

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

HELD AT

BRIGITTE MABANDLA JUSTICE COLLEGE

4 MAY 2026

DAY 100



PROCEEDINGS ON 4 MAY 2026

CHAIRPERSON: We have encountered.

MR MICHAELS: I have sent out ...[intervenes].

CHAIRPERSON: Mr Michaels, I am sorry, in this formal setting I should say Mr Michaels.

MR MICHAELS: Yes, Chair, I have sent out an apology to the public but again our apologies for the delay in the start of proceedings. We were experiencing technical issues but we are ready to start and I hand over to the Chairperson,
10 Justice Madlanga.

CHAIRPERSON: Thank you, thank you, Jeremy. Yes, Mr Chaskalson.

ADV CHASKALSON SC: Chair, I am just, I am struggling a little to hear the, hear the feeds coming in. I am not sure, we may have to get some technical assistance because the volume, the volume, I understand there is only one machine that has volume on at the moment to avoid feedback and that is quite soft. Can you hear the volume from the far side of the table?

20 **MR MICHAELS:** Far side.

ADV CHASKALSON SC: Oh, that is better.

MR MICHAELS: [Indistinct]... anything yet, because I am under the impression that nobody has spoken on the other side.

ADV CHASKALSON: But even when I speak.

MR MICHAELS: [Indistinct]...

ADV CHASKALSON: Okay, let us then proceed. Chair, today's witness will be referred to as Witness G and I wonder if Witness G can be sworn in before we begin.

CHAIRPERSON: Witness G, can you hear me?

WITNESS G: I can hear you, Chairperson.

CHAIRPERSON: Thank you. Good morning ...[indistinct].
Good morning.

WITNESS G: Good morning, Chairperson.

10 **CHAIRPERSON**: Will you be swearing or affirming?

WITNESS G: I will be affirming, Chairperson.

CHAIRPERSON: [Indistinct]... you affirm is the truth, the whole truth ...[indistinct] nothing but the truth.

WITNESS G: I cannot hear you, Chairperson.

CHAIRPERSON: [Indistinct]... just say you affirm. Sorry?

WITNESS G: I cannot hear you, Chairperson.

CHAIRPERSON: You affirm that the evidence you are going to give is the truth, the whole truth, nothing but the truth. If you do, just say, "I affirm".

20 **WITNESS G**: I affirm.

WITNESS G (affirmed)

CHAIRPERSON: Thank you. There is quite a lag ...[indistinct] let us try.

ADV CHASKALSON: Witness G, you should have two files in front of you. One will be your statement and the

annexures to your statement, and that is file one. And the second is a bundle of documents to which I will refer in the questioning in the course of the day. Do you have both of those files?

WITNESS G: Yes, I do.

ADV CHASKALSON: So can we commence then by, or let me explain. The structure according to which we proceed is that I lead you through your statement without asking any intrusive questioning, and then once you have told your whole story as in the statement, I start asking more testing questions and refer you to other evidence, to other witnesses, to other documents.

So the first stage, which we are busy with now, is just giving you the opportunity to read your statement or to highlight features of your statement that you want to feature, that you want to highlight. And the, you do not need to worry about my questions at this stage, because I am just trying to give you the opportunity to give the evidence that is in your statement.

20 There will come a time when you must worry about the questions that I ask, but that is only when we finish your statement. So the starting point, I think, is to go to page 20 of file 1 and just confirm that the signature at the end of your statement is yours. Can you confirm?

WITNESS G: Yes, I do confirm that it is my signature.

ADV CHASKALSON: And do you confirm that the contents of the statement are true and correct?

WITNESS G: I do confirm.

ADV CHASKALSON: Maybe before I ask that question, is there anything that you want to qualify in the statement before you confirm that it is true and correct?

WITNESS G: I have not had a chance to go through it and check it, but I trust you, I trust my team.

ADV CHASKALSON: So you have not read your statement
10 through ...[indistinct]. Ag, I think we have got internet problems here.

WITNESS G: I cannot hear you.

ADV CHASKALSON: When last did you read through your statement?

WITNESS G: I cannot remember. I will be lying that one.

ADV CHASKALSON: All right, well, I am not going to ask you to confirm the correctness of it in the abstract at the beginning. We will just go through section by section. If there is anything you want to qualify, you can qualify at the
20 time. So let us then start with paragraphs 1 and 2, where you identify yourself. Please do not do that because we are keeping your identity confidential, but can you confirm the correctness of paragraphs 1 and 2?

WITNESS G: Yes, I think that they are correct.

ADV CHASKALSON: Then in paragraphs 3 to 5, you deal

with your education and your role in the MK military veterans. Can you read those paragraphs and confirm the correctness of them?

WITNESS G: I do confirm their correctness.

ADV CHASKALSON: Then from paragraph 6 to paragraph 20, you deal with your struggle history. First, can I ask you to read through paragraph 6 ...[indistinct] and confirm the correctness of them?

WITNESS G: Yes, I do confirm.

10 **ADV CHASKALSON**: And is there anything in these paragraphs that you would want to highlight or you would want to read into the record for the benefit of people watching and listening today?

WITNESS G: No, nothing.

ADV CHASKALSON: Then in paragraphs 21 to 31, you deal with your history in Crime Intelligence. Again, can I ask you to read through those paragraphs and confirm the correctness of them.

20 **CHAIRPERSON**: Oh, by reading you mean reading silently?

ADV CHASKALSON: Silently ...[indistinct].

WITNESS G: Yes, I do confirm the correctness.

ADV CHASKALSON: And is there anything you want to highlight there?

WITNESS G: Not at this stage.

ADV CHASKALSON: Can I ask you, just to clarify a timeline for us. You speak of an appointment in paragraph 26. Can you give us an approximate date of when that appointment took place and how long the appointment lasted?

WITNESS G: It would have been around 95, 96, 97. I am not sure, but those are the timelines.

ADV CHASKALSON: I am sorry, because of the sound, I did not hear that. Can you repeat it?

10 **WITNESS G:** I am saying it could have been, this one, it could have been around 95, or when the new National Commissioner was appointed after George Fivaz. I am not sure. I am not sure, but somewhere there.

ADV CHASKALSON: Thank you. It just occurs to me, because there are people listening to the feed today, we should explain that you are a Crime Intelligence officer, which is why the hearing is being held in the manner that it is today. Can you just confirm that?

WITNESS G: I do confirm that.

20 **ADV CHASKALSON:** And then, in relation to some more dates, you then talk about an operation that you were appointed to head in paragraph 28. Can you give us an indication of when you were appointed to head this operation?

WITNESS G: [Indistinct]... ja, no, I cannot give an

indication, a true reflection of that, but what I know is that it ended around 2008, 2009.

ADV CHASKALSON: Sorry, again, I lost you there.

WITNESS G: I am saying I cannot say when did this take place, but the team dissolved around 2008, 2009. I cannot be sure.

ADV CHASKALSON: Sorry, Chair, I am really struggling to hear. I am not sure how we deal with this, because these are fairly routine questions and answers, but at a later
10 stage, it is going to become much more important.

CHAIRPERSON: [Indistinct]...

ADV CHASKALSON: I think let us try and sort it out once and for all, because it will probably speed things up overall.

CHAIRPERSON: We are experiencing sound problems. We will adjourn for a few minutes. I will not say for how long. Let us adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Good morning again. We are starting
20 now. Thank you, Mr Chaskalson.

ADV CHASKALSON SC: Thank you, Witness G. When we broke, we were just clarifying some of the dates in your history in crime intelligence, and then we dealt with paragraph 28. Can I ask you to go to paragraph 31, where there is another appointment that you mentioned, and can

you give us the date that you assumed that position?
Paragraph 31.

WITNESS G: Paragraph 31. I cannot remember the date I assumed it, but it was intended when the new provincial head was appointed.

ADV CHASKALSON SC: And approximately when are we talking about?

WITNESS G: No, I do not want to lie. I cannot.

ADV CHASKALSON SC: I am not asking you to lie, but are
10 we talking about 2010, 2015, 2020?

WITNESS G: No, after 2022, 2023, somewhere there.

ADV CHASKALSON SC: Thank you. Then you, from paragraph 33, you indicate that you are going to address issues raised in a letter that was sent to you by the Commission's attorneys, and that letter can I just ask you to confirm is what we see at page, it starts at page 23. Can you confirm that is the letter you are responding to?

WITNESS G: Yes, it is.

ADV CHASKALSON SC: Thank you. And paragraph 36,
20 you speak to a meeting that you had with myself a Commission Investigator, and although you do not mention it, counsel for Mr Mogotsi, you have put the date of that meeting as on or about December 2025. Can I ask you to confirm that it in fact took place on 17 November 2025?

WITNESS G: I do confirm that that they already

...[indistinct] counsel.

ADV CHASKALSON SC: Thank you. Otherwise, can you confirm that paragraph and paragraphs 37 to 40, when you discuss the chronology of your interactions with the Commission? So, can you confirm the correctness of paragraphs 36 to 40, where you deal with your interactions with the Commission?

WITNESS G: I am just reading through, counsel, I will come back now.

10 **ADV CHASKALSON SC:** I am sorry Witness G your answer was not clear?

WITNESS G: I am saying I am reading through the paragraphs, I will come back.

ADV CHASKALSON SC: Thank you.

WITNESS G: Yes, I do confirm.

ADV CHASKALSON SC: Thank you. And then in paragraphs 41 to 43, you deal with your concerns about security that led to the off-camera hearing that we are now having. Can you confirm the correctness of paragraphs 41
20 to 43?

WITNESS G: I do confirm, counsel.

ADV CHASKALSON SC: Thank you, Witness. We are now getting to material that is more directly relevant to the subject matter or the enquiry of the Commission. And in paragraphs - from paragraph 44 onwards, you deal with

suspicious deaths, apparent assassination attempts and the like. I think this is material that should be read into the record so that people following can actually hear it. So, can I ask you to read from paragraphs 44 to 55? And of course, if there is anything you want to qualify or amplify, please feel free to do so.

ADV KHUMALO SC: Sorry, by ...[indistinct].

ADV CHASKALSON SC: Sorry, 45 or 55?

ADV KHUMALO SC: 40, you said no mention so and so
10 was in the ...[indistinct]. Do you want me back to your
...[indistinct].

ADV CHASKALSON SC: Witness G, if you do not want to read out the contents of 45, just confirm the correctness of them and then read the rest. But can I ask you to read from paragraph 41 onwards? Of course, if there is anything in there that you do not want to say on a live broadcast, just indicate as much and just confirm the correctness of the paragraph without disclosing its content.

MR MATLALA: You said 41.

20 **WITNESS G:** 44.

ADV CHASKALSON SC: 44 or 45, 45.

CHAIRPERSON: I am making a different point. I thought you said the witness must start from 44.

ADV CHASKALSON SC: Oh, no, no, from 41.

CHAIRPERSON: 41.

ADV CHASKALSON SC: 41, 41. Sorry, sorry, sorry, sorry, I am the one who is getting confused here. No, no, it is from 44. It is from 44. We dealt with 41 to 43 already. It is 44 onwards that we need to address. So, Witness G, can I ask you, wherever possible, to read the contents of paragraphs 44 onwards, but if you feel that you just do not want to read the contents, you just want to confirm the contents of any particular paragraph, please feel free to do so.

10 **WITNESS G:** Counsel, I am not going to read it into the record. It will identify who am I. I can just confirm that the contents of these paragraphs are correct, from 44 to 54.

ADV CHASKALSON SC: Thank you. And can you do the same for paragraph 55?

WITNESS G: Yes, I do.

ADV CHASKALSON SC: And we then get to the role of Mogotsi in crime intelligence, and again, this is information that is central to our investigation. So, I would ask you to read paragraphs 56 to 62, and yes, can you read
20 paragraphs 56 to 62?

CHAIRPERSON: This time it is into the record.

ADV CHASKALSON SC: I would ask that they be read into the record, but again, Witness, I mean, if there are any particular provisions of those paragraphs that you think are going to identify you, please let us know.

WITNESS G: I did not get the last part, Commissioner.

ADV CHASKALSON SC: If there are any provisions of paragraphs 56 to 62 that you do not want to read into the record because you are worried about them identifying you, or those paragraphs identifying you, please let us know.

WITNESS G: I got the paragraphs correct, Commissioner, I cannot give them out loud. They have got people's names that are attached to me.

ADV CHASKALSON SC: We are going to have a difficulty
10 here because once I get to questioning, I have to ask questions about your relationship to these people and Mr Mogotsi's relationship to these people. It is not - I think we need to resolve this issue now rather than when we get to the intrusive questioning, because I am certainly going to ask you about these people.

And so I think the Commission needs to make a ruling as to whether we go completely into camera hearings or whether, because most of my questioning at a later stage is going to deal - if these are issues that we cannot mention
20 publicly, then most of my questioning is going to touch on issues that we cannot mention publicly. Chair, should we resolve this issue now or should we resolve it when the first question that I ask addresses, you know, raises the problem?

CHAIRPERSON: Mr Matlala, do you want to say anything

on this?

MR MATLALA: Chair, I think maybe it would be worthwhile to perhaps establish how some of these names could reveal his identity. So, I think perhaps, and I know that the adjournments are very tiring, but I think it might be an exercise we need to do just to, so that we have a list of things of people that should not be mentioned if we have to do it that way.

CHAIRPERSON: Yes, Witness G, the idea was to have
10 some of your evidence, and my understanding is that a substantial part of it by everybody, by the public. Now, as it is, we are close to what, in fact, we are beyond the halfway mark, and you do not agree to state publicly what is in your statement. This is getting problematic. Let me just confer very quickly with my co-Commissioners and see how to resolve this, but my inclination at this stage is that we should not get to a point where your entire statement is basically *in camera*, so everything is fully *in camera*, but I will quickly confer with my co-Commissioners.

20 Today, the view that we take, finally, is that it is impractical for us to have parts of Witness G's testimony public. Everything now has to be fully *in camera*. If we were not to proceed that way, we would have to have stop-starts, stop-starts again with Witness G's testimony, and that is obviously not desirable. One problem is that the

order of 24 April 2026 said that the testimony would be partly *in camera* in the sense that the witnesses' testimony would not be heard by members of the public.

And that also partly *in camera* but to be heard by members of the public, so there is a standing order to that effect. I have to recall that order, and I do so purely because, as I have explained, it has become impractical for us to proceed along those lines. For that reason, we will now proceed fully *in camera*. So, members of the public, including the media, will not have access to the testimony of the witnesses. Apologies for that. Thank you.

ADV CHASKALSON SC: Witness G, can you hear me? Can you hear us?

WITNESS G: I can hear you, counsel.

MR MICHAELS: Advocate Chaskalson, just so you are aware, you are still audible to the public.

ADV CHASKALSON SC: Oh, well, then we need to.

MR MICHAELS: Yes, can we cut the Zoom IT? Can you please cut the link? Advocate Chaskalson, if in the room there you can end the call. Thank you.

INQUIRY ADJOURNS
