:

“Is Dineo Mokwele/Mogagane by julle aangestel as ‘n Brig?”

10 Limited interpretation of Afrikaans, it is a question asking if is there any Dineo Mokwele/Mogagane who is working by them as a brigadier. Then on the next page 35, the continuation of the screenshot, again, still in Afrikaans, no ...[intervenes].

ADV HASSIM SC: Sorry, General, but before you go to that, there is a response to that question that is cut off, but it looks like a yes followed by two dots and another word.

LT-GEN KHUMALO: Ja, from my copy, it is badly cut off. I can then speculate that it is a yes. On the screen, yes, it
20 reads better. It is a yes with three dots and alphabets T-S-U.

ADV HASSIM SC: Okay, you can continue.

LT-GEN KHUMALO: And then on the next page, the question:

“Nou hoe het sy nogsteeds nie ‘n

PERSAL nommer nie, ook enige idee of sy familie is?”

It is still the screenshot of the communication between Mr Mogotsi and a Deon that was then forwarded to Mr Matlala.

CHAIRPERSON: Do you know who this Deon is? For a fact, for a fact, not speculation.

LT-GEN KHUMALO: No, we do not know, Commissioner.

CHAIRPERSON: Thank you.

LT-GEN KHUMALO: Then moving on ...[intervenes].

10 **CHAIRPERSON**: Ms Hassim, do we not want to have a translation of the Afrikaans in both texts:

“Is Dineo Mokwele/Mogagane by julle aangestel as ‘n Brig?”

ADV HASSIM SC: Chair, are you asking me to translate it?

CHAIRPERSON: I am asking for your resourcefulness.

ADV HASSIM SC: We can get a translation prepared for us by an Afrikaans speaker. My colleague ...[intervenes].

CHAIRPERSON: No, no, no. No, no, no. Let us get a translation.

20 **ADV HASSIM SC**: Okay.

CHAIRPERSON: Please, thank you.

ADV KHUMALO SC: Adv Hassim, those of us who did our LLB in Afrikaans can figure it out, but I know Chair does not have the same advantage.

ADV HASSIM SC: So you will help the Chair then. Thank

you, Commissioner. We will get a transcription.

CHAIRPERSON: Thank you.

ADV BALOYI SC: General, you have answered that you do not know who Deon is. If you go to where it starts, that screenshot at page 34:

“Is Dineo Mokwele/Mogagane by julle aangestel as ‘n Brig?”

Is it fair to surmise that this is asking a SAPS member about the employment of Dineo Mokwele? Can one say that
10 from this?

LT-GEN KHUMALO: Yes, Commissioner, that is the interpretation that one can come up with, that someone is asking about the status of appointment of a certain Brigadier.

ADV BALOYI SC: Okay. Thank you. Thank you.

ADV HASSIM SC: Thank you. And there is more in this vein as we go through. So if we go down to the next message that is forwarded – is it cut off? In your file, General, so below that screenshot is another message that
20 is forwarded.

LT-GEN KHUMALO: Ja.

ADV HASSIM SC: And can you, without identifying, we have redacted on the screen the confidential information, but can you tell us what we are looking at here?

LT-GEN KHUMALO: Yes. Then, Commissioners, thank

you. The next message that is forwarded is another screenshot forwarded by Mr Brown Mogotsi to Mr Matlala, which is of a screenshot taken from the South African Police System that is having the personal details of all the employees, which is accessible only by the personnel working at human resource management of the SAPS. It contains the details including the identity number of one of the employees.

ADV HASSIM SC: Do you know who that identity number
10 belongs to? You do not need to say if you do not know.

LT-GEN KHUMALO: Yes, I do know.

ADV HASSIM SC: Is it? Okay. It is the same person that was the subject of the inquiry in the last ...[intervenes].

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

BALOYI SC: Sorry, you say this kind of information would only be available to SAPS employees, it is internal information?

LT-GEN KHUMALO: No, the kind of information can only
20 be made available to the employee, him or herself only, not to another third party.

ADV BALOYI SC: Thank you.

ADV HASSIM SC: So, as I understand it, there is two aspects to that. The first is who has access to this software, this program, the PERSAL system. Who would have access? And as I understand you, you are saying it

would only be SAPS employees and in particular HR.

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: And the second aspect of that is that even those who have access cannot disseminate the information other than ...[intervenes].

LT-GEN KHUMALO: To the ...[intervenes].

ADV HASSIM SC: To the ...[intervenes].

LT-GEN KHUMALO: The employee.

ADV HASSIM SC: To the employee.

10 **ADV BALOYI SC:** And Mr Mogotsi, you may have already spoken to this, is he at this point an employee of the SAPS at the time that he is forwarding this information?

LT-GEN KHUMALO: Yes, according to our investigation, Mr Mogotsi is not the employee of the South African Police Service.

ADV HASSIM SC: Thank you, Commissioner. So, can we then turn to the chat that starts on page 36? At the top of page 36.

LT-GEN KHUMALO: On page 36, it is a message from Mr
20 Matlala to Mr Mogotsi with the question reading:

“What is these things you just sent to me, brother? I see it shows several registration numbers of cars and residential addresses.”

The response on the same date, the 2nd of January at 14:18

from Mr Mogotsi to Mr Matlala, the message reads:

“They used state money to buy those properties.”

Then followed by a call ...[INTERVENES].

CHAIRPERSON: Is this out of sequence now? Because it does not seem to flow from what you were dealing with before, or am I lost?

LT-GEN KHUMALO: According ...[INTERVENES].

CHAIRPERSON: The last thing was personal information
10 relating to some employee and then suddenly there is
reference to cars and residential addresses. Is there a gap
in my understanding?

ADV HASSIM SC: No, I think the way to understand it,
Chair, is when you look at all of those pieces of classified
information, each one of them that we have skipped over,
they are all sent in one batch or forwarded at the same
time.

CHAIRPERSON: All right, all right. No, thank you. Thank
you.

20 **LT-GEN KHUMALO:** Thank you, Commissioners. That is
our interpretation that the questions or the question by Mr
Matlala to the sender of all these screenshots, which is Mr
Brown Mogotsi, is the lack of understanding as to what are
these things that he just sent and then he is explaining.
Then on the 2nd, still on the 2nd of January 2025 at 14:29,

they are exchanging a call, Mr Matlala and Mr Mogotsi, and then on the 4th now of January at 09:46 Mr Matlala is forwarding a message to Mr Mogotsi with the title:

“Shocking Revelations.”

It is a forwarded message that Mr Matlala would have got it from the social media and then forwarded it. The social media reflects the date 3 January. On the next page 37, then Mr Matlala is forwarding then the same message to Mr Mogotsi.

10 **ADV HASSIM SC:** And before you move off that, if you can just say what the, in summary, this message is about, this social media post.

LT-GEN KHUMALO: Thank you, Commissioners. Scanning, as I have indicated, that it looks like a message that Mr Matlala got from the app Social Media X, from the Social Media X on the 3rd of January and then screen-grabbed it and forwarded it to Mogotsi. The first paragraph suggesting that its information received regarding the Political Killings Task Team from one of their former
20 investigators at the task team. So it continues to talk to, on the first paragraph, mentioning the former Minister of Police and then also the current Minister of Police. And then I am not sure whether I must go through the whole screen grab, Commissioners.

CHAIRPERSON: Perhaps just give us the substance of it.

ADV HASSIM SC: And perhaps if you could deal with the one aspect of it that deals specifically with you, that names you?

LT-GEN KHUMALO: Then on the first paragraph, the names named are within the sentence that starts with:

10 “They were about to arrest the police
 officers who were implicated in the
 killing of Sindiso Magaqa. I am told
 that all reports that were withheld by
 Bheki Cele have been retrieved and
 handed over to Minister Senzo
 Mchunu.”

 That is the message then contained in that first paragraph.
 The second paragraph, it continues to talk about the
 information, alleged information then around that case of
 the killing of Sindiso Magaqa, mentioning some of the
 names of people that were involved, as well as other
 names, as the firearms, the money exchanged, and then
20 some of the noticeable names are the names that we are
 aware of that were part of our briefing yesterday on the
 same case.

 And also as you move down there will also be, I
 think on the next page 37, there is also a mention of
 General Khumalo, who was still a lead investigator in this
 Political Killings Task Team, which was also investigating

this matter of Sindiso Magaqa case, and who was told by former Minister not to arrest Crime Intelligence officials.

Then the last paragraph, it also talks about Crime Intelligence operating as a threat force unit, which is why General Khumalo is heading both units, Crime Intelligence and the Political Killings Task Team. He appointed his brothers, families and friends as investigators and bodyguards for him and Lushaba. Lushaba's bodyguard is a guy called Lusab [?].

10 **ADV HASSIM SC:** And it is signed, if one can say, by someone called not a peace officer.

LT-GEN KHUMALO: Yes, that is correct.

ADV HASSIM SC: It is on the X platform. Do you want to respond to what you have just read, the allegations relating to you? Do you have any comment on that?

LT-GEN KHUMALO: The shortened version of the response, Commissioners, will be that is what we experienced soon after the disbandment letter was circulated, because between the 1st and the 2nd when the
20 letter was circulating on the social media before its official communication channels within SAPS, soon after that then we saw lots of misinformation that was all over the social media space, talking to either the Political Killings Task Team or General Khumalo and others. But the misinformation will always have either the Political Killings

Task Team or General Khumalo.

ADV HASSIM SC: Okay, you can continue.

LT-GEN KHUMALO: And then after sending or after forwarding that X information, Mr Matlala followed it up on the same day at 19:46 with the message to Mr Brown Mogotsi reading ...[intervenes].

ADV HASSIM SC: It is at 09:46:

LT-GEN KHUMALO: At 09:46 with the message reading:

“I see something very interesting here.”

10 And then the response at 09:49, from Brown Mogotsi to Mr Matlala reads:

“Ja, *nê*, gloves are off. Gloves are off.”

And then on the next page 38, on the 6th now of January at 10:55, Mr Brown Mogotsi is sending a message to Mr Dlamini:

“Morning. Is it still fine that we meet tomorrow? I am off to Cape Town on Wednesday, the 4 January...”
...[intervenes].

20 **ADV KHUMALO SC:** Sorry, Adv Hassim. There seems to be an issue with the screen.

ADV HASSIM SC: I am advised that the issue is just relating to this page, and it was when the redactions of the phone numbers were conducted, it seemed to just glitch and it redacted other parts. But it is only this page that is

affected. Chair, I would suggest we just move on.

CHAIRPERSON: Let us do so.

ADV HASSIM SC: Thanks.

CHAIRPERSON: Thank you.

ADV HASSIM SC: General, so you were at the top of page 38 reading the message from Mr Mogotsi on the 6th of January 2025 at 10:55. Could you just start with – read that again, please?

LT-GEN KHUMALO: Thank you. The message by Mr
10 Mogotsi to Mr Matlala reads:

“Morning. Is it still fine that we meet tomorrow? I am off to Cape Town on Wednesday for January 8th. Also confirming the house in Camps Bay.”

So the next messages exchanged between the two are an attempt to set up a meeting, as per this first message read, at 16:35 a response from Matlala:

“Where must we meet tomorrow?”

Followed by a response from Mogotsi:

20 “Hilton.”

And then the next from Matlala asking the time, and the response from Mr Brown Mogotsi giving:

“Any time after eight, my boss.”

And then still on the same day, this communication about the arrangement of their meeting, and then Mr Matlala

indicates the time of his availability:

“I have 11 o'clock with my banker. Let me see you at 09:30 rather.”

That is the message then at 16:39. And then on the same day at 16:47, Mr Brown Mogotsi responding and confirming:

“Eight pm, my boss.”

Mr Matlala agreeing at 16:47 on the same date with the message:

10 “Oh okay, I will see you later then at 20:30.”

The page 39 the message, the first message is a strong arm emoji from Mr Brown Mogotsi to Mr Matlala at 16:48, and then followed by two calls on the same date, the 6th of January, first one at 17:30, next one at 17:32, and a return call from Mr Brown Mogotsi at 18:27. Then still on the same page 39, Mr Matlala is forwarding a message to Mr Brown Mogotsi, the message that is read as if it was sent to Mr Matlala by someone else, and thereafter he is forwarding the message as it is, or is forwarding it to Mr Brown
20 Mogotsi. The message reads:

“Hello, Mr Rafadi.”

That is where we can speculate that this message was originally sent to Mr Rafadi.

ADV HASSIM SC: If I can pause you, General? We are going to get to the chats of Mr Rafadi and then we will see

there that this message was forwarded to Mr Matlala from Mr Rafadi, and Mr Matlala is now forwarding it on. Continue, sorry for the interruption.

LT-GEN KHUMALO: So I am not sure then, Commissioners, whether we deal with this message as it is forwarded or we deal with it when we are dealing with Mr Rafadi's chats.

ADV HASSIM SC: I propose that you deal with it now. Thank you, go ahead.

10 **LT-GEN KHUMALO:** The message reads:

“Hello, Mr Rafadi.”

And emoji:

“Good day and compliments of the new year, it is Hendrica from Power FM.”

ADV HASSIM SC: I see you really do not want to describe the emojis, General Khumalo, but it is fine, continue.

LT-GEN KHUMALO: Unless if I am allocated an interpreter, and Commissioners, I am really not good. And also:

20 “It is Hendina, producer of Daily Talk, show hosted by Lerato Mbele. We would like to kindly ask for your time for an interview on our show tomorrow morning to talk about the dissolving of the task team dedicated to political

killings. The Police Minister did mention that the task team services were no longer and we just want to discuss this with you as you paint a picture of the current state of political killings in the country, especially because there has been criticism of the team still being needed, with some analysts saying it was time for the team to be dissolved. If you may please join us at 10:30 tomorrow morning, we will truly appreciate it.”

That is the content of the forwarded message by Cat Matlala to Mr Mogotsi, and it is followed by a screen shot, a screen shot with a Power Talk site that might indicate then that is where the discussion will be. And then the next message on the 7th ...[intervenes].

ADV HASSIM SC: We will not play that, Chair, but did you listen to it, and do you know what that link contains, that interview?

LT-GEN KHUMALO: The link is, of course, then Mr Rafadi introduced himself as invited to this talk show to discuss the issue as indicated on the invite. There were two guests, Mr Rafadi and someone else, who were then approaching this discussion from two opposite directions,

with Mr Rafadi in support of the disbandment and the other commentator not in support. That is the summary that one can give then for this discussion.

ADV HASSIM SC: Thank you, General. You may proceed.

LT-GEN KHUMALO: And then still on the 7th at 19:42, Mr Matlala is sending a message to Mr Brown Mogotsi. One will then read that together with the previous messages where they were arranging the meeting, with Mr Matlala asking at 19:42 if:

10 “Can I start making my way to you
because I am a little bit far from our
meeting place?”

And then Mr Mogotsi responding that 20:30:

“I will be there.”

Which is the time that they agreed upon on their previous engagement. Followed by at 20:26 on the same date, 7th of January 2022, by two calls from Mr Matlala to Mr Mogotsi at 20:26 and 20:42 respectively, with the return call again from Mr Mogotsi to Mr Matlala at 20:43, the same date. And then
20 the other calls on the same date from Mr Matlala at 20:48, the first call, at 21:01 as well as 21:02. At 21:02 is the message now written by Mr Matlala indicating that he has arrived at the venue, reading:

“I am here.”

Then next, on the following day, now the 8th of January in

the early hours, 00:47, Mr Mogotsi is sending, definitely not an emoji, it looks like two dots. And then at 00:48 Mr Mogotsi is sending a message to Mr Matlala that:

“This is outstanding.”

And then on the same date at 00:49, now Mr Mogotsi is specific as to what is outstanding. He says you paid, in the message:

10 “You paid 37 000 and the 111 000 is outstanding, which can be related to our previous chats that we are talking to the payment of 25% deposit to a travel agency.”

And then still on the 8th of January 2025, Mr Mogotsi is reminding Mr Matlala that this is what you paid on that message at close to midnight, that discussion at 00:50. And then at 08:14 still on the 8th, Mr Mogotsi is sending to Mr Matlala a notice of an annual BPF Presidential Gala Dinner with those particulars at 14:39. And then it is followed by the information pertaining to that particular
20 event in terms of packages from platinum to gold and silver, and then the detailed information is contained on that notice. Then the response or the message that followed those pictures that were sent by Mr Mogotsi is followed by a message indicating:

“We will take silver package.”

That can be read with the previous photo then of those options for the event packages. At 08:33, Brown Mogotsi is just sending okay message to Mr Matlala. And then at 08:34 Mr Mogotsi is sending a message to Mr Matlala which reads:

“We cancel...”

But it is spelled wrong as we c-a-n-x-e-l:

“...the table because I thought we buy two chairs only.”

10 That is the message then from Brown Mogotsi to Mr Matlala. And then Mr Matlala is responding at 08:40, saying:

“I will call you later, brother. I think we do not understand each other.”

And then the next page 43, the next message at more or less the same time which is a response by Mr Mogotsi to Mr Matlala read:

“Sorry, four tables.”

And then it is followed by the banking details that are forwarded by Mr Mogotsi to Mr Matlala. And then the next
20 message was deleted which was originally sent by Mr Brown Mogotsi to Mr Matlala at 09:13, the same day, the 8th of January. And then the next is the message on the same day, 8th of January at 09:14, Mr Brown Mogotsi sending to Cat Matlala. The message reads:

“We can buy the tables through him at

100K.”

Then the next message again sent by Mr Brown Mogotsi to Vusimuzi Matlala, it is the names with identity numbers of eight people with the message starting with flights. And then the next, then it is particulars, personal particulars of eight people. Then on the next page 44, at 09:46 on the same date of the 8th, the message reads from Brown Mogotsi to Cat Matlala:

10 “They all fly on Friday and return
 Sunday.”

And the next message, same date at 11:37, Brown Mogotsi is sending to Vusimuzi Matlala that:

 “I am off to Cape Town.”

The next message on the same date at 14:25:

“My brother.”

That is from Mogotsi to Matlala. And then same day at 17:53, Mr Brown Mogotsi is sending a message to Mr Matlala indicating that:

20 “Am in Cape Town. Sibiya is in Camps
 Bay.”

And then the next message at 20:01 – or it is not a message, it is two calls at 20:01, both of them ...[intervenes].

ADV KHUMALO SC: General, sorry, without speculating, do you know who that Sibiya is that is referred to in that

chat?

LT-GEN KHUMALO: No, I do not know. Then we continue. After those two missed calls by Mr Matlala to Mr Mogotsi is followed by a return call at 20:01 and then it is the message again at 20:09 by Mr Mogotsi to Mr Matlala. The message reads:

“My brother, some people have arrived here already. And you were saying some are here in Cape Town...”

10 ...[intervenes].

ADV HASSIM SC: Someone. You were saying some and it is got a number one. Some 1.

LT-GEN KHUMALO:

“You were saying some 1 here in Cape Town could help us with something.”

Then on the next page 45, Mr Brown Mogotsi is sending a message to Mr Matlala. The message reads, the message is at 20:14:

“Please confirm the following.

20 [1] The table/100K.

[2] Eight times flights.

[3] The 75% balance of 111K.

Please, and I will understand.”

And then that message is followed by another message from Brown Mogotsi at 20:16 to Mr Matlala. The message reads:

“This will allow me to hang everything
and the Minister.”

And then next message, next then are the calls between the two gentlemen on the same date at 20:38 and again 20:38, which looks like they were missing each other. Then the message from Mr Matlala to Mr Mogotsi at 20:53, which is:

“This I will do except the table
booking.”

Which might be interpreted as a response from the message
10 sent by Mogotsi at 12, at 20:14 with the list of things that
are including the table as number one. And then the
response at 20:56 from Brown Mogotsi to Mr Matlala, it says
K, which can be interpreted as okay. And then at 20:57 on
the same date, the 8th of January, Mr Brown Mogotsi is
sending a message to Mr Matlala, reading as follows:

“Please assist with something for the
guests.”

And then on the same date at 22:52 ...[intervenes].

ADV HASSIM SC: And just to pause you there, General,
20 this message may be related to the message on the page
before, the last message at 20:09 that people have arrived
and can you assist?

LT-GEN KHUMALO: It can be circumstantially related to it,
Commissioners. Then the last message on page 45 at
22:52 on the same date, the 8th of January, it is written by

Brown, or sent by Mr Brown Mogotsi to Vusimuzi Matlala with one word:

“Impala?”

Impala. And then Mr Mogotsi ...[intervenes].

CHAIRPERSON: General, do you have any idea what this is referring to? What is this impala? Only if you have an idea.

LT-GEN KHUMALO: I only have a knowledge because in Zulu we also have an animal called impala. I am looking at
10 the spelling, it looks the same as how we spell impala animal in Zulu.

CHAIRPERSON: But in this context you have no idea what this means?

LT-GEN KHUMALO: No, I do not have an idea.

CHAIRPERSON: Thank you.

LT-GEN KHUMALO: And then the next message on page 46 on the same date, the 8th of January at now 22:54, Mr Brown Mogotsi is following that message of impala that he sent with next time. And then at 22:55 another message,
20 the emojis that I have been struggling with the interpretation, Commissioners, unless if I get assistance.

ADV HASSIM SC: It is like two laughing faces.

CHAIRPERSON: With tilted heads.

LT-GEN KHUMALO: Then on the following day, the 9th of January 2025 at 09:50, they start exchanging calls between

– the first call is from Mr Matlala, followed by the one from Mr Mogotsi to Matlala, and the next one is from Mr – it looks like they were missing each other or talking a lot within that time frame. Then followed by a deleted message at 10:43, which was sent by Mr Mogotsi to Mr Matlala at 10:43. Then on the 9th still at 10:44, Mr Brown Mogotsi is sending a message to Mr Matlala which reads:

“Replace number one and two.”

Which then can talk to the previous messages that are
10 numbered on the communication between the two.

ADV BALOYI SC: I suppose it is also fair to make provision for the possibility that one and two may have been in that deleted message. I mean, we do not know what the deleted message was.

LT-GEN KHUMALO: That is possible, Commissioner.

ADV BALOYI SC: Yes.

LT-GEN KHUMALO: And then the next message at 10:44 on the same date, Mr Brown Mogotsi is sending a message to Mr Matlala which reads:

20 “We have done it already because you
were not responding.”

And then at 10:44, again a few seconds after Mr Brown Mogotsi is calling, and then after a call on the same date, and then a message reading *boso*, and then on the same date at 10:57, another call followed by deleted messages or

screenshots that were sent by Mr Mogotsi to Mr Matlala. That will take us up to page 48 and then to page 49. We resume then on the same date, the 9th of January at 11:16 with a call.

Then the next, then at 11:17 it is the account details of the same travel agency, Gotlhe, that was sent previously. Now Mr Mogotsi is sending the same account details at 11:17 and then followed by a call at 13:01 from Mr Mogotsi to Mr Matlala, another call at 13:41, then the return
10 call at 13:42 from Mr Matlala. Then the messages on the same date from 13:47, the attachments that are annexed as BM4 and BM5 that are then sent by Mr Matlala to Mr Mogotsi.

ADV HASSIM SC: So the first attachment is BM4, and that is on page 154 of the bundle. Can you just say what is reflected on that annexure?

LT-GEN KHUMALO: It is page number 134?

ADV HASSIM SC: 154, apologies, General.

LT-GEN KHUMALO: On page 154, the annexures are not
20 clear on the copy that I am having, Commissioners.

ADV HASSIM SC: I hope it is clear in your copy, Chair. It is essentially, then if I can just point out, their flight bookings, and you will see it is for six people. And then BM5, which is at 157, so that is – sorry, to be clear, it is flight bookings for six people, the first one, from

Johannesburg to Cape Town. BM5, it is the same six people, return flights from Cape Town to Johannesburg. And the date of the first flight is 10 January and the return is 12 January. That takes us to the bottom of page 49 with the message from Mr Mogotsi ...[intervenes].

LT-GEN KHUMALO: After the two annexures, Commissioners, then there is a message from Mr Brown Mogotsi to Cat, reading as:

“The last number two, the last two?”

10 That is on the same day, the 9th of January at 14:03. Then moving on to page 50, the follow-up message at 14:04, reading:

“This two, number two.”

And then followed by the call at 14:09 from Mr Mogotsi to Mr Matlala, and the deleted message. Same day at 14:10, another deleted message, same day at 14:10. Then on the same day, then the 9th of January at 14:40, Mr Matlala is sending a message to Mr Mogotsi, which is reading:

“111K is paid.”

20 And then the response at 14:43 from Mr Brown to Mr Matlala, reading, thanks, spelled as T-h-n-x. And then the next message at 15:24, Mr Mogotsi is sending a message to Mr Matlala, reading:

“The last two guys?”

And the next message then, it is an Annexure BM6, is on

the same date at 15:27.

ADV HASSIM SC: And that has the Annexure BM6, and that is at page 160, which is a proof of payment, again, from the same Mr Matlala, from the same, his company to Gotlhe Specialist.

LT-GEN KHUMALO: Thank you, Commissioners. Moving on to the next page ...[intervenes].

ADV HASSIM SC: Sorry, and just to say the amount reflected on the proof of payment is 111 000.

10 **LT-GEN KHUMALO:** Okay.

ADV BALOYI SC: Just for completeness, Ms Hassim, you also indicate the payment is from, as per this proof of payment?

ADV HASSIM SC: It is from Medicare 24, Tshwane District (Pty) Ltd.

ADV BALOYI SC: Thank you.

ADV HASSIM SC: Continue, General.

20 **LT-GEN KHUMALO:** Then continuing on page 51, on the same day, the 9th of January at 16:51, the message from Mr Mogotsi to Mr Matlala, which reads thus:

“My brother, thanks 4 everything.”

With a spelling mistake on brother. It is spelled B-r-o-t-j-e-r, and thanks is spelled as t-h-n-x. The for, it is in a number four, and then everything. And then the list, number one, two people outstanding. Then number two, the

contact person with a spelling mistake on the contact instead of N, it is M, and then another spelling mistake on person with the end, at the end of person. The location, which can read, and the location of the accommodation in Camps Bay. Number three, it is entertainment. That is the list that is sent by Brown Mogotsi to Cat Matlala on the 9th of January at 16:51.

That is followed by a call from Mr Mogotsi to Mr Matlala at 20:06, same day. At 20:20 same day, Mr Mogotsi
10 is sending a message to Matlala, reading:

“We spoke about this.”

And then the next message, a few seconds after, Mr Brown Mogotsi saying:

“But I think you did your best.”

With you spelled as a U, and your spelled as you are. And then the greetings on the morning of the 10th at 10:46 by Mr Mogotsi, followed by a call at 10:48 still from Mr Mogotsi, and another call at 18:43 on the same day. Then on the same day at 19:41, Mr Matlala is responding to Mr Mogotsi
20 with a message:

“Good evening. Was out of the country. Left my phone with my assistant. I see you tried calling me, brother.”

Then next page 52, that message is followed by a call now

from Mr Matlala to Mr Brown, and then a response from Mr Brown Mogotsi to Matlala on the WhatsApp chat:

“Yes, my brother.”

On the same day, the 10th. Then still on the 10th Mr Brown Mogotsi is sending a message, now at 19:56, reading as follows:

“I was saying will you still find assist us with entertainment?”

Which is one of the three things that are on the last list that
10 Mr Brown Mogotsi has sent the previous day. Then on the 10th, still at 19:57, it is a call and then from Mr Mogotsi to Mr Matlala, followed by a message from Mr Matlala on the same day at 20:18. The message reads:

“Whenever you are back and ready to meet, I will explain to you further how I prefer to do things. As for now, honestly, I do not understand this whole engagement....” ...[intervenes].

ADV HASSIM SC: Arrangement. I do not understand this
20 whole arrangement.

“I partly did it to show my interest, but further, I would prefer to have a proper structure.”

That is the message then by Matlala to Brown Mogotsi. And then the other message on the same day, or a response at

20:21 on the same day now from Mogotsi to Matlala, which reads thus:

“True, my brother. I just have a volume of people, and when we met ...[indistinct] you said you were going to organise something for us here, like drinks and food. Believe you me, you did the best and will NVR...”

Which might read never:

10 “...you will never reach this stage again. It is not nice to be...”

Spelled with a B alphabet:

“...getting so much...”

With double O:

“...without doing everything in return.”

ADV HASSIM SC: Anything in return.

LT-GEN KHUMALO:

“...anything in return. Even 15K will cover until...”

20 Spelled wrong:

“...Sunday.”

Then on the same day at 20:26 a call with a message from Mr Matlala indicating that he will call, or:

“I will call in a minute.”

Then same day at 20:29 the message now from Mr Matlala

to Mr Mogotsi:

“Okay, when you get back, organise a proper setup going further, especially the main men behind all this.”

And then on the same day at 20:29, the message from Cat to Mogotsi reads:

“You can send that account number.”

And then the response:

“Yes, guaranteed.”

10 By Mr Brown Mogotsi on the same day at 20:29. And then the message stressing guaranteed from Mr Mogotsi to Mr Matlala at 20:30, and then followed by another message a few seconds after from Mogotsi to Mr Matlala reading:

“You have to send to three accounts.”

With you spelled as a U alphabet and have without an A. And then still on the same day at 20:30, Mr Matlala is responding or sending a message to Mr Mogotsi which reads:

20 “Please get one and you will share it in three.”

Three as a number. And then at the same day, a minute after Mr Matlala is sending another message to Mr Mogotsi:

“I need to do debriefing now.”

That is followed by the account details which are the same as the one that was sent before at 20:36 by Brown Mogotsi

to Mr Matlala, and then the second also. So it is two account details that are sent this time around. Then on the same date at 20:37, Mr Brown Mogotsi is sending a message to Mr Matlala which reads:

“I only got the card and I will not transfer to Molekwa.”

And that is followed by the calls on that day, the last call at 20:39 from Mogotsi to Mr Matlala. The following day on the 11th ...[intervenes].

10 **ADV BALOYI SC**: Before the following day, General, these names here with account numbers, do you know who they are? Was any check done to see who they are?

LT-GEN KHUMALO: The first one is similar to the previous one that we have seen and it is linked with the travel agency company, Gotlhe.

ADV BALOYI SC: Okay, thank you.

LT-GEN KHUMALO: It is only this second one that is new in our chat analysis. Then moving on, the following day on the 11th, it is just one call from Mr Matlala to Mr Mogotsi.

20 And then Mr Matlala then the following day, the 12th at 09:04 he is sending to Mr Mogotsi a screenshot. A screenshot that is having a newspaper article headline, and it reads:

“The lone robber walks out of Crime Intelligence Unit with R1.3 million in

Intelligence Unit in a bag.”

It is cut, that screenshot. It is not clear, but those are the words that are reflected there. It is a newspaper headline.

ADV HASSIM SC: Can you read the next message before I ask a question on this? Then the next message from Mr Matlala to Mr Mogotsi after sending that newspaper article, the message reads, the message is at 09:04. It reads:

“Nanzo.”

With four zeros or four O's and an N before Z, the message
10 reading:

“They covering up so Minister will not
find out the splash funds corruption
staging robberies.”

Another emoji which is much clearer on the screen like a happy person.

ADV HASSIM SC: A happy person, yes. Do you know anything about this incident that is being reported about a robber walking out of Crime Intelligence Unit, your unit with 1.3 million in a bag?

20 **LT-GEN KHUMALO**: Yes, Commissioners, we are aware of the incident that is related to the story. It relates to an incident where one of our offices in the Eastern Cape was robbed of cash, which is similar to the one reflected in the story, 1.3 million. But then the investigation was completed within a day or two of this incident. It was a staged robbery

and then a captain and all other officers were charged departmentally and the captain criminally and so the matter is at court. So it was not a robbery according to our investigation.

But maybe to give also a background to that, the alleged robbery took place after I had assigned personnel from my office to go and do the surprise inspection in Gauteng province in our cash offices where then they found lots of contraventions of policies. And then there were
10 cases that were registered. After the Gauteng surprise inspection, I then brought the team together to plan for a simultaneous surprise inspections in all other eight provinces, which might look like then that leaked. Because on the same day of that surprise inspection, that is when this fake robbery was then reported.

ADV HASSIM SC: And were the inspections taking place in all provinces?

LT-GEN KHUMALO: Yes, that is correct.

ADV HASSIM SC: Okay. This continues, the exchange
20 between the two gentlemen on this article. So if you can just take it from...

LT-GEN KHUMALO: Page 56?

ADV HASSIM SC: Well, it starts at the bottom of 55, message from Mr Mogotsi on 12 January at 09:04, but the message, I am sorry to say, General, is an emoji.

Spelled with a Z and p-l-i. And then on the 12th again at 09:05, Mr Mogotsi is sending a message to Cat Matlala which reads:

“Must share that without A, we see prior.”

ADV HASSIM SC: Do you know what he is referring to there?

LT-GEN KHUMALO: Speculating it might be talking to the guy who will be running a story as per the message at 09:05
10 on the same day.

ADV HASSIM SC: Okay, you can continue. So the next is an ID document.

LT-GEN KHUMALO: It is an ID document screenshot sent by Brown Mogotsi to Mr Cat Matlala. After that screenshot, there is a message at 10:03 still on the 12th from Brown Mogotsi. After sending that screenshot, the message reads:

“My boss, cannot get a flight ticket.”

And then Mr Matlala is responding:

“What you mean?”

20 At 10:04 on the same date. And then at 10:06, Mr Mogotsi to Mr Brown with the message – to Mr Matlala with the message:

“My brother, trying to get one.”

And with the response:

“Okay.”

From Matlala then to Mr Mogotsi. The next message now is Mr Mogotsi to Mr Matlala:

“Can you get it, my boss?”

Speculating that it refers to the flight. And then the exchange of calls, or a call at 10:50 followed by the message now at 11:37, again from Mogotsi asking Mr Matlala:

“Is it available?”

Still speculating the flight ticket. And then the next
10 message at 12:56, Mr Mogotsi asking again:

“Nothing?”

And then at 12:57, Mr Brown Mogotsi is sending another message:

“Only tomorrow.”

That is when then Mr Matlala is responding with the flight details sent then to Mr Mogotsi. After the exchange of those chats, he is talking about or speculating the request of the flight ticket. Then there is a question mark message on the 12th of January still 2025 at 16:41, followed by a call
20 from Mr Mogotsi and a message from Mr Mogotsi reading:

“Sure.”

And then another message on the same date at 16:47, in a question:

“Did you do the booking?”

Which is followed by a call and another call at 16:57 and

17:16 from Mr Brown to Mr Matlala. And then the pleading message after those two unanswered calls and unanswered messages, another message then from Mogotsi asking Mr Matlala to talk to him, reading:

“Talk to me.”

Without A between T and L and two in a number two me and please spelled as p-l-i-z-z. Then on the same day at 17:21, it is another call from Mogotsi. And then on the 14th, which is a day – ja, on the 14th, which is almost two days after the
10 last call, and then 14th of January 2025 at 12:36, a message from Mogotsi to Matlala reading:

“Sure. Do not forget to work on your invoices. Back in Jozi.”

And then the following message is a screenshot, which is a screen grab talking to the supply chain management system of SAPS, which is sent by Mr Matlala to Mr Brown Mogotsi.

ADV HASSIM SC: And can you just tell us what we are seeing in that screen grab? What is the significance of it?

LT-GEN KHUMALO: Firstly, it is identified as the South
20 African Police Service System screenshot. It talks to the information that is captured within the supply chain management when then the invoices are submitted.

ADV HASSIM SC: So is this as with the PERSAL screenshot that we saw? Is this a system that only employees of SAPS and particularly supply chain

management staff would have access to?

LT-GEN KHUMALO: That is correct Commissioners, this is the supply chain management system screen grab that only personnel attached to that environment will have access.

ADV KHUMALO SC: Just halfway down that photo there is a section that says:

“No errors found on data set, invoices
to be uploaded.”

What do you understand that to relate to? Does it mean
10 invoices have been submitted but have not yet been
uploaded onto the system?

LT-GEN KHUMALO: That will be my layman understanding and interpretation, Commissioner. Then on the same day, the 15th of January, Mr Matlala is sending a message to Mr Brown Mogotsi asking him:

“Can you please try to speed it up?”

The interpretation may be on the invoice submitted as per the screen grab above.

ADV HASSIM SC: So, sorry, General, just to be clear,
20 because the screenshot is sent at 13:22, which says
invoices to be uploaded. And then immediately after that
still 13:22 is the message, can you please try to speed it
up?

LT-GEN KHUMALO: That is correct, Commissioners. And then that is followed at 17:25 by a call from Mr Matlala and

another one on the same date at 17:28 to Mr Mogotsi. And then at the following day on the 16th in the morning at 09:01, another call from Mr Vusi Matlala followed by a message on the following day, now the 17th of January at 08:00 in the morning, the message reads:

10 “Good morning, brother. Just checking if you are winning the invoicing. I read to pay suppliers before the 26th. Please let me know so as I can engage someone else if you are not winning.”

The interpretation might be – the message might be related to the previous day's request of the speeding up of the payment as per the invoice submitted. The response on that ...[intervenes].

ADV HASSIM SC: Before you go to the response, I suppose where it says red, that is an autocorrect typo, it should mean ...[intervenes].

LT-GEN KHUMALO: Need to pay.

20 **ADV HASSIM SC:** Okay, I need to pay suppliers, please let me know so I can arrange someone else if you are not winning.

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: Proceed.

LT-GEN KHUMALO: Then the response on the same day at 08:40 by Mr Mogotsi to Mr Matlala, reading:

“I am on it.”

And then followed by the – then the next communication is on the 20th where there were two calls at 13:04 that were like missed calls from Mr Matlala to Mr Mogotsi, followed by the message on the 21st, now the following day at 18:49, with the question:

“Did you manage to pull it off today,
brother?”

Followed by another call on the 22nd, another call again on
10 the 22nd at 08:21 and 08:22 respectively. The call is from Mr Matlala to Mr Mogotsi with the last call at 08:58. And then the next message, it is a screenshot that is sent on the same day, the 22nd at 09:01 by Mr Mogotsi to Mr Matlala.

ADV KHUMALO SC: Just pause there for a moment, General.

CHAIRPERSON: Because this is quite lengthy and I do not know to what extent you are going to deal with the detail, General, perhaps, Adv Hassim, this is a stage at which we should adjourn. Let us come back at 14:00. Let us adjourn.

20 **INQUIRY ADJOURNS**

INQUIRY RESUMES

EXAMINATION BY ADV HASSIM SC (CONTINUES):

General, we were at page 62. Are you there? Let me know when you – are you there?

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: And it was, we were beginning with the forwarded long media article on that page, so if you could begin there, please.

LT-GEN KHUMALO: Thank you, Commissioners. On page 62 the forwarded message on the 22nd of January 2025 at 09:01 in the morning Mr Brown Mogotsi is forwarding this long media article message to Mr Matlala, that is titled:

10 “How Police Minister Bheki Cele and
 National Police Commissioner, Jerry
 Masemola, covered up Bheki Cele’s
 R26 million tender corruption.”

20 The investigation that was conducted by ID with
 regard to allegations of fraudulent activities in the KZN as
 well as at SAPS head office and it was also talking to
 allegations of instructions to appoint some people. It is
 also touching on the division Human Resource Management
 and it is cited as a developing story, which then tells us that
 it was a circulating message that was then taken from the
 social media platforms and then that is what Mogotsi was
 sharing with Brown.

ADV HASSIM SC: So just to be clear, the message on page 62 and the one on page 63 ...[intervenes].

LT-GEN KHUMALO: 63.

ADV HASSIM SC: You say were both forwarded?

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: And that those are social media ...[intervenes].

LT-GEN KHUMALO: Social media ...[intervenes].

ADV HASSIM SC: Comes from social media.

LT-GEN KHUMALO: Platform. Social media, that are written by people.

ADV HASSIM SC: And you do not know who wrote these?

LT-GEN KHUMALO: No, I do not know who the author is and it is not even reflected on the screenshots that we are
10 going through.

ADV KHUMALO SC: General, do you perhaps know or do you have an opinion as to why Mr Mogotsi and Mr Matlala would be so interested in the PKTT and you specifically, because there are many of this documents that are shared between them and they relate to the PKTT.

LT-GEN KHUMALO: Yes.

ADV KHUMALO SC: Do you have an opinion or do you have personal knowledge?

LT-GEN KHUMALO: Thank you, Commissioners. My
20 opinion as I have indicated before that we noticed this trend soon after the disbandment letter on the 31st. There was this increase on stories that are written containing negative facts or negative or wrong, false allegations around the Political Killings Task Team as well as the project leader, which is myself. And even when we will analyse the

activities by the same individuals after, we analyse their communication before the letter and after the letter one can draw the conclusion that it was an effort to give the reasons for the letter that came on the 31st with all these negative made-up stories afterwards.

ADV KHUMALO SC: I want to ask you a follow-up question. I mean I do not see any discussion between the two individuals about GCI Ops but I see there is various chats relating to the PKTT. Are the activities of GCI Ops
10 generally known to the public?

LT-GEN KHUMALO: As I reflected on my testimony on the facts included on my, in my affidavit that the GCI Ops is a covert or counter-intelligence project that is not visible to the public. That is why then when the information was leaked that there is a support that is brought to GCIS, to GCI Ops from the Political Killings then because Political Killings is a known structure or – ja, then one will think that that is why then the attack was directed to the Political Killings Task Team, hence that makes us to conclude that it
20 was a mistaken identity.

Also the other fact is if we look at the screenshots of covert or classified information that was shared between the two individuals, soon after the letter of disbandment and then it shows that the information leaked that it is in fact the GCI Ops that is responsible, hence then there was a

campaign to leak everything that has to do with this covert project that was dealing with the cartel.

So, but the clear campaign was in the form of misinformation was directed towards the PKTT, the Divisional Commissioner of Crime Intelligence who happens to be the project leader also of the PKTT as well as the division itself whatever that is happening within the division, because the leader of both will always be part of the misinformation. If something is happening within the
10 division during that particular period it will still make sense for it to be spinned around, because whatever picture is painted for the leader, it automatically transfers to the PKTT. Whatever comes from the PKTT, so that was the triangle of the misinformation that we saw coming up thick and fast, especially between the two gentlemen that were also very vocal before even the letter of the 31st from the operation on the 6th, the 18th, the 19th, the exchange of video footages as a proof of harassment and, and, and.

So all that then give us the view or the opinion that
20 the two gentlemen were part of the three activities, hence then the post activities it is with regard to this misinformation that they are sharing between them. Thank you, Commissioner.

ADV HASSIM SC: Thank you, General.

ADV BALOYI SC: Ms Hassim, if – are you moving off this

long text chat?

ADV HASSIM SC: Yes.

ADV BALOYI SC: Okay, can I just ask my question then.

ADV HASSIM SC: Yes.

ADV BALOYI SC: General, in the last paragraph just before developing story there are two parts there to this. There is the first part which is that President Cyril Ramaphosa and GNU parties have asked the ID and IPID to probe the National Commissioner and yourself. Is that fair?

10 Was there such a request from the President and whoever the GNU parties is referred to there for such a probe?

LT-GEN KHUMALO: No, from our understanding – thank you, Commissioner. From our understanding there has never been any formal notice with regards to this investigation or probe that is reflected on this media article.

ADV BALOYI SC: Alright. And the second part it says this comes after the Portfolio Committee on Police opens cases against Crime Intelligence Head and that Crime Intelligence Head is you, has the Portfolio Committee as a committee
20 opened a case against you?

LT-GEN KHUMALO: The only fact that can come closer to that line is the knowledge that a member of the Portfolio Committee on Police did open cases against senior officials in the division, including myself, around the same period.

ADV BALOYI SC: Yes, so an individual member of the

committee, but not the committee itself?

LT-GEN KHUMALO: Yes.

ADV BALOYI SC: Is what I am trying to find out
...[intervenes].

LT-GEN KHUMALO: Individual member of the committee
...[intervenes].

ADV BALOYI SC: If it is correct. Okay, thank you. Thank
you, Ms Hassim.

ADV HASSIM SC: Thank you, Commissioner. So as I
10 understand you, General, this goes to your theme of the
conspiracy to disband.

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: These, the social media posts.

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: So moving on, then we get into these,
there were some phone calls. Can we take it from there,
middle of the page.

LT-GEN KHUMALO: Thank you, Commissioners. Then the
last part of page 63 reflects the calls. All three of them are
20 made by Mr Matlala to Mr Mogotsi on the 22nd and 23rd. On
the 22nd it is around 15:58 and then the following day
another two calls, then around 10:16 and 10:55 of which
then at 12 mid-day Mr Mogotsi then responded with a call to
Mr Matlala, not a call, but a message saying:

“Submitted and I am awaiting

confirmation.”

And then the next message still from Mr Mogotsi to Mr Matlala reading:

“I see.”

On the 23rd still, around 12:34 then there was a message then on the same, oh, on the 27th now around 16:17 from Mr Matlala which was deleted. And then on the same day around 16:17 a message from Mr Mogotsi to Mr Matlala written:

10 “Wrong man.”

And then same time after that then a call from Mogotsi to Matlala. And around 16:31 a message from Mr Mogotsi to Mr Matlala which reads:

“Do not mention.”

And indeed then Mr Matlala acknowledge at 16:31 by a message written:

“Sure.”

The last call on the 27th between the two gentlemen was around 16:32, which was from Mogotsi to Matlala. And
20 the following day, the 28th around 23:21 at night there is a call from Mr Brown Mogotsi to Mr Matlala followed by a message from Brown Mogotsi reading:

“Bosso.”

And then on the same night there are three calls that are made or attempts that are made by Mr Mogotsi to Mr

Matlala up until ...[intervenes].

ADV HASSIM SC: General, you say the three calls were made at 23:24, 23:29 and 23:30 respectively, so quite late at night.

LT-GEN KHUMALO: That is correct, Commissioners. Then the following day again at night 20:15 on the 29th the message from Brown Mogotsi to Mr Matlala:

“The meeting was positive.”

And then on the same day at 20:19 Mr Matlala is
10 sending a message to Mr Mogotsi reading:

“Is he willing to help you guys?”

Then the response at 20:23, Mr Mogotsi to Mr
Matlala:

“I just wish he could help with the
statement.”

Statement, I should speculate. Then on the same day
20:23 Mr Mogotsi follows up his message above with the
message:

“I think he needs cash.”

20 **ADV HASSIM SC**: Do we know, I pause you there, do you know is he willing to help you guys, wish he could help, do you know, think he needs cash, do you know who the “he” is in those messages?

LT-GEN KHUMALO: For now one cannot be able to explain that until we take another three to four messages so

that it can be clear to the Commission.

ADV HASSIM SC: Please proceed.

LT-GEN KHUMALO: As to why ...[incomplete].

ADV BALOYI SC: Related to that, General, the meeting referred to, the meeting was positive, were you able to establish what meeting this is referred to and with who?

LT-GEN KHUMALO: From that message that says the meeting was positive, we are reading it together for analysis purposes and also based on the information that
10 we have on our investigation as the continuation of that discussion and the question that follows, the meeting was positive and then the question from the receiver of information, is he willing to help you guys, so we are reading it as then a follow-up question on the status report of the meeting above. And then after the question and then we are reading the next two messages as talking to what transpired during the positive meeting.

ADV HASSIM SC: And you say it will become clearer as we go through the next three messages.

20 **LT-GEN KHUMALO:** Yes, Commissioners. And then the next message on the same day, now it is from Mr Matlala to Mr Mogotsi which is after Mr Mogotsi has sent a message:

“I think he needs cash.”

And then Mr Dlamini, Mr Matlala then is responding:

“Okay, arrange with Khan to give him

cash if the information he has is worth
it.”

And then after that there is a call then at 20:43 from
Mr Mogotsi to Mr Matlala.

ADV HASSIM SC: So before, I think it moves on then to a
different issue.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: Or maybe not. I just want to know is
this the point where you want to pause to try to explain if
10 you know who the “he” is and what the meeting was about?

LT-GEN KHUMALO: No, we ...[intervenes].

ADV HASSIM SC: Or do you want to continue?

LT-GEN KHUMALO: No, we are not yet at the part where
one can link ...[intervenes].

ADV HASSIM SC: Not yet.

LT-GEN KHUMALO: This particular conversation with the
other one that we are still going to, so as then the picture
can be clear, Commissioners.

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

20 **CHAIRPERSON:** General, when that link is made will it
also explain to us who Khan is or will there be an
explanation at some point as to who Khan is?

LT-GEN KHUMALO: It will, that link, Commissioners,
thank you. When that link is made it will attempt to give the
description of Khan that is mentioned in the message.

CHAIRPERSON: Thank you.

LT-GEN KHUMALO: And then moving to the next message it is now the next day on the 30th of January at 10:56, that is still 2025. The screenshot of an e-mail that was sent or a communication between the office of the Divisional Commissioner: Human Resource Management, Lieutenant-General Nkhuoa and the company Medicare24 owned by Mr Matlala.

Now we see Mr Matlala sending the screenshot of this
10 e-mail communication to Mr Mogotsi on the 30th. It talks to the complaints by the SAPS with regards to the services that are supposed to be rendered by Medicare24 to the SAPS.

“Good morning Mike.”

And then the Mike according to our information or investigation is working in the same company as an Operations Manager, hence then the e-mail is addressed to him. Maybe just reading the first paragraph so as then we can understand the sense of the communication.

20 “This serves to convey SAPS’ concern in respect of contractual non-performance on your part regarding the subject matter as reflected above.”

And then it carries on, then mentioning as to the points of unhappiness. This can be understood in the

context of the period or in the context of events as they were unfolding from the meeting around the same contract on the 24th which resolved to the conducting of internal audits around this contract. So this communication was talking to the same issues that were part of the internal audit investigation.

That will take us to still the same e-mail to page 67 and up to 68. Then after that then the sender of this screenshot, Mr Cat is calling then Mr Mogotsi at, on the
10 same date firstly at 10:58 and then secondly at 11:24 with Mr Brown Mogotsi calling back at 12:29.

Then still on the same date at 12:31 Mr Mogotsi is sending a screenshot of his communication with the number saved as Senzo Mchunu. The screenshot, the communication is between Brown Mogotsi and the number saved Senzo Mchunu. It is talking to – the beginning of the message, which is sent by Brown Mogotsi to number saved Senzo Mchunu, but it is screenshotted and sent to Mr Cat Matlala. It reads:

20 “Morning Minister ...” [intervenes].

ADV HASSIM SC: General, just before we go into the body of the text, so this message was sent to Mr Matlala 30 January, 12:31 and then I just wanted you to, before you go into the body of the text there is a date above the text before it says “Morning Minister”. Is that the date

...[intervenes].

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

ADV HASSIM SC: On which Mr Mogotsi communicated with the person he calls Minister?

LT-GEN KHUMALO: That is correct, Commissioners. The date that is within the screenshot is the date the message in the screenshot was sent by Mr Mogotsi to the Minister, which is Sunday, the 26th of January. But the screenshot is sent on the 30th, so around four days after the
10 communication.

ADV HASSIM SC: Thank you. You can now go to the body of the text.

LT-GEN KHUMALO: And the message reads:

“Morning Minister, I am in Durban and can confirm that they got nothing on Phoenix saga and our contact says they could not even go to any bank. By the way, the girl is also here.”

Then it continues ...[intervenes].

20 **CHAIRPERSON**: Do you know what the Phoenix saga was?

LT-GEN KHUMALO: No, that is negative, Commissioner. We do not know.

CHAIRPERSON: And do you know anything about the girl, the person described simply as the girl?

LT-GEN KHUMALO: No, we know nothing, Commissioner.

CHAIRPERSON: Thank you.

LT-GEN KHUMALO: And then the next paragraph is, it reads:

“Tomorrow we are signing the practice notes on the North West PEC matter for the SCA in Pretoria with the senior counsel. The matter will be a month from tomorrow.”

That is the second paragraph on this communication.

10 **ADV HASSIM SC**: Do you know what matter that is?

LT-GEN KHUMALO: No, also we do not know what the matter around the signing of practice notes, we do not know. And then the next part then talks to the briefings. The first briefing number one, it talks to:

“The business women who would like to assist our program also participated in the Brics Cyber Security is available to meet with the Minister. Apparently you did meet before.”

20 Same applies to that number one under briefing, we do not have an idea of, or the all information beyond that what is written there. Then number two:

“The guy of the funding (20) is also in Johannesburg from Tuesday. He is the one I said has R3 billion contract with

SAPS.”

Again on number 2, although it can talk to some of the chats that we have been going through, but its accuracy is not 100% if it is referring to Mr Matlala or any other person. Then the next point under briefings, number three, or it is just the last paragraph, it says:

“Also meeting with the DNC and COS today in Durban for finalization of Khumalo and Mkhwanazi matters.”

10 Then the next message – or maybe let me pause there, Chair and say according to our analysis of that it talks to the General Khumalo and General Mkhwanazi in terms of the communication charts that we have been seeing between especially the two, Matlala as well as Mogotsi.

Then the next message that is forwarded, still sent by Mr Mogotsi to the Minister and then a screenshot to Mr Matlala:

20 “DNC is waiting for the COS here. It is very significant.”

Our interpretation is the DNC is the short word of Deputy National Commissioner in the SAPS and COS is a short word of Chief of Staff.

CHAIRPERSON: And the two Generals referred to there would that be you and the Provincial Commissioner or will it

be different people?

LT-GEN KHUMALO: That is correct if we look at the events starting from the 31st, the signing of the letter as well as the misinformation. The misinformation would always have those two names or one of those names. We can even refer to the Constitutional Court case where the talk is according to our understanding it is talking to the Khumalo, myself, hence then we say we can deduct that the Khumalo and Mkhwanazi referred to are myself and the
10 Provincial Commissioner of KZN.

CHAIRPERSON: And the matters of these Generals referred to, do you know what those matters are?

LT-GEN KHUMALO: We cannot exactly point out, Commissioner as to which matters. There were, during that period there were a lot of matters that will be discussed within that space.

CHAIRPERSON: Would matters possibly even mean issues, not ...[incomplete].

LT-GEN KHUMALO: That is correct.

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

LT-GEN KHUMALO: And then at the end of those messages then the response interpreted as from the number saved Senzo Mchunu, the response is:

“Do not unnecessarily.”

So that will be the end then of that screenshot that

was shared by Mr Mogotsi to Mr Matlala. Then on the same page 70 we are now moving on with the communication starting at 20:37 still on the 30th of January with Brown Mogotsi indicating to Mr Matlala that:

“They just left the Lekgotla.”

And we are not aware or sure as to who is he referring to by saying “they”. The response at 20:39 on the same date, Mr Matlala is asking ...[intervenes].

CHAIRPERSON: But the word Lekgotla, what is it
10 ordinarily used in relation to?

LT-GEN KHUMALO: If my common knowledge serves me well we normally see the word associated with Government meetings that are sometimes referred to as Lekgotla.

CHAIRPERSON: Is it not usually used in relation to Cabinet?

LT-GEN KHUMALO: That is correct.

CHAIRPERSON: Thank you.

ADV BALOYI SC: General, did you perhaps try to find out
20 whether there was a Lekgotla, a Cabinet Lekgotla in that period?

LT-GEN KHUMALO: No, not yet, Commissioner.

ADV BALOYI SC: [Indistinct]... okay.

LT-GEN KHUMALO: We have not yet followed that part of investigation. Then moving on, on the same date at 20:39 Mr Matlala is sending a message to Mr Brown, asking:

“So what the plan, should I make my way there or what?”

With the response from Mr Mogotsi:

“I’m waiting confirmation.”

And thereafter the next communication is on the 31st of January at 10:07 in the form of calls, both – and another call at 10:42, another call at 11:04 on the same date. All those calls were made by Mr Matlala to Mr Mogotsi. Then on the same day around 11:05 there is a message that is
10 sent by Brown Mogotsi to Mr Matlala reading:

“Chief of Staff.”

And then the next message then from Mr Matlala to Brown Mogotsi on the same day it reads:

“Please arrange meeting as soon as possible. I think they are escalating the matter to him of non-performance or rather let me meet you and you will explain it to the Minister.”

The interpretation of the message together with the e-
20 mail that was then forwarded or that was from the division Human Resource Management of SAPS that was talking about the non-performance of Mr Matlala’s company, then we are using it as a reason for this message that who Mr Matlala is sending to Mr Brown Mogotsi, thinking that they escalate this matter to him, thinking that they, the Human

Resource Management or the SAPS they are escalating this matter to him, this matter of non-performance, or rather let me meet you and you will explain it to the Minister, so the interpretation is the escalation of this matter to the Minister.

Then the next screenshot is sent by Mr Brown to the Chief of Staff on the 31st at 12:34 to a number saved as Senzo Chief, hence then we are concluding that it is the Chief of Staff in the office of the Ministry because of how the number is saved, Senzo Chief. Then the screenshot it
10 is for the screenshot of the same letter, parts of the letter that was sent then by the division Human Resource Management to Mr Cat Matlala. This screenshot is now forwarded by Mr Brown Mogotsi to Mr Matlala, which is then followed by ...[intervenes].

ADV HASSIM SC: So just to pause there, General, just to be clear, this is the same letter, this letter that it seems Mr Mogotsi is sending to this person is the same letter that is on page 66 of the chats.

LT-GEN KHUMALO: That is correct, Commissioners.

20 **ADV HASSIM SC:** It is, you can see that it is ...[intervenes].

LT-GEN KHUMALO: It is part of ...[intervenes].

ADV HASSIM SC: ... there, it is – ja.

LT-GEN KHUMALO: But the difference is it is now the screenshot which shows that this letter was somehow

received by the Senzo Chief from, ja was once received by Senzo Chief. Now the same letter now it is a screenshot that is sent by Brown Mogotsi to Mr Matlala.

Then on the next page Mr Brown Mogotsi was, is sending his screenshot of his chat with the Chief of Staff as a proof of escalating the matter to the Minister as it reads:

10 “This matter may be escalated to
 you because of non-performance.
 Our guy needs your intervention.
 Jan 08 guy who is about to take
 over our program. This non-
 performance is as a result of non-
 payment or late payment.”

Then the next message reads:

 “I am sending him your numbers that
 you meet please.”

So the screenshot is sent to Mr Matlala by Brown Mogotsi as proof of the matter being escalated to the Chief of Staff.

20 **ADV HASSIM SC:** So your interpretation of “our guy” in that message is Mr Matlala?

LT-GEN KHUMALO: That is correct, Commissioners, because he is the only guy or person who is part of this non-performance and reviewing or reviewal of the contract.

ADV HASSIM SC: And then there is, he says I am sending

him your numbers that you meet him and then it is followed with ...[intervenes].

CHAIRPERSON: Just before you move on to what follows, do you have any idea, General, as to what our program is? The sentence that says Jan 08 guy who is about to take over our program, what program is that and what does taking it over mean?

LT-GEN KHUMALO: Ja, looking at the previous chats and the involvement of Mr Matlala, the Jan 08 guy might be
10 referring to him who is about to take over our program, that can relate to any program within maybe even the political space of the Ministry. That can also be, if I may add, because we saw on the previous chats where there were discussions around the payments for the membership in regions, so hence then one can associate the program as with a political program of some sort.

ADV HASSIM SC: So, and so in the, then the next thing within the screenshot is I am sending him your numbers that you meet him please.

20 **LT-GEN KHUMALO:** Yes. Then I am going to explain that further after going through the next two messages. Then the first one still on the 31st of January at 12:35 then Mr Brown Mogotsi is sending the number of the Chief of Staff as we know it, 082 604 90 ...[intervenes].

ADV HASSIM SC: You do not need to read out the

number. But it is at the bottom of that first message, the one that says “Begin Vcard”.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: There is a number at the bottom of the message, of the contact that is being sent.

LT-GEN KHUMALO: Yes.

ADV HASSIM SC: The cell number. And you confirm that that cell number ...[intervenes].

LT-GEN KHUMALO: Yes.

10 **ADV HASSIM SC**: Belongs to the Chief of Staff.

LT-GEN KHUMALO: Yes, Commissioners. Then we are linking that message that is sending the number with the message on the screenshot above that talks to I am sending him your numbers.

ADV HASSIM SC: Yes.

LT-GEN KHUMALO: Then the next is a message again from Brown Mogotsi sending it to Mr Cat Matlala, but it is addressed to the Chief of Staff. The message reads:

20 “Hello Chief of Staff, got your number from Mr Brown. Requesting a meeting please.”

I will try my best, Commissioners, to interpret this so confusing chats. We read it together with the screenshot that was talking to “I am sending him your numbers that you meet him please” and thereafter it is the number that is sent

by Mr Mogotsi to Mr Matlala. Then next is a draft message drafted by Mr Mogotsi to Mr Matlala to send it to the Chief of Staff, addressed to the Chief of Staff. That is the interpretation of that all looks like confusing chats on page 72.

And then after that then Mr Mogotsi is sending a message now:

“Please talk to him.”

The “him” then is interpreted as the Chief of Staff.
10 Then the next page 73 still on the 31st at 12:39 a call from Mr Mogotsi and another call from Mr Mogotsi at 13:40 and then Mr Matlala is returning those calls then on the same date at 13:40.

We then move to another breaking story, which is a screenshot of a story, or a screenshot that is now forwarded, sent by Mr Matlala to Mr Mogotsi. The screenshot it is about the breaking news, police witnesses change their statements. The story is about the case that was on during that time within the SAPS, more specifically
20 the division Crime Intelligence where the story was alleging that the witnesses in that departmental case against Major-General Feroz Khan of Crime Intelligence deliberately changed their affidavit in exchange for promotion.

So the story is about the, is alleging that the Chairperson of that departmental case which was the

Provincial Commissioner of KwaZulu-Natal, Lieutenant-General Mkhwanazi has approached the witnesses to change their statements to ensure that the findings during that hearing will be against Major General Khan. And then it goes on then to say Mkhwanazi was appointed by ...[intervenes].

ADV HASSIM SC: General, before you go on, when was the hearing? Do you know when that hearing took place?

LT-GEN KHUMALO: The hearing I do not have the exact
10 date, but it was around the same period or week the message was sent, around the beginning of February. So that was then another news or misinformation that was circulating then on both the print and social media.

ADV HASSIM SC: So, and was this the hearing that General Mkhwanazi testified to in the Commission?

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: And the outcome of the hearing was contrary to what is said in this paragraph.

LT-GEN KHUMALO: Yes, the outcome of the hearing was
20 contrary to what the story is pointing towards.

ADV HASSIM SC: Just to remind the Commissioners what the outcome was.

LT-GEN KHUMALO: The outcome was Major-General Khan was cleared of any wrongdoing, which is contrary to what the story is projecting. And then the response by Brown

Mogotsi after receiving this screenshot from Matlala is:

“Disappointed ...” [intervenes].

ADV HASSIM SC: Sorry, before – sorry, sorry, General. Your name is also mentioned in this post or this article and it refers to first that the Provincial Commissioner was appointed by you to chair that departmental hearing, is that correct?

LT-GEN KHUMALO: That is correct, Commissioners.

ADV HASSIM SC: It also talks about you and General
10 Mkhwanazi conspiring against high-ranking Police Officials. Do you see that paragraph, the third from the bottom? Do you want to comment on that?

LT-GEN KHUMALO: Third paragraph from the bottom?

ADV HASSIM SC: Yes, of page 73.

LT-GEN KHUMALO: Oh, on page 73.

20 “Mkhwanazi and Khumalo who are longtime friends from KZN and they meet regularly, monthly, where the two conspired against high-ranking Police Officials to have them removed with false cases from their positions, which allow them to appoint their own puppets to the said positions.”

That is the paragraph that talks to what I explained that the misinformation was pre-empting the case, the

departmental case that Lieutenant-General Mkhwanazi was going to be the Chair appointed by myself. So that paragraph is summing up the unfounded allegations that the appointer and the appointee definitely they are going to make sure that the affected employee then will be dealt with the other way round, whereas then that is when I said then the outcome then came opposite to what the misinformation note was pre-empting.

But also if I can touch on the other paragraph on
10 page 74 ...[intervenes].

ADV HASSIM SC: Yes.

LT-GEN KHUMALO: Just to show the continuation of this misinformation that started from the 31st of December, that in any misinformation there should either be a General Khumalo, a General Mkhwanazi and a Political Task Team, even if it is irrelevant, because if you are writing a story the headline talks to a witness changed statements for a promotion.

It talks to the witness of a disciplinary case, but then
20 towards the end there is irrelevant, I will say irrelevant, because of the heading, now because in this story there must be something that talks to the Political Killings Task Team together with the two Generals.

ADV HASSIM SC: And you are referring specifically to the paragraph saying ...[intervenes].

LT-GEN KHUMALO: The second paragraph. Maybe let me start reading ...[intervenes].

ADV HASSIM SC: The one the Police Brigadier in the Finance Department, is that it?

LT-GEN KHUMALO: Ja, maybe let me start reading from the first paragraph:

10 “The witness also revealed how Mkhwanazi, the Chairperson of the departmental case will not allow Khan to have any representative present during the departmental trial and will be dismissed.”

Which is totally contrary to the Police regulations.

And then:

20 “A Police Brigadier in Finance Department at the Police head quarters in KZN who asked not to be named explained who Mkhwanazi had quietly funded Khumalo’s Political Task Team with KZN funds.”

That is just an example as to how misinformation and fake news will be created as if they make sense, because it is known and it has been known since the establishment of the Task Team that it is funded from national level.

Now if we may recall, this is happening after the

disbandment letter. Now anything that will be negative around the project leader and the Provincial Commissioner then who is where the project is then will have to be painted with all information, negative information that will support the decision to disband. One can interpret all this information around these names as well as the Political Killings Task Team as an effort of wanting to provide the reasons afterwards of the decision to disband.

And then the response ...[intervenes].

10 **ADV HASSIM SC:** You can read the response.

LT-GEN KHUMALO: The response by Mr Brown Mogotsi after receiving this message is as read that he is disappointed. And then on the same day on the 2nd of February, Mr Mogotsi is writing a message to, again to Mr Matlala saying:

“Just have to leave everything.”

On the same date then there are two calls that are made by Mr Matlala to Mr Brown Mogotsi at 12:27 and 12:28 and then Mr Brown responding after those missed calls with
20 a message:

“Small session with lawyers.”

to Mr Matlala. Then Mr Matlala after receiving that message on the same date at 12:28 is sending a message to Mr Mogotsi written, or read:

“This is in your favour, actually it

disrupts their plan against Khan.”

Now that message can be maybe clearly understood if read together with the fake news or the misinformation story that I was explaining with the sender of that story indicating that this is in your favour, actually it disrupts their plan against Khan. Then the response from Mr Brown Mogotsi to Cat Matlala says:

“Maybe, but that is not my plan.”

And then Mr Matlala responds:

10 “I thought you are the one who
published the story.”

Interpreted that message as if it is talking to the misinformation on the story that was forwarded or sent to him. Then that is followed by a call from Mr Brown Mogotsi and another call from Mr Matlala to Mr Brown Mogotsi. And then on the 7th after that, or in the morning is that call. Then in the afternoon Mr Brown Mogotsi is sending another breaking news. Now it is Mogotsi now sending breaking news to Matlala whereas the previous one it was *vice versa*.

20 This breaking news talks to:

“The NPA ID guns for National Police
Rogue Unit.”

The heading talking to:

“The NPA Investigative Directorate, ID,
raiding National Police Commissioner

Fannie Masemola and National Crime Intelligence Head, Lieutenant-General Khumalo offices after serving them with notices of arrest. This comes after an investigation lodged by Parliament's Police Portfolio Committee.”

The heading itself, Chairperson, shows towards the misinformation looking at the mixture of processes and the understanding itself that there are lots of, starting with the
10 “Breaking news, NPA ID guns for National Police Rogue Unit.” This is how the PKTT was known after the disbandment letter.

Now the first heading under “breaking news” is talking to the Rogue Unit, which is PKTT, but then the heading itself it is totally different. It is talking to the ID raiding the office of the National Commissioner, offices of the National Commissioner and my office after we were served with notices of arrest and it is on record, even public record that I was never served with the notice of arrest, but I was
20 arrested without being served with the notice that the breaking news story is referring to.

ADV HASSIM SC: But your arrest was four months later.

LT-GEN KHUMALO: Four months later.

ADV BALOYI SC: And it was not because of a complaint by the Portfolio Committee, because the heading says

following a complaint lodged by the Portfolio Committee.

LT-GEN KHUMALO: Thank you, Commissioner. It is for that reason that I give the response that the arrest four months later might be related to the story that is made in February, because the complainant on the case is the member of the Portfolio Committee, but not the Portfolio Committee on Police, but the member.

Then it was a developing story. There is a paragraph that I want to refer the Commission on, which is in line with
10 the, not the narrative, the picture that has, one has been painting of the happenings after the 31st of December. The last paragraph on page 76 it reads:

“An investigator states: The National Commissioner was very nervous and appeared to be shaking.”

When then of course his office was raided, which did not happen.

“He then blamed the collapse of Crime
Intelligence at the hands of Lieutenant-
20 General Khumalo and KZN Provincial Commissioner, Nhlanhla Mkhwanazi.”

It is another example as to how the misinformation will go, how far the misinformation will go in trying to put issues or names that are not supposed even to be together in that story. If you read the fake news from the beginning

it talks about the Khumalo and the National Commissioner served with notices of arrest and the name of General Mkhwanazi is nowhere from the beginning, but then at the end it is then included so as then the mission can continue, the mission then of misinforming the public.

Then after that misinformation that was shared by Brown Mogotsi maybe then, Commissioners, if I may add, the interpretation of that misinformation to illustrate as to how the, during this period from December 31st how a fact
10 can be changed to suit the misinformation that needs to be pushed.

The information, the correct information is it was during the same period when the National Commissioner was served with section 205 for submission of some official documents to the ID or IDAC for their investigation. So it was during that week or those days when the National Commissioner was submitting those documents that were requested by IDAC, but it is not talking to the raiding of offices and arrests.

20 Then after that we see the call from Mr Brown Mogotsi to Mr Matlala on the same day, the 7th of February, 17:36 followed by, after that call it is followed by a message from Brown Mogotsi to Mr Matlala trying to correct the misinformation that he has shared already, saying it is notice of investigation instead of notice of arrest, and then

next it is J175, which is the notice to appear at Court it is following or following.

And then Mr Matlala is asking as he is always confused when it comes to these, the terminology around criminal justice system:

“What is J175?”

There was a time when he was asking us what is it that you are sending me? Even now after receiving this letter, this letter on this two points he is asking what is
10 J175. And then the lecturer, Mr Brown Mogotsi, is responding at 17:41 that:

“J175 is a notice to appear before Court.”

Then still on the same day at 17:42 Brown Mogotsi is now sending the full lecturer on Mr Matlala around this J175 and procedures talking to all different types of summons. Then on the 19th of ...[intervenes].

ADV HASSIM SC: Feb.

LT-GEN KHUMALO: Of February which is a couple of days
20 after the lecture then Mr Brown Mogotsi is sending a message to Mr Matlala which reads:

“My brother, I have a small problem (regional meeting which I have to cater (12K) tonight in the Eastern Cape) and I am aware that I have not been

instrumental so far. Am also worried that my guy and Khan recorded your man (Maluleke) without our knowledge. Beside things are going well against Khan. May you please assist. We are now at the last stage to be stable.”

That is a long message sent then on the 19th by Mr Brown Mogotsi touching on almost everything that they have discussed before.

10 **ADV HASSIM SC**: So if we could just pause on that for a moment. The first part of the message is asking for money for a regional meeting in the Eastern Cape.

LT-GEN KHUMALO: In Eastern Cape.

ADV HASSIM SC: So he is asking for money. And then the second is saying, second aspect of the message is saying I am aware I have not been instrumental, I am worried that my guy and Khan – so can you just explain that part, what do we, who is my guy and do you know who, what they are talking about?

20 **LT-GEN KHUMALO**: Commissioners, we cannot confirm currently as to who is referred to as my guy, but then the Khan we will take it that it is the Khan that has been appearing on the previous chats as Major-General Khan who was busy these days with his disciplinary hearing.

ADV HASSIM SC: And who, so who is your man? Do you

know anything more about that?

LT-GEN KHUMALO: No, Commissioners.

ADV HASSIM SC: And do you know how are we to understand the sentence “besides things are going well against Khan”?

LT-GEN KHUMALO: Looking at the period when this message was sent, as I have indicated, Commissioners, this was during the time when the departmental case against Major-General Khan was ongoing, so one can then
10 associate that sentence with the disciplinary hearing if it says things are going well against Khan.

ADV HASSIM SC: Does it mean that, would it mean things like went well, is it going well, is it going in someone’s favour? That is what it means, it is going in one person’s favour.

LT-GEN KHUMALO: That is correct, Commissioners. It may be interpreted as if things are going well, it means are going in favour of Khan, which it will be contrary to the misinformation, long misinformation that was concluding
20 that things are not going to go well.

ADV HASSIM SC: Okay, continue.

ADV BALOYI SC: Sorry, before you continue, General, what have you understood where Mr Mogotsi says:

“I am aware that I have not been instrumental so far.”

And what are you saying we should make of it, if anything?

LT-GEN KHUMALO: In my opinion, Commissioner, looking at the period and the events around the, around Mr Matlala, the events around Mr Matlala started on the 6th of December 2024 during his first encounter with the Political Killing Task Team and the GCI Ops on the 6th. And then it is from that day when the issue of the tender that ended up being investigated that it came to the fore from the 6th of
10 December and also there were lots of other happenings.

We are coming from the IPID story when the two gentlemen were trying to manage one of those happenings, one of those issues, the attempted case, application at the High Court for, that was also then withdrawn at the last moment and then with a lot that happened in terms of the chats and happenings that led to the letter of disbandment on the 31st. So one can deduct that the only issue that was still not finalized, although even the first one it was finalized because of the letter disbanding the Task Team
20 was issued, so minus one. Then the issue that was still ongoing ...[intervenes].

CHAIRPERSON: Although of course the target was wrong.

LT-GEN KHUMALO: That is correct, Commissioner. Then the other issue that Mr Matlala will expect Mr Mogotsi to be instrumental will be then the halting of the process that was

unfolding by then of cancellation of the tender. It was during that time when the internal audit investigation was ongoing.

CHAIRPERSON: And I am saying the target was wrong in accordance with your thesis. I am not stating that as a fact, General.

LT-GEN KHUMALO: Noted, Commissioner.

ADV HASSIM SC: Thank you. General, then there was a call from Mr Mogotsi and can we take it from there.

10 **LT-GEN KHUMALO:** Thank you, Commissioners. Then on the same day, the 19th of February at 18:13 there is a call from Mogotsi as well as the – no, that was the last call and communicating then during February. Up until then the 4th of March at 8:02 where Mr Dlamini is, where Mr Matlala is making a call to Mr Mogotsi which his followed by a WhatsApp message at 8:20. The message sent by Mr Matlala to ...[intervenes].

ADV HASSIM SC: Just to be clear, this is a message that was forwarded by Mr Matlala.

20 **LT-GEN KHUMALO:** Mr Matlala is forwarding the message that he received, but he is forwarding it to Mr Mogotsi. The message reads thus:

“Good morning Minister. I just received a call from our guy who is a service provider for our health risk

management project. He has got very serious concerns. Apparently you gave a directive to scrutinize his contract and while they are at it they must stall as much as they can to release purchase orders until you guys come up with something that can warrant termination of service.”

10 This is the message as forwarded from Mr Matlala’s phone. It is forwarded to Mr Matlala and he is forwarding it to, further to Mr Mogotsi. The message talks to someone who addressed the message to the Minister indicating or discussing the issue according to our interpretation of the message when it talks to our guy who is a service provider for our health risk management, that is Mr Matlala himself, the one who is having a contract with the South African Police Service. The contract is on the health and risk management.

20 And then it is talking to what this person is concerned about that it is the Minister who gave a directive for the contract to be scrutinized and while it is being scrutinized and then the further directive was that they must stall, which is SAPS, SAPS must stall as much as they can to release any purchase orders or in other words to process any invoices until then the internal audit investigation, or

until according to the message there are reasons from the report to terminate the contract.

ADV BALOYI SC: General, you say from the metadata that you can see that this was forwarded to ...[intervenes].

LT-GEN KHUMALO: That is correct.

ADV BALOYI SC: To Mr Matlala.

LT-GEN KHUMALO: That is correct, Commissioner.

ADV HASSIM SC: And Commissioners, it becomes clearer as we go to other chats where it comes from.

10 **LT-GEN KHUMALO:** Then moving on to page 78, on the 7th of March, which is a few days after Matlala forwarded that message to Brown Mogotsi without any response, and then on the 7th Matlala is making a call to Mr Brown Mogotsi at 18:08. And then only on the 12th of March, Mr Mogotsi is trying to send a message or sent a message that was later deleted. And then the next message on the same day, more or less the same time, Brown Mogotsi is sending a message which reads:

“Hope you show this.”

20 And then Mr Matlala is responding with a phone call after that message and then Mr Mogotsi on the same day then after that call is sending a message to Mr Matlala which reads:

“My brother, you lost hope on me right.

I need to bring witnesses to one place.

Would you assist me?”

Then that message sent by Brown Mogotsi to Matlala at 14:57 on the 12th and then Mogotsi is following it up with a call at 15:06 on the same date and another call at 15:28. Then a call now from ...[intervenes].

ADV HASSIM SC: Sorry, General, just before you move off that message, do you know, do you have any knowledge of who the witnesses are or what he is referring to there?

LT-GEN KHUMALO: No, I do not have any knowledge,
10 Commissioners.

ADV HASSIM SC: Continue.

LT-GEN KHUMALO: Then the last activity on page 78 it is the call by Mr Matlala at 15:29 to Mr Mogotsi. And then on the same date around 15:53 Mr Mogotsi sent a message to Mr Dlamini, a very short message which reads:

“I need 10K.”

Then on the same day around 16:03 Mr Matlala is responding to the message sent, a short message sent by Mr Mogotsi with a very long message, which reads:

20 “This relationship should not be one-sided brother. I asked you several favours which are not even money related but none of them have been attended to. The last one it is even worse, because it is even orchestrated

from your camp and nothing has been done about it. I have played my part and was even willing to stretch my arm even further, but I see none of my efforts are considered.”

A long response by Mr Matlala after a short message by Mr Mogotsi of needing just 10K, then the response is so long. Then another short response from that long message from Mr Mogotsi in one word:

10 “True.”

It might be interpreted as the whole story that you narrated is true. Then ...[intervenes].

ADV HASSIM SC: Sorry, General, before we move off the message, the long message, “I have asked you several favours which are not even money related, but none of them have been attended to, the last one it is even worse, because it is even orchestrated from your camp”, do you have any idea what that is? Is the last one referring to the tender issues? Do you have any knowledge of this?

20 **LT-GEN KHUMALO:** According to my view and following the communication chats between the two gentlemen it talks to the one remaining issue that if you read this message together with the previous one that was talking about the Minister being the one who instigated that Medicare24 contract be investigated in a meeting and then coming, fast-

forward to this where Mr Matlala is showing some signs of losing hope that Mr Mogotsi will assist, there has been lots of attempts with the messages, even the roping in of the Chief of Staff to also escalate the matter, so according to my view this message is talking to all those failed attempts to halt the investigation and the possible cancellation of the contract.

ADV HASSIM SC: So then Mr Mogotsi says “true” and then there is silence for a few days until the 17th of March. You
10 can take it from there.

LT-GEN KHUMALO: Yes, after the “true” short response on the 12th then there is silence up until the 17th of March with Mr Matlala initiating communication with a phone call at 21:51 followed by another call on the same date at 21:55. And then at 17:04 on the following day then the message from Mr Mogotsi to Mr Matlala reading as follows:

“Am here to clarify that story.”

And then the response in a question format by Mr Matlala:

20 “What story?”

And then the short response on the same question by Mr Mogotsi:

“Mkhwanazi.”

At 17:09. And then at 17:10 Mr Dlamini is, Mr Matlala is responding:

“I thought you said it was sorted already.”

And then Mr Mogotsi responds:

“Ja, but now he is becoming official.”

Then the next message on the same day:

“Was serious my boss ...”

But spelled as C R U S. And on the same day, 17:11 the message again from Mr Mogotsi to Mr Matlala which reads:

10 “Give me wings.”

And then on the same day more or less the same time Mr Brown is sending a message to Mr Dlamini again. Since 17:11 Mr Mogotsi has been sending messages without any response up until that fourth message that says, after “give me wings” the next message is:

“Khan is more helpful.”

Then also before any response, the next message which is the fifth message from Mr Mogotsi to Mr Cat Matlala says:

20 “It is hard.”

And then the response is coming then after all those five messages from Mr Matlala. It says:

“Okay, hope for the best.”

And then Mr Mogotsi is responding then after that with:

“Hahaha”.

After that it is:

“Okay ...”

Which is spelled O H K. That is page 80.

ADV HASSIM SC: So, General, before you move on, so who is the Mkhwanazi here being referred to?

LT-GEN KHUMALO: The communication as well as the messages exchanged between the two gentlemen will then point to the same names that are always part of their
10 discussions or even part of the misinformation since the 31st of December. Mkhwanazi according to my opinion would be referring to Lieutenant-General Mkhwanazi, Provincial Commissioner, KZN.

ADV HASSIM SC: So earlier on in the chats when we were talking at page 65 of the chats the exchange that said the meeting was positive, is he willing to help you guys, wish he would help with the statement, I think he needs cash, etcetera, you said when I asked do you know what this relates to and who the “he” is, etcetera, you said it will
20 become clearer. Is it at this point that things become clearer or are we going to get there a bit later on in the chat?

LT-GEN KHUMALO: Commissioners, if we can continue and then one will give then the response on that towards the end of this chat analysis that will talk to that specific

part.

ADV HASSIM SC: Okay. You can proceed.

LT-GEN KHUMALO: Then moving on to page 81, on the 22nd of March at 12:16 the last communication was on the 18th. Then on the 22nd Mr Brown Mogotsi is sending a message to Mr Matlala:

“My boss, pulling something this side.
I am stuck.”

With an emoji. I am not sure whether it is laughing or
10 crying, between the two.

Then the response from Mr Matlala reads:

“Pulling what?”

And then the answer from that question from Brown
Mogotsi:

“Some dirty work.”

And then the response from that it is in the form of
another question:

“Dirty work where?”

And then the response again from that question is:

20 “North West.”

From Brown Mogotsi. And then followed by further
illustration of that answer by same Brown Mogotsi, more or
less the same time after the “North West” response:

“We are appointing a Provincial
Commissioner this Tuesday.”

Maybe one can elaborate there on that. That was during the week or the weeks where the post of the Provincial Commissioner of North West was advertised and then the process of appointing was indeed taking place. Then we move to the last part ...[intervenes].

ADV KHUMALO SC: Just to be clear, is the Provincial Commissioner of SAPS?

LT-GEN KHUMALO: Provincial Commissioner of the SAPS. And then on the 23rd, or same day, no, on the following day
10 ...[intervenes].

ADV BALOYI SC: General, if I may just interrupt. That we are appointing a Provincial Commissioner this Tuesday at North West, was that in fact what happened, was there an appointment of the Provincial Commissioner?

LT-GEN KHUMALO: On the ...[intervenes].

ADV BALOYI SC: In that period?

LT-GEN KHUMALO: Thank you, Commissioner. As I have indicated, one cannot be specific in terms of the day, but it was during the period when the post has been advertised
20 and then there will be processes, post to be advertised and then there will be processes up until the appointment. So the communication is during that timeline when the post is advertised.

ADV KHUMALO SC: Is it fair to say Mr Mogotsi could have been referring to the province when he says “we”? He may

not have been referring to him specifically. So it says there “We are appointing a Provincial Commissioner this Tuesday”, that “we” could refer to the North West Province. It is possible.

LT-GEN KHUMALO: It still might be possible, Commissioner, because of the use of “we”, but SAPS is a national department and the post of a Provincial Commissioner advertised by SAPS, the whole process takes place at national, not at a province. According to the
10 current policies there will be engagement with the Premier of the particular province towards, then the finalization of the appointment process.

ADV HASSIM SC: Thank you.

ADV BALOYI SC: General, maybe for your comment, it seems to me, and tell me if you think I am stretching it, if you start reading from he is pulling something and then he says some dirty work, and he is asked dirty work where, he says North West, we are appointing, so he seems to suggest he was involved in some capacity towards the
20 appointment of the Provincial Commissioner through the dirty work that he says he is pulling. Is that a fair surmisation of these e-mails, or WhatsApp exchanges?

LT-GEN KHUMALO: Thank you, Commissioner. Indeed if you read the exchange of the question and answers you may not be wrong if you read it as it means that in totality,

because now the pulling something this side, to what, some dirty work, where, in North West, we are appointing the Provincial Commissioner, if that can be read in one sentence or one paragraph it is possible that it means what the Commissioner was citing.

Then moving on, on the same page, the last communication on page 81, still on, on the following day in the morning 8:58, Mr Dlamini is sending a News24 story with his photo and the story is about, maybe if I read the
10 first part:

“The National Commissioner ...”

I not reading the titles underneath the photo, I am reading the first part of the News24 story that Mr Matlala is sending to Mr Brown Mogotsi:

“The National Commissioner, Fannie Masemola, has been ordered to terminate the controversial multi-billion rand contract to provide health ...”
[intervenes].

20 **ADV HASSIM SC:** Million.

CHAIRPERSON: Million.

LT-GEN KHUMALO: Million.

CHAIRPERSON: Not billion.

LT-GEN KHUMALO: -:

“... the multi-million rand contract to

provide health risk management services and institute a forensic investigation against the supplier.”

On the next page continuation of that News24 story.

“This follows after an investigation into awarding of this multi-million rand contract to a company owned by a Tembisa Hospital tenderpreneur Vusi Matlala, uncovered several irregularities. In June 2024 Medicare Tshwane District of which Matlala is the only listed director, was awarded this R360 million three-year contract to provide these services.”

ADV HASSIM SC: General, I do not think that we need to read the whole article.

LT-GEN KHUMALO: Ja. Then ...[intervenes].

ADV HASSIM SC: That the – what is clear is that there are screenshots of the article that are sent over the next several pages and which takes us, the last bit of the article is on page 89.

LT-GEN KHUMALO: Maybe if I can start with the part that will be relevant for our understanding on page 85.

ADV HASSIM SC: Yes.

LT-GEN KHUMALO: -:

“The probe into the tender followed a request by the Police Minister, Senzo Mchunu after news of contract being awarded to the controversial business person emerged.”

I am reading that part on record, because it talks to one of the chats that Mr Matlala had shared with Mr Mogotsi suspecting or indicating that this investigation and cancellation of the tender is coming from the side of Mr
10 Mogotsi.

Then moving on to page 89, the first message still on the 23rd of March at 9:00 Mr Matlala who sent this News24 scoop or story to – he is following it up now with a WhatsApp message which reads:

“This was done under the Minister’s instructions, but it is okay, I will see where to go from here, but I am not taking this lightly.”

That is the message then that made me to want to
20 read that paragraph on that News24 story so as then we are able to understand this chat now by Mr Matlala to Mr Mogotsi after sending the news article. Then after a few days on the 26th of March there is a call from Mr Mogotsi to Mr Matlala at 19:38 and then from there, that was March 26, the next communication by Mr Matlala to Mr Mogotsi is

almost a month or more or close to two months after with a greeting message at 10:38:

“Good morning, how are you?”

ADV HASSIM SC: On the 8th of May.

LT-GEN KHUMALO: On the 8th of May. And then the response a few minutes after receiving that message Mr Brown Mogotsi respond:

“Sure my boss.”

And then Mr Matlala responds at 10:54 by the
10 message to Mr Mogotsi:

“I wanted to ask you something.”

And then on the same day at 10:56 Mr Matlala is sending a message then to Mr Mogotsi:

“I hear that you told Mr S that I told you that I gave him some animals to keep at his plot, so I wanted to hear from you if there is any truth in this.”

And then at, after a week or so then on the 14th of May at 6:53 in the morning again Mr Matlala is sending a
20 message without receiving the response yet on the message of the 8th, now it is on the 14th:

“Morning. Just to let you know that my contract was cancelled yesterday and I see you have been ignoring me and promising me things that never

happened. Luckily took screenshots of every conversation just in case something like this might happen. I am taking all this to the media and some to Court on Friday when I do the interdict.”

That will take us to page 90. After that message there is then an attachment as, attached as Annexure BM7 that Mr Matlala is sending to Mr Mogotsi.

10 **ADV HASSIM SC**: And that annexure, Commissioners, is at page 161 of – 161, BM7, 161.

CHAIRPERSON: I found it, thank you.

ADV HASSIM SC: Thank you. So this is BM7 which is called draft letter to SAPS National dated 13 May 2025. Do you have the letter there in front of you, General? No, it is just before the tab that says WB2. Page 161, that is right.

LT-GEN KHUMALO: Yes, thank you, Commissioner. The letter attached as BM7 it is a letter directed to the National Commissioner of the South African Police Service with the
20 heading:

“Termination of contract following the award of bid number 19/1/9/1/94TP (23), the appointment of a service provider to render health risk management to the South African

Police Service for the period of 3
years”.

ADV HASSIM SC: Okay, so this is a draft letter prepared by the attorneys for Mr Matlala.

ADV KHUMALO SC: How do you know it is a draft, Ms Hassim?

ADV HASSIM SC: Because it says so at page 90 of the chat, Commissioner Khumalo.

ADV KHUMALO SC: The reason I am asking is because it
10 is signed, so I am wondering, if you go to 163 bottom of the page.

ADV HASSIM SC: Yes, I see that. I see that. So firstly it says “draft letter” in the attachment, so that is the first thing. And then I think it will also becomes clearer when we go to other chats, because this letter is circulated a couple of times by others as well. But it is correct that it is a signed letter.

ADV KHUMALO SC: I am concerned that parties to the chat may not understand the difference between a draft and
20 – but ja, let us leave it there.

ADV HASSIM SC: Well, it is definitely a letter that is signed, but Mr Matlala refers to it as a draft letter. I do not think we need to go into the letter. It is clear what it is. It is a response to the cancellation. General, if we can take it then from the next message.

LT-GEN KHUMALO: Yes, thank you, Commissioners.

Then the next message on the same day on the 14th of May at 07:07 Mr Mogotsi is responding to the message or notice of cancellation of the tender that Mr Matlala shared it with him. Now he is responding especially also after he has seen the draft letter as another proof that it has been cancelled. Then he is asking:

“Cancelled?”

And then followed by another message after a minute
10 where Mr Mogotsi is saying to Mr Matlala:

“This is the right time to know the truth
cause you are now going to cite the
Minister right. You will see his
affidavit.”

Then the next message again after two minutes from
Mogotsi to Matlala. It reads:

“This is the time every must show his
side if the Minister or officials are
involved.”

20 That is the message at 07:11 the morning of the 14th.

And then the same day 07:15 Matlala is responding to the
two messages from Mogotsi. His response is as follows:

“But you know he is involved. I told
you from day one I am not waiting for
any lies anymore. By Friday if they do

not withdraw I will also hit back and I
will hit very strong.”

Then the response from Mr Mogotsi from that not so
nice message it is very short:

“I do not think so.”

Then on the same day at 07:23 in the morning on the
14th:

10 “Okay. Was just letting you know. Do
not be surprised when you see it in
court papers and the media. I am not
going to be taken for a ride.”

Then moving on to the next page which is the last
page of this set of communication chats between Mr
Mogotsi and Mr Matlala. On the same day, the 14th Mr
Mogotsi is responding to the previous message. He says:

“Am going to raise it with him too.”

And then the response from ...[intervenes].

ADV HASSIM SC: Do you know who the “him” is?

20 **LT-GEN KHUMALO:** Ja, following the ...[indistinct] chats
where there is a discussion around the cancellation of the
tender, Mr Matlala, ja Mr Matlala is suggesting that it is the
Minister who instructed the cancellation, then I will say the
“him” might refer to the Minister of Police.

And then after that message at 07:38 on the 14th
which is saying I am going to raise it with him and then Mr

Matlala is responding with a “sure”, a finger, a hand and a finger, responding that he understands the response.

ADV HASSIM SC: So it is an emoji and it is a thumbs up.

LT-GEN KHUMALO: Thumbs up. Okay, that is a correct word, Commissioners, thumbs up emoji. I did not finish my lecture ...[intervenes].

ADV HASSIM SC: It is not the other emoji with the finger.

LT-GEN KHUMALO: The lunchtime lecture was not enough for me to be taken through the emoji class. Then still on
10 the same day at 08:30 Mr Mogotsi is writing a message to Mr Matlala which reads:

“We cannot lose a contract whereas so many people are looking for tenders.”

That was the last message that was sent by Mr Brown Mogotsi to Mr Matlala. The last message talks to the last topic of discussion which is the contract that was cancelled by SAPS around those days or a day before. The last communication is on the 14th, the contract was cancelled on the 13th and then Mr Matlala was arrested by GCI Ops on
20 the 15th.

ADV HASSIM SC: On the 14th.

LT-GEN KHUMALO: On the 14th. That is why the chats are ending on that date.

ADV HASSIM SC: Thank you.

LT-GEN KHUMALO: Thank you.

ADV HASSIM SC: Now, General, there were some strands and conclusions that you wanted to bring together. One of them relates to the page 66 exchange, no, it is page 65, 66 and you said you would come to it later. Do you want to deal with that now?

LT-GEN KHUMALO: Yes, I can, Commissioner.

ADV HASSIM SC: You can take your conclusions in whichever order you would like, but perhaps we can start with the one that you said you would park until the end,
10 which is relating to the meeting which was positive, etcetera.

LT-GEN KHUMALO: Thank you, Commissioners. The chats around those days and times between Vusi Matlala and Brown Mogotsi suggests that Mr Matlala seem to have a special relationship with General Khan in reference to the chats that we have seen between Mr Matlala and Brown Mogotsi, especially in discussing with Brown Mogotsi around some guy who they needed a statement from and Mr Brown Mogotsi suggesting that the guy needs cash in order
20 to cooperate.

In the conversation Mr Matlala suggests that Mr Brown Mogotsi should talk to Khan to give the person cash in the message that read “okay, arrange with Khan to give him cash if the information he has is worth it”. That is the discussion that was happening during the times of the

disciplinary hearing case that was ongoing or taking place.

Furthermore, Brown Mogotsi on the discussion around Mkhwanazi and that the matter was now official, Khan is more helpful. That is, that was another time during that time of the case and the chat that talks to it will firstly be the, what was captured as a discussion was the case will go against Major-General Khan, but then towards the end of that part of the discussion and then the, or after the meetings, after the whole discussion and then that picture
10 changes, it talks to now things going very well on the case against Khan. We are having that conclusion, because it was during that time exactly when the disciplinary case was on. Thank you, Commissioners.

ADV HASSIM SC: Thank you, General. I am aware – do you have a question, Commissioner?

ADV BALOYI SC: Ja. General, the, you described the relationship what you said appears to be a special relationship between General Khan and Mr Matlala. Now for us sitting here the name Khan appear suddenly in these
20 chats without any background to it. And even later on, I mean I see it for the first time at page 66, unless I have forgotten an earlier page and then later on in one or two chats. In your analysis of this and your further investigation have you come upon anything that you will be speaking to us later in, and I know you are going to bring an

application in camera, I just want to, when we leave this room after this mentioning of Khan that there is a sense whether we are still going to hear more or this is it, without disclosing anything that you think would be inappropriate to disclose at this point.

LT-GEN KHUMALO: Thank you, Commissioners. I can confirm that there is other evidence that is intended to be tabled in camera that will then maybe, not maybe, that will then make the picture that we have since painted on this
10 relationship, special relationship, to be more clearer.

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

ADV HASSIM SC: Thank you.

ADV KHUMALO SC: Just before you go, on page 89, General, the penultimate chat on that page, this is a WhatsApp from Mr Matlala:

“I hear that you told Mr S that I told you that I gave him some animals to keep at his plot.”

Do you know who is the Mr S referred to in that chat?

20 **LT-GEN KHUMALO**: No, not yet, Commissioner.

CHAIRPERSON: The not yet is a bit confusing. Does it mean that you will know at some later stage? What does not yet mean?

LT-GEN KHUMALO: Thank you, Commissioner. The analysis and investigation it is an ongoing process, hence

then on my proposed application I indicated that if it happens that the investigation is at a particular stage and the evidence that will be included in camera might then be brought back in the public platform.

CHAIRPERSON: And do you know anything about the animals referred to?

LT-GEN KHUMALO: The animals referred to as impala according to my view and my understanding it is an animal that is normally procured for very high profile social
10 gatherings which is not that affordable. That is my ...[intervenes].

CHAIRPERSON: I am asking specifically, because yes there was mention earlier of impala.

LT-GEN KHUMALO: Yes.

CHAIRPERSON: But here there is just reference to animals for Mr S to keep on his plot without mention of what the animals were. So that is why I am asking what the animals were.

LT-GEN KHUMALO: Thank you, Commissioner. I was
20 understanding the question of the animal associated with the impala that came before.

CHAIRPERSON: Oh.

LT-GEN KHUMALO: The same response on this, if it is the animals associated with Mr S referred to on this message, the investigation and analysis is still ongoing. As soon as it

is ready the Commission will be updated.

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

ADV BALOYI SC: General, you were asked earlier by the Chairperson, I think this was about the chats, about I am here and Sibiya is here. I cannot find the page. I have been trying to find the page. I do not know if you remember that chat and the Chairperson asked you do you know who is Sibiya and you were cautioned not to speculate. Does
10 the answer that you have given about S which is still the subject of investigation, does that also apply to that question that you were asked? I am told it is page 44, if it helps. Yes, in the middle where Mr Mogotsi says:

“Am in Cape Town, Sibiya is in Camps Bay.”

You see that? And you were asked do you know who is Sibiya and your answer was no. And what I am checking with you is whether your answer is an outright no, or is it also subject to further, the subject of further investigation
20 as you have answered with that S?

ADV HASSIM SC: And if I could just clarify, the question ...[intervenes].

ADV BALOYI SC: Please go ahead and ...[intervenes].

ADV HASSIM SC: Was from, I was going to say from the bench, but from the Commissioners whether you know as a

matter of fact, to answer as a matter of fact. So it was in that context that you responded. You may answer the Commissioner.

LT-GEN KHUMALO: Thank you, Commissioners. Not as a matter of facts as it was captured during the initial discussion, but analysing the whole communication where the surname Sibiya comes then we are moving it from where, from almost all the parts where there is Sibiya, it will refer to the Deputy National Commissioner, Crime
10 Detection, Lieutenant-General Sibiya. Same applies to the Camps Bay Sibiya that is referred to.

ADV HASSIM SC: So can I ask one follow-up question. Do you have any, do you know or do you have any basis to say that Mr Sibiya was in Camps Bay at that time?

LT-GEN KHUMALO: Yes, we have the indication that is subject then to confirmation to make it a matter of fact.

ADV HASSIM SC: Thank you. Chair, I see it is 2 minutes past 4.

CHAIRPERSON: Let us adjourn and we will resume at
20 9h30 tomorrow morning.

INQUIRY ADJOURNS TO 1 OCTOBER 2025
