

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

**HELD AT**

**BRIGITTE MABANDLA JUSTICE COLLEGE**

**7 MAY 2026**

**DAY 103**



**PROCEEDINGS HELD ON 7 MAY 2026**

**CHAIRPERSON:** Good morning, Mr Sikhakhane.

**ADV SIKHAKHANE:** Good morning, Chairperson and Commissioners.

**CHAIRPERSON:** Good morning to you too, Lieutenant Colonel.

**LT-COL PRINSLOO:** Good morning, Commissioners.

**ADV SIKHAKHANE:** Thank you, Commissioners. May we proceed? As you correctly said, this is Colonel Jakobus  
10 Prinsloo. He will be our witness today. Can we do the administrative parts, and then we will deal with the logistics?

**CHAIRPERSON:** Thank you. Please state your full names for the record.

**LT-COL PRINSLOO:** Jakobus Jeremiah Petrus Prinsloo, Commissioner.

**CHAIRPERSON:** Thank you. Are you going to swear or affirm?

**LT-COL PRINSLOO:** I will swear, Your Worship.

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

**LT-COL PRINSLOO:** So help me God, Commissioner.

**CHAIRPERSON:** Thank you.

**JAKOBUS JEREMIAH PETRUS PRINSLOO**: (duly sworn states)

**EXAMINATION BY ADV SIKHAKHANE**: Thank you, Chairperson. We should have a file that will be utilised today that is before you, and then there is another file for the witness, and then additionally we have placed exhibits behind you which will be utilised, and I will refer to them as we go. The statement appears at page 1 of your first file, or the main file.

10 I will take the witness through his statement, but I just want to contextualise where he fits in. I think it is important that we do so. General Flynn testified yesterday about the protocols and what has to happen in drug seizures and other drug-related activities in terms of the law. So, I will not be going or rehashing that aspect, save to correct one thing perhaps, not even a correction.

There is a use of the instruction note of 2017, but it is National Instruction as it were, but there is the one of Instruction 2021. It is basically an amendment of the  
20 National Instruction, but the wording that is used is absolutely the same. So, I do not think it is necessary to just do a comparison and jump in. The wording is what is important, or the law as it were. I hope that will not be an issue.

**ADV KHUMALO SC**: It was an issue, Ms Sikhakhane,

because General Mosikili had referred to paragraph 12.

**ADV SIKHAKHANE**: Yes.

**ADV KHUMALO SC**: And we were wondering whether there was an incorrect reference, and I asked, is it not because this was amended and the paragraphs may have moved around?

**ADV SIKHAKHANE**: Yes, that is exactly the case.

**ADV KHUMALO SC**: The substance of the provision is the same. It is just that it is no longer in eight, it is now in 12.

10 **ADV SIKHAKHANE**: Indeed, Commissioner Khumalo. But the wording, and as I say, the prescripts of the law is exactly the same. We have just double-checked this morning again. So, I will not take the witness through everything that, you know, what is supposed to be happening about preserving exhibits, sealing off the exhibits, labelling off the exhibits, save for necessary points. Colonel Prinsloo, would you turn to page 2 of your statement?

**LT-COL PRINSLOO**: I am there, Commissioner.

20 **ADV SIKHAKHANE**: Do you confirm that this is your statement or based on your instructions?

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

**ADV SIKHAKHANE**: Could you then turn to page 27 of that same file?

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

**ADV SIKHAKHANE:** Is that your signature?

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

**ADV SIKHAKHANE:** Thank you. In terms of process, what we are going to do, I would like to take you through the statement. As we go through, just in the interest of time, we will try and not interrupt you. I will not, I will try that. But however, we will have some questions here and there as we go along.

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

10 **ADV SIKHAKHANE:** You will see that there are also annexures to your statement.

**LT-COL PRINSLOO:** Yes.

**ADV SIKHAKHANE:** Commissioners, you have the annexures. We will refer to them. Some of the majority of the annexures that we will be utilising so as to demonstrate the security features of the DPCI offices attached at the beginning and we will go through them and flag them accordingly. Colonel, could you then start with paragraph 1 of your statement?

20 **LT-COL PRINSLOO:**

“I am an adult male residing in Port Shepstone. I am a retired member of the Directorate for Priority Crime Investigation, known as the DPCI, also known as the Hawks. At the time I

retired, I held the rank of Lieutenant Colonel. Save where otherwise stated or where it appears from the context to the contrary, the facts contained herein are within my personal knowledge and are to the best of my knowledge and belief both true and correct, and I do swear positively thereto. I depose the statement to assist the Judicial Commission of Inquiry into Criminality, Political Interference and Corruption in the Criminal Justice System arising from the specific allegations made public by Lieutenant General Nhlanhla Mkhwanazi on the 6 July 2025, the Commission.

Background and appointment. I have been based at the DPCI Port Shepstone office, which is situated at number 2 Princess Elizabeth Drive in Port Shepstone since 2004. This was before the establishment of the DPCI, which happened in 2009, as I will elaborate below. I must state that the DPCI Port Shepstone office is not a police station. There exists a separate police, Port

Shepstone Police Station, which is approximately five kilometres inland from where the DPCI offices are. The office is about 110 kilometres from Isipingo. The relevance of this will be apparent later on.

10 I started my law enforcement career in 1984. I did basic training in policing at the Pretoria West Police College for six months. After completing my training, I was posted at the Port Shepstone Police Station in the charge office, dealing with public complaints. In January 1986, I joined the Port Shepstone Dog Unit, called K9 Unit now. Thereafter in 1998, I joined the South African Narcotics and Alcohol Bureau, it was called SANAB.”

We were based at Shelly Beach. That is about 15 kilometres other side of Port Shepstone:

20 “The SANAB was a specialised unit, however it was later closed at the end of 2003. At the beginning of 2004, a special unit was established, dealing with organised crime, it was called the Organised Crime Unit. I joined that unit,

which was then located separately from the Port Shepstone Police Station. This unit focused on cash-in-transit, firearm related crimes, vehicle crimes and wildlife investigation. The unit operated at the same office as the current Port Shepstone DPCI office. The unit later became housed within the DPCI, when the DPCI was established in 2009.

10 Brigadier Nyuswa was then the Unit Commander of that unit. Accordingly, I reported to him. In terms of ranking in 2004, I was a Warrant Officer. In 2010, I was promoted to the rank of lieutenant. In 2012, I was promoted to captain. In 2019, I was promoted to Lieutenant Colonel, which rank I held until I retired. When the DPCI was established in 2009, my rank was Warrant Officer, and I

20 reported to then Unit Commander of Port Shepstone, Brigadier Nyuswa. He was a Lieutenant Colonel at that stage. Brigadier Nyuswa was promoted around 2012, and shortly thereafter, he left and he was promoted to a post in Klerksdorp

in Northwest. After Brigadier Nyuswa had left, I reported to Brigadier Dube, who was the then Provincial Commander. Brigadier Dube was also later retired, and she was succeeded by Colonel WS Mhlongo. After some time, Brigadier Nyuswa returned as Provincial Commander. I reported to him until I retired.

10 Before Major General Senona joined as the Provincial Head, Major General Zikhali was the Provincial Head of the DPCI in KZN. The latter took early retirement. Brigadier Mbatha acted for a few months until Major General Senona was appointed around August 2020.”

I might be mistaken on the date, but I think that was the date. He was appointed as the Provincial Head for DPCI KZN.

20 **ADV KHUMALO SC:** Can we please clarify that date? It is very important, because I think the witness yesterday when referring to the January 2021 break-ins said General Senona was not yet appointed. So, can we just please clarify the exact date when General Senona was appointed? Because I am now hearing the witness here saying he is

also not sure, but it could be this date.

**LT-COL PRINSLOO**: Commissioner, it was definitely in 2020.

**ADV KHUMALO SC**: Definitely in 2020?

**LT-COL PRINSLOO**: Yes.

**ADV SIKHAKHANE**: Okay, yes, that is the date, yes. Around August. Just before we proceed, just to take what Commissioner Khumalo was saying, at the time that General Senona would have, or Major General Senona would have  
10 taken office, would he have been briefed about the office, your office, and other operational matters?

**LT-COL PRINSLOO**: Commissioners, I would think so. General Senona with his management structure, they had weekly meetings, and I am sure they would have briefed him.

**ADV SIKHAKHANE**: And when did you first meet General Senona, Major General Senona, for the first time?

**LT-COL PRINSLOO**: I think it was within the same week that he was appointed. He called all the commissioned  
20 officers to the Provincial Office, and he was introduced to us. Later on, he visited each unit and got to know all the members as well. But I think that was within a week that he called all of us there.

**ADV SIKHAKHANE**: Okay, thank you. Let us proceed to the next topic of the Provincial Commander so that we

understand the structure between the Provincial Commander and Provincial Head.

**LT-COL PRINSLOO:**

10 “The DPCI has different departments in each province. During my time there, it was the following departments. The biggest one was a Serious Corruption Investigation. They were dealing with public and private sector fraud, corruption, and corruption within the justice, crime prevention, and security cluster. And there was a Serious Commercial Crime Investigation. They were dealing with banking crimes, government fraud, counterfeit goods. And then the biggest one was a Serious Organised Crime Investigation, dealing with drug trafficking, human trafficking, kidnapping, cash-in-transit heist, police murders, crimes against the state. And 20 Priority Crime Specialised Investigation, dealing with financial investigation, asset forfeiture, cyber-related crimes, and forensic investigations. Priority Crime Management Centre, dealing with

analysis, notebook profiling, and threat assessments. And then your Corporate Support Service, dealing with supply chain management, human resource management, and financial services.

Each of these departments' components are led by a Provincial Commander, normally at the rank of Brigadier. I was in a Serious Organised Crime Investigation, which has currently five units in KwaZulu-Natal. Each of these units has a Unit Commander who reports to the Provincial Commander, Brigadier Nyuswa. He is the Provincial Commander for Serious Organised Crime Investigation. He, in turn, reports to the DPCI Provincial Head, currently being Major General Senona. Brigadier Nyuswa is based at the Provincial Office in Durban.

During 2021, I was the acting Unit Commander and reported to Brigadier Nyuswa. The command structure in the police is very strict. I am obliged to follow the instructions and commands of

my Commander, failing which I can face serious consequences. This is because ill-discipline is regarded as a serious issue within the law enforcement service. I cannot ignore or disregard the instructions or commands. Further...”  
...[intervenes].

**CHAIRPERSON**: I am certain you are referring to lawful instructions or commands.

10 **LT-COL PRINSLOO**: That is correct, Commissioner.

**CHAIRPERSON**: Thank you.

**LT-COL PRINSLOO**:

“Further, I have to respect the decision of my Commander, whether I agree or not. It is not my responsibility to second-guess or try to change them. My role is to report to him and one has to assume that such decisions are informed. DPCI Port Shepstone office...” ...[intervenes].

20 **ADV SIKHAKHANE**: Sorry, Colonel, just to deal with the previous paragraph so that we do not have to return to it unnecessarily. I just want you to explain the consequences that you would have been exposed to or that you would face if you were to contradict the commands or instructions of your Commander. That is the first point that I would like

you to address.

**LT-COL PRINSLOO**: As the Commissioner said, if it is a lawful command or instruction, I have got to do it. I cannot ignore it. There will be serious consequences for me.

**ADV SIKHAKHANE**: And what are those?

**LT-COL PRINSLOO**: Most likely, I will be charged departmentally.

**ADV SIKHAKHANE**: Okay.

**ADV BALOYI SC**: Sorry, Colonel. Surely that does not  
10 mean that you may not express an opinion. If you have an  
opinion, and maybe let us bring it home to what you are  
coming to testify about, that if you had two storage rooms,  
we know, and one was chosen to store the consignment. If  
you thought the second room, the alternative room, was the  
better choice, surely you could express that view. Your  
obligation to follow instruction cannot mean that you cannot  
say I think this is a better room. Finally, you must follow  
the instruction if your Commander insists that the first room  
that they chose is the correct room. But am I wrong to say  
20 you can express a view?

**LT-COL PRINSLOO**: You are correct, Commissioner.

**ADV BALOYI SC**: Thank you.

**ADV SIKHAKHANE**: Thank you. Just to, before we move  
on, also on the same point, as a member of the service,  
would I be correct that you would have been bound by the

National Instructions and applicable prescripts?

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

**ADV SIKHAKHANE**: That is fine. Please proceed to section 10.

**LT-COL PRINSLOO**:

10                    “As I stated above, I have been stationed at the DPCI Port Shepstone office since 2004, before the establishment of the DPCI. I was the most senior that had been at that building since we moved into it. During 2021, I was the Acting Unit Commander and ultimately responsible for the unit based at Port Shepstone. The office is a two-story building with a ground floor and a first floor. The DPCI is renting the building from a Mr Kamisa. The DPCI office is not a police station, it is for administration and operates during working hours. It operates between 20                    07:30 in the morning and 16:00 hours during weekdays. It is normally closed on weekdays and public holidays. Only DPCI members and staff are permitted in the offices and the access is controlled. During my tenure, we had approximately

14 members plus four administrative staff that comprised two cleaners and two admin people. Both members and staff are security vetted.

10 The office building was accessible from the street, however, access to it was through the use of a code. The code was universal and not unique. All of us had the same code. The gate was not  
manned. If anyone would obtain a code, they would obviously get into the office building. I must also point out that there was no system to know who had used the code for access. The code would sometimes be changed if a member retires or leaves service. In some instances, although not all, it would also be changed after a break-in or an incident. The DPCI office could be  
20 accessed from the driveway used by members to drive into the parking area at the side of the building.

There are stairs which lead to the first floor. Some members, like myself, use this entrance instead of the main

entrance. The office was in a business area and shares a permitted perimeter with a hardware store, a Herald Newspaper office, with a mortuary, and the Liquor Authority, which only operates during the week.

There was a serviced electric fence around the perimeter safe for the part which was bordering the Liquor Authority.

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Obviously, when there was load shedding, the electric fence would not work. The office had no generator or electric backup. There was no cameras or beams outside the office. Further, there was no alarm system monitoring movement on the outside or exterior of the building.

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Turning to the inside, there was a reception area, which was not manned due to the limited staff that we had. At the ground floor and first floor were offices. The two walk-in safes, strong rooms, were on the ground floor. The safe was not accessible from the outside of the building. I attach hereto copies of

the photos of the building and surroundings. These are marked JJP1.1 to JJP1.18.”

**ADV SIKHAKHANE:** Sorry, Colonel. I would like us to just go through some of the photos that you annexed to the – they have flighted a few. You can have a look. Just briefly, I would like you to take us through some of them, one being the first one, photo 1, and perhaps explain the layout.

**LT-COL PRINSLOO:** Commissioners, that is a front view of  
10 the offices. The front entrance is to the left in front of those two vehicles that are parked there. If you look to the left of that, there is the stairs going up to the first floor. I would normally use those stairs there to go to the office. My office was that one with a window open when this photo was taken. As Commissioners can see, there is a Street Princess Elizabeth Drive right adjoining the building there, just behind the two vehicles parked there. I will go to the second one. There we can see the driveway with a gate there.

20 **ADV SIKHAKHANE:** And who had access? Who had the locks for that gate?

**LT-COL PRINSLOO:** Most of our members had. It is a padlock. I had a copy of the key for that.

**ADV SIKHAKHANE:** So the 18 members or the 18 staff each had a key?

**LT-COL PRINSLOO**: Not admin, because they have got no need to go there. It is just the operational members. We make use of the garage and everything to park vehicles.

**ADV SIKHAKHANE**: You see there is I think what we would call some poster or label of a security company. It is a poster affixed to the wall.

**LT-COL PRINSLOO**: That was still when it was National Fire & Safety, whatever it was called, that was still there, their sign.

10 **ADV SIKHAKHANE**: Okay. Still at this page. Could you then explain to us what is the grey building?

**LT-COL PRINSLOO**: The first one? Right in your corner there is an electric box there. That first section there, that is the Liquor Authority.

**ADV SIKHAKHANE**: That is the Liquor Authority.

**LT-COL PRINSLOO**: And then the one that has got another floor similar to ours, got the first floor. Vodacom is in there, as well as an attorney firm, as well as these people that instal fibre.

20 **ADV SIKHAKHANE**: And at the back of the office, of your office?

**LT-COL PRINSLOO**: If you look through the gate there, we have got a little storeroom there, and then behind that there was a mortuary.

**ADV SIKHAKHANE**: Okay. And was this area patrolled at

the time?

**LT-COL PRINSLOO**: This whole area there had electric fence.

**ADV SIKHAKHANE**: No, I am saying were there security patrols around your office?

**LT-COL PRINSLOO**: At what time was that, sir?

**ADV SIKHAKHANE**: No, 24 hours.

**LT-COL PRINSLOO**: No, no such thing.

**ADV SIKHAKHANE**: I will turn to page 3, that is 43.

10 **LT-COL PRINSLOO**: Sorry. Commissioner, if I can just go back to that page 2? If you look at the right-hand top window, you can see there is a spotlight there. It comes on at night. Then it illuminates the whole front section there where the cars are parked. If we go to photo 3, that is just that gate there.

**ADV SIKHAKHANE**: If you look at this photo 3, just after you open the gate, there is a door to your left.

**LT-COL PRINSLOO**: You will see it better in photo 4, where it is clear.

20 **ADV SIKHAKHANE**: Yes, yes.

**LT-COL PRINSLOO**: I just wanted to show on photo 3, below that air conditioning unit there, there is also a light there.

**ADV SIKHAKHANE**: Yes.

**LT-COL PRINSLOO**: It comes on at night. It illuminates

this driveway gate.

**ADV SIKHAKHANE**: Turn to photo 4.

**LT-COL PRINSLOO**: Commissioner, photo 4.

**ADV SIKHAKHANE**: Is that still part of the building?

**LT-COL PRINSLOO**: Sorry?

**ADV SIKHAKHANE**: Is that still part of the building, photo 4?

**LT-COL PRINSLOO**: That is still part of the building. That first two wooden doors you see, there is some roof tiles in front of them, that is just the air conditioning system that is housed in there. That is not part of the building.

**ADV SIKHAKHANE**: Could you access the office using this?

**LT-COL PRINSLOO**: No. It is for that unit alone. If you look at that second wooden door there, that is where we will come in later, through which we took the drugs in before it went into the storeroom. You can see there is also a spotlight there. It works on a day/night. Just above that one window there.

20 **ADV SIKHAKHANE**: So, you could follow that if there is no electricity, that day/night switch will not work?

**LT-COL PRINSLOO**: Will not work.

**ADV SIKHAKHANE**: Okay.

**LT-COL PRINSLOO**: Then you can see the garage door there on the left. There is like a carport there and a little

storeroom.

**ADV SIKHAKHANE:** Could you go to photo 8? I think we have gotten the idea. So, this is the inside.

**ADV BALOYI SC:** Before you discuss photo 8, the access through the stairs, the one that you say you use to go to the first floor, is that door controlled? Does it have a code? Or is it just a key to go in?

**LT-COL PRINSLOO:** It has got a key and a code for the security gate. Same as the bottom. The bottom works  
10 exactly the same.

**ADV BALOYI SC:** Same as the bottom. Okay, thank you.

**ADV SIKHAKHANE:** Thank you, Commissioner Baloyi. Then if you go to photo 8, the first thing you see is that security gate. Would that be the one from the outside?

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

**ADV SIKHAKHANE:** Okay. So when you walk in, you walk into the office?

**LT-COL PRINSLOO:** That is how you enter the office, yes, sir. There is a sliding glass door there, which from the  
20 outside you cannot see through it. It is tinted. But from inside you can see out.

**ADV SIKHAKHANE:** You told us the reception was not manned.

**LT-COL PRINSLOO:** No, because of short manpower.

**ADV SIKHAKHANE:** Okay. Go to photo 9.

**LT-COL PRINSLOO**: Photo 9 is if you stand at that reception and you look down, you see a wooden door right in the end there. That is the office door of Warrant Officer BJ Pienaar's office. We will deal with that one later in my statement.

**ADV SIKHAKHANE**: Just before we go to photo 10, what was the rationale of not having the reception manned? Is it staff shortages?

**LT-COL PRINSLOO**: Staff shortages.

10 **ADV SIKHAKHANE**: Okay, thank you. Go to photo 10.

**CHAIRPERSON**: I wonder what the correct verb is these days is for manned. Perhaps personned [sic]. I should coin that verb myself. No, let us continue. Let us continue.

**ADV SIKHAKHANE**: Thank you, Chairperson. Go to photo 10.

**LT-COL PRINSLOO**: Photo 10 is if you get to that office of Warrant Officer BJ Pienaar and you turn right, then you have got that passage. There you can see the first strong room. It is Room 22 on your right, and then where the  
20 second fire extinguisher is, that is the second walk-in safe. The security gate and wooden door in the end, that is the one I pointed out previously in the photos. That is where we entered on the night that the drugs, the day that the drugs was brought to the office.

**ADV SIKHAKHANE**: Okay. Just so that we understand, as

you walk in from the exit door, the first door or the first safe would have been Room 22?

**LT-COL PRINSLOO**: No. From where I am standing now, when I took this photo, the first one there on my right, that is Room 22.

**ADV SIKHAKHANE**: Okay. So, when you use the – when you come in via the external door, the wooden door that you showed us, it would have been the second door. Room 22 would be the second door.

10 **LT-COL PRINSLOO**: That is correct.

**ADV SIKHAKHANE**: Thank you. Could we then go to page 11? Could you take us through this aerial view of the surroundings?

**LT-COL PRINSLOO**: Commissioner, there you can also see that photo where the two vehicles are standing, that was the DPCI offices. Behind it, you can see that was where the mortuary was. On the right of us, the smaller of that red roof building, that is where the Liquor Authority is. The one that is also two floors, similar than us, that is where  
20 Vodacom and the attorney firm and the people doing the fibre, they are in that building.

Next to them, that white building, there are a lot of cars there, that is the South Coast Herald Newspaper. And then on the left of our office, that big building there, that is the Department of Human Settlement.

**CHAIRPERSON**: What about the hardware store? Was there not mention of a hardware somewhere?

**ADV SIKHAKHANE**: The hardware store. Commissioner, can we?

**LT-COL PRINSLOO**: Is it possible for us to go to the other photo, Advocate?

**ADV SIKHAKHANE**: Commissioners and Chairperson, it is that EXHIBIT CJC199. It should be behind you. It is an A3 page.

10 **CHAIRPERSON**: I raise this because I think there was a suggestion that entry into your building was probably gained through the hardware store, or at least the yard. I hope my recollection is correct.

**LT-COL PRINSLOO**: Commissioner, that is correct. It was a hardware shop in 2021. Subsequent to that, the hardware shop, they moved out, and it was then taken over by the Department of Human Settlement. But there is a photo, a Google Earth photo of 2021 that shows what it looked like then.

20 **ADV SIKHAKHANE**: That is CJC189, Commissioner. You will see the Google Earth photo. While it is dated 30 October, it is dated 30 October 2021, but that would have been the layout as it existed in November still.

**CHAIRPERSON**: Thank you.

**ADV SIKHAKHANE**: Could you then take us through, just

to address what the Chairperson is enquiring about the layout?

**LT-COL PRINSLOO**: There were those. Commissioner, if you can see on that photo there, you can see at that stage it was still a hardware store. There was concrete, round concrete pipes that were stored there. It is visible on that photo. But on the recent photos, you can see where that used to be. They have now built garages there, and they have built a car wash and a little house there for the – they  
10 have got 24-hour security guards there.

**ADV BALOYI SC**: Mr Sikhakhane, I think we are lost. What pictures are we looking at now that the Colonel is describing?

**ADV SIKHAKHANE**: Okay, so if you look at page 11 is how it exists. No, no, no, do not put that away. Okay, so CJC199 is – yes. That is what he is going through as it existed at the time of the break-in. Page 11 of the main file is how the office surroundings are currently. What we were dealing with is so that at the time when this break-in  
20 happened is to explain what was around the offices. In terms of layout, it is just the business offices that have changed. And the Colonel was just taking us through the hardware part and the fact that there were concrete pipes. If you compare CJC199 and 11, and page 11, that is where you would see the difference of the car wash and the car

park.

**ADV BALOYI SC:** Okay. The concrete pipes that you are referring to on page 199, is that those white things that we see there?

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

**ADV BALOYI SC:** Okay.

**LT-COL PRINSLOO:** They use those pipes when they build normally verandas and stuff like that. They fill them with concrete, those pipes. That is what those are.

10 **CHAIRPERSON:** You are referring to the box-like things on there?

**ADV SIKHAKHANE:** If I may just perhaps ask the Commissioners to go to page 127 of the file? Would these be the pipes that you are referring to?

**LT-COL PRINSLOO:** Those are exactly the same pipes, Commissioner.

**ADV SIKHAKHANE:** Please continue with CJC199 and the description there.

20 **LT-COL PRINSLOO:** Commissioners, that is what it looked like at that stage. According to this photo, it was taken on the 30<sup>th</sup> of October 2021.

**ADV SIKHAKHANE:** And you say currently there is a 24-hour patrol currently?

**LT-COL PRINSLOO:** They have got 24-hour security guards there.

**ADV SIKHAKHANE:** The DPCI office?

**LT-COL PRINSLOO:** No, that is the Department of Human Settlement.

**ADV SIKHAKHANE:** Okay. So, the DPCI office, does it have any security?

**LT-COL PRINSLOO:** It has got nothing.

**ADV SIKHAKHANE:** To date?

**LT-COL PRINSLOO:** To date. The alarm does not even work anymore.

10 **ADV SIKHAKHANE:** Okay.

**ADV BALOYI SC:** Maybe an earlier question then. When did you retire?

**LT-COL PRINSLOO:** I retired at the end of May 2025, Commissioner. It is a year ago.

**ADV BALOYI SC:** Okay, and you are able to say, as at today, they still do not have security and the alarm?

**LT-COL PRINSLOO:** I was there Monday and Tuesday to get documents for the Commission, and I just spoke to them.

20 **ADV BALOYI SC:** Thank you.

**ADV SIKHAKHANE:** And if we then go back to page 11, we see, I think that is a better view of the office layout. Would the businesses that you said still exist?

**LT-COL PRINSLOO:** All the buildings are still there. It is just the mortuary. It is not being used as a mortuary

anymore. It is a different business now.

**ADV SIKHAKHANE**: Okay. What is it?

**LT-COL PRINSLOO**: Bread gets delivered there, and then it is distributed again from there. So it is not a bakery as such. Breads are baked offsite, and it is just packaged into smaller trucks and distributed from there.

**ADV SIKHAKHANE**: That was after 2021?

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

**ADV SIKHAKHANE**: If we look at the layout also, what we  
10 see is, if you compare CJC199 and page 11, we see that there is, I would not call it a forest per se, but a lot of trees. It may well be a forest, but there are bushes around. Are they still there?

**LT-COL PRINSLOO**: They are still there, Commissioner.

**ADV SIKHAKHANE**: Okay. And in terms of security, it would seem that there is no barrier from that forest to your offices.

**LT-COL PRINSLOO**: No, there is nothing, Commissioner.

**ADV SIKHAKHANE**: Okay. So someone can just walk  
20 across, or they can observe you as you leave and then come in?

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

**ADV SIKHAKHANE**: Thank you. Commissioners, unless there is anything, I think I do not want to belabour the point. I would like us to go back to the statement. We just

finished paragraph 24 of your statement. Can we then go to paragraph 25?

**LT-COL PRINSLOO:**

10                    “As a Unit Commander, I was only in control of the office. However, given the tasks and my other responsibilities, I delegated the responsibility to control the safes to Warrant Officer AB Van Den Berg. I attach hereby a copy of the handing over certificate in this regard, JJP2.”

**ADV SIKHAKHANE:** And what is the process with this handing over? In terms of permissions, who is involved in the process? Can you just, yourself, just delegate Warrant to Van Den Berg?

**LT-COL PRINSLOO:** Yes, I can, Commissioner. So, what this would entail is this official form Z543, got to be completed, where ...[intervenes].

20                    **ADV SIKHAKHANE:** Perhaps let us go to page 19, and you take us through that, which is the handing over certificate. That is your JJP2. You can then take us through that form.

**LT-COL PRINSLOO:** It is for?

**ADV SIKHAKHANE:** Firstly, the application, the form you said you would fill in first.

**LT-COL PRINSLOO:** Z543?

**ADV SIKHAKHANE:** This is the form.

**LT-COL PRINSLOO:** That is correct. That is correct, Commissioner. You can see there the strong room, it has got a serial number, C004670. That is Room 22. And then my own details, and I hand it over to Warrant Officer Van Den Berg. The two keys for the doors, I hand it over to him. My signature appears there, and the date, the address of the office, and then the date, 2019, the 12<sup>th</sup> of November. And then Warrant Officer Van Den Berg's details is there, he  
10 receives it from me, he signs it, the address, it is dated again, and my signature as the Unit Commander is there again.

And that proves that I handed everything, he checked everything that was supposed to be in that safe, that it is in that safe. And the occurrence book entry is also made, the OB number is there, it is 22/11/2019.

**ADV SIKHAKHANE:** Colonel, and who has access to this safe?

**LT-COL PRINSLOO:** After this, only Warrant Officer Van  
20 Den Berg. He has got the keys.

**ADV SIKHAKHANE:** And officially, without him, no one should access the safe?

**LT-COL PRINSLOO:** No.

**ADV SIKHAKHANE:** Okay, thank you. Can we then go to ...[intervenes].

**ADV BALOYI SC:** Sorry. What exactly does that mean? Does it mean only he can go into the safe, or they must go through him? He gives the key, and people can – you could have asked for the key and went into the safe without him, or he has to be – one possibility is only he can go into the safe.

So if you wanted anything, you would have to ask him. That is the one possibility. The other possibility is that you have to go through him and he has to accompany  
10 you into the safe. The third is you just take the key and you go alone. What does it mean that he is in control?

**LT-COL PRINSLOO:** Only he accesses that safe. He has got the keys. He does not give it to anybody else, not even me as the Commander. I had to inspect the official firearms that is housed in that safe weekly. I would get hold of him, he would open up for me. Whilst he is there, I will inspect the firearms. Once I am done, make an OB entry, sign the firearm register and then I leave and he locks the safe. The keys are always with him. He does not give it to anybody  
20 else.

**ADV BALOYI SC:** So no one should ever be in the safe without Van Den Berg been there?

**LT-COL PRINSLOO:** No, no, Commissioner, nobody should.

**ADV BALOYI SC:** Thank you.

**ADV SIKHAKHANE:** Now ...[intervenes].

**CHAIRPERSON:** In the light of this discussion, I know you are coming to this later with regard to General Senona, Brigadier Nyuswa and the rest of the team arriving to deliver the Cocaine. I am interested, there was this formality between you and Warrant Officer Van Den Berg. Formal handing over with signatures.

But the evidence in regard to the handing over of the keys seems to be that the keys were simply handed over  
10 to Brigadier Nyuswa. In the context of the prescripts and what the formality you have referred to, can you explain how that handing over took place? The drugs are put into Room 22, is it? And once everything is done, the keys are simply handed over to Brigadier Nyuswa.

**LT-COL PRINSLOO:** Thank you, Commissioner. Once I was contacted by Brigadier Nyuswa to make the safe available for him to bring it ...[intervenes].

**CHAIRPERSON:** Ja, do not go into much detail. Just the handing over of the keys, because you are still going to  
20 discuss the rest when you come to that part of the statement.

**LT-COL PRINSLOO:** We removed all the firearms, placed the drugs in there, and then the keys were handed to them. And we made the OB entry after they had left.

**CHAIRPERSON:** That had been done?

**LT-COL PRINSLOO**: Ja.

**CHAIRPERSON**: And was that proper without the signatures, as you have them, for example?

**LT-COL PRINSLOO**: No, we did not complete this form.

**CHAIRPERSON**: Was that proper?

**LT-COL PRINSLOO**: [No reply].

**CHAIRPERSON**: Did you hear my question?

**LT-COL PRINSLOO**: I hear your question, Commissioner.

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

10 **LT-COL PRINSLOO**: Maybe we should have completed this form, but there was nothing else in the safe. We took everything out of the safe.

**CHAIRPERSON**: There was Cocaine now.

**LT-COL PRINSLOO**: Ja, the Cocaine that they came with, Commissioner.

**CHAIRPERSON**: Please continue, Mr Sikhakhane.

**ADV SIKHAKHANE**: Perhaps let me just follow that up, so that we clarify it. So, when you complete this form, JJP2, you are handing over the keys. Now, this is not the only  
20 incident that you handed over the keys. That is what the Chairperson is trying to get at. There is another incident, and we do not understand that to mean that this form is completed only when there are certain items, unless I misunderstood you. So, it means that when you are handing over the keys, this form must be completed.

Correct?

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

**ADV SIKHAKHANE**: So, what the Chairperson is trying to get at is when keys were handed over, let us forget the liability or the culpability. When the keys were handed over, as we will get to it later on, was a similar form completed?

**LT-COL PRINSLOO**: No, a similar form was not completed.

**ADV SIKHAKHANE**: So, it would still, administratively, it would mean that the keys were not transferred, from an  
10 administrative point of view.

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

**ADV SIKHAKHANE**: Okay. Just to follow that up, at the time we will come to that, if you go to page 103, which is part of the National Instruction, at the time in 2017, it is the 2017 as amended, but the wording is the same. At paragraph 5, and we will get to the timing, the last sentence there, which I would think it is still applicable, is that access control to the safe must be strictly applied.

**LT-COL PRINSLOO**: Sorry, what page is that?

20 **ADV SIKHAKHANE**: 103. Paragraph 20.5, subparagraph 5. 20 deals with management of SAPS13 stores. We will deal with the debate around SAPS13 as it was dealt with yesterday. Do you understand that access control to the safe must be strictly applied?

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

**ADV SIKHAKHANE:** Okay, we will come to that. Let us then go back.

**ADV BALOYI SC:** Again, it is just to try and clarify, not so much to probe. The Port Shepstone office, who is in charge of that office?

**LT-COL PRINSLOO:** I was the Acting Unit Commander.

**ADV BALOYI SC:** Okay. So being Unit Commander, Acting Unit Commander means you are the overall in charge of the office.

10 **LT-COL PRINSLOO:** That is correct, Commissioner.

**ADV BALOYI SC:** Now, when you have this situation where drugs have been left in your building, but now the key is with someone else who is based in Durban, yes, he is your superior, but he is not based in your office, who at that point has custody and oversight responsibility in respect of these drugs that are in your building?

**LT-COL PRINSLOO:** I handed the keys over to Brigadier Nyuswa. So him as the Provincial Commander, they have got control over those exhibits, not myself.

20 **ADV BALOYI SC:** Okay. All right, we will come back to it.

**CHAIRPERSON:** There is indication I think in your statement that at some point when high value exhibits were stored there, an arrangement was made for 24-hour security, I think in the form of guards, warm bodies. Am I correct?

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

**CHAIRPERSON**: Yes.

**LT-COL PRINSLOO**: That happened in June 2018.

**CHAIRPERSON**: So two years, exactly two years before the Cocaine was brought.

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

**CHAIRPERSON**: Yes. Whose responsibility was it to arrange that 24-hour security?

**LT-COL PRINSLOO**: I did that at that stage,  
10 Commissioner.

**CHAIRPERSON**: And why was that so? Were those Port Shepstone exhibits? I want to understand why you made the arrangement.

**LT-COL PRINSLOO**: It was a Port Shepstone case.

**CHAIRPERSON**: A Port Shepstone case.

**LT-COL PRINSLOO**: It was our own case.

**CHAIRPERSON**: Yes.

**LT-COL PRINSLOO**: It was a drug lab that we took down.  
2 000 000 Mandrax tablets. We guarded it itself for two  
20 days until it was taken to a facility in Pretoria.

**CHAIRPERSON**: In this instance now, two years later, June 2020 was it? Oh, so it was actually three years before. So June 2021, whose responsibility do you think it was to again arrange 24 – sorry for splitting the infinitive there – to again arrange 24-hour security? Whose

responsibility would it have been?

**LT-COL PRINSLOO**: I would say the Provincial Commander's responsibility.

**CHAIRPERSON**: Brigadier Nyuswa.

**LT-COL PRINSLOO**: Brigadier Nyuswa.

**CHAIRPERSON**: And the reason for that? Why not you?

**LT-COL PRINSLOO**: I do not have enough manpower at my office, Commissioner, for the members to ...[intervenes].

**CHAIRPERSON**: But in 2018 you had managed to arrange  
10 that.

**LT-COL PRINSLOO**: Because then we knew it was for one or two days maximum. We could do that.

**CHAIRPERSON**: Yes.

**LT-COL PRINSLOO**: Here there was no indication for what length of period that drugs were going to be there.

**CHAIRPERSON**: Thank you.

**ADV SIKHAKHANE**: Perhaps the other dimension to what the Chair is saying is the decision-making power. What changed?

20 **LT-COL PRINSLOO**: It is not a Port Shepstone case, that. It is a Durban case. It is a much bigger, they have got a lot more people than I have got at my unit. If there is exhibits they brought to my unit, they should have supplied the guards for it there at my unit, Commissioner.

**ADV SIKHAKHANE**: Thank you. Please go to your

statement, paragraph 26.

**LT-COL PRINSLOO:**

10                   “Each of those two safes was built in line with applicable SANBS standards. Each had two locks. Warrant Officer Van Den Berg had the keys. Just to be clear, I was not in control of the safes. One of the safes, Room 22, was used to store firearms. The safe had a firearm register and the occurrence book. The other safe, Room 24, was used to store office supplies including cleaning material and solutions. Access to it was also registered. There were no cameras inside the building. However, there was an alarm system, which...”

I think there is a typing error there:

“...which monitored motion.”

No, that is correct:

20                   “When it was armed, it would be triggered by motion, but only in the passages. None of the offices had any...”

I have got the word now of that. The sensors. None of them had a sensor in it:

“All staff had their own unique code to activate and disarm the alarm. The alarm would not work if there was no electricity. Even if it had been armed, once there is no electricity, it gets disarmed and not work.

10 Further, even if it got triggered and made a noise, no one would know as the office would be closed and the nearby businesses would also be closed. Basically, the alarm would just ring until someone comes in the following working day. If it went off on Saturday, for example, and assuming there was no interruption of electricity supply, it would be deactivated or disarmed by the first person at the office on Monday morning. If there was interruption of the electricity supply on Saturday, for example, the  
20 alarm would be disarmed and the office would be totally exposed. Obviously this was a serious risk of exposure.

Previously the alarm system was linked to armed response security company. The contracted armed response security

company was National Security & Fire.  
The monthly cost for armed response was  
R593.56. I attach a copy of that  
contract, marked JJP3.”

**CHAIRPERSON:** I must say, I just do not understand why a  
contract for only R593.56 could not have been maintained.  
I am not directing that to you. I guess I am directing it to  
the entire system. There is so much wasted of government  
funds and funds used for corruption and all sorts of things.  
10 But with that in mind, you find a contract of this negligible  
amount, bearing in mind government resources not being  
maintained. It just boggles the mind. Please continue.

**LT-COL PRINSLOO:** Thank you, Chair. Are we going to  
that annexure? Can we go on?

**ADV SIKHAKHANE:** No, no, I think it is just, it is fine. Put  
it on record. Continue to paragraph 29.

**LT-COL PRINSLOO:**

20 “The contract expired in March 2020. It  
was important that the office had armed  
response because no one was at the  
office afterhours and weekends, including  
public holidays. This office was  
particularly vulnerable and had been  
broken into a number of times. I can  
count no less than six incidents. These

were as follows.”

**ADV SIKHAKHANE:** I think it is eight.

**LT-COL PRINSLOO:** Sorry ...[intervenes].

**ADV SIKHAKHANE:** Count six.

**LT-COL PRINSLOO:** No, sorry, it is eight incidents that I ...[intervenes].

**ADV SIKHAKHANE:** Okay. Can I just interrupt you there and just bring it to the attention of the Commission the EXHIBIT CJC200.

10 **CHAIRPERSON:** CJC what?

**ADV SIKHAKHANE:** 200. It is an A4 page, this one. Apologies. It was provided after the fact. These are instances of the break-ins and what was taken. Please go through it for the Commission.

**LT-COL PRINSLOO:** Can I deal with that same one?

**ADV SIKHAKHANE:** Yes.

**LT-COL PRINSLOO:** Commissioners, the first one is There. The date is 27 of December 2011. They broke into that little storeroom that is on the side of the building in the  
20 driveway. They broke in there. They stole our vacuum cleaner. Then on that instance they broke through the roof there. It has got AN asbestos roof. They came through the roof. At that stage there was no electric fence at the back there.

Then in 2014, the 8<sup>th</sup> of June, they broke into the

garage. It had a small, not a very expensive garage door there, which they just forced open. One of our state vehicles that was parked in there, they forced the bonnet open and they stole the battery.

Then in 2018, the 8<sup>th</sup> of December, they broke in on one of the side windows. They accessed a few of the offices there, but it was mostly storerooms that they accessed there. They completely destroyed our alarm at that stage, so it had to be replaced. Then on 2020, they  
10 broke, I think that instance, it was the 20<sup>th</sup> of January, I think they broke through the window of Warrant Officer Pienaar, into his office.

**ADV SIKHAKHANE**: Is that the same Pienaar, Warrant Officer Pienaar?

**LT-COL PRINSLOO**: VJ Pienaar.

**ADV SIKHAKHANE**: It is that same office?

**LT-COL PRINSLOO**: Same office, same office.

**ADV SIKHAKHANE**: Can you then, in your statement,  
20 compare that to your paragraph 29.4, perhaps to give it more flesh, and the reporting of that incident?

**LT-COL PRINSLOO**: Okay. All these incidents were reported to the Provincial Commander. This incident was reported to our Provincial Commander, Counter Intelligence, Lieutenant Colonel SR Singh. He also came to the office

and did an inspection. He wrote a factual report to the Provincial Office with the recommendations. It was also brought to the attention of the District Commander and Visible Policing. We were then requested to do frequent patrols, and members of the office were also asked to do after-hour visits.

**ADV SIKHAKHANE**: Just on that, who was the District Commander at the time?

**LT-COL PRINSLOO**: General Nxamagele.

10 **ADV SIKHAKHANE**: Nxamagele?

**LT-COL PRINSLOO**: Ja.

**ADV SIKHAKHANE**: Okay.

**LT-COL PRINSLOO**: She has since also gone on pension.

**ADV SIKHAKHANE**: Thank you. Do you know if this incident was reported to Brigadier Nyuswa?

**LT-COL PRINSLOO**: I cannot recall exactly when he started as a Provincial Commander, but it was reported to whoever the Provincial Commander was at that stage.

20 **ADV SIKHAKHANE**: Okay. Please proceed with your CJC200.

**LT-COL PRINSLOO**:

“On the 15<sup>th</sup> of March, they broke into the office of Warrant Officer Warn [?].”

If I can just go back to those other photos?

**ADV SIKHAKHANE**: Yes, you may.

**LT-COL PRINSLOO**: I am not sure which page that would be. I am not sure on those photos.

**ADV SIKHAKHANE**: It is the photo album. It starts at page 2, page 1 of the annexures.

**LT-COL PRINSLOO**: If we look at page 1 at the bottom now, the first windows you see there, the sliding gate entry there, and you get the second windows. That middle one, that third window, that was Warrant Officer Warn's, Warrant Officer ALW Warn, that was his office. So, they accessed it  
10 there just from the pavement. They broke the window, forced the burglar bars open, and they were in. No alarm could go off because there is no sensors in the offices.

**ADV SIKHAKHANE**: And when do these incidents normally happen? During the day?

**LT-COL PRINSLOO**: It is normally on weekends at night.

**ADV SIKHAKHANE**: Okay. Please proceed.

**ADV BALOYI SC**: Is this the incident where they took three laptops?

**LT-COL PRINSLOO**: That is correct, Your Worship.  
20 Commissioner, then we look at the next incident there. It was the 15<sup>th</sup> of January 2021. They broke into the office of Captain Le Roux. Now, if we go back to that photo 1, the window just on the right of Warrant Officer Warn's windows, they broke in there. Exactly the same modus operandi. They broke a window and forced open the burglar bars.

And, Commissioner, we go to the next one. It is the 11<sup>th</sup> of October 2021. If we go to page 4, photo 4 of that same album, those two wooden doors with the windows on either side of them, they broke that window on the right-hand side. They smashed that window. There is two windows there. They smashed the left one of the two windows with a brick and they tried to force open the burglar bars, but they failed.

**ADV SIKHAKHANE:** Just so that we are clear, on photo 4  
10 there is the big door that we can see and the small door where you had said you had put the exhibit. It seems to have some stairs. Those two, if you come down from those stairs, is it the first window or the second window that you are talking about?

**LT-COL PRINSLOO:** It is the window closest to the door. That leads to a small kitchen there in that passage.

**ADV SIKHAKHANE:** I am saying if you go down the stairs, I just want to locate it so that we understand. Is it the one before you reach the door or is it the one after the door?

20 **LT-COL PRINSLOO:** The one before you reach the door.

**ADV SIKHAKHANE:** Thank you.

**LT-COL PRINSLOO:** Commissioner, and then the last break-in was the 8<sup>th</sup> of November 2021. That is when the exhibits were stolen from the office.

**ADV KHUMALO SC:** Can I just try to understand,

Lieutenant Colonel, when the 11 October 2021 break-in happens, you know that you have got a consignment of Cocaine in this building because the earlier break-ins, you had nothing substantial in there. But the 11 October 2021 break-in happens, you are responsible for the building because you are the boss there.

The consignment does not belong to you. You say it is a Durban case, it is not your case. What steps did you take to say to these people I cannot keep your stuff here  
10 because it is clearly not safe? There has been an attempt to break-in. I do not know if the people who tried to break-in wanted to steal this Cocaine. There is something valuable here and I no longer believe that it is safe to keep it here.

So before we get to issues of lawful instructions from superiors, you are responsible for this building and there is an attempted break-in and you know that you have exhibits that are worth at least R200 000 000. What steps do you take to increase the security or to say, I cannot keep  
20 this thing here, it is not safe in my office?

**LT-COL PRINSLOO**: Commissioners, I reported to Brigadier Nyuswa. He asked me for a factual report on the break-in. Everything was provided to them at the Provincial Office. We had instructions from General Senona not to inform other members about what we housed in there, that

the drugs was there. So, we were given instructions by him that the members must visit the office. So, with that instruction, I am not allowed to tell the members what is in there. I just asked him after hours to make a turn at the office, just make sure everything is safe there.

**ADV KHUMALO SC:** You did not say either we increase security or you take your consignment because it is not safe in my office? You did not do that?

**LT-COL PRINSLOO:** I did not do that, Commissioner.

10 **ADV BALOYI SC:** The factual report that you prepared, what does it do? Is it just an account that we have had a break-in? It does not include recommendations from you about what to do?

**LT-COL PRINSLOO:** If I am correct, that report, it has got in it exactly what security I have got in my office and what I do not have. It is in that report.

**ADV BALOYI SC:** Okay.

**ADV SIKHAKHANE:** Commissioner Baloyi, perhaps just to, if you turn to page 40, this is the factual report of January  
20 2021.

**ADV BALOYI SC:** Okay. If you are still going to discuss it, I am happy to leave it.

**ADV SIKHAKHANE:** No, no, no.

**ADV BALOYI SC:** If you are planning to come to it.

**ADV SIKHAKHANE:** No, no, no. I think it is just one

incident. I just want to show that you see how it would look like. He can just take us through it because all the factual reports after each incident would follow the same format.

**ADV BALOYI SC:** I see.

**ADV SIKHAKHANE:** Perhaps as an example, could you take us through this factual report and how it would look like?

**LT-COL PRINSLOO:** Okay, it is a factual report. It is dated 18<sup>th</sup> of January 2021. It is a factual report, attempted  
10 business break-in, DPCI Port Shepstone. Then the CAS number is 165/1/2021. It says:

“On Friday, the 15<sup>th</sup> of January, the offices of Serious Organised Crime Unit situated at 2 Princess Elizabeth Drive Port Shepstone was locked and in order. The office was visited on Saturday the 16<sup>th</sup> and Sunday the 17<sup>th</sup> by various members of this unit. On Monday the 18<sup>th</sup>, Foreman Thutshini noticed that both  
20 windows of the kitchen were broken, but the burglar bars prevented them to enter. On further investigation by myself, it was evident that they used a large rock to try and force open the burglar bar. There was also signs that they tried to force

open the back passage door that is situated next to the kitchen windows. The office was previously broken into on the following dates, 2011-12-27, 2014-06-08, 2018-12-09, 2020-01-20. This office is fitted with an alarm that was monitored by National Security & Fire. During April 2020, we requested to be on a month-to-month contract with National Security as we were awaiting the procurement process. During May 2020, an application was done to upgrade the alarm system. This office was told to get three new security companies to tender for the upgrading and the monitoring of the alarm system. The three companies we tendered were Uyabonwa, Fidelity ADT, and Lazer 911. During December 2020, this office received a statement from National Security informing us that due to non-payment, they have removed us from their system and would not be rendering any services at our unit due to non-payment. Currently, the alarm is activated after hours and on weekends,

but if the office is not broken into, there is no way for any of us to be notified about it. We will only see it when we arrive at the office. Further progress will be reported.”

**ADV SIKHAKHANE:** And is that your signature at the bottom there?

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

**ADV SIKHAKHANE:** And just to be clear, who is this report  
10 directed to?

**LT-COL PRINSLOO:** It was sent directly to the Provincial Commander Brigadier Nyuswa.

**ADV SIKHAKHANE:** Okay. And after this time, Major General Senona would have been in office?

**LT-COL PRINSLOO:** I am sorry, sir?

**ADV SIKHAKHANE:** General Senona would have been at office at this point?

**LT-COL PRINSLOO:** Yes, ja.

**ADV SIKHAKHANE:** Thank you.

20 **ADV BALOYI SC:** Maybe coming back to the factual report for the October incident, did you receive a response from Brigadier Nyuswa? After the October incident?

**LT-COL PRINSLOO:** I did not get any response from him.

**ADV BALOYI SC:** Not even a discussion with him?

**LT-COL PRINSLOO:** No.

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

**ADV SIKHAKHANE:** Perhaps we will come to discuss the 8 November 2021 in more detail in your statement. But just to understand, the factual reports that you prepared, were they all written?

**LT-COL PRINSLOO:** Were they?

**ADV SIKHAKHANE:** All written?

**LT-COL PRINSLOO:** Yes.

**ADV SIKHAKHANE:** As documents?

10 **LT-COL PRINSLOO:** Yes.

**ADV SIKHAKHANE:** And you would address them to whoever is the Provincial Commander?

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

**ADV SIKHAKHANE:** Okay, thank you. Please proceed. Paragraph 13. It is about applications for the alarm or armed response.

**LT-COL PRINSLOO:**

20 “As I have stated above, in March 2020, the armed response contract expired during April 2020. I made an application for the continuation of the contract with National Security & Fire on a month-to-month basis, while still engaging a formal procurement process. The application was addressed to Supply Chain

Management and Colonel Madhoe. This request was sent to the Provincial Office, attached a copy of the application, as marked JJP4. However, the procurement was not approved.”

**ADV SIKHAKHANE**: Sorry, Colonel. Could you then go to page 22?

**CHAIRPERSON**: Sorry, sorry. Colonel, you referred to a request for a month-to-month extension, and then you also  
10 referred to a procurement process, and then you end the paragraph by saying:

“However, the procurement was not approved.”

By that, are you referring both to the month-to-month extension and then the procurement, which I assume was to be for a longer term?

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

**CHAIRPERSON**: So, the refusal was in respect of both?

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

20 **CHAIRPERSON**: And what reasons were given for that?

**LT-COL PRINSLOO**: We were given no reasons.

**CHAIRPERSON**: I guess I may ask the question in respect of the other refusals, because your statement refers to, I think, no less than three other refusals. In respect of the others, were reasons given?

**LT-COL PRINSLOO**: No, no reasons given, Commissioner.

**CHAIRPERSON**: All right, thank you.

**ADV SIKHAKHANE**: Thank you, Chair. At page 22 of the annexures, that is the application for 2020, for 22 April 2020?

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

**ADV SIKHAKHANE**: Is that the application that you made?

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

**ADV SIKHAKHANE**: Who else was it addressed to, other  
10 than Colonel Madhoe?

**LT-COL PRINSLOO**: It was also sent to Captain Van Niekerk at our Provincial Office. She deals with the SCM.

**ADV SIKHAKHANE**: Then to address what Chair is enquiring, if you turn over the page at page 23, at paragraph 8, could you read that into the record?

**LT-COL PRINSLOO**: What is the page number there?

**ADV SIKHAKHANE**: 23, just the next page.

**LT-COL PRINSLOO**:

20 “An application is hereby made for the current contract with National Security & Fire to be continued on a month-to-month basis while the procurement process is being done.”

**ADV SIKHAKHANE**: And as you said to Chair, there was no response to this?

**LT-COL PRINSLOO**: Nothing.

**ADV SIKHAKHANE**: Okay. Continue to paragraph 31.

**LT-COL PRINSLOO**:

10 “Another application was made on the  
26<sup>th</sup> of May 2020. It was also not reacted  
to, let alone be approved. On the 17<sup>th</sup> of  
August 2020, I made another application  
to the Provincial Commander Brigadier  
Nyuswa and Supply Chain Management,  
Colonel Madhoe. That application could  
not be processed because Colonel  
Madhoe, dealing with the application, left  
procurement, so I later learned. On the  
8th of September 2020, Chief Admin  
Clerk Olivier of my office addressed an  
email to Captain Van Niekerk of the  
Provincial Office providing responses to  
information that was sought, including  
setting out the type of security system we  
20 required. I attach hereto a copy of the  
said email, marked JJP5. It is to be  
noted that Ms Olivier warned that if there  
was a break-in at the office, it would be  
problematic as there was no security  
service in place.”

**ADV SIKHAKHANE:** Can we then turn to that annexure?

**CHAIRPERSON:** Maybe I misheard you, Colonel. I thought you said Ms Olivier, the Chief Administration Clerk in your office.

**LT-COL PRINSLOO:** She is in my office, Commissioner.

**CHAIRPERSON:** But I see here in your statement it says from Provincial Office.

**LT-COL PRINSLOO:** That is a typing mistake, Commissioner.

10 **CHAIRPERSON:** Thank you.

**ADV SIKHAKHANE:** Please turn to page 26. Is that the email that you are referring to?

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

**ADV SIKHAKHANE:** Okay. If you turn over at page 27, the third paragraph, could you read that into the record?

**LT-COL PRINSLOO:**

“On 22 April 2020, application was made for the contract with National Security & Fire to be...” ...[intervenes].

20 **ADV SIKHAKHANE:** Sorry, the following paragraph. Or start from 22 April, it is fine.

**LT-COL PRINSLOO:**

“Application was made for the contract with National Security & Fire to be continued on a month-to-month basis, as

at the time we were still in credit with them, and for the request was made for the duration of the process of obtaining quotes from new suppliers. To date, no feedback has been received on that application. The security system that is currently in place is working. However, should there be a break-in at the office, it will be a problem. There is no security contract in place. The procurement process for new security contract was done. The other service provider provided quotes for a 12-month contract for alarm and security services. Three private security suppliers were requested to quote for security services to include the following. Installation of CCTV system, monitoring equipment, infrared passive sensors, armed response, digital recorder and remote, inclusive of remote network, monitor via cell phone, external perimeter features, beam sensors, beam sensors on the outside of the office windows. An application was made on 29 May 2020 for security service and

monitoring at the office for a period of 12 months, but to date it has not been approved. The quotes received from suppliers have now been expired.”

**CHAIRPERSON:** I am not sure I understand the first sentence of the paragraph that states the security system that – let me read the whole thing:

10 “The security system that is currently in place is working. However, should there be a break-in at the office, it will be a problem as there is no security contract in place.”

My understanding is as at that point there was no armed response and also the alarm system would go off whenever there was load shedding and there would be no backup. So, it was as good as not there. I just want to understand the sentence that says the security system that is currently in place is working. Does that mean the alarm system is just making noise here and that is it, and if there is nobody  
20 to hear it, it is as good as not being there? Weekends, as you said, nobody would hear it. It would go on and on until the following Monday.

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

**CHAIRPERSON:** Ja, do you think this captures the situation accurately to then say it is working?

**LT-COL PRINSLOO**: You can just arm it, but that is all. It is not connected to anybody.

**CHAIRPERSON**: So, it just makes noise. If you are not there overnight and during weekends, it is useless, completely useless.

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

**CHAIRPERSON**: All right. Let us adjourn and resume at 11:25.

**INQUIRY ADJOURNS**

10 **INQUIRY RESUMES**

**CHAIRPERSON**: Colonel, we sometimes start even a minute before the time we stated, just for the future.

**LT-COL PRINSLOO**: My apologies.

**CHAIRPERSON**: Thank you.

**LT-COL PRINSLOO**: Commissioner.

**ADV SIKHAKHANE**: Thank you, Chairperson. Colonel, we were dealing with the applications and the warning that Ms Olivier had provided or had given. Now, we would then continue from paragraph 34, just to contextualise, and then  
20 move onwards from your statement.

**LT-COL PRINSLOO**: Which paragraph?

**ADV SIKHAKHANE**: 34, page 11.

**LT-COL PRINSLOO**: 34:

“No letter of application was made on the 22<sup>nd</sup> of September 2020. This time it was

signed by the Provincial Commander, Brigadier Nyuswa, and was forwarded to Provincial Supply Chain Management Office. The application was also not approved.”

**ADV SIKHAKHANE**: Did you hear anything from Brigadier Nyuswa in response to, or in reaction to the application?

**LT-COL PRINSLOO**: No.

**ADV SIKHAKHANE**: Thank you. Please proceed.

10 **LT-COL PRINSLOO**:

“We owed money to National Security and Fire on the 25<sup>th</sup> of November 2020. They sent a statement of account for an amount of R3 306.49 in respect of monthly services. Made an SAP585 application, which application was sent to the Provincial Office for financial approval. I attach hereto a copy of the email, sent, attaching the application, marked JJP6.”

20

**CHAIRPERSON**: Will you please just briefly describe an SAP585 application?

**LT-COL PRINSLOO**: It is an audit form for that money to be approved and to be paid, Commissioner.

**CHAIRPERSON**: Thank you.

**ADV SIKHAKHANE:** Can we just turn to page 31 of the annexures bundle. What does that email relate to?

**LT-COL PRINSLOO:** That was for the approval of that money. For the money that we owed National Fire and Rescue.

**ADV SIKHAKHANE:** Okay, please proceed on your statement starting on 14 December 2020.

**LT-COL PRINSLOO:** Which paragraph is that sir?

**ADV SIKHAKHANE:** Paragraph 35.

10 **LT-COL PRINSLOO:**

“On 14 December 2020, National Security and Fire sent a further statement reflecting an amount of R3 610 as outstanding. They then advised that they would remove us, the DPCI office, from their system and will not render any further services due to nonpayment. This was confirmed to me on 13 January 2021. Between November and late December

20 2020, there were ongoing discussions about our application for security. I attach hereto a copy of the email exchange in this regard, marked JJP7.

On the 13<sup>th</sup> of January, 2021...”

**ADV SIKHAKHANE:** Sorry, apologies, just so that we

contextualise. JJP7 appears from page 33 of the bundle of the annexures.

**CHAIRPERSON:** Without us going through all the emails, can you just summarise what the substance or salient features of the communication were?

**LT-COL PRINSLOO:** It was this communication between Chief Admin Clerk Olivier from my office and Captain Van Niekerk from the Provincial Office regarding these outstanding monies and what response we got from the  
10 security company.

**ADV SIKHAKHANE:** Can I take your attention to the following page, page 34? The email in the middle. From Captain Van Niekerk.

**LT-COL PRINSLOO:**

20 “She sent this to Lieutenant Colonel Majozi. Your response regarding this matter will be appreciated. This matter is long outstanding and must be dealt with by the former Provincial Commander for Acquisition Management, Colonel Madhoe. This delay is causing a major security to this office, which has been previously targeted by criminals and was broken into the offices and stolen state property. The procurement file was

handed by Captain Diedericks for processing. To date, this unit has had no feedback. Your intervention is required.”

**ADV SIKHAKHANE:** If you look at the persons copied, can you just state their names?

**LT-COL PRINSLOO:** She ccd myself, and also Willie Olivier from my office, as well as the Provincial Commander, Brigadier Nyuswa.

**ADV SIKHAKHANE:** Okay, thank you. I think that  
10 completes the point. Go back to your statement at paragraph ...[intervenes]

**ADV KHUMALO SC:** Sorry. Colonel, what they are saying there on page 34, because you are not dealing with the person's response. The day after, Lieutenant Colonel Majosi responds, top of the page there. And without context, she seems to be suggesting that the request is going to the wrong people. It should be addressed to the right people. So, they are not outright refusing the request. It seems to be suggesting there that you are sending it to  
20 the wrong people. Do you see the 16<sup>th</sup> of December email?

**LT-COL PRINSLOO:** I see that.

**ADV KHUMALO SC:** They say:

“We will appreciate if you can explain how Colonel Madhoe involved in this matter, as it seems like the contract was

secured by your head office.”

So, the suggestion is that you must deal with head office and not the people you are addressing your request to.

**LT-COL PRINSLOO**: Commissioner ...[intervenes]

**ADV KHUMALO SC**: What follows is there is no request to head office. You seem to be asking them the same issue again. What is the status of the security application? We are now 29 December on page 33. So, it seems to be a communication problem rather than a refusal to approve the  
10 request. Do you see that?

**LT-COL PRINSLOO**: Commissioner, I see that. We dealt with Colonel Madhoe. Then we were told suddenly he is no more there. So that is Colonel Majozi, he was then the one that we dealt with. Colonel, Captain Van Niekerk, she dealt with.

**ADV KHUMALO SC**: But Colonel Majozi says it was secured by the head office, so that is where it should go. That is at least my understanding. And I do not have context. I am simply reading the email as I see it. So it  
20 could be that the request was addressed to the wrong people, and it is not an issue of head office or senior people outright refusing to provide the necessary support. Thank you. I think you accepted that, so we can leave it there.

**LT-COL PRINSLOO**: Yes.

**ADV KHUMALO SC:** Yes.

**CHAIRPERSON:** Where was Officer Majozi based?

**LT-COL PRINSLOO:** SCM in Durban, the provincial office.

**CHAIRPERSON:** Thank you.

**LT-COL PRINSLOO:** Commissioner.

**ADV SIKHAKHANE:** Thank you. Turn back to your statement. Paragraph 36.

**LT-COL PRINSLOO:**

10 “On 13 January 2021, CAC Olivier  
specially wrote an email to Brigadier  
Nyuswa and Captain Van Niekerk  
requesting an approval for the security  
contract. In that mail, she sent out a full  
background to the addressees. She  
warned in the event that something  
should happen, this office has no security  
in place, and there have been numerous  
break-ins at the office. I also attach  
hereto a copy of said email, marked  
20 JJP8.”

**ADV SIKHAKHANE:** Please turn to page 38 of the annexures. Are you there?

**LT-COL PRINSLOO:** You want me to read it?

**ADV SIKHAKHANE:** No, no, no, no, no, absolutely not. Just the summary and who it was addressed to and the

time.

**LT-COL PRINSLOO**: It was sent on the 13<sup>th</sup> of January 2021, 15:20 in the afternoon. It was sent to Brigadier Nyuswa, Captain Van Niekerk, and I was ccd in that.

**ADV SIKHAKHANE**: And in terms of summary, it was the same request for the alarm?

**LT-COL PRINSLOO**: That old history of everything, how it transpired.

**ADV SIKHAKHANE**: Thank you. Turn to your statement,  
10 paragraph 37.

**LT-COL PRINSLOO**:

“On the night of 14 January 2021, another break-in happened, which was only discovered on the 15<sup>th</sup> of January. A rock was used to break the window of the kitchen. However, the criminals were prevented by the burglar bars from entering. On the very day, I wrote a factual report to Brigadier Nyuswa and informed him that the office alarm was not linked to security company. As National Security and Fire had removed us from their system. I warned that while the alarm is activated after hours and on weekends, if the office is broken into,

20

there is no way for us to be notified about it. We will only see it when we arrived at the office. Attached hereto a copy of that factual report, JJP9.”

**CHAIRPERSON:** I think we have gone through that.

**ADV SIKHAKHANE:** We have gone through that report, Chairperson. We do not need to go through it. It is the one at page 42, Brigadier Nyuswa. Please then continue.

**LT-COL PRINSLOO:**

10                   “Our request for security and armed response was again sent to Supply Chain Management and even sent to Brigadier Nyuswa. In fact, it had turned into a plea for help. It was very important that the DPCI’s office had a working alarm system linked to a security company. However, our request was ignored. I am still unable to understand why the applications were not responded to and

20                   approved. This is particularly perplexing since we were experiencing repeated break-ins which were reported per incident and also when we did applications. The Provincial Commander was aware of the numerous break-ins and

the vulnerability of the Port Shepstone DPCI offices. On 22 June 2021, a large quantity of drug exhibits was received to be stored at the office. At the time, there was still no security service. Nothing had changed. Security was neither upgraded nor enhanced. I found this particularly strange. Brigadier Nyuswa knew of the security challenges, and I could not understand his decision on how he would allow the drugs to be stored at the office. There was then an attempted break-in late October 2021, which I reported to him. Again, there was no attempt to improve the previous application or even enhance security given there were now exhibits of high volume. The DPCI office was totally unsuitable to store exhibits received. There was no adequate security in place. In fact, there was a decision taken in 2017 not to store exhibits at all of the five DPCI units in KZN. Brigadier Nyuswa was and is well aware of that decision. Major General Senona would

have also known this. None of the DPCI  
offices were...”

**ADV BALOYI SC:** Colonel, why do you say Brigadier Nyuswa was aware of that decision? Was it a written instruction?

**LT-COL PRINSLOO:** It was a written instruction.

**ADV BALOYI SC:** Coming from where?

**LT-COL PRINSLOO:** From General Zikhali at that stage.

**ADV BALOYI SC:** Who was he at that stage, Zikhali?

10 **LT-COL PRINSLOO:** He was the provincial head.

**ADV BALOYI SC:** Okay.

**LT-COL PRINSLOO:** Of KZN.

**ADV BALOYI SC:** All right.

**LT-COL PRINSLOO:** Why I would say, Commissioner, they were aware of that. Every quarter, inspections are conducted at each of these five serious organised crime offices. They would normally take a senior officer from one of the other units, one of the other four units. They say they are going to inspect Port Shepstone. They would take  
20 from one of the other four units offices, normally about five or six, make an inspection team. They would come and inspect my unit. That was one of the points that they inspected to make sure that no exhibits were stored at the units.

Vice versa, if we had to go and inspect other units,

we would look for the same thing. Ultimately, that report, after the inspection, is submitted to Brigadier Nyuswa to show all the weaknesses and problems at the units. While I am on that, each of these provincial inspections conducted at my unit, it was one of the shortcomings that I made the senior officer that conducted the inspection aware of, was the security issues at my unit. So, it was well documented.

**ADV BALOYI SC:** I assume you know the Durban office. This was not your operation or even your Cocaine. It is the  
10 Durban office Cocaine. Is there any reason that you are aware of that this could not have been stored in Durban? And I am talking more about space.

**LT-COL PRINSLOO:** Commissioner, you are talking about the Durban DPCI office. Commissioner, as far as I know, I do not think they have got a strong room. They occupy three floors and it is just drywalling between the offices. So as far as I know, there is no strong room there.

**ADV BALOYI SC:** Thank you.

**LT-COL PRINSLOO:**  
20 “None of the DPCI offices were at the time actually allowed to keep exhibits. This is the reason the DPCI office did not have an SCP13 register. The DPCI office was particularly vulnerable and was not suitable to store exhibits, let alone of the

quantity we were asked to store. Both Brigadier Nyuswa and General Senona knew this.”

**ADV SIKHAKHANE:** Colonel, just to refer you, General Flynn testified yesterday to say that in order to have a SAP13 register, your office would have needed, according to the National Instruction, the approval from the National Head Office. Is that correct?

**LT-COL PRINSLOO:** We did that when we were still  
10 receiving exhibits before 2017, when that instruction came from General Zikhali.

**ADV SIKHAKHANE:** And if that decision was taken, what does it signify if they remove the SAP13 register or the capability of your office?

**LT-COL PRINSLOO:** I think it was a security issue because of the lack of security at our facilities.

**ADV SIKHAKHANE:** Okay, thank you. And in the absence of security, obviously what the National Instruction requires is that exhibits must be seized in order, they must be stored  
20 to be used for evidence and all of this.

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

**ADV SIKHAKHANE:** So if they are not secure, obviously there are difficulties other than being stolen.

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

**ADV SIKHAKHANE:** They would be unable to be utilised

properly in court.

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

**ADV SIKHAKHANE**: All right. Before we then have to go to Section E of the statements, I just wanted to check if the Commissioners have any questions before we move on to the new section.

**CHAIRPERSON**: No, please proceed.

**ADV SIKHAKHANE**: Thank you. We then go to Section E, starting from Paragraph 44.

10 **LT-COL PRINSLOO**:

“On the 22<sup>nd</sup> of June 2021, between 10 and 11 in the morning, I received a telephone call from Brigadier Nyuswa. He informed me that the provincial tracing team seized a large quantity of Cocaine from a container and instructed me to make storage available at our office. He said he would take both sets of the safe keys with him once the exhibits were stored in the safe. He said the exhibits could not be stored at a Forensic Science Laboratory as they did not have a secure storage capacity. I knew that the laboratory had been flooded and was dysfunctional.”

20

**ADV SIKHAKHANE:** Can I just ask, just taking back, or going back to what Commissioner Baloyi had asked. Were you asked for any opinion or view about storing the exhibits at your offices?

**LT-COL PRINSLOO:** No, Commissioner. It was an instruction from him for me to keep it there in my office.

**ADV SIKHAKHANE:** And did you raise an issue with it about safety and security?

**LT-COL PRINSLOO:** I did not raise it. He knows all my  
10 challenges there at my office.

**ADV KHUMALO SC:** ...unlawful. Would the instruction not have been unlawful in light of what you said that since 2017 it was no longer permitted to store exhibits in the five offices? Now you are being directed or given an instruction to do the very thing that you know is no longer permitted. So why do you allow it? Because in your engagement with Chair right at the beginning, you conceded that you are only obliged to obey lawful instructions. Is this instruction not an unlawful one?

20 **LT-COL PRINSLOO:** Commissioner, I do not see it as an unlawful instruction because General Senona gave the instruction to Brigadier Nyuswa that it must be stored at my office.

**ADV KHUMALO SC:** And what became of the 2017 directive that no exhibits should be stored at offices? Are

you saying General Senona could overrule that directive and decide that notwithstanding that directive, exhibits can be stored at the office?

**LT-COL PRINSLOO:** Commissioner, he could have gotten permission from the National Head to do it. I do not know.

**ADV KHUMALO SC:** But you were not aware that he did?

**LT-COL PRINSLOO:** No, I was not aware.

**ADV BALOYI SC:** Can I just understand, did Zikhali did he occupy the position that later is occupied by General  
10 Senona? Is it the same position?

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

**ADV BALOYI SC:** Okay.

**ADV SIKHAKHANE:** If I am not mistaken, but it may be clarified at a later point, Major General Senona also, I think, said he was informed by Brigadier Nyuswa about storing, but I suppose that will come on. So, your evidence is that it is Major General Senona that gave Brigadier Nyuswa an instruction. Am I understanding you correctly?

**LT-COL PRINSLOO:** I do not think Brigadier Nyuswa would  
20 have made that call on his own. I am sure he would have sought ...sic] guidance from General Senona.

**ADV SIKHAKHANE:** So, what I am trying to understand is whether you knew for certain or you are thinking that was a possibility.

**LT-COL PRINSLOO:** Yes, that was a possibility.

**ADV BALOYI SC:** Maybe putting it differently, you assumed that Brigadier Nyuswa has spoken to General Senona about this.

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

**ADV BALOYI SC:** Thank you.

**ADV SIKHAKHANE:** Thank you. Please proceed.  
Paragraph 45.

**LT-COL PRINSLOO:**

10 “During that call, Brigadier Nyuswa did not discuss other alternatives. He made no mention of any other storage. I know there were Durban Police Stations, Maydon Wharf or Isipingo Stations, which operate 24 hours. These would have been more secure. Brigadier Nyuswa never mentioned anything about taking the exhibits to Isipingo or booking them at the Isipingo Police Station. Brigadier Nyuswa was obviously aware of the  
20 storage capacity of the safe. Equally, he was aware of the vulnerabilities of the DPCI office and the fact that there was no active security. He would have been aware of the security applications I referred to above, the latest one in

January 2021. He would have also been aware of the factual reports I gave to him and also the number of burglaries which had been at the office. It was not my place to second-guess Brigadier Nyuswa's decision and commands. Put directly, I could not question his decision or second-guess him or his commands. I have to respect and follow them, which I did. Soon after that call from Brigadier Nyuswa, photos of the seized exhibits started circulating in the various WhatsApp groups. I attached hereto copies of the photos, which were circulated marked JJP9.”

**CHAIRPERSON:** Is that DPCI WhatsApp groups?

**LT-COL PRINSLOO:** No, police WhatsApp groups.

**CHAIRPERSON:** Oh, police in general.

**ADV KHUMALO SC:** Can you just correct our JJP9? Our  
20 JJP9 is the factual report and not the photos.

**ADV SIKHAKHANE:** Yes, we will correct that. I think those photos appear at your page 116.

**ADV KHUMALO SC:** We should amend the statement to read JJP12.

**ADV SIKHAKHANE:** Correct, I will correct that.

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

**ADV SIKHAKHANE:** So, it is JJ, so we will amend the statement accordingly. So, it is page 116 and page 117.

**LT-COL PRINSLOO:** Yes, it was just those two photos. The other photos did not come from me.

**ADV SIKHAKHANE:** Yes, but I am saying those two photos. Could you then just go on to describe them below? But what I want to understand, were you aware where these were? Where they were taken?

10 **LT-COL PRINSLOO:** No.

**ADV SIKHAKHANE:** So, it seems it is in a parking lot somewhere.

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

**ADV SIKHAKHANE:** You had no idea where that was?

**LT-COL PRINSLOO:** No.

**ADV SIKHAKHANE:** Please proceed with your statement.

**LT-COL PRINSLOO:**

20 "I noticed the photos that the exhibits were unpacked on the floor and not sealed. The exhibits were in a form of blocks wrapped in yellow cover labelled Jaquar and black cover labelled TikTok. They were also not in sealed bag. It appeared that the exhibits were being handled contrary to the National

Instruction as amended and the protocol on the search and seizure, handling, processing, and disposition of illicit drugs. I attached copies of the National Instruction and the protocol mark JJP10 and JJP11, respectively.”

**ADV SIKHAKHANE**: Thank you.

**ADV BALOYI SC**: Colonel, these pictures that are circulating on WhatsApp groups, were they accompanied by  
10 any messages at all to say anything about them?

**LT-COL PRINSLOO**: It was said it was drugs seized in Durban. Only later on during the day it became more clear where it came from.

**ADV BALOYI SC**: In the same WhatsApp groups?

**LT-COL PRINSLOO**: Same WhatsApp groups.

**ADV BALOYI SC**: They were explaining further on where it came from.

**LT-COL PRINSLOO**: Yes.

**ADV KHUMALO SC**: Were they SAPS WhatsApp groups or  
20 just general public?

**LT-COL PRINSLOO**: SAPS WhatsApp groups. Thank you, Commissioner.

**ADV KHUMALO SC**: Thank you.

**ADV SIKHAKHANE**: Commissioners, I think earlier on I did indicate that I would not necessarily go to the National

Instructions. General Flynn did go out at great lengths to the requirements of the sealing of the exhibits and all of this. So, I will just keep that. Continue to your paragraph 48.

**LT-COL PRINSLOO:**

10                   “During the course of that same day, around 13H00 hours, I contacted Warrant Officer AP Van Den Berg and instructed him to clear the one walk-in safe, Room 22, and make it available for the exhibits. I told him that I was instructed by Brigadier Nyuswa that it would be used to store a large quantity of Cocaine which had been seized. Normally we use that specific safe to store official firearms and ammunition.           The firearms and ammunition were moved to the other safe, Room 24. As I said above, Warrant Officer Van Den Berg was in control of  
20                   the safe and keys were with him. If I am not mistaken, this was around 13H00 hours. I do not recall a further call from Brigadier Nyuswa or anyone regarding the matter until they arrived later in the afternoon after 16H00. This was after

hours of our normal working time. At that stage at the office, it was only myself and Warrant Officer Van Den Berg. The other members had left already.”

**ADV SIKHAKHANE:** Sorry, just before we go on. So, you had a call with Brigadier Nyuswa at around 10,11. Let us give it 11. The distance from Isipingo is around 110 kilometres which would be around, at best, if we are really going slowly, 2 hours. But we see a gap of 5 to 6 hours.

10 Did you question perhaps when they arrived what was the gap about?

**LT-COL PRINSLOO:** I did not question him, no.

**ADV SIKHAKHANE:** And did you wonder what may have happened in those 5 to 6 hours?

**LT-COL PRINSLOO:** I presumed they would have been busy on the scene, processing the exhibits, probably had forensics there, taking fingerprints, all that type of thing.

**ADV SIKHAKHANE:** All right. Please continue to paragraph 50.

20 **LT-COL PRINSLOO:**

“Still on the day, quarter past 4, the members arrived at the office, several vehicles. They arrived at the same time as Major General Senona and Brigadier Nyuswa. They were travelling in one

vehicle. I cannot recall whose vehicle they were using between the two of them. Other members arrived in three Combis and a BMW sedan which was driven by Lieutenant Colonel Dina Govender. The tracing team is a team composed of TRT members and DPCI members. It was formed to deal with cash in transit and the reports to Brigadier Nyuswa. The team was not ordinarily involved with drug operations. Members of the team included Lieutenant Colonel Dina Govender, who was their commander. Warrant Officer Van Den Berg and I opened the security gates in the passage there and wooden doors which were secured by a padlock leading to the driveway close to the walk-in safe, Room 22. The members arrived, reversed their vehicle up the driveway. They all alighted from their respective vehicles..."

**ADV SIKHAKHANE:** Please pause there. I just wonder, the position of Lieutenant Colonel is it sort of a senior position in terms of rank?

**LT-COL PRINSLOO:** Yes, that is correct, Commissioner.

**ADV SIKHAKHANE:** Then if we go to the photos again, I would like us to go to photo 3 and 4.

**LT-COL PRINSLOO:** What page is that?

**ADV SIKHAKHANE:** It is page 3 and 4 of the annexures. So obviously, are you there?

**LT-COL PRINSLOO:** Yes, sir.

**ADV SIKHAKHANE:** There is the gate. So essentially you are saying there are 4 cars or 5 cars? Three Combis?

**LT-COL PRINSLOO:** Five.

10 **ADV SIKHAKHANE:** Five cars. And then they all parked by the gate.

**LT-COL PRINSLOO:** Some already parked in front of the gate. Others were in front of our building.

**ADV SIKHAKHANE:** And where was General Senona and Brigadier Nyuswa?

**LT-COL PRINSLOO:** They parked outside and they were interacting with these members.

**ADV SIKHAKHANE:** By this gate or by the parking area?

**LT-COL PRINSLOO:** Near the parking area.

20 **ADV SIKHAKHANE:** And then the Combis reversed to this gate?

**LT-COL PRINSLOO:** Once we have opened this gate, they reversed up the driveway close to that wall there.

**ADV SIKHAKHANE:** If you turn over to photo 4, page 4?

**LT-COL PRINSLOO:** Yes.

**ADV SIKHAKHANE:** Yes, are you there?

**LT-COL PRINSLOO:** Yes.

**ADV SIKHAKHANE:** Okay, you then opened for them between the two of you?

**LT-COL PRINSLOO:** We opened that wooden door there with the metal security gates on the inside.

**ADV SIKHAKHANE:** So, the three Combis reversed?

**LT-COL PRINSLOO:** They reversed in.

**ADV SIKHAKHANE:** Okay, and the car from General  
10 Senona's car?

**LT-COL PRINSLOO:** Stayed outside.

**ADV SIKHAKHANE:** Stayed outside.

**LT-COL PRINSLOO:** Lieutenant Colonel Dina Govender drove in, so he was parked in front of these Combis.

**ADV SIKHAKHANE:** Inside or outside the gate?

**LT-COL PRINSLOO:** Inside. Inside of the driveway, yes.

**ADV SIKHAKHANE:** Okay, obviously we will come to it. But when the exhibits were being offloaded, was the gate closed?

20 **LT-COL PRINSLOO:** No, it was not closed. It was open.

**ADV SIKHAKHANE:** All right, then let us go back to your statement at page 16, paragraph 52.

**ADV BALOYI SC:** We heard from General Flynn, mentioning the involvement of Jacob. I forgot what his title is. Was he one of the people that attended or that arrived

at your offices as part of this party?

**LT-COL PRINSLOO**: Commissioner, Colonel Jacob is the commander of Serious Organised Crime in Durban.

**ADV BALOYI SC**: Okay.

**LT-COL PRINSLOO**: He was not part of the members.

**ADV BALOYI SC**: He was not one of the people that arrived.

**LT-COL PRINSLOO**: No, he never came there.

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

10 **LT-COL PRINSLOO**: Sorry, Commissioner. I do not think he was the commander at that stage. He is the commander now. I think at that stage he would have been the group leader for the SANEB section, for the drug section at Durban. I think he was in charge of the drug members.

**ADV BALOYI SC**: That might be how he described him, yes, but he was not one of the people that arrived.

**LT-COL PRINSLOO**: No, he never arrived on that day, no.

**ADV BALOYI SC**: Thank you.

20 **ADV SIKHAKHANE**: Just to follow up to that, I think we could have dealt with it later on, but at this point, just to contextualise things, who was there at the offices? So, from your office, you said it was Warrant Officer Van Den Berg and yourself. Who else was there other than Major General Senona and Brigadier Nyuswa and Dina Govender? Who else was present?

**LT-COL PRINSLOO:** It was Warrant Officer Mpangase and the other members from the tracing team. I do not know all of them. I do not.

**ADV SIKHAKHANE:** So, the people you knew was Warrant Officer Mpangase?

**LT-COL PRINSLOO:** Yes. He introduced himself to me then also as the investigating officer of this matter.

**ADV SIKHAKHANE:** Had you known him before?

**LT-COL PRINSLOO:** Yes.

10 **ADV SIKHAKHANE:** Thank you. Please then proceed to your paragraph 52.

**LT-COL PRINSLOO:**

20 “Major General Senona and Brigadier Nyuswa were together and interacted with the TRT and DPCI members as they arrived. They did not initially give any instructions to us until after the exhibits were put into the safe. I went to Major General Senona and Brigadier Nyuswa, greeted him. Warrant Officer Mpangase identified himself to me as the investigating officer of this matter. I briefed him as to which one of the safes we would be used to store the stuff, the exhibits in. Major General Senona then

called Dina Govender and told him to go and buy coffee for the two of them. I then told Warrant Officer Mpangase that the safe is available. We have cleaned it out and we can take the exhibits to the safe. I must point out that no one, not even Brigadier Nyuswa or Warrant Officer Mpangase, told me the exhibits had been at Isipingo. They also did not discuss that they had looked for any other alternatives. I went with Warrant Officer Mpangase...”

**CHAIRPERSON:** Please, is there any significance in your mention of the fact that you were not told that the exhibits had been in Isipingo?

**LT-COL PRINSLOO:** Commissioner, I only saw on those WhatsApp groups where these exhibits came from. I was not told by any one of them where it was seized and where it came from.

20 **CHAIRPERSON:** What I am asking is, you specifically say they did not tell you, that is, the two seniors, that the exhibits had been in Isipingo. So, my question is, is there any significance in you mentioning that?

**LT-COL PRINSLOO:** It is just the fact that they did not tell me that.

**CHAIRPERSON**: All right, thank you, thank you.

**ADV SIKHAKHANE**: Just to follow up, which is what I was asking about Colonel Dina Govender. Where was this coffee shop around the premises? Because you had not identified it. How far was it?

**LT-COL PRINSLOO**: It is just around the corner. If I go to this, let me just see if I can – no, it cannot be seen there.

**ADV SIKHAKHANE**: Sorry?

**LT-COL PRINSLOO**: It is just around the corner. It is 250  
10 metres from the office.

**ADV SIKHAKHANE**: Okay, and with the five members, how many persons were there when you were doing the offloading?

**LT-COL PRINSLOO**: There was quite a lot of them. Quite a lot. Easily about 20 of them.

**ADV SIKHAKHANE**: 20, okay.

**LT-COL PRINSLOO**: Yes.

**ADV SIKHAKHANE**: That is fine. All right, thanks. Please proceed.

20 **CHAIRPERSON**: Earlier you spelled Dina, D-I-N-A, I think twice. Now you say D-E-E-N-A. What is the correct spelling?

**LT-COL PRINSLOO**: D-I-N-A. D-I-N-A. I apologise for that, Commissioner.

**CHAIRPERSON**: This one at 53 should be corrected then.

All right, thank you.

**ADV BALOYI SC**: Colonel, going back to the Chairperson's question about they did not inform you that these drugs had been to Isipingo first. They did not inform you of that. Had they told you that these were first booked at Isipingo or if you had known at that time administratively what would have happened, what would you have done as a receiver? What would you require? What are the processes that would have had to be complied with for you  
10 to receive these drugs that you are now told were in Isipingo? Is there anything at all?

**LT-COL PRINSLOO**: We would have just used that SAP13 number in our occurrence book entry if they had booked it in there and they did supply it to us. We would have included it now in our occurrence book entry.

**ADV BALOYI SC**: Okay, thank you. And would that have included you confirming physically that what was taken from Isipingo, what had been booked in and booked out from Isipingo is exactly what is being given to you? Would you  
20 have had to physically check that, or it would be sufficient that they just gave you the SAP13 so that you enter it in your book?

**LT-COL PRINSLOO**: If they had a copy of the register, it would have assisted. So, we could have known how many bricks was entered there.

**ADV BALOYI SC:** And would you have checked them physically is what I am asking.

**LT-COL PRINSLOO:** I would not have necessarily checked them because they took the keys.

**ADV BALOYI SC:** Okay, all right. Let us leave it for now.

**ADV KHUMALO SC:** Colonel, why was this not a red flag to you that they did not tell you that there is a police station of origin where the exhibits are originally booked and a case is opened with a case number? If they were just  
10 bringing to you consignment of Cocaine, 554 kilogrammes, without knowing the station of origin, then surely that should have raised issues with you because they could have been trafficking Cocaine illegally.

I mean, if it was seized somewhere, it had to be booked in a police station. And there should have been an SAP13. And if it was coming to you only for storage, then in your own occurrence book, you should have recorded that it has been booked at a police station, either in Isipingo or Wharf or wherever. It is only coming to my offices because  
20 yours is an office and not a police station, for storage because you have a safe there. And then you keep a proper record of what has been brought to your offices. I mean, the fact that you were given an instruction to just store drugs, but you do not know where they came from. That is a problem, is it not?

**LT-COL PRINSLOO**: Commissioner, I agree with you. The first red flags that I saw was that these exhibits were not brought in evidence bags. They were not sealed. It was brought in the same black carrier bags that they found it in whatever, wherever the container was that they found it in. It was all put out nicely to take photos on the ground and then it arrived back in my office still in those same bags, not sealed in evidence bags like it should have been done. It should have been processed by the proper people for  
10 DNA, for touch DNA, for fingerprints, all that. These arrived by me just back in those same bags that were seized in. It was completely wrong.

**ADV KHUMALO SC**: So, being aware of those irregularities and you mentioned at least five of them, you still obeyed the instruction?

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

**ADV KHUMALO SC**: But then it was an unlawful instruction.

**LT-COL PRINSLOO**: I will not say it was unlawful, but the  
20 fact that there was a lot of red flags and the two senior this General and the Brigadier, was happy with it.

**ADV KHUMALO SC**: So as long as your General and Brigadier were happy, you were also comfortable?

**LT-COL PRINSLOO**: I was not comfortable. But I cannot point that out to them.

**ADV KHUMALO SC:** But if you say they are bringing drugs to you in packages that are not sealed, that drugs were not properly booked at a police station, there is no proper documentation or record, and it comes to you for storage, what if they had stolen drugs from a larger consignment that was properly booked and you were being made part of drug trafficking by your superiors? Were you not concerned that it could be that?

**LT-COL PRINSLOO:** I did not at that stage think of it that way. It was just that everything they did concerning that  
10 consignment was wrong, the way it was handled and the way they packaged, and everything was wrong.

**ADV KHUMALO SC:** But it is wrong because it does not comply with prescripts, and that is what makes it unlawful. It is not wrong because my brother and I think it is wrong. We are not policemen, but you are a policeman and you know how exhibits should be handled. And if it was not handled properly and you are being instructed to store it in your office simply because you have a safe, then that is  
20 unlawful.

**LT-COL PRINSLOO:** I do not think it was unlawful, Commissioner. It was just supplying them with the storage space.

**CHAIRPERSON:** Let us take it at the level of red flags, which you accept were there. Earlier in response to a

question by Commissioner Baloyi, you said that it is open to you to question your superiors about something that you think is improper. Why did you not question them here regarding the fact that you accept that there were red flags here?

**LT-COL PRINSLOO**: Commissioner, in the police it is not that easy to question your superiors. For me to have questioned the General and the Brigadier, there would have been serious consequences for me.

10 **CHAIRPERSON**: Then under what circumstances would you question? Because you accepted when Commissioner Baloyi asked you that in some instances you may question. So, under what circumstances would you question then? Because what you just said seems to go against what you said earlier in response to that question by my co-Commissioner.

**LT-COL PRINSLOO**: Commissioner, certain smaller things you can question them about. Something as serious as this tell them they were at that scene where this stuff was  
20 seized. They obviously inspected it there and still arrived with the members there. Still, they did not give them guidance there on the scene on how to do this, how to package the drugs, how to transport it. To take them on there in front of the people, there would have been serious consequences for me.

**ADV BALOYI SC:** Colonel, there is a difference in being defiant, defying any instruction, and asking questions or raising concerns, maybe. The suggestion is not that you should have been defiant. The suggestion, or what is being put to you, is you are confronted with a situation which clearly breaks every rule that you know about of handling exhibits, including the security implications of keeping these drugs here.

Granted, at that time you did not know that these  
10 were going to be there for months. You did not know that  
on that day one. But you are keeping this huge  
consignment where you do not have security at all. It is  
difficult to understand that you did not raise that at the  
time, without being defiant about it, but raised the concern.  
And still be told, no, we will keep it here.

We hear your concern, but we will keep it here. But  
you do not at all. And you rely on historical  
correspondence that they know from the last  
correspondence that we do not have security when in the  
20 moment where you are being asked to store a huge amount  
of Cocaine with huge value, you do not say at that point,  
maybe we should go, should we not think about, should you  
not be thinking about another police station? Or give me  
security tomorrow or tonight. I would like to have more  
people who are going to be watching this. That you did not

do that is difficult to understand.

**LT-COL PRINSLOO**: I accept what you say, Commissioner.

**ADV BALOYI SC**: Thank you. Thank you, Mr Sikhakhane.

**ADV SIKHAKHANE**: Can I just follow on what the Commissioners are asking, perhaps? So, at least at this stage, and I take it because you are receiving some instructions, we have established that at least as of 2017, your office no longer has the authority or cannot store exhibits. So, there is no SAPS13 register. Essentially, 10 what that would mean legally is that your offices are wholly unsuitable. Would you accept that? And that you and Brigadier Nyuswa and General Senona would be aware of that.

**LT-COL PRINSLOO**: You mean in 2017?

**ADV SIKHAKHANE**: In 2021.

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

**ADV SIKHAKHANE**: And Warrant Officer Mpangase would be aware of it.

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

20 **ADV SIKHAKHANE**: And you are now seeing that the bags or the exhibits are not sealed properly as they should according to the National Instruction.

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

**ADV SIKHAKHANE**: And at least yourself, Major General Senona and Brigadier Nyuswa would know that.

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

**ADV SIKHAKHANE**: That it would be contrary to the prescripts.

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

**ADV SIKHAKHANE**: Now in terms of seniority, Major General Senona and Brigadier Nyuswa were the ones giving you instructions and you are saying you had to obey those instructions and commands.

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

10 **ADV SIKHAKHANE**: With hindsight, would you say that and I am not saying then, I am saying with hindsight, would you say that they gave you an unlawful instruction?

**LT-COL PRINSLOO**: Seeing all the shortcomings, that could have been so, yes, Commissioner.

**ADV SIKHAKHANE**: No, I am saying we have canvassed the requirements of what is to be done and all the three of you, at the very least, are aware. I am saying with hindsight, would you say that they gave you an unlawful instruction?

20 **LT-COL PRINSLOO**: I would agree with that.

**ADV SIKHAKHANE**: Okay, thank you.

**ADV BALOYI SC**: Ask still on this thing. Is there anything in the, whether DPCI or the broader SAPS, that regulates and would enable a person to escalate matters? So, for example, you have these drugs that come to you in June. It

is now, say, July. You still do not have security, and they are sitting there and you are raising the matter of security continuously. You have this break-in in October. You raise the matter again with Nyuswa, with Brigadier Nyuswa, and nothing happens. Is there no mechanism where you can escalate it directly or copy, say, General Senona, but ultimately then General Lebeya? There is no such mechanism?

**LT-COL PRINSLOO:** Commissioner, there would have  
10 been big consequences for me if I had done that. There are strict instructions at my line of reporting to Brigadier Nyuswa, from him to General Senona, from Senona to the National Head. If I spoke directly to the National Head, there would have been big problems.

**ADV BALOYI SC:** So, you say there is a strict instruction of that reporting or how to handle matters.

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

**ADV BALOYI SC:** And in terms of that, if, as in this case, Brigadier Nyuswa does nothing about it, that is the end of it  
20 for you, as with the security thing. There is nothing more you can do about it.

**LT-COL PRINSLOO:** Commissioner, the National Head was also well aware of the security challenges at my office. As I explained with the provincial inspections that we have every quarter, once a year we have inspection from the

National Team. Where the National Head sends people, it is normally a Brigadier and some four Colonels that visit these units and inspect everything, dockets, registers, everything.

And they also interview the Commanders, and I have raised it with them. And those reports from those national inspections goes directly to the National Head. So, the National Head was well aware of my challenges there in Port Shepstone. If I would have jumped Brigadier Nyuswa  
10 and General Senona and communicated with the National Head, even from the National Head's side, I would have been in big problems.

**ADV BALOYI SC:** And you are saying the system or the prescripts work in such a way that even after the October break-in, where now we know you are sitting with this consignment of Cocaine, are you saying even after the October break-in, having raised the alarm with Nyuswa again, and, say, Senona, you are saying you could never reach out, you were not allowed, precluded rather, reaching  
20 out to General Lebeya at that point because you are going outside of the prescripts. Is that what you are saying?

**LT-COL PRINSLOO:** That is correct what I am saying, Commissioner. These factual reports about each incident that happens at the DPCI office, that is escalated to the National Head. So, he would have received that factual

report of the break-in, and he knew that those drugs had been stored by me.

**ADV BALOYI SC:** Yes, that would have been my next question, because I did not remember what the evidence was previously, that the National Head knew that those drugs were being kept at your office.

**LT-COL PRINSLOO:** I would presume that Brigadier Naicker would have informed him. Brigadier Naicker is the SANEB coordinator, sitting here in Pretoria. He falls under  
10 the DPCI, under the National Head. All drug seizures are directed reported to him. When General Mosikili came down, the Thursday after the break-in, I was called into the Durban office. I am still getting to that in my statement. Brigadier Naicker was there as well. So, it would all have been - The National Head would have been notified.

**ADV BALOYI SC:** You assume, at this stage, you are sitting there now, you assume the National Head would have known that you were storing this. You are not saying it as a fact.

20 **LT-COL PRINSLOO:** No, I would not have.

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

**ADV SIKHAKHANE:** Thank you. I just want to follow up on what I consider is one of the most important aspects, at least for the Commissioners, upon making recommendations. What are these big problems that you

say you would have faced?

**LT-COL PRINSLOO**: I would have been charged departmentally. I could have lost my job.

**ADV SIKHAKHANE**: Okay. No, that is fine. So, you would have been charged, it would have been a disciplinary issue.

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

**ADV SIKHAKHANE**: And obviously, if it is found that it was an unlawful instruction, you would, let us say, assuming we have got an independent Chairperson, you  
10 would have been absolved at the very least.

**LT-COL PRINSLOO**: If it was an independent person, yes. But if it was a member of the force, then I would have still had problems.

**ADV SIKHAKHANE**: And ordinarily, who would be sitting in that hearing?

**LT-COL PRINSLOO**: It would have been senior officers from KZN, from our provincial office.

**ADV SIKHAKHANE**: And your view is that you would not have, I think, received a fair hearing, so to speak.

20 **LT-COL PRINSLOO**: Definitely.

**ADV SIKHAKHANE**: Okay.

**CHAIRPERSON**: I was just expressing a historical fact. I was a civil servant in the early 80s, and they were very strict with what they called channels of communications.

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

**CHAIRPERSON**: You could never write a letter to someone above the person to whom you report directly, and it was actually a disciplinary offence to do that. I am surprised to hear that that is still the case at this day and age.

**LT-COL PRINSLOO**: Commissioner, that is still so. That is still, up to today, it is still like that.

**CHAIRPERSON**: Thank you.

**ADV SIKHAKHANE**: Thank you. I think, then, let us go back to your statement.

10 **LT-COL PRINSLOO**: Where are 55?

**ADV SIKHAKHANE**: No, you started paragraph 55.

**LT-COL PRINSLOO**:

“I went with Warrant Officer Mpangase to the cars carrying the exhibits, left Major General Senona and Brigadier Nyuswa by their vehicle...”

**ADV SIKHAKHANE**: Just to remind ourselves, they were not inside that driveway. They were parked in front of the offices.

20 **LT-COL PRINSLOO**: Yes, they were standing there in the driveway, not inside where we were. But at that stage, they would have had their coffee. I think they were standing and drinking their coffee at that stage.

**ADV SIKHAKHANE**: So, Colonel Dina Govender, would have been back.

**LT-COL PRINSLOO:** Yes.

**ADV SIKHAKHANE:** He would have been part of the group that would be, as we would go to, offloading the exhibits.

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

**ADV SIKHAKHANE:** And did Brigadier Nyuswa and Major General Senona observe or supervise the offloading, or they were just informally having a chat amongst themselves?

**LT-COL PRINSLOO:** They were just having a chat, having  
10 their coffee.

**ADV SIKHAKHANE:** Thank you. Please proceed.

**LT-COL PRINSLOO:**

20 “I went with Warrant Officer Mpangase to the cars carrying the exhibits, left Major General Senona and Nyuswa there by their vehicle. I immediately noticed that the bricks of Cocaine were not sealed in evidence bags. As they were in the photos which were circulating, which I referred about, this was contrary to the National Instruction in the Protocol of Exhibit Handling, which makes it mandatory that the exhibits are sealed in tamper-proof bags and are clearly marked. We then formed a human chain

to bring the exhibits from the vehicles  
into the walk-in safe.”

**ADV SIKHAKHANE**: Just to understand, now, just following up from my previous question, in all of this, Brigadier Nyuswa and Major General Senona, they are seeing this activity?

**LT-COL PRINSLOO**: Yes.

**ADV SIKHAKHANE**: And they can see you and others forming a human chain?

10 **LT-COL PRINSLOO**: That is correct.

**ADV SIKHAKHANE**: Who is issuing instructions?

**LT-COL PRINSLOO**: Warrant Officer Mpangase and myself.

**ADV SIKHAKHANE**: You were also issuing instructions?

**LT-COL PRINSLOO**: Yes.

**ADV SIKHAKHANE**: What instructions did you give?

**LT-COL PRINSLOO**: That we form a chain.

**ADV SIKHAKHANE**: Oh, it was your idea?

**LT-COL PRINSLOO**: Yes, past the exhibits on.

20 **ADV SIKHAKHANE**: Okay. And in terms of handling the exhibits, would that have been appropriate? With hindsight, of course.

**LT-COL PRINSLOO**: If it was properly done at the scene, which I do not know. I do not know did they have LCRC there that took fingerprints, that dusted for DNA, for

fingerprints and all that? It would not have been a problem. But if that was not done and they were still going to do it, then yes, it would have been a problem.

**ADV SIKHAKHANE**: Okay.

**ADV BALOYI SC**: So, when you were handling these bricks or these pockets, your hands were not covered? You were just putting on feather fingerprints and DNA into these pockets?

**LT-COL PRINSLOO**: No, we had gloves on.

10 **ADV BALOYI SC**: You had gloves on?

**LT-COL PRINSLOO**: We had the latex gloves on.

**ADV BALOYI SC**: Everybody else had gloves on?

**LT-COL PRINSLOO**: Yes.

**ADV BALOYI SC**: Okay.

**ADV SIKHAKHANE**: Please proceed to paragraph 56.

**LT-COL PRINSLOO**:

20                    “We put the exhibits in the storage. Major General Senona and Brigadier Nyuswa observed this. They had no objection. In any event, I assume that they had discussed this with their team. As a Provincial Commander of the DPCI, Provincial Head, they had the ultimate responsibility and authority to issue commands. Neither myself nor anyone in

the office were in control anymore. Warrant Officer Mpangase was in charge and under the direct authority of Brigadier Nyuswa. My role and those of members from my office was to follow the instruction given by Warrant Officer Mpangase and Brigadier Nyuswa. Another strange thing is that they did not require the booking or registration of the exhibits at the office. We did not have a SAP13 registered since this decision had been taken in 2017. The office would not store exhibits. Brigadier Nyuswa was well aware of this, and I presume Major General Senona would be aware. The exhibits were not recorded in any form of book. We were also not given a copy of the original SAP13 register. Essentially, there was no booking or registration of the exhibits as required by the National Instruction. Put differently, the exhibits were not recorded in any register. This was a big risk as the exhibits may have or could have been potentially stolen by any person handling them. The exhibits

were also not counted. Again, neither Warrant Officer Mpangase nor Major General Senona or Brigadier Nyuswa even remotely suggested that the exhibits be counted or registered somehow. Once all the exhibits were placed in the safe, and I was told that there were 541 bricks kilogrammes of Cocaine, I could not verify this as there was no counting and I did not have the keys to the safe thereafter. In terms of the National Instruction, even if the office could receive the exhibits, it is required that all exhibits must be physically checked and marked, received correctly or not, in the column next to the item described, paragraph 11.5 of the Instruction. Note set out information which must be provided. Information includes station name, receiving station telephone number, SAP13 number, CAS number, persal number, the rank, the name and initial, and the signature of the official receiving the exhibits. Obviously, the aforesaid contemplates the storing of

the exhibits in a police station, not an office building, which makes matters worse. But even then, there should have been some form of recording. Yet no documentation, let alone formal, was done, setting out above.”

**ADV SIKHAKHANE:** I think Commissioner Khumalo, if I am not mistaken, had asked why would you not have insisted on some form of recording of the exhibits. For example,  
10 they could have said there are 541, and then a week later they say, no, there is 300 kg. Why did you not, with that risk, insist on at the very least some form of recording?

**LT-COL PRINSLOO:** Because of the fact, Commissioner, that I was just storing it. After placing it in there, they requested the keys, and they left with the keys.

**ADV SIKHAKHANE:** And at this time, I think we had gone through it earlier on, where you then gave the keys away. There was also no documentation handing over the keys to them.

20 **LT-COL PRINSLOO:** No. He requested the keys after the exhibits were placed in there, and I gave him the keys.

**ADV SIKHAKHANE:** Please continue to paragraph 61.

**ADV BALOYI SC:** Maybe before you do that, Colonel, the answer that you give, that they took the key, they told you it is 541, and you accepted it at face value, so you did not do

your own count as these things were coming in, even quietly. You did not ask to do a count for your own preservation. You do not want, I would assume, that you would have been careful not to be caught in a situation where they said 541, and as Mr Sikhakhane says, that a day later Mpangase comes back and says, now there is only 540.

There was 541, we told you yesterday. You did not have that protection for yourself, and I do not understand  
10 why you would not have done that. I mean, I do have sympathy and maybe some understanding for what the superiors have said, but there are things in this whole scheme that just do not make sense from a selfish point of view of a need to know.

These things, they tell me 20. How do I know it is 20, in fact? And just try to explain how you thought about it, how you were processing. You were obviously suspicious of it. That is why you are talking about another  
20 strange thing is they did not require the booking or registration of exhibits. You have made the observation of an anomaly that you saw that these things, they were circulating somewhere, pictures, and by the time they come to you, they are in bags, they are not sealed.

So on that day and that time, you already had your own discomforts and suspicions about what was going on,

or discomforts, let me say, about what was going on, and yet you do not do the simple thing of satisfying yourself that when they say 541, it is 541, because they are left in your building for which you are responsible. Can you just explain that kind of behaviour?

**LT-COL PRINSLOO**: Commissioner, I hear what you say. The fact is that if we had the SAP13 there and it was going to be stored in my office and it is going to be under my control, I am going to have the safe keys, and that makes  
10 all the difference. Because I have got no say over those drugs, I do not have the keys to that safe. That is why I did not – and the way it came in there, not in evidence bags and stuff, that is why I did not want anything to do with it.

**ADV BALOYI SC**: So, is that the view that you took? Because of all these strange things that you are seeing happening, you took the view you want nothing to do with it, and this is their thing, let them do it.

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

**ADV BALOYI SC**: Thank you.

20 **ADV SIKHAKHANE**: Go to paragraph 61.

**LT-COL PRINSLOO**:

“Once all the exhibits were placed in the safe, Major General Senona and Brigadier Nyuswa came closer. I then locked the strong room, both the keys,

and handed the two sets of keys to Brigadier Nyuswa. Neither Warrant Officer Mpangase nor Brigadier Nyuswa or Major General Senona requested a briefing on the security of the office. They did not ask for an inspection. I pause to mention that at least Brigadier Nyuswa was well aware of the state of security. The vulnerability of the office and the previous break-ins.”

10

**ADV SIKHAKHANE:** Sorry, I just want to check with the photos. So, they go to the driveway. Did they at least walk throughout the offices to check for other exit areas that is at least Warrant Officer Mpangase? Or they ended up at the human chain level?

**LT-COL PRINSLOO:** They ended up there. And they all exited back that way as well when they left.

**ADV SIKHAKHANE:** So, they would not have gone to the front desk to check in the access from the main door?

20 **LT-COL PRINSLOO:** Not on that day.

**ADV SIKHAKHANE:** Yes, I am talking about that day.

**LT-COL PRINSLOO:** Yes, not on that day, no.

**ADV SIKHAKHANE:** So, they offloaded.

**LT-COL PRINSLOO:** And they left the same route again.

**ADV SIKHAKHANE:** Thank you.

**ADV BALOYI SC:** Brigadier Nyuswa, was he familiar with that space inside and the outsides and your neighbours? Basically, the geography of that place inside and outside?

**LT-COL PRINSLOO:** He was very aware of it.

**ADV BALOYI SC:** He was familiar with it because he has been there?

**LT-COL PRINSLOO:** Yes.

**ADV BALOYI SC:** Thank you.

**LT-COL PRINSLOO:** And he was the commander many  
10 years back. He knows exactly the ins and outs of that office.

**ADV BALOYI SC:** Thank you.

**ADV SIKHAKHANE:** Thank you. Turn over to your Paragraph 62.

**LT-COL PRINSLOO:**

20 “It did puzzle me as to how the office would be considered to be safe to store the exhibit. It was simply not safe, let alone for such high-value exhibits as I state above. The office was closed after normal working hours and on weekends. Further at the time, the area was experiencing heavy load shedding twice a day. I assume he made his decision to store the exhibits at the office, having

taken all these facts into account. I could not second-guess my Commander's decision, especially together with Major General Senona. Major General Senona requested that we regularly visit the premises after hours and that we must not tell any other members about the exhibits stored at our offices.”

**CHAIRPERSON**: So, the regular visits were supposed to  
10 be by you and Warrant Officer Van Den Berg only? Or do I understand they are not telling anybody else wrongly? Because when they say do not tell anybody else, I understood that to mean so only you and Warrant Officer Van Den Berg should know about this.

**LT-COL PRINSLOO**: That was the predicament I was in, Commissioner. Getting this instruction from him, the members must visit the office regularly after hours. And in the same breath he is telling me to not tell any of the other members except Warrant Officer Van Den Berg. There are  
20 two of us that know.

**CHAIRPERSON**: So, it is on that basis then that I ask, did you understand that request/instruction to refer only to the two of you, the regular visits?

**LT-COL PRINSLOO**: It was a difficult one. What I did then was just on morning lecture regularly request the members

if they go past the office because of the previous break-ins, just pop in and make sure everything is still okay.

**CHAIRPERSON**: So, you made the request to everybody but without divulging that now there were new facts, the presence of the Cocaine.

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

**CHAIRPERSON**: All right, thank you.

**ADV KHUMALO SC**: But where were the other members as the Cocaine bricks were being delivered and you formed a  
10 chain to put them in the safe? Surely, they would have seen that because it happened during the day.

**LT-COL PRINSLOO**: On that specific day I excused all of them a bit earlier.

**ADV KHUMALO SC**: So how many of the people who are regularly at the office saw the Cocaine come in and being stored?

**LT-COL PRINSLOO**: It was only the two of us, Warrant Officer Van Den Berg and myself, just the two of us.

**ADV SIKHAKHANE**: Did you not find this request or  
20 instruction particularly strange?

**LT-COL PRINSLOO**: Yes, it was very strange. I have got to secure it and visit it after hours, but I am not allowed to tell the members that we are keeping these exhibits there.

**ADV SIKHAKHANE**: Thank you. Please proceed. Second sentence of paragraph 63.

**LT-COL PRINSLOO**: It was simply 63 ...[intervenes]

**ADV SIKHAKHANE**: Second sentence.

**LT-COL PRINSLOO**:

10 “They then all left with the keys being in  
the possession of Brigadier Nyuswa who  
left in the same vehicle as Major General  
Senona. Neither Brigadier Nyuswa nor  
Warrant Officer Mpangase nor Major  
General Senona gave instructions about  
how the exhibits should be secured and  
monitored other than Major General  
Senona's request to now and then pass  
by the office after hours and weekends.  
This was not a formal instruction or part  
of any formal plan. The request itself  
was difficult to implement as I was told  
not to inform other officers. The lack of  
a proper plan and security was rather  
strange considering that before we had  
20 stored exhibits in June 2018 and there  
was a strict plan about securing them.  
Present at the office at the time...”

**ADV SIKHAKHANE**: Sorry, before you move on to that  
point. When Major General Senona came in earlier and he  
had said this was an instruction that he gave to you. So, I

want us to be clear. Was this a formal instruction or a request?

**LT-COL PRINSLOO**: The way that it was given to me I am not allowed to tell the members about it but they must regularly visit. You cannot do that.

**ADV SIKHAKHANE**: I am saying that members must regularly visit. Was that a formal instruction or a request? I think we are going to have a debate about that.

**LT-COL PRINSLOO**: I would say a request.

10 **ADV SIKHAKHANE**: Thank you.

**ADV BALOYI SC**: We have also heard from other evidence that in fact in law enforcement a request is an instruction. It may be formulated as a request, but you know and understand that it is in fact an instruction. What do you say to that?

**LT-COL PRINSLOO**: Commissioners are very close to each other. Request and instruction, yes.

**ADV BALOYI SC**: So, if General Senona were to say that was an instruction I may have put it as a request but in fact  
20 I expect police officers the two police officers to understand that in the police that is an instruction. Would you fault him for saying that if he says I did give an instruction?

**LT-COL PRINSLOO**: No, I would not fault him for that. Myself and Warrant Officer Van Den Berg it was good for us because we knew about it and we went the extra mile to

visit the office. But I could not expect that from the other members. I could not give them those instructions. They would have thought what is going on here?

**ADV BALOYI SC:** Yes. Let me ask you this on the back of that answer. You are the in charge. This is your house. Port Shepstone office. And you know that there is this valuable exhibit in there and you are left with it. And I understand you do not have access to it because the key is locked and somebody else is responsible for the key and  
10 therefore, they are responsible for the access into that space.

But it is in the perimeter. It is on your property. Why would it be wrong to say to you, you are the head, you know what is in there you should have instructed your members in fact, without telling them, without having to disclose you should have given instructions to your members and firm instructions to rotate so that there is always visibility as much as possible to your premises from your members and why would they not follow that kind of  
20 instruction from you?

**LT-COL PRINSLOO:** Commissioner, firstly, manpower. We just were not enough members.

**ADV BALOYI SC:** Could you not request assistance from Nyuswa, Senona to say get me people, I would like to rotate people here so that 24 hours we know someone is driving

by or someone is in the vicinity.

**LT-COL PRINSLOO:** I did not do that, Commissioner.

**ADV BALOYI SC:** You did not do that. But there was nothing that precluded you from doing that. You could have done it, if you had thought about it.

**LT-COL PRINSLOO:** Yes.

**ADV BALOYI SC:** Thank you. For a second, I just want to understand from General Senona's testimony. I think to be fair, on the earlier issue General Senona had testified that  
10 then General Lebeya was made aware of this storage, just to be fair to the witness. On the earlier point, it just troubled me to raise it as a point. They said they did inform him, albeit thereafter. We then go to paragraph 64.

**LT-COL PRINSLOO:**

20 “Present at the office at this time is Major General Senona, Brigadier Nyuswa, Lieutenant-Colonel Dina Govender, Warrant Officer Mpangase, and the other members of the Provincial Tracing Team, and Warrant Officer Van Den Berg and myself. We were not informed of any plan about the exhibits. I say that because the National Instruction and the protocol required that the exhibits be immediately sent to the Forensic Science

Laboratory. In exceptional circumstances, no later than 7 working days, we were kept in the dark about how long the exhibits would be kept in our office. These members then all left. Warrant Officer Van Den Berg locked his security gate with a chain and padlock for extra security. Warrant Officer Van Den Berg made an occurrence book entry, and we activated the alarm, and we locked the office, and we left.”

**ADV SIKHAKHANE:** Just to understand, this would have been around what time? So, we know that they came at about quarter past 4. What time would you have then locked the office?

**LT-COL PRINSLOO:** It was dark at that time already, but it was winter, so it would have been just after 6 o'clock, I would say.

**ADV SIKHAKHANE:** And you then left.

20 **LT-COL PRINSLOO:** We then left, yes.

**ADV SIKHAKHANE:** And do you know if there was any load shedding over the night around the area? In that day in particular?

**LT-COL PRINSLOO:** I cannot recall a hundred percent if there was, but that was a period when we had very bad load

shedding.

**ADV SIKHAKHANE:** Okay, please go to your paragraph 67.

**LT-COL PRINSLOO:**

“I did request members to pass by the office when they are in the area. I did not give them further details, as I was instructed not to.”

**ADV KHUMALO SC:** Colonel, this is what had confused me. I had assumed that your request to the members was made on the same day. So based on your response to me and Chair that the members were not there that day, it means this request would have been made some other day.

**LT-COL PRINSLOO:** The next morning.

**ADV KHUMALO SC:** The next morning when they were there.

**LT-COL PRINSLOO:** At our parade.

**ADV KHUMALO SC:** But you did not tell them what the reason is for them driving around and monitoring?

20 **LT-COL PRINSLOO:** No, I did not, Commissioner.

**ADV KHUMALO SC:** So even when they were driving around after hours, they would not know what they were monitoring?

**LT-COL PRINSLOO:** No, just to make sure that the office is safe, that there are no problems at the office.

**ADV KHUMALO SC:** Criminals are smarter than that. They can break in without you seeing that there has been a break-in.

**CHAIRPERSON:** And was there a schedule, or would I wake up and say, ah, let me go? And then Commissioner Baloyi would also say, ah, let me go, and we get there at the same time. Was there a schedule that would have made this orderly?

**LT-COL PRINSLOO:** We did not make a schedule, no. No,  
10 Commissioner.

**ADV KHUMALO SC:** And surely these members would suspect something. I mean, why all of a sudden are we being asked to drive around? Why this service suddenly, sorry, they are safe. Why is it suddenly not accessible? Why is it suddenly locked? Why is it that what was there before is no longer there? Did your members not ask this question?

**LT-COL PRINSLOO:** Commissioner, they will not often need anything from that safe. They are all issued with their  
20 own firearms that are on the SAP108, the personal firearms. So, it is just very seldom that they would need a firearm. We do not have official firearm practise every year anymore. So, in those six months there is a possibility that there was no shooting practise, so there was no need for the R5 rifles, nothing like that.

**ADV KHUMALO SC:** The issue never arose from June to November where one of your members asked, Colonel, can we go in here? What is happening here? Why are we suddenly required to drive around after working hours?

**LT-COL PRINSLOO:** Commissioner, no, they did not. There is nobody need to go into that safe. Warrant Officer Van Den Berg, he is the one that normally goes in. If anything is needed by them, he would go and take it out and give it to them.

10 **CHAIRPERSON:** And a follow-up to my last question. I gave examples of two officers deciding to go and going at the same time, but there was also in the absence of a schedule the possibility that everybody would not wake up, and everybody would think, ah, Officer Khumalo has gone, Officer Baloyi has gone, and in the end nobody goes. Do you want to comment on that?

**LT-COL PRINSLOO:** Commissioner, the guys go to the office quite a lot after hours because of work that they must do, prepare for court cases and all that type of thing. So,  
20 you will not find a weekend where there is not two or three people at the office.

**CHAIRPERSON:** I am talking 2 a.m., 3 a.m., which is the most likely time that burglars would go there. They will not go at 5 p.m. when you are still busy, or even 7 p.m. when those who are quite energetic in terms of their work would

still be there. Talking 2 a.m., 3 a.m., 4 a.m.

**LT-COL PRINSLOO**: I agree with you there, Commissioner, we did not have a formal schedule like that.

**ADV BALOYI SC**: In the morning parades, did you, or at any point, did you make enquiries from your members in whatever form to see whether there is that kind of monitoring happening? I mean, if there was a formal schedule, I suppose, in the morning you would then look and get confirmation that people signed in, if it was a formal  
10 thing. But in this loose arrangement, did you do anything to see if indeed there was some level of monitoring by members?

**LT-COL PRINSLOO**: Members would normally, if they go and visit the office after hours, make an OB entry and sign it, that they have been at the office, everything was okay.

**ADV BALOYI SC**: But the drive-by's at night, I imagine when you say to members, even after hours, you are not saying they should necessarily go into the office, you want them to pass around? How do you think members would  
20 have executed that instruction from you? It is not an instruction, your request to them to keep an eye and pass by the office. How do you think they understood and would have implemented it other than to come in and lock the office?

**LT-COL PRINSLOO**: That was what I intended to, or what I

actually told them, is to open the offices, go in, and normally they make an OB entry. Some are lazy, they open up and they have a look and they lock again and they go.

**ADV BALOYI SC:** And would you check that OB, your OB book, would you check them in this period to see whether someone did come in or not?

**LT-COL PRINSLOO:** I check it, that is one of the registers, I also check once a week.

**ADV BALOYI SC:** Okay, so in this period you were doing  
10 that?

**LT-COL PRINSLOO:** Yes, I was doing that.

**ADV BALOYI SC:** So, you would have a record of who came in after hours, on a particular date and at what time?

**LT-COL PRINSLOO:** That OB would be available, Commissioner.

**ADV BALOYI SC:** Thank you.

**CHAIRPERSON:** Let us adjourn and resume at 2 p.m.

#### **INQUIRY ADJOURNS**

#### **INQUIRY RESUMES**

20 **CHAIRPERSON:** Mr Sikhakhane.

**ADV SIKHAKHANE:** Thank you. Colonel Prinsloo, we are at your statement, page 21. We were dealing with paragraph 67 and it was about you requesting members to pass by the office when they are in the area, recall. Are you there?

**LT-COL PRINSLOO**: Yes, I am there.

**ADV SIKHAKHANE**: I just wanted to clarify something before I move over. I was going through some part of the record and according to his testimony, Major General Senona said he took the keys, not Brigadier Nyuswa. What would be your version on that?

**LT-COL PRINSLOO**: There at the office, Commissioner, I gave the keys to Brigadier Nyuswa.

**ADV SIKHAKHANE**: Okay, no, that is fine. I just wanted  
10 to clarify that part. Okay, so, please continue to paragraph  
68.

**LT-COL PRINSLOO**: -:

20 “In terms of capacity, the DPCI office safes could store large quantities of drugs. The one safe was able to store the exhibits in question. I must point out that previously, when Brigadier Nyuswa was still the Unit Commander there, we had stored a large quantity, four and a half tons of hashish (dagga resin) , in one of those strong rooms. It was also there for a lengthy period. I believe it was a complicated investigation that was conducted by members of Durban office and involved

Interpol.

We also had stored drug exhibits before. It was strictly for short periods. The only time was when we were to store two million Mandrax tablets in June 2018. Those exhibits were stored for two nights.

10 In terms of security, the alarm system was still linked to armed response. Importantly, we had police officers guarding the offices throughout, even at night, until the exhibits was taken to the Forensic Science Laboratory in Pretoria. Otherwise, we never stored exhibits of high value. We had never stored a large quantity of Cocaine. Definitely, we never had stored more than 50 kilograms of Cocaine. I can say this, as I have been based at the  
20 office since it was opened in 2004.

In conclusion, the storage was unsecure and not suitable for the exhibits. It made me wholly uncomfortable.”

**ADV SIKHAKHANE:** I just wanted to check, before we

move over to that new section, whether the Commissioners have any issue, or we can proceed to the new section. Thank you, please proceed.

**LT-COL PRINSLOO**: -:

10                   “On the 23<sup>rd</sup> of June 2021, Brigadier Nyuswa called me and told me that Warrant Officer Mpangase needed to come to the office to take samples of the exhibits. He asked that we must allow him into the office. I then instructed Warrant Officer Van Den Berg to assist Warrant Officer Mpangase. I was not involved when Warrant Officer Mpangase came, and I also do not know what actually happened when he came. However, I know that they came several times, including on the 23<sup>rd</sup> and on the 24<sup>th</sup> of June. I also know that in that period, 20                   the exhibits were sealed in evidence bags. I must point out that our office was not involved in the activities of Warrant Officer Mpangase and those accompanying him. We just gave them access. They had the keys to the safe.

They needed us to open the main gate.  
We were not in control of the safe or  
the exhibits. There was also no  
register that was completed. On the  
29<sup>th</sup> ..." [intervenes].

**ADV SIKHAKHANE:** Just before you go on that, so I think  
it goes back to what Commissioner Baloyi was saying. So,  
it is your office, and they literally are coming in as they  
please, and you do not know what they are coming in for.  
10 You would not have verified whether the number they gave  
you as 541 was accurate. Could it be that they would have  
stolen or they could have taken some of the exhibits while  
they were this busy?

**LT-COL PRINSLOO:** Commissioners, when they sealed  
these exhibits in the evidence bags, Warrant Officer Van  
Den Berg was with them. He compiled a list for them. I do  
have the list here.

**ADV SIKHAKHANE:** Commissioners, that list is at, it is  
Exhibit CJC202. It is an A4. It is a list. So, please just  
20 explain to this, to the Commission what this list, who  
compiled it?

**LT-COL PRINSLOO:** Warrant Officer Van Den Berg  
compiled this list for those members from Durban when they  
sealed the exhibits in the exhibit bags. As you can see,  
there were 27 of those black carrier bags. Each of them in

the first column is the number. The second column is the unique number of the bag. And in the third column shows how many bricks there were. They were all, except one of them, was 20 bricks. That one that is highlighted in green, that one had 21 bricks in it. And then on the last column, it shows the colour of the bricks.

**ADV KHUMALO SC:** But Colonel, these numbers do not add up. If you just take from 1 to 10, if it is 20 bricks each, how many bricks does it give you?

10 **LT-COL PRINSLOO:** 200.

**ADV KHUMALO SC:** And then when you take that up to 20, it gives you 401, because 16 has 21. Now, if you count further, that is already more than 450. So, if you look at this document that you are holding and the evidence before us, already these numbers do not add up.

**LT-COL PRINSLOO:** I will have to have a calculator here, Commissioner.

**ADV KHUMALO SC:** Oh, Chair has just corrected me.

**LT-COL PRINSLOO:** It added up when ...[intervenes].

20 **ADV KHUMALO SC:** It is not, it is not 451, it is 541.

**LT-COL PRINSLOO:** When I added it, it was adding up.

**ADV KHUMALO SC:** 451 was stuck in my head. And my Chair has alert, because he is like, it is the other way around. So, 541 is the correct number. And then you said the last column, sorry?

**LT-COL PRINSLOO:** That was just the colour that it was wrapped in.

**ADV KHUMALO SC:** So, where it says yellow/black, what does that mean?

**LT-COL PRINSLOO:** Some of those bricks that is in there is yellow, and others are covered in black.

**ADV KHUMALO SC:** So, it is a combination?

**LT-COL PRINSLOO:** Combination.

**ADV KHUMALO SC:** Thank you.

10 **LT-COL PRINSLOO:** And there was one, let me just, oh, it shows, it says various colours. That can faintly be seen on that one photo, there is blue and there is different colours in there.

**ADV SIKHAKHANE:** So, if you look at the second entry, there is orange/black, and then there is white/black. Earlier you had said it was yellow and black. When did it change?

**LT-COL PRINSLOO:** If you look on the photos, you can see that, Commissioner.

**ADV SIKHAKHANE:** Okay, it is as photos.

20 **LT-COL PRINSLOO:** Ja, but the photo, you cannot exactly see. Like the various colours, you cannot see nicely what colours they are.

**ADV SIKHAKHANE:** Okay. No, that is fine. And then at the bottom, there is four entries there.

**LT-COL PRINSLOO:** Those were the 27 kit bags. They

were broken up, 8, 8, 8 and 3, because they were too big for the evidence bags, that is why.

**ADV SIKHAKHANE**: And who labelled these exhibits?

**LT-COL PRINSLOO**: Those members from Durban put them in. Warrant Officer Van Den Berg assisted them to seal it and they marked it.

**ADV SIKHAKHANE**: So, the members marked it where?

**LT-COL PRINSLOO**: There in the strong room.

**ADV SIKHAKHANE**: Okay, so they had a book where they  
10 registered these exhibits, I presume.

**LT-COL PRINSLOO**: I believe it was entered during those two days. They entered it in Port Shepstone in the SAP13 there.

**ADV SIKHAKHANE**: So, if we go to the records at Port Shepstone Police Station, we would have found this register?

**LT-COL PRINSLOO**: Yes.

**ADV SIKHAKHANE**: Okay, and it would correspond?

**LT-COL PRINSLOO**: Yes.

20 **ADV SIKHAKHANE**: Okay, thank you.

**ADV BALOYI SC**: Colonel, when you say, in paragraph 71, you describe the involvement of your office, and yet in paragraph 70, you say you instructed Van Den Berg to assist Warrant Officer Mpangase. And then you then say that they sealed the exhibits on the 24<sup>th</sup> in exhibit/evidence

bag. What exactly was Warrant Officer Van Den Berg's involvement in assisting Mpangase? What does it entail?

**LT-COL PRINSLOO**: According to him, he assisted them to type out, to draw up this page, this CJC202.

**ADV BALOYI SC**: Okay.

**LT-COL PRINSLOO**: And he assisted them through the SAP13 clerk in Port Shepstone to get these evidence bags.

**ADV BALOYI SC**: Okay. You said something about labelling the, or completing the, labelling the evidence  
10 bags. Was he involved with that?

**LT-COL PRINSLOO**: He was involved with the sealing of them.

**ADV BALOYI SC**: With the sealing, you say?

**LT-COL PRINSLOO**: Ja. They did the ...[intervenes].

**ADV BALOYI SC**: So, he would know that a bag had 20 bricks, if he was involved with the sealing of a bag, I am assuming because those bags, as the ones that I have seen, at least are transparent, so ...[intervenes].

**LT-COL PRINSLOO**: He was present.

20 **ADV BALOYI SC**: He would know how many because he was present and he saw it.

**LT-COL PRINSLOO**: Commissioner, yes, he was present there.

**ADV BALOYI SC**: Okay. So, he would be the one to tell us that, in fact, there were 541 bricks that were put in the

evidence bags.

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

**ADV BALOYI SC**: Thank you.

**CHAIRPERSON**: But I have just counted these very quickly and I get 568. Can you explain that? You can check my sums. I am probably wrong.

**ADV KHUMALO SC**: I get the same number.

**CHAIRPERSON**: Commissioner Baloyi does not trust my sums. She says I am wrong.

10 **LT-COL PRINSLOO**: 541, I get, Commissioner.

**ADV SIKHAKHANE**: And, Chair, also that is the number I get but ...[intervenes].

**CHAIRPERSON**: I give up.

**ADV KHUMALO SC**: Our 541 stops at 27.

**ADV BALOYI SC**: Yes.

**ADV KHUMALO SC**: And then what follows there is the kit bags, 8, 8, 8, 8. What is that?

**LT-COL PRINSLOO**: Those are the carrier bags that the bricks came in.

20 **ADV KHUMALO SC**: So, it is the carrier bags. So, those numbers 8, 8, 8, 8 is not the bricks?

**LT-COL PRINSLOO**: No, no, those are the bags.

**ADV KHUMALO SC**: Oh, Chair and I counted them as bricks.

**CHAIRPERSON**: Oh, I just looked at the numbers without

looking at what is written on the left. Apologies for that.  
Please continue, Mr Sikhakhane.

**ADV SIKHAKHANE:** Thank you, Chair. Let us then  
proceed to your paragraph 72.

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

“On the 29<sup>th</sup> of July 2021, I met  
Brigadier Naicker at our office at Port  
Shepstone.”

As I said before, he is the SANEB coordinator.

10 That is the South African Narcotics Enforcement Bureau and  
that falls under the DPCI.

“He told me about the Cocaine stored  
at our office. I did tell him that I was  
not comfortable with the exhibits being  
stored at the office as the security was  
not up to standard.”

**ADV SIKHAKHANE:** Just before you go forward to the next  
section, one of the concerns that perhaps we share is what  
you, you are meeting Brigadier Naicker just over a month  
20 since the storage. Were you aware of what was the plan,  
what was the plan with these exhibits?

**LT-COL PRINSLOO:** He did not tell me, so I do not think  
he knew what the plan was with it.

**ADV SIKHAKHANE:** And did you follow up, I think earlier,  
if I am not mistaken, you would have interacted with

Brigadier Nyuswa, he is your direct Commander, would you not have discussed with him what was the plan for these exhibits?

**LT-COL PRINSLOO**: I did not, Commissioner.

**ADV SIKHAKHANE**: Thank you. Can we move to your next section, unless you want to expand?

**LT-COL PRINSLOO**: No.

10 “In terms of the National Instruction and the Protocol, all the exhibits had to be sent to the Forensic Science Laboratory. If Amanzimtoti laboratory was unable to accommodate the exhibits, it was prudent that the exhibits be sent to a laboratory in Pretoria or in the Western Cape. This has been done on other occasions.

20 As I have stated above, the office was not secured. I was particularly vulnerable after hours and on weekends and public holidays. Even after the exhibits were stored at the office, the security did not improve. One would have thought that the Provincial Office would have taken serious steps to ensure the security of

the office.

I had made numerous applications for the security alarm to be improved and linked to armed response. Brigadier Nyuswa was well aware of these applications. The latest application before the exhibits were received was on 13 January 2021, which was sent directly to Brigadier Nyuswa, together with a warning. However, no approval was received. The last application was made on 6 February 2023. At the time I left, there was no approval.”

10

**ADV SIKHAKHANE:** Just to CJC Commissioners, CJC201 is another application that was sent, but it is just to show, as the witness had indicated earlier, that up to date, still, there is no armed response to that office, so it remains vulnerable. And again, as you can see, it does indicate what is required. And at the time it was sent to Colonel ...[indistinct] am I correct?

20

**LT-COL PRINSLOO:** That is correct. He was acting for a short period there.

**ADV SIKHAKHANE:** Okay, thank you. We can move back to your statement.

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

**ADV SIKHAKHANE:** Paragraph 76.

**LT-COL PRINSLOO:** -:

10 “Months passed by with no further communication about what was to happen with the exhibits. In late October 2021, there was an attempted break-in at the office. Someone tried to access the kitchen side of the office. The glass window was shattered by a stone. While there was an attempt to gain entry, the person was unsuccessful.

20 The incident happened during the weekend, when there were severe loadshedding. The alarm would not have been working as a result. After I investigated the incident, I prepared a factual report, which I sent to Brigadier Nyuswa. I had called him to inform him about the incident. He seemed unfazed about it. There was no steps taken by the Provincial Office to enhance security, even when the attempted break-in happened. The attempted break-in should at least have

raised an alarm at the Provincial Office, and Brigadier Nyuswa in particular. Immediate steps to ensure either the removal or the transfer of the exhibits or enhanced security should have been taken.”

**ADV SIKHAKHANE:** Can I just ask, perhaps, do you think that that break-in in October was somehow related to the one in November?

10 **LT-COL PRINSLOO:** It would be very difficult for me to speculate on that one, but I do not think it was related. The way it was done trying to, they broke the window with a rock, and then with the same rock, trying to, it is quite thick bugler bars that we have got there. To try and force that open with that same rock, it was not going to work. So I do not think it was real professional people, but it is just speculation from my side. I do not know, I cannot say.

**ADV BALOYI SC:** Colonel, indeed it would be to speculate, but I would have thought, I would have treated it  
20 as perhaps it is someone testing your responses, and I am surprised that none of the people in the chain got concerned about that. My first instinct, knowing that there is that kind of consignment in there, would have gone to maybe someone was just testing to see how we respond, and therefore I would have, you know, taken steps to act

instead of just sitting back.

**LT-COL PRINSLOO**: Commissioner, that is a possibility.

**ADV BALOYI SC**: Ja. Thank you.

**ADV SIKHAKHANE**: Thank you. Please proceed.

**LT-COL PRINSLOO**: Commissioners,

“On the 4<sup>th</sup> of November 2021, I received a call from Lieutenant Colonel Jacob.”

The one we spoke about earlier, from the Durban  
10 Serious Organized Crime Investigation.

“He informed me that he was appointed as the investigating officer, replacing Warrant Officer Mpangase presumably. He asked me when I will be available, as he needed to come to the office to weigh the exhibits. I told him that I was not available the following week, from the 8<sup>th</sup> to the 12<sup>th</sup> of November 2021, as I was going to a workshop. I  
20 told him that I would be available the week after that.”

**CHAIRPERSON**: I do not think you read the whole of paragraph 77.

**LT-COL PRINSLOO**: Shall I read it again, Commissioner?

**CHAIRPERSON**: I think, if I am not mistaken, Mr

Sikhakhane engaged you as soon as you had referred to the October 2021 attempted break-in and then, there is quite a lot there, even you again reporting the incident. I do not remember that being read into the record. Am I mistaken, Mr Sikhakhane?

**LT-COL PRINSLOO**: No, I did read the complete one.

**CHAIRPERSON**: I give up this afternoon.

**LT-COL PRINSLOO**: I can read it again, Commissioner.  
Can I read it?

10 **CHAIRPERSON**: No, if you read it, no, it is fine.

**ADV SIKHAKHANE**: I think perhaps it is safer to read it all, Commissioner, Chairperson. I think, just to be on the safe side. Please, apologies, would you read it again?

**LT-COL PRINSLOO**: -:

20 “In late October 2021, there was an attempted break-in at the office. Someone tried to access the kitchen side of the office. The glass window was shattered by a stone thrown. While there was an attempt to gain entry, the person was unsuccessful. This incident happened during the weekend when there was severe loadshedding. The alarm would not have been working as a result.

After I investigated the incident, I prepared a factual report, which I sent to Brigadier Nyuswa. I had called him to inform him about the incident. He seemed unfazed. There was no steps taken by the Provincial Office to enhance security even when the attempted break-in happened.

10 The attempted break-in should at least have raised an alarm in the Provincial Office and Brigadier Nyuswa in particular. Immediate steps to ensure either the removal or the transfer of the exhibits or to enhance security should have been taken.”

**ADV SIKHAKHANE:** Thank you.

**CHAIRPERSON:** Thank you.

**ADV SIKHAKHANE:** Thank you. I think we have already gone through paragraph 78. Can we then go to paragraph  
20 79?

**LT-COL PRINSLOO:** 79:

“On the Sunday, the 7<sup>th</sup> of November 2021, I went to the office to pick up some documents which I needed for the Wildlife Trafficking Workshop that

week. I went up the stairs to my office.  
I did not notice anything untoward. I  
parked at the bottom gate entrance and  
went up to my office on the first floor.  
The entrance was secured by a chain  
and lock.”

**ADV SIKHAKHANE:** Can we then, just to contextualise  
things, go back to some of the photos so that we see the  
entrance that you used. If you go to photo 5 and 6, it is  
10 pages 5 and 6 respectively in the annexures, were those the  
steps you utilised?

**LT-COL PRINSLOO:** That is correct, those were the steps,  
Commissioner.

**ADV SIKHAKHANE:** And then, and you parked where, in  
front of that, where did you park?

**LT-COL PRINSLOO:** Exactly where that BMW is standing.

**ADV SIKHAKHANE:** Okay. And then you alighted and  
went through the stairs upstairs?

**LT-COL PRINSLOO:** Up the stairs.

20 **ADV SIKHAKHANE:** Okay. And it would be possible, who  
else is in the top floor, in the first floor?

**LT-COL PRINSLOO:** All the management as well as the  
admin people are on the top floor.

**ADV SIKHAKHANE:** Okay. So any of them can use that  
side step?

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

**ADV SIKHAKHANE**: So if they go up the side step into their offices, they would not know what is happening downstairs, is that your understanding?

**LT-COL PRINSLOO**: You are correct, Commissioner.

**ADV SIKHAKHANE**: Okay. And inside the first floor, in terms of the layout, how do you go down, is it steps?

**LT-COL PRINSLOO**: There are steps leading down from our boardroom to the bottom.

10 **ADV SIKHAKHANE**: And it is an open area?

**LT-COL PRINSLOO**: Yes, it is.

**ADV SIKHAKHANE**: Okay, so you would hear if there is any activity?

**LT-COL PRINSLOO**: You should, ja.

**ADV SIKHAKHANE**: And you would be able to smell anything, being an open area obviously.

**LT-COL PRINSLOO**: It is large, it is big.

**ADV SIKHAKHANE**: Yes, yes.

20 **LT-COL PRINSLOO**: But the possibility is there that you could smell it, ja.

**ADV SIKHAKHANE**: Okay, thank you. All right, let us go back to your statement. So I think you are in that paragraph 79. You would start at “in that weekend”.

**LT-COL PRINSLOO**: -:

“In that weekend, we experienced

heavy loadshedding. As such, even if the alarm had gone off, it would be deactivated by the lack of electricity. I stayed at the office for about an hour, and thereafter I locked up and I left.”

**ADV SIKHAKHANE:** Did you activate the alarm when you left?

**LT-COL PRINSLOO:** Yes, I did.

**ADV SIKHAKHANE:** Okay.

10 **LT-COL PRINSLOO:** -:

“On Monday the 8th of ...”  
[intervenes].

**ADV SIKHAKHANE:** Just before we go, so in terms of activating the alarm, how is it activated exactly?

**LT-COL PRINSLOO:** Each one of us has got a code.

**ADV SIKHAKHANE:** So at each exit, you punch a pin?

**LT-COL PRINSLOO:** At that entrance of ours on top, as well as the bottom one there is a keypad there where you activate or deactivate it when you are done.

20 **ADV SIKHAKHANE:** And there is doors by the driveway, also there is a keypad, I think you said.

**LT-COL PRINSLOO:** There where the BMW is parked, yes.

**ADV SIKHAKHANE:** No, no, no, the, where there was a driveway, where the exhibits ...[intervenes].

**LT-COL PRINSLOO:** Those wooden doors there?

**ADV SIKHAKHANE:** Yes, wooden.

**LT-COL PRINSLOO:** No, no.

**ADV SIKHAKHANE:** There is no keypad.

**LT-COL PRINSLOO:** Because nobody goes in there. It is locked from the inside.

**ADV SIKHAKHANE:** Yes, but in terms of accessing the building itself. So if I use that ...[intervenes].

**LT-COL PRINSLOO:** You cannot. You cannot enter it from the driveway.

10 **ADV SIKHAKHANE:** No, no, if I jump over the gate.

**LT-COL PRINSLOO:** Still, you cannot access that door. You cannot go in there. You must open it from the inside.

**ADV SIKHAKHANE:** No, no, I understand that, but I am saying in terms of the alarm.

**LT-COL PRINSLOO:** No, there is no keypad there.

**ADV SIKHAKHANE:** Yes, so I am saying if I have the right tools, I can access that without the alarm being triggered.

**LT-COL PRINSLOO:** You will trigger it with the sensors that are in the passage there.

20 **ADV SIKHAKHANE:** Yes, no, no, I understand that.

**LT-COL PRINSLOO:** Ja, but you cannot deactivate it there.

**ADV SIKHAKHANE:** That is fine.

**LT-COL PRINSLOO:** Ja.

**ADV SIKHAKHANE:** Okay, so, but I can trigger it. I can, I

will not be able, it is not triggered just by opening the door, even if I am breaking in.

**LT-COL PRINSLOO**: No, it will. It has got sensors. It is got sensors on the door.

**ADV SIKHAKHANE**: Oh, I see.

**LT-COL PRINSLOO**: Ja.

**ADV SIKHAKHANE**: Okay, that is fine. All right, please proceed.

**LT-COL PRINSLOO**: Commissioner.

10                    “On Monday, the 8<sup>th</sup> of November 2021,  
I reported for duty as normal at 06h00  
hours. I am usually the first one at the  
office. I went straight up to my office  
at the first floor using the external  
sidestep. I did not notice anything  
untowards. I also did not smell  
anything. I then started working.”

**ADV SIKHAKHANE**: Sorry, just before you go, you are  
saying that you started working. When were you supposed  
20 to go to the workshop?

**LT-COL PRINSLOO**: I think it was 9:30 that morning.

**ADV SIKHAKHANE**: Oh, it was 9:30, okay.

**LT-COL PRINSLOO**: Ja.

**ADV SIKHAKHANE**: So you go upstairs and you did not  
smell anything.

**LT-COL PRINSLOO**: No.

**ADV SIKHAKHANE**: Okay.

**LT-COL PRINSLOO**: I started working.

**ADV SIKHAKHANE**: Okay, thanks.

**LT-COL PRINSLOO**: -:

10 “It was about 10 to 7, Warrant Officer  
BJ Pienaar phoned me and said we had  
a big problem and I must come down to  
his office. As I was starting to walk  
down the steps, I could smell a  
peculiar scent/smell, which you  
normally have when metal has been  
grinded open with a metal or steel  
grinder.

20 When I got down, I saw that Pienaar's  
office was trashed. I also noticed that  
the safe door was standing halfway  
open and the blue chair which was  
inside the safe was standing outside in  
the passage and that both locks were  
grinded off. The passage was covered  
in dark powdery substance. I walked to  
the safe and saw that all the exhibits  
was taken.”

**ADV SIKHAKHANE**: So you say, and obviously you insist

that you did not smell anything or when you got into the office for those 50 minutes?

**LT-COL PRINSLOO**: No, I did not, Commissioner.

**ADV SIKHAKHANE**: Okay. Okay, please proceed.

**LT-COL PRINSLOO**: -:

10                    “I walked back to Warrant Officer Pienaar's office and saw that entry into his office was gained by forcing open the aluminium window and the complete removal of the burglar bars from the wall and they then forced open his wooden office door. I attach hereto pictures taken on the day showing the exterior and interior of the office. These are marked JPP12.1 to 12.28.”

20                    **ADV SIKHAKHANE**: Thank you, Chairperson, we will just correct the labelling, I think, earlier of these photos, but I do want to go through some of them, but we will, I think we would have adjusted them at some point. If you turn over to these photos starting at page 123.

**LT-COL PRINSLOO**:            Can I go through them, Commissioner?

**ADV SIKHAKHANE**: Yes, you can take us through those photos.

**LT-COL PRINSLOO:** It must be photo 3. It shows the entrance gate to that hardware shop. Photo 4 shows the chain and lock that was cut off. The next two photos, you can also see the one link, it was cut in half. Photo 7 on page 125, shows those concrete pipes, as well as the next photo on 126. And then on ...[intervenes].

**ADV SIKHAKHANE:** On the floor there, are those the, what is that?

**LT-COL PRINSLOO:** Those are the torn open exhibit bags  
10 that those bricks of Cocaine were in.

**ADV SIKHAKHANE:** So they actually took the exhibits out of the bags?

**LT-COL PRINSLOO:** Yes, they did.

**ADV SIKHAKHANE:** So how would that work? It would mean they would take each brick, put it in another container or bag?

**LT-COL PRINSLOO:** They could have taken those same black carrier bags because that was missing as well.

**ADV SIKHAKHANE:** Okay, the kit bags.

20 **LT-COL PRINSLOO:** The kit bags, they were sealed in four exhibit bags.

**ADV SIKHAKHANE:** Yes.

**LT-COL PRINSLOO:** Because they were also gone. It is a possibility that they used the very same bags to put the bricks of Cocaine in. If you look at the photo in 127

...[intervenes].

**ADV SIKHAKHANE:** Sorry, just before, according to your knowledge, did they take, did they remove all the exhibit bags?

**LT-COL PRINSLOO:** From the safe?

**ADV SIKHAKHANE:** No, no, what I am trying to, when they removed the bricks from the bags, from the exhibit bags, was that in respect of all or some of them?

**LT-COL PRINSLOO:** Of all of them, all of them.

10 **ADV SIKHAKHANE:** What could have been just the rationality of that? Why could they not, if they had time, why could they not just take them in the exhibit bags?

**LT-COL PRINSLOO:** I think the possibility is if they are caught or something with that, it can link them back. Nothing else can link them back, but those exhibit bags can link them back quickly.

**ADV SIKHAKHANE:** Obviously, they would have drugs, so ...[intervenes].

20 **LT-COL PRINSLOO:** Ja, obviously, the drugs as well, but I mean to say exactly where it comes from.

**ADV SIKHAKHANE:** I see, okay.

**LT-COL PRINSLOO:** If you look at 127, some of those bags, they have pushed it into those concrete pipes, the empty bags. Same as in 128. Same as in 129. If I can just take you back, Commissioner, to 127, there you can see

what the fence looks like between our office and that hardware shop, very easy for them to get over that. And the window is just there on the left.

**ADV KHUMALO SC:** So the kit bags were also in their own exhibit bags?

**LT-COL PRINSLOO:** Yes, sir.

**ADV KHUMALO SC:** Okay.

**LT-COL PRINSLOO:** If you look at photo 16 on page 130, Commissioner, there you can see where they broke the window open and you can see the part of the blind hanging outside there, and you can see that burglar bars is gone in front of that window.

**ADV BALOYI SC:** The burglar bars, is it the normal residential burglar bar, or you, for your police stations and other areas, you use special reinforced steel bars?

**LT-COL PRINSLOO:** They are custom-made. They are much stronger, Commissioner.

**ADV BALOYI SC:** Okay, so they are not the usual residential ...[intervenes].

20 **LT-COL PRINSLOO:** Not the usual thin ones. These are much, much thicker.

**ADV SIKHAKHANE:** So I would take it, if you were to use a grinder, it is not a grinder that it, no, that is a normal grinder. It would be some heavy grinder.

**LT-COL PRINSLOO:** Not that thick. You cut that with a

normal grinder ...[intervenes].

**ADV SIKHAKHANE:** With a normal grinder still?

**LT-COL PRINSLOO:** Ja.

**ADV SIKHAKHANE:** Okay. All right.

**LT-COL PRINSLOO:** But if you have a look at, on page 131, there you can see they did not completely, because it is one big burglar bar that covers all five of those windows, two small ones on either side and the big one in the middle, they have just, two sides, they got it out of the wall and  
10 then they just bent it in so they could get through.

**ADV BALOYI SC:** And before this, no one had identified, that is now even long before this consignment. I am looking at the picture at photo 16, for example, where you have got that wall and you have got the barbed wire and then you have got the window. I do not have a sense of the distance between the wall and the window, but no one had identified this proximity, this wall, as a risk factor for the DPCI office, because, I mean, if someone, it looks like someone could easily scale over that fence. If they cut the fence, they  
20 could easily scale over the wall and there they have access to your yard and they have access to that window. That has never been identified as a risk?

**LT-COL PRINSLOO:** I think that Colonel, Lieutenant Colonel, from CI that gave that report, I think he did indicate it in there, because this is the second time they

broke into Warrant Officer BJ Pienaar's office, same, exactly the same window that they broke in previously. The distance, Commissioner, from that wall where you see the barbed wire on, and the windowsill of our office is less than a metre. So if you are standing on the wall by the barbed wire, one step and you are on the window of our office.

**ADV KHUMALO SC:** Is it the one in 127, just before photo 10, is that the distance?

**LT-COL PRINSLOO:** No, not in 127. You can see it better  
10 on 130, that one, Commissioner, or on page 18, on page 131, there you see it the best.

**ADV BALOYI SC:** And there had never been a discussion, at least that you are aware of, about fixing this, what looks like an obvious risk, for example, either bricking up the window or making the wall higher? There has never been that kind of discussion about what can we do to reduce this risk?

**LT-COL PRINSLOO:** When we had those different security  
20 companies there, we were going to rectify that with beams. It was part of their ...[intervenes].

**ADV BALOYI SC:** Of the plan.

**LT-COL PRINSLOO:** Of the plan, yes, ma'am.

**ADV BALOYI SC:** Thank you.

**ADV SIKHAKHANE:** Can you go to page 136.

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

**ADV SIKHAKHANE:** Sorry, that is the, I am just saying continue with the explanation.

**LT-COL PRINSLOO:** There you can see that they, these aluminium windows are not very strong. If you push a screwdriver or something in there, their hinges are just pop-riveted onto the frame. So it is very easy, you just put a strong screwdriver in there and you pop them out, and this is what happened here. So they took the whole window frame off there.

10 **ADV SIKHAKHANE:** So if you use a grinder, for example, for these burglar bars, it would make a lot of noise, is it not?

**LT-COL PRINSLOO:** On the outside, ja.

**ADV SIKHAKHANE:** Okay.

**LT-COL PRINSLOO:** It will be much quieter on the inside for them, then you will not hear it so easily on the outside.

**ADV SIKHAKHANE:** So, and obviously, it must have been, well, it would have been over a weekend, no one would hear anything.

20 **LT-COL PRINSLOO:** No.

**ADV SIKHAKHANE:** And particularly on this day, no one – did any, you had come earlier on, on the Sunday, that is.

**LT-COL PRINSLOO:** Ja, ja.

**ADV SIKHAKHANE:** And you would not have noticed this. So perhaps maybe let me phrase this differently.

**LT-COL PRINSLOO:** The possibility is there that I would not have noticed it.

**ADV SIKHAKHANE:** So if on the Monday, Warrant Officer Pienaar had not brought this to your attention, you would have, if he was absent for one reason or another, you would have prepared for your workshop, half past 9 you leave. You would not know.

**LT-COL PRINSLOO:** No, we have got parade. Every morning, half past 7, we have got parade with all the  
10 members.

**ADV SIKHAKHANE:** Okay, so you would only discovered at that time.

**LT-COL PRINSLOO:** Even before that, because there is other offices there, close by there as well.

**ADV SIKHAKHANE:** Okay. And when you, on the Sunday that you were there, you, would you have been able to discover this?

**LT-COL PRINSLOO:** There is a possibility that I would not have. I did not go into the bottom of the office. I did not.

20 **ADV SIKHAKHANE:** So it could have been that this happened on the 6<sup>th</sup>, on the Saturday.

**LT-COL PRINSLOO:** It could have been.

**ADV SIKHAKHANE:** Or the Friday.

**LT-COL PRINSLOO:** I do not think the Friday. Captain Jezza was there on the Saturday. He had to prepare for a

High Court case.

**ADV SIKHAKHANE**: Okay.

**LT-COL PRINSLOO**: So he was there basically the whole Saturday.

**ADV SIKHAKHANE**: Okay. So on Saturday, at some point, it could have been the case after he had left.

**LT-COL PRINSLOO**: There is a possibility, Commissioner.

**ADV SIKHAKHANE**: Or the Sunday.

**LT-COL PRINSLOO**: There is a possibility.

10 **ADV SIKHAKHANE**: Then we turn to page 137.

**LT-COL PRINSLOO**: That is just the condition that Warrant Officer Pienaar's office was in. Same as 138.

**ADV SIKHAKHANE**: At this point, who was at the office, was it just the two of you, at 10 to 7, that is?

**LT-COL PRINSLOO**: He was the first one that saw it.

**ADV SIKHAKHANE**: Yes.

**LT-COL PRINSLOO**: And you could smell it clearly at the bottom. So I do not think the other members were there yet. I think it was only himself and myself that was there.

20 **ADV SIKHAKHANE**: What does he say? He says, we have got a big problem.

**LT-COL PRINSLOO**: Ja.

**ADV SIKHAKHANE**: And what is that problem, what does he say?

**LT-COL PRINSLOO**: No, I did not ask him. I went down

immediately.

**ADV SIKHAKHANE:** Yes, and then what did you say to him?

**LT-COL PRINSLOO:** I told him, you are right, this is a big problem.

**ADV SIKHAKHANE:** Did you tell him that there were drugs?

**LT-COL PRINSLOO:** At that stage, I did not, did not tell him yet. It was only after I reported it to Brigadier Nyuswa,  
10 and he said I must get all the relevant role-players out when, when they arrived there, they asked me what was stolen.

**ADV SIKHAKHANE:** No, no, we will get to that.

**LT-COL PRINSLOO:** Ja.

**ADV SIKHAKHANE:** But I am just trying to get at this time that he says there is a big problem, he does not know what was stored in the safe.

**LT-COL PRINSLOO:** No, he did not.

**ADV SIKHAKHANE:** The version that, I will just confirm, I  
20 think Major General Senona said Warrant Officer Pienaar was aware, but I will just double-check that, but according to you, he was not aware and he did not seem to be as so shocked that drugs were taken.

**ADV BALOYI SC:** [Indistinct]... [microphone off] said something about Brigadier Pienaar and I did not understand

...[intervenes].

**ADV SIKHAKHANE:** So, it, they gained the entrance through his office.

**ADV BALOYI SC:** Yes.

**ADV SIKHAKHANE:** And then he would have noticed the break-in of the safe.

**ADV BALOYI SC:** Oh, I see.

**ADV SIKHAKHANE:** So, ordinarily, if he is not aware of what is in the safe, inasmuch as it is a problem, according  
10 to him, it may well have been firearms in the safe or water, I do not know what could have been, and I do not know what the explanation that Colonel Prinsloo would have given to other members when the firearms were moved to the other safe. So I do not know what they said was in that safe, but he would have, ordinarily, he would not know exactly what was taken. That is the point I am trying to get to.

**LT-COL PRINSLOO:** Warrant Officer Pienaar would have thought that the firearms was in there.

**ADV SIKHAKHANE:** Oh, so he thought it would have been  
20 the firearms.

**LT-COL PRINSLOO:** Because the firearms stay in that safe.

**ADV SIKHAKHANE:** Okay. All right, please continue.

**LT-COL PRINSLOO:** If you look at page 139, it is also still his office. 140, you cannot see so clearly. That is where

the door stands open where you can see that the locks were cut off and that that blue chair is standing outside.

**ADV SIKHAKHANE**: Ja, so, I just wanted to confirm that. Major General Senona's testimony was that at the, on the 22<sup>nd</sup> he says, his testimony was that Warrant Officer Pienaar was there. You would disagree with him?

**LT-COL PRINSLOO**: I was not there, Commissioner, so I will not know.

**ADV SIKHAKHANE**: No, no, when the exhibits came.

10 **LT-COL PRINSLOO**: No, Pienaar was not there when the exhibits came.

**ADV SIKHAKHANE**: Okay, so, he is wrong in that.

**LT-COL PRINSLOO**: Ja.

**ADV SIKHAKHANE**: Okay, that is fine. Please proceed.

**LT-COL PRINSLOO**: That photo is not very clear on page 140. If we go to 141, that is some of the footprints, shoe prints that are in that, that can be seen in that black dust of the grinding. Same as 142. 143, you can see clearly how the two locks were cut there on the door.

20 **ADV BALOYI SC**: Is this now the outside of the door at page 143?

**LT-COL PRINSLOO**: That is the outside of the door, Commissioner.

**ADV BALOYI SC**: Okay.

**LT-COL PRINSLOO**: You can see the two locks that they

have cut out, you can see them lying there where it says B1 and B2. Same as page 144. 145, you can see the two locks and that blue chair that I mentioned standing outside. On 146 you can see the inside of the lock that would have been on the inside of the door. 147, you can see that in that black case that is standing there that was also in the safe, it is a big spotlight that we, a portable spotlight that we use on crime scenes at night. That was also in there. They never touched that. 148 just shows you the floor  
10 space where the drugs was. It shows you those smaller safes used to house the firearms. Those were not touched. And 149 just shows paperwork and stuff that is still left in that safe.

**ADV SIKHAKHANE:** Can I just ask, so in that safe, so only, they knew or they targeted only Room 22?

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

**ADV SIKHAKHANE:** And am I understanding that there were no firearms or any of, any exhibit in that room?

**LT-COL PRINSLOO:** Nothing. Nothing.

20 **ADV SIKHAKHANE:** Okay, so it was only these items, paper and all of this only.

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

**ADV SIKHAKHANE:** Okay. And they did not touch Room 24?

**LT-COL PRINSLOO:** No, not at all.

**ADV SIKHAKHANE:** So they knew what they were coming for?

**LT-COL PRINSLOO:** They knew what they were coming for and they knew exactly where it was, yes, Commissioner.

**ADV SIKHAKHANE:** Okay. All right, thank you. In your assessment at the time when you come down, when you come from upstairs from your office and having seen all of this, what is your assessment? Did it seem, obviously, did it seem to you to have been a targeted attack or  
10 ...[intervenes].

**LT-COL PRINSLOO:** Definitely, Commissioner. Definitely. And whoever cut those locks knew exactly what they were doing, because on the inside of that door there is special mechanisms. If you do not know exactly where to cut it, it is not going to, you will not be able to open the door, because there are security stuff built into the door that will stop it from opening, although you have cut the locks out. And they knew exactly how to still open it.

**ADV SIKHAKHANE:** And would you speculate so far as  
20 that someone either from your office, alternatively one of the members that came on the 23<sup>rd</sup> and 24<sup>th</sup> and between those days could be involved? Would you go to that extent of speculation? Or someone that had, that understood how that safe works.

**LT-COL PRINSLOO:** Commissioner, or somebody that was

there when the stuff was delivered. It is the possibilities that you are mentioning as well as the members that brought the stuff there that knew exactly into which safe it went into.

**ADV SIKHAKHANE:** But would they also know the inside of the of the offices?

**LT-COL PRINSLOO:** Some of them, ja.

**ADV SIKHAKHANE:** I think we had gone to a point where we said there was no inspection of the offices, so, and you  
10 formed a human chain and, ja.

**LT-COL PRINSLOO:** Ja, but from where we entered with the drugs, they would have known in which safe it is going into. That they would have known.

**ADV SIKHAKHANE:** Yes, I am talking about you mentioning they would have known which section of the safe to target.

**LT-COL PRINSLOO:** Which safe, which of the two safes to target, yes, Commissioner.

**ADV SIKHAKHANE:** Okay.

20 **LT-COL PRINSLOO:** If you look at, Commissioner, if you were there, Warrant Officer Pienaar's, when they were there on those two dates, Warrant Officer Mpangase when Warrant Officer Van den Berg assisted them there, Warrant Officer Pienaar's was locked. It was closed. So for a person like that then can think, oh that is the last office in

that passage, and they broke into the last office, ag, the last window, meanwhile it is not. Do you understand what I am trying to say Commissioner?

**ADV SIKHAKHANE:** Please explain again.

**LT-COL PRINSLOO:** So it is somebody that was there.

**ADV SIKHAKHANE:** Yes, on the 22<sup>nd</sup>.

**LT-COL PRINSLOO:** On one of those two days, or on the date they brought it, that by mistake they broke into the last window of, that they thought was the last window in the  
10 passage to get entry into the passage, meanwhile they broke into Pienaar's office.

**ADV SIKHAKHANE:** Oh I see.

**LT-COL PRINSLOO:** So it is somebody that mistaken himself there, that was there. The door was locked, so he thought it was the last window, meanwhile it was not.

**ADV SIKHAKHANE:** And obviously it is a huge consignment.

**LT-COL PRINSLOO:** It is.

**ADV SIKHAKHANE:** That was brought in three  
20 ...[indistinct].

**LT-COL PRINSLOO:** One or two people would not have been able to. A couple, there must have been a couple of people there.

**ADV SIKHAKHANE:** I think you said around 20 of you were there.

**LT-COL PRINSLOO:** Ja, say the criminals that came to remove it, one or two would not have done that.

**ADV SIKHAKHANE:** Yes, no, no, I am just trying to highlight that when they came ...[intervenes].

**LT-COL PRINSLOO:** Yes.

**ADV SIKHAKHANE:** The human chain was you said roughly 20 people.

**LT-COL PRINSLOO:** That is correct Commissioner.

**ADV SIKHAKHANE:** So they would have needed some at  
10 least a quarter or half of that number.

**LT-COL PRINSLOO:** That is correct Commissioner.

**ADV SIKHAKHANE:** All right, and they would have known the, they would not have come for a small consignment.

**LT-COL PRINSLOO:** Exactly.

**ADV SIKHAKHANE:** Okay. All right, please proceed, paragraph 83.

**LT-COL PRINSLOO:** -:

20 “We cordoned off the scene as it was now an active crime scene. I immediately called Brigadier Nyuswa to inform him about the burglary. He seemed shocked. He said he was coming, he was on his way. As it was now a crime scene, we called the Port Shepstone Local Criminal Records

Centre, Port Shepstone Visible Policing and the Detectives. They came to the scene and enquired as to what was stolen. Before I could tell them, I called Brigadier Nyuswa again to ask him permission to disclose what was stolen. I did this because of them previously telling me not to tell anybody about the exhibits. Brigadier Nyuswa said that we must disclose everything. I then informed LCRC and Vispol that it was 541 kilograms of Cocaine valued at over 200 million that was stolen. They then started to process the scene.”

**ADV SIKHAKHANE:** Can I just ask two questions from there. Where was, is it Warrant Officer Van Der Berg?

**LT-COL PRINSLOO:** Yes, in the meantime he has also arrived at work.

20 **ADV SIKHAKHANE:** Oh, he had arrived now?

**LT-COL PRINSLOO:** Ja.

**ADV SIKHAKHANE:** Okay, and obviously, then you say there is 541 kilograms, and would you have known that because of CJC202, or you would have relied on what you were told when they brought the exhibits?

**LT-COL PRINSLOO:** I knew. After Warrant Officer Van Den Berg was involved there, I knew how much, how many bricks there were.

**ADV SIKHAKHANE:** So you were certain what was stolen?

**LT-COL PRINSLOO:** Yes.

**ADV SIKHAKHANE:** Okay.

**LT-COL PRINSLOO:** Ja.

**ADV SIKHAKHANE:** Okay, please proceed.

**LT-COL PRINSLOO:** -:

10                    “The Local Criminal Records Centre's main responsibility is crime scene management and to take pictures of the scene for the purpose of forensics analysis in terms of the National Instruction. The LCRC that is responsible for any scene is the one in whose jurisdiction the crime occurred.”

**ADV SIKHAKHANE:** So just to be clear, the crime would have occurred in Port Shepstone?

20 **LT-COL PRINSLOO:** Yes.

**ADV SIKHAKHANE:** And the relevant LCRC would have been the Port Shepstone one?

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

**ADV SIKHAKHANE:** All right. And would they have the capacity to process the scene?

**LT-COL PRINSLOO**: Yes, they do have the capacity.

**ADV SIKHAKHANE**: Okay, please proceed.

**LT-COL PRINSLOO**: -:

“Brigadier Nyuswa then arrived at the scene. Major General Senona also later arrived. Brigadier Nyuswa then called a special team from Durban LCRC. He did not say why he called the Durban LCRC, especially because Port Shepstone LCRC had already started processing the scene.”

10 **ADV SIKHAKHANE**: And did the Port Shepstone LCRC stop with the work or they worked together with the Durban team?

**LT-COL PRINSLOO**: No, they stopped.

**ADV SIKHAKHANE**: And what happened, they just stopped and left or they stopped and watched?

**LT-COL PRINSLOO**: Stopped and watched when these people arrived from Durban.

**ADV SIKHAKHANE**: Okay, was it explained why there was a special team from Durban?

20 **LT-COL PRINSLOO**: Brigadier Nyuswa did not specifically tell me. He just wanted that team from Durban to come and assist.

**ADV SIKHAKHANE**: Okay, that is fine. Proceed.

**ADV BALOYI SC**: [Indistinct]... so, but then would there be a record from LCRC Port Shepstone? I mean, they did

come to the scene.

**LT-COL PRINSLOO**: Yes.

**ADV BALOYI SC**: They did deploy to the scene.

**LT-COL PRINSLOO**: Yes, there would be a record from them.

**ADV BALOYI SC**: There will be a record of what they did up to which point, and then there will also be a Durban report.

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

10 **ADV BALOYI SC**: Thank you.

**LT-COL PRINSLOO**: Although we never saw it.

**ADV BALOYI SC**: Yes, but ordinarily, in the way things work, the Durban LCRC should also have its own report.

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

**ADV BALOYI SC**: Thank you.

**ADV SIKHAKHANE**: Just to follow up on that, what you have stated. You say you have never seen the Durban record?

**LT-COL PRINSLOO**: No, it was never supplied to us.

20 **ADV SIKHAKHANE**: Okay.

**LT-COL PRINSLOO**: It was supplied directly to the investigating team from Pretoria, here from Pretoria.

**ADV SIKHAKHANE**: Okay. Please ...[intervenes].

**ADV BALOYI SC**: Ordinarily, what would have happened? I mean, the crime scene is on your property. Would you

ordinarily get a crime scene report, because it is your location that was affected, and it is goods that were under your roof. They may not belong to you. You lodged the report. You are the one that called Port Shepstone Police to report, and you called LCRC. So ordinarily, how does it work? Who does the report go to?

**LT-COL PRINSLOO**: Commissioner, it goes to the investigating officer, Brigadier Sibiya. He was in charge of the scene. He is the UGU District Detective Commander.

10 He came out to the scene. He appointed Sergeant Jones from his office. He was going to be the investigating officer. He then started with his work. Later, it was communicated to us that the team from Pretoria will be investigating the case, not us office, our office, or the local Detectives would be involved in that.

**ADV BALOYI SC**: So the short answer is those reports do not come to you, the LCRC report. They go to the investigating officer.

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

20 **ADV BALOYI SC**: Thank you.

**ADV SIKHAKHANE**: Please proceed.

**LT-COL PRINSLOO**: -:

“Brigadier Sibiya was in charge of the scene. He later appointed Sergeant Jones to be in charge of the scene and

the investigating officer. The break-in was widely reported, and it seems it was appreciated that the office was not suitable. I attach hereto one of the newspaper articles, marked JJP13.”

**ADV SIKHAKHANE:** Thank you. For the record. JJP13 appears at page 151 of the annexures. That is just a newspaper report highlighting some commentary from an expert about the security of the place. That is as far as we  
10 can take it. Please go to your paragraph 87.

**LT-COL PRINSLOO:** -:

“The case was opened at the Port Shepstone Police Station with case number Port Shepstone CAS 129/11/2021. I was not involved with this investigation. On the 9<sup>th</sup> of November ...”

No. Commissioner, my affidavit says the 9<sup>th</sup> of November, but I subsequently retrieved my diary of that  
20 specific week, and it was, it is supposed to be on the 11<sup>th</sup> of November.

“I was summoned to Major General Senona's office in Durban. I went to the office, and there was Major General Senona, Lieutenant General Mosikili,

as well as Brigadier Nyuswa and Brigadier Naicker. I was interviewed about the break-in. It lasted about 90 minutes. It could have been a bit longer. Lieutenant General Mosikili conducted that interview, and I answered questions. The other officers also asked me questions. I did tell Lieutenant General Mosikili that the  
10 alarm was not serviced, and was not linked to a security company. She was very shocked and made notes. Subsequently, there were follow-up internal investigations.

All the members at my office were called for polygraph testing. We all underwent the test. All the members were subjected to a three-hour test. My test was for six hours. I was  
20 treated as a suspect, but I did pass my test nonetheless.”

**CHAIRPERSON:** Are you aware that polygraph tests were conducted in respect of all the people who were involved in the delivery of the Cocaine, delivery at Port Shepstone?

**LT-COL PRINSLOO:** Commissioner, that was never

communicated to us. It only communicated to me. I got a letter with everybody from Port Shepstone's names on there, and the dates they must be there for the polygraph testing. So the rest of the officers, I do not know.

**ADV KHUMALO SC:** How soon after the theft did this polygraph test, sorry, were the tests conducted?

**LT-COL PRINSLOO:** It was done over a period of two weeks, because they only did three people ...[intervenes].

**ADV KHUMALO SC:** But was it in December, because the  
10 theft happened in the first weekend of November. And then when was the polygraph test conducted?

**LT-COL PRINSLOO:** I would say it was, it was before December ...[intervenes].

**ADV KHUMALO SC:** [Indistinct]... [cross-talking]  
December the same year.

**LT-COL PRINSLOO:** I think it was within two weeks.

**ADV KHUMALO SC:** Okay.

**LT-COL PRINSLOO:** Commissioner.

20 “The exhibits were never recovered. I have been interviewed several times in relation to the matter. I do not know the status or the progress of this investigation.”

**ADV SIKHAKHANE:** Thank you. Just as a way forward on some of the issues that I would like to understand, just two.

Do you think, I may have asked this, do you think all of you, in particular your superiors, acted in line with the applicable regulatory framework, that is the National Instruction and the Protocol?

**LT-COL PRINSLOO**: Sorry, I missed the question.

**ADV SIKHAKHANE**: I am saying, do you think, is it your view, I would understand that were your superiors, did they act in line with the National Instruction and Protocol?

**LT-COL PRINSLOO**: No, definitely not.

10 **ADV SIKHAKHANE**: Definitely not, okay. No, that is fine. I think that is all on my side.

**ADV BALOYI SC**: In paragraph 70 of the statement where you say, Warrant Officer Mpangase needed to come to the office to take samples of the exhibits, do you know whether anything was taken away by him on that day, by Mpangase, how many, or how much, what exactly was taken, to where, and was it returned, and when?

**LT-COL PRINSLOO**: I was later told by Warrant Officer Van Den Berg no samples were taken.

20 **ADV BALOYI SC**: None were taken?

**LT-COL PRINSLOO**: No.

**ADV BALOYI SC**: But Mpangase did come, did arrive on the 23<sup>rd</sup> of June?

**LT-COL PRINSLOO**: On two occasions, yes.

**ADV BALOYI SC**: Yes, and did not take any samples?

**LT-COL PRINSLOO**: Not that we are aware of, no.

**ADV BALOYI SC**: Okay. And then at 71, you say there was no register, that is the very last sentence where you are describing when they arrived you gave them access, keys to the safe, you opened the gate, and then you say there was also no register that was completed. Can you just explain this register?

**LT-COL PRINSLOO**: Warrant Officer Van Berg made an OB entry for each time that they came, exact time they came, exact time they left. But as such, like a visiting register there, no we do not have that, but he made an OB entry every time they came.

**ADV BALOYI SC**: Okay. So when you say there was no register that was completed, it is not as if there was a register to complete.

**LT-COL PRINSLOO**: No.

**ADV BALOYI SC**: You are just saying there is no document that was done.

**LT-COL PRINSLOO**: Yes, that is correct, Commissioner.

20 **ADV BALOYI SC**: Does that mean therefore that you do not, Port Shepstone office does not have a record, or never had a record of the officers who came that day to deliver the Cocaine? You do not have a list of names?

**LT-COL PRINSLOO**: No. No.

**ADV BALOYI SC**: Okay. And then in paragraph 72, you

speak about Brigadier Naicker of SANEB. How would he have known that the drugs are kept at Port Shepstone? Was he present when the drugs were delivered to you?

**LT-COL PRINSLOO**: No.

**ADV BALOYI SC**: He was not?

**LT-COL PRINSLOO**: No.

**ADV BALOYI SC**: How would he have known then?

**LT-COL PRINSLOO**: I presume he was informed, because all seizures of drugs gets reported through his office.

10 **ADV BALOYI SC**: That is a seizure. We are talking storage, so I am asking about the storage. How and why would he have known where they are?

**LT-COL PRINSLOO**: I really cannot, I cannot tell you who informed him, that I do not know Commissioner.

**ADV BALOYI SC**: Ordinarily, whatever his position, you say he is the SANEB coordinator.

**LT-COL PRINSLOO**: For South Africa.

**ADV BALOYI SC**: For South Africa. What does that mean? Do you know what that position means?

20 **LT-COL PRINSLOO**: All drug-related matters goes through his office.

**ADV BALOYI SC**: Okay, and would that include that now the drugs are at FSL, that kind of detail?

**LT-COL PRINSLOO**: Yes, he would have that.

**ADV BALOYI SC**: He would know that?

**LT-COL PRINSLOO**: He would know that.

**ADV BALOYI SC**: And so he would know where they are stored?

**LT-COL PRINSLOO**: Yes.

**ADV BALOYI SC**: If they had been left at Isipingo, he would know?

**LT-COL PRINSLOO**: Yes.

**ADV BALOYI SC**: So you are not surprised, you are not making anything of the fact that he knew that the drugs are  
10 at Port Shepstone?

**LT-COL PRINSLOO**: No, I do not.

**ADV BALOYI SC**: Okay. And then further on, at 78, you say you received a call on the 4<sup>th</sup> of November. This is a few days before the theft, or the break-in. You received a call from Colonel Jacob, and then he said now he is the investigating officer. You had been told and you had been dealing with Mpangase as the investigating officer. How does it work that a police officer calls you? There is no formal communication from Nyuswa to you. You had not  
20 received any instructions. Mpangase was introduced in Nyuswa's presence that he is the investigating officer. How does it come about that Colonel Jacob can just pick up the phone and call you and say, now I am the investigating officer, without you hearing from your superior?

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

Commissioner, that was originally why I put it in my statement, the first statement that I conducted int his, for this theft. I also found that odd that Brigadier Nyuswa did not inform me of this, and that it happened a couple days before this break-in. That is why it was mentioned in my statement. I would have thought that Brigadier Nyuswa would have phoned me and said, there is a new investigating officer appointed now. It is Lieutenant Colonel so-and-so. He will contact you. Please allow him entry and  
10 assisting.

**ADV BALOYI SC:** And even after the 4<sup>th</sup> of November, he never spoke to you about this new investigating officer? He never said anything to you?

**LT-COL PRINSLOO:** No, he did not.

**ADV BALOYI SC:** Okay. Thank you. Thank you, Colonel.

**CHAIRPERSON:** If I were to draw up a list of suspects as to who stole this Cocaine, members of the DPCI would be number one on my list. Do you want to comment on that?

**LT-COL PRINSLOO:** Commissioner, not only members  
20 ...[intervenes].

**CHAIRPERSON:** Of course, that is – no, no, no, I am, just answer that part of it. I am actually going to go where I think you want to go. But number one for me would be members of the DPCI.

**LT-COL PRINSLOO:** I would agree with you, Commissioner.

**CHAIRPERSON**: And then I do not discount the possibility that other people outside of the DPCI, possibly even outside of SAPS, could have been informed by the DPCI or SAPS that the Cocaine was stored in Port Shepstone. So there is that wide, amorphous group of suspects as well, but number one is DPCI.

**LT-COL PRINSLOO**: Commissioner, I agree with you. But as well as those members, they are not all DPCI members that assisted to bring the Cocaine there to my office.

10 **CHAIRPERSON**: Oh, I assumed that those were DPCI as well.

**LT-COL PRINSLOO**: No, it is a task team.

**CHAIRPERSON**: Oh, some not.

**LT-COL PRINSLOO**: Ja.

**CHAIRPERSON**: Oh, all right, all right. But in any event, in the event that they were outside, those outside would still have been, even if the theft was committed by outsiders, those outsiders would still have received information from the law enforcement officers you have just referred to. So  
20 those law enforcement officers, including DPCI, would still have been complicit.

**LT-COL PRINSLOO**: I agree with you, Commissioner.

**CHAIRPERSON**: Thank you.

**ADV BALOYI SC**: Something else. You said in paragraph 50, you say that the team of people that came included the

tracing team, which is composed of TRT members and DPCI members, and then their Commander is Dina Govender. Do you remember that? Ordinarily, and you say this team is ordinarily involved or was formed to deal with cash-in-transit cases. Now, ordinarily, how would drugs, who would accompany the transport of drugs? What is unusual about this cash-in-transit team or the TRT members being with DPCI members to transport this consignment?

**LT-COL PRINSLOO:** The possibility is there,  
10 Commissioner, that they just assisted Warrant Officer Mpangase for manpower to bring the drugs there to Port Shepstone, because they are obviously well armed.

**ADV BALOYI SC:** Ja. Ordinarily, do the TRT ordinarily provide support for the transit of drugs that have been seized, such as this?

**LT-COL PRINSLOO:** They do. When we had that large amount of Mandrax, it was the TRT from Port Shepstone that assisted us to take the stuff to Pretoria.

**ADV BALOYI SC:** Okay. So the fact itself that there was  
20 TRT as part of this team in itself, it does not necessarily, you are not mentioning it to indicate something odd or unusual about who came?

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

**ADV BALOYI SC:** You were not doing that?

**LT-COL PRINSLOO:** No.

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

**ADV SIKHAKHANE:** Can I just follow up on that. Apologies, Commissioner. The kombis, just to be clear, were they SAPS marked vehicles or they were unmarked?

**LT-COL PRINSLOO:** Commissioner, you have got me now. I think some were marked, some were unmarked. Ja, because TRT used marked vehicles, but there were some of them that were unmarked as well.

**ADV SIKHAKHANE:** I am talking about the kombis.

10 **LT-COL PRINSLOO:** Some of them were unmarked, but I can recall one, at least one was marked.

**ADV SIKHAKHANE:** Okay. All right, thanks.

**ADV BALOYI SC:** Colonel, lastly, you have heard me earlier expressing the concern that something is horribly going wrong here, but because of the command structure, you do not have the ability, you consider yourself not to have the ability to raise matters of concern. If you were invited to make suggestions that would empower officers to speak up in situations like this, because for me, an ordinary  
20 member of the public who is not in the Police Force, I do not understand what happened here, and that someone of your seniority who is left, in whose custody these drugs are left, yes, the key is with somebody else, but it is your office, I know I would have been concerned that if there is a break-in, they will look at me and say I am a suspect, which you

say is what they did to you. So I would have been much more interested, I think, to get security and other things in place.

So that is where my question comes from, that if you were to be invited to make suggestions about what should be considered to be done to ease things up so that when there are concerns like this, which are real concerns, and we know this from the consequence, if nothing else, to empower police officers or enable police officers to take up  
10 these matters, matters should not have to die at Brigadier Nyuswa, because for some reason he is not interested in making sure that there is security. It should not end up with Brigadier Nyuswa that the drugs are kept at a place that is wholly inappropriate by any definition, and they should not have been there, but that you should have been able, you should have been empowered to raise, to escalate the matter, what would you suggest, if anything?

**LT-COL PRINSLOO:** If I would be invited, you mean out of this Commission?

20 **ADV BALOYI SC:** In this Commission. If we said to you, make suggestions to us what improvements you think or changes should be in order to mitigate situations like this.

**LT-COL PRINSLOO:** I will do that, Commissioner.

**ADV BALOYI SC:** Do you have any thoughts immediately, or you want to give it some thought?

**LT-COL PRINSLOO:** Not now. I must give it some thought, Commissioner.

**ADV BALOYI SC:** Okay. All right, thank you. Thank you, Mr Sikhakhane.

**CHAIRPERSON:** Thank you very much, Colonel. You are excused. Do we resume at 9:30 tomorrow?

**ADV SIKHAKHANE:** I presume so. I know there is an issue about an application, but I should presume it should start 9:30 tomorrow in any event.

10 **CHAIRPERSON:** Let us adjourn and resume then. Thank you.

**INQUIRY POSTPONED TO 8 MAY 2026**

**INQUIRY ADJOURNS**

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