

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

**WITNESS STATEMENT OF
NHLANHLA SIBUSISO MKHWANAZI**

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INTRODUCTION

- 1 I am an adult male, a Lieutenant-General in the South African Police Service (“**SAPS**”). I am the Provincial Commissioner: Kwa-Zulu Natal since 1 April 2021 (“**PC**”). My appointment is in terms of section 7(1) of the South African Police Service Act 68 of 1995 (“the SAPS Act”) and for a period of 5 years ending on 31 March 2026. I obtained the rank of Lieutenant-General in 2011.
- 2 My appointment letter is marked and attached as “**MK1**”.
- 3 The facts set out in this statement are:
 - 3.1 Within my personal knowledge unless otherwise stated or indicated by the context; *alternatively*
 - 3.2 Obtained through reports made to me in the course of my duties by the various functionaries within the SAPS; *further alternatively*
 - 3.3 Gleaned from records under my control or to which I have authorised access.
- 4 To the extent possible or feasible I will attach any documents I rely on in substantiation of the averments I make.

- 5 I make this statement at the invitation of this Commission, established following certain allegations I made publicly on 6 July 2025 regarding criminality, political interference and corruption in the criminal justice system.
- 6 It is important to remind the Commission and the general public at this juncture that the main function of the police service is to investigate. In the course of investigations and analysis of information and evidence, patterns are established to which further and more detailed investigations may be warranted. To the extent that these patterns establish a potential threat to the independence and the proper functioning of the justice system these are flagged and pursued where required. In the result, a number of allegations I advance are premised on, and intended to draw attention to, established and developing pattern/s which enjoin us all to urgently act in order to effectively respond to the threats I have alluded to above.

OVERVIEW

- 7 On 6 July 2025 I made an address at a police media briefing regarding criminality, political interference and corruption in the criminal justice system that the police have been confronted with in the immediate past. For ease of reference, both the complete slide presentation as well as the transcript of the briefing are annexed to this statement as “**MK2**”.

- 8 I must emphasise that this briefing was a product of a collective and collaborative efforts of various units within SAPS and the majority of men and women in service. It is a reflection of the common concerns shared amongst members of all ranks and a common desire for their resolution, to enable these members to serve with honour.
- 9 In presenting the information I shared with the public, I acted both as a member of this collective and the person designated to deliver this collective message.
- 10 The press briefing was well considered by all concerned and was held to draw attention to critical matters of national concern and interest regarding the extent we, as SAPS, considered these concerns a real threat to the country's criminal justice system of the republic, and by extension the overall security of its citizens.
- 11 As I shall seek to demonstrate, the criminal justice system has been subjected to continuous threats and sabotage over an extended period, to a point where we believe it is at real risk of total collapse. Urgent and effective interventions are required to avert this outcome, and I believe this Commission stands to play a pivotal role in this regard.
- 12 I wish to express my gratitude to:

12.1 the President for the establishment of the Commission following the press briefing;

12.2 The general public; and

12.3 The media.

MAIN MATTERS TO BE ADDRESSED IN THIS STATEMENT

13 My testimony covers two broad subjects:

13.1 The KZN Political Killings Task Team; and

13.2 The criminality, political interference and corruption in the criminal justice system in general.

14 As shall become evident, there are significant overlaps and intersections between these two broad topics and a distinction between the two may not always be possible to draw. I will however address the issue of the KZN Political Task Team first and separately before I delve into matters of political interference and corruption in the criminal justice system.

BACKGROUND/SERVICE HISTORY

15 My history in the SAPS began in 1993. Below is a summary of my progression within ranks of the police service and includes various appointments and posts I have served in over the years.

15.1 1993-1998 Platoon Member: Public Order Police.

15.2 1998 -2005 Operator, Section Leader and a Unit Commander: Special Task Force.

15.3 2005- 2011 Section Head: Special Task Force.

15.4 2011- 2011 (May to October) Component Head: Specialised Operations.

15.5 2011 -2012 Acting National Commissioner.

15.6 2012 -2013 No specific post but still employed in SAPS.

15.7 2013 -2015 Divisional Commissioner: Facilities Management.

15.8 2015 -2018 Divisional Commissioner: Human Resource Development.

15.9 2018 -2019 Acting Provincial Commissioner: KwaZulu Natal.

15.10 2019 to 2021 Divisional Commissioner: Operational Response Service.

15.11 April 2021 to date: Provincial Commissioner: Kwa-Zulu Natal.

- 16 A comprehensive copy of my curriculum vitae is marked and attached as “**MK3**”.
- 17 I am a qualified Special Task Force Commander, a managerial designation I obtained in 2005. I retain this designation throughout the various posts I have been appointed to since.

SAPS STRUCTURAL OVERVIEW AND ORGANOGRAM

- 18 In order for this Commission to properly consider the claim I make and allegations I advance regarding interference and corruption in the criminal justice system, the alleged infiltration of the service by criminal syndicates and/or exertion of undue and unlawful influence over law enforcement agencies, it is necessary that I set out, briefly, the scale and breadth of the SAPS as a law enforcement entity with reference to the regulatory framework.
- 19 For this reason, I explain the workings of the SAPS with reference to the relevant portions of the Constitution, legislation and regulations that regulate the service.

ESTABLISHMENT OF SAPS

- 20 Section 199 of the Constitution regulates the establishment, structuring and conduct of the security services – a single defence force, a single police service and any intelligence established in terms of the Constitution. All these services

are structured and regulated in terms of national legislation. In terms of this section, SAPS members must always act, in accordance with the Constitution and the law, and may not act to either (a) prejudice a political party interest that is legitimate in terms of the Constitution; or (b) further, in a partisan manner, any interest of a political party.

21 Section 198 sets out the governing principles of national security. The SAPS as a national security entity:

21.1 Must reflect the resolve of South Africans, to live as equals, in peace and harmony, free from fear and want;

21.2 Must pursue national security in compliance with the law, including international law; and

21.3 Remains subject to the authority of Parliament and the national executive

SAPS' CONSTITUTIONAL MANDATE

22 Sections 205 to 208 of the Constitution set out the constitutional mandate of the SAPS, the control of the police and assign political responsibility in respect of the police service.

23 Section 205 stipulates that:

- 23.1 The objects of the police service are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law.
- 23.2 National legislation must establish the powers and functions of the police service and must enable the police service to discharge its responsibilities effectively, taking into account the requirements of the provinces.
- 23.3 The SAPS must be structured to function in the national, provincial and, where appropriate, local spheres of government.
- 24 In terms of section 206 of the Constitution, the Minister of Police is responsible for policy. This he/she does after consulting all the provincial governments and taking into account the policing needs and priorities of each province as determined by their respective executives. Each province monitors police conduct within its area of jurisdiction, oversees the effectiveness and efficiency of the police and liaises with the Minister of Police with respect to crime and policing in these provinces.
- 25 Section 206(8) of the Constitution prescribes that a committee made up of the Minister of Police and members of the Executive Councils responsible for policing must be established to ensure effective co-ordination of the police service and effective co-operation among the spheres of government.

- 26 The National Commissioner, appointed by the President in terms of section 207 of the Constitution, is responsible for, and exercises, control and management of the police service in accordance with national policing policy and directions of the minister of Police.
- 27 Provincial Commissioners are appointed by the National Commissioner with the concurrence of the provincial executives in terms of section 207(3) of the Constitution. The Provincial Commissioners are responsible for policing in their respective provinces as prescribed by legislation and are subject to the powers of control and management of the National Commissioner.
- 28 The intelligence division of the SAPS is part of the National Intelligence Structures as determined and governed by the National Strategic Intelligence Act 39 of 1994 ("the national Strategic Act").
- 29 In sum, the Constitution establishes a single police service. This concept creates a unified and standardized police service across the Republic under the leadership of the National Commissioner.

SAPS ACT AND REGULATIONS

SAPS Act

- 30 The South African Police Service Act is the legislation contemplated in section 199 of the Constitution.
- 31 The SAPS Act provides for the establishment, organisation, regulation and control of the SAPS. It determines the terms of office of commissioners, the recruitment and appointment procedures of members, stipulates the powers duties and functions of the respective functionaries and members of the force, standing orders and disciplinary proceedings and sanctions and delegation of powers.
- 32 Section 12 of the SAPS Act stipulates that a Provincial Commissioner shall have command of and control over the service in his/her jurisdiction in the Province and may exercise such powers and shall perform the duties and functions necessary to give effect to the provisions of the Constitution. The distribution of the strength of the service among the different areas, station area, offices and units within a Province is the prerogative of the Provincial Commissioners.
- 33 In terms of section 16(4)(a) a Provincial Commissioner is responsible for the prevention and investigation of all crimes or alleged crimes committed in the

province. Where an investigation of a crime or alleged crime reveals that these relate to organised crime, the Provincial Commissioner is required to report the matter to the National Head of the Directorate for Priority Crime Investigation ("**DPCI**") who may, at his/her discretion after consultation with the Provincial Commissioner concerned, direct that the investigation or any part thereof, be conducted by the Provincial Commissioner.

- 34 The functions of the intelligence division of SAPS includes the gathering, evaluation, co-ordination and use of crime intelligence in support of the SAPS objects as set out in the Constitution.
- 35 In terms of section 17, the National Commissioner establishes and maintains a national public order policing unit. He/she may, at the request and in support of the Provincial Commissioner, deploy the unit or a part thereof. Once so deployed, the unit performs functions subject to the direction of the Provincial Commissioner who made such request.
- 36 The unit deployed may be withdrawn in circumstances contemplated in the section, by and at the instance of the National Commissioner or at the request of the Provincial Commissioner. For the sake of completeness, it is necessary to point out this unit may be deployed at the direction of the President, in consultation with cabinet.

- 37 As with the national public order policing unit, the services of any member of SAPS may be placed at the disposal of any other department or authority established in terms of the law.
- 38 In terms of section 13(b) of the SAPS Act, subject to the Constitution, the powers conferred by Chapter 5 of the Act shall not be limited by any other law.
- 39 Section 16(5) enjoins all members of the service to cooperate with one another in accordance with the principles of co-operative governance as provided for in Chapter 3 of the Constitution.

The Regulations

- 40 Regulation 39(3) of the South African Police Service Employment Regulations¹ (“the Regulations”) states that the National Commissioner may appoint any person to a vacant post if there are sufficient budgeted funds and the vacancy has been advertised. Regulation 39(4) provides that an appointment of a level of Major-General and higher must be made in consultation with the Minister.

¹ Published under GN 663 in GG 41754 of 6 July 2018

KEY SAPS ROLE PLAYERS

Minister of Police

- 41 Mr Senzo Mchunu is the erstwhile Minister of Police. On 13 July 2025, he was placed on leave of absence with immediate effect. The President has appointed Professor Firoz Cachalia as acting Minister in terms of Section 91(3)(c) of the Constitution.

National Commissioner

- 42 On 22 May 2022, President Cyril Ramaphosa appointed Lieutenant General Fannie Masemola as the National Commissioner of the SAPS.
- 43 The functions and powers of the National Commissioner are detailed above.

Provincial Commissioners

- 44 In addition to the functions and powers of provincial commissioners as set out in paragraph 25 above, each provincial commissioner must report to the provincial legislature annually on policing in the province, and must send a copy of the report to the National Commissioner.

Provincial MEC

45 Section 206(4) of the Constitution provides that a provincial executive is responsible for policing functions— (a) vested in it by Chapter 11 of the Constitution; (b) assigned to it in terms of national legislation; and (c) allocated to it in the national policing policy.

46 I now turn to address the organizational structure of the SAPS.

47 The SAPS organizational structure is set up to ensure effective law enforcement across South Africa. It is hierarchical and comprises of various divisions (Visible Policing, Detective Service, and Specialized Units) the 9 Provincial Commissioners and various Regional Commissioners, all overseen by the National Commissioner.

48 Below is a pictorial depiction of how the SAPS top management is structured and the current incumbents of the various posts.

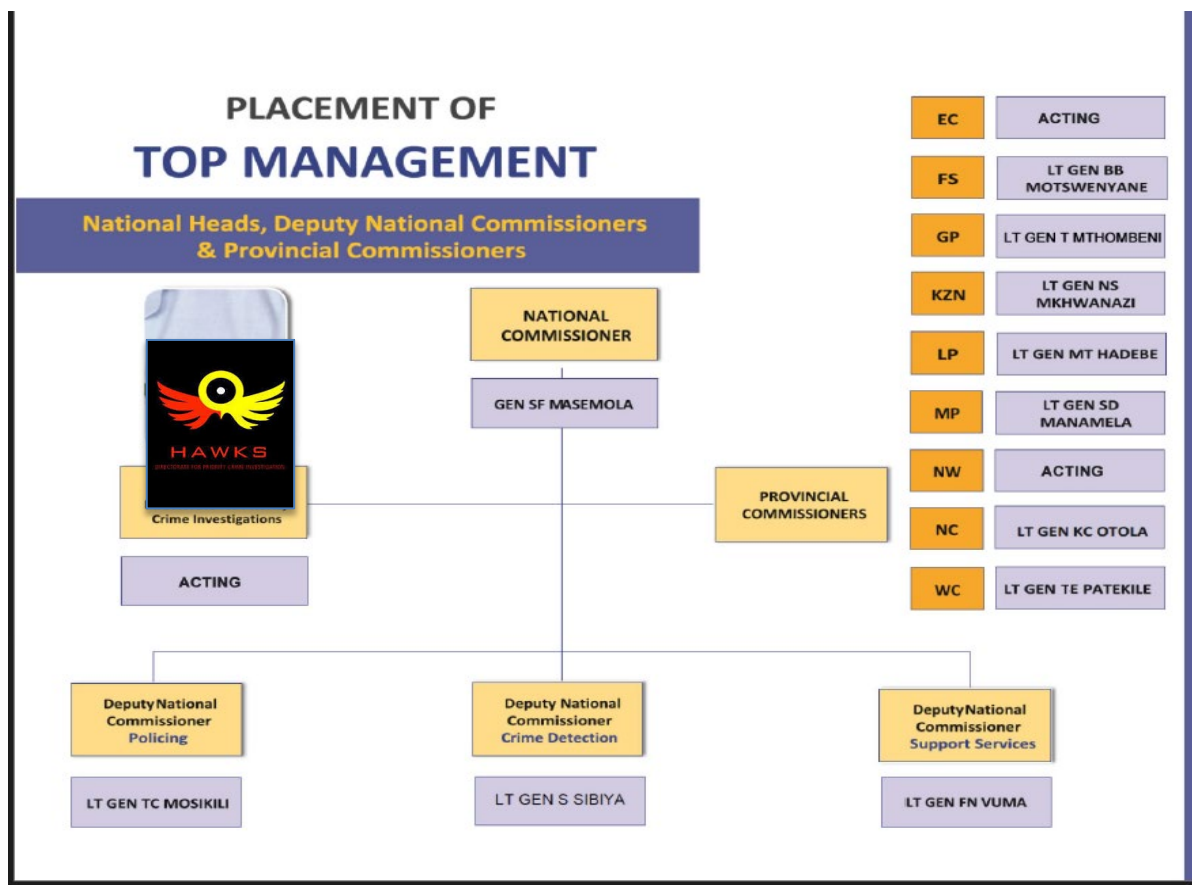


Table 1: Saps Top Management Organogram (Source: SAPS Website)

- 49 There are two designations within the SAPS – commissioned and non-commissioned members. The entry rank for all members of the service is the rank of constable. The highest rank is that of general. The diagram below is included to indicate the various ranks with their corresponding insignia and the generally accepted form of address for each rank.



RANK STRUCTURE

South African Police Service



Senior Management - Commissioned Officers

CURRENT RANK		NEW RANK		FORM OF ADDRESS
General (Gen)		General (Gen)		General
Lieutenant General (Lt Gen)		Lieutenant General (Lt Gen)		General
Major General (Maj Gen)		Major General (Maj Gen)		General
Brigadier (Brig)		Brigadier (Brig)		Brigadier

Commissioned Officers

Colonel (Col)		Colonel (Col)		Colonel
Lieutenant Colonel (Lt Col)		Lieutenant Colonel (Lt Col)		Colonel
Major (Maj)				
Captain (Capt)		Captain (Capt)		Captain
Lieutenant (Lt)				

Non - Commissioned Officers

OLD RANK	Inspector	Sergeant	Constable
CURRENT RANK	Warrant Officer (WO)	Sergeant (Sgt)	Constable (Const)
FORM OF ADDRESS	Warrant	Sergeant	Constable

Table 2: SAPS Rank Structure (Source: SAPS Website)

THE ESTABLISHMENT OF THE POLITICAL KILLINGS TASK TEAM

FORMATION

- 50 KwaZulu-Natal (KZN) has historically experienced significant levels of violence driven by political factors. The Political Killings Task Team (**“the PKTT” or “the Task Team”**) as currently constituted, has its inception in 2018. This PKTT has its genesis in a previous Task Team established in 2011 following the resurfacing of political killings in KZN around 2011. Intra-party killings became predominant around this period, increasing with the lead up to the 2016 Local Government Elections. These killings led to the establishment of the Moerane Commission of Inquiry into political killings in 2016 by Premier Willies Mchunu, the then Premier of KZN.
- 51 That Commission, established in October 2016, identified alarming levels of politically motivated murders especially around local governance elections increasing and intra-party battles.
- 52 The Moerane Commission confirmed that many assassinations were linked to corruption in local government (especially tender deals) and factional disputes. Its key recommendations included creating independent structures (a “peace panel”) to mediate political conflicts and explicitly recommended the establishment of a dedicated investigative body to address this crisis.

- 53 Unfortunately, there were mixed successes with this team, its main challenges being and slow progress in arrests and a poor conviction rate.
- 54 In response to these increased incidents of political violence and fatalities in KwaZulu-Natal, the President of the Republic of South Africa (President Ramaphosa) in 2018 tasked the security cluster to mobilise resources to comprehensively address the problem. He appointed an Inter-Ministerial Committee (“**IMC**”) comprising the Ministers of Police, the State Security Agency, Defence, Police, Justice, and Correctional Services, under the leadership of the Minister of Police (then Minister Bheki Cele). The IMC’s mandate was to establish a multi-disciplinary team to address the ongoing scourge of political killings in KZN.
- 55 The IMC first met on 21 May 2018 and was fully briefed by the management of SAPS KZN led by the then Deputy Provincial Commissioner Crime Detection: Major-General Chiliza regarding the work of the Task Team up to May 2018. The key aim of the IMC was the establishment of a multi-disciplinary team to address these killings, and the Committee recognised the need to reconfigure the Task Team.
- 56 The IMC required that an extensive investigation into the problem as well as an analysis of solutions deployed to date be conducted.

- 57 On 16 May 2018 I was appointed Acting Provincial Commissioner for the KZN Province. This task thus fell on me as the Provincial Commissioner.
- 58 At the next meeting of the IMC in June 2018 I presented to the Ministers the outcomes of the investigations and analysis of the work of the Task Team. In summary, the key conclusion drawn from this analysis was that the Task team was ineffective and not appropriately structured. One of the challenges identified was that the Task Team was operating in silos without an investigation and prosecutorial plan or strategy. I concluded the presentation with a proposal for the development of an investigation and prosecution strategy, including a budget necessary to support such a strategy. I was granted the requisite mandate by the IMC.
- 59 The KZN SAPS team developed such a strategy. I led this process during the course of which I kept the National Commissioner abreast of the strategy being considered by the team. The National Commissioner provisionally approved the operational approach and strategy.
- 60 On 18 June 2018 I submitted a formal proposed strategy framework, which reflected the strategy, the proposed means and the cost implications of its implementation for a period of six months to the National Commissioner of SAPS (General KJ Sitole) for approval. This framework is set out in the Information Note titled “Implementation Plan: Investigation of Political Related Cases KwaZulu Natal from 2018-07-01 to 2018-12-31”.

- 61 The framework proposed that the costs of the project be funded from the National budget and managed at the KZN Provincial office.
- 62 As appears above, the framework was approved by the National Commissioner on 18 June 2018. A copy of this document is attached marked “**MK4**”.
- 63 An Integrated Multi-Disciplinary Task Team consisting of members of the SAPS, the National Prosecuting Authority (“**NPA**”), State Security Agency (“**SSA**”), and Correctional Services was established. I assumed the leadership of this Task Team.
- 64 I presented the strategy framework as approved by the National Commissioner to the IMC at its meeting of 13 September 2018. The IMC approved the establishment of the proposed Integrated Multi-Disciplinary Political Killings Task Team and the implementation strategy.
- 65 The Task Team is essentially an ad hoc, inter-disciplinary unit within SAPS, tasked with investigating political killings, with an initial operational focus in KZN that later extended nationally. A key feature of the Task Team is the methodology employed in executing its mandate which rests on 3 critical pillars - Intelligence gathering, Crime Investigation and Prosecution. This Task Team is what is now referred to colloquially as the KZN Task Team.

- 66 As at the signature of this statement, the IMC minutes had not been declassified. Such declassification has been sought, and I shall avail these minutes to the Commission as soon as it is granted.
- 67 A more comprehensive strategy was since developed. This is the strategy currently being implemented by the team. A copy of the summary of this strategy is attached marked "**MK5**". In terms of this structure, the PKTT is overseen by the National Steering Committee, the Inter-Ministerial Committee, and the President. At its inception in 2018, the PKTT was led by Major General ("**Maj-Gen**") Ramatsoele with Lieutenant-General ("**Lt-Gen**") Khumalo appointed as the operational coordinator. At the time of his appointment, Lt-Gen Khumalo held the rank of Brigadier within SAPS and deployed to KZN.
- 68 Upon Maj- Gen Ramatsoele's retirement, Lt-Gen Khumalo was appointed the Project Leader and co-ordinator of the PKTT. He continued to discharge this function after his appointment and transfer to national office as the Divisional Commissioner: Crime Intelligence.
- 69 As a project-based intervention, the continued existence of the Task team is periodically reviewed and its funding subject to approval on an annual basis.
- 70 For the period July 2018 to September 2019 the funding for the Task Team was allocated to the KZN cost centre. During the 2019/20 financial year the budget was moved to the Division: Operational Response Services, a cost centre at the

national level. The funding for the PKTT continues to be provided for at national level.

71 The establishment of task teams is a normal operational response by SAPS to address specific issues and challenges in the country. These may be constituted at a provincial or national level. The PKTT is one of many of such project-based interventions.

72 The PKTT, as at 2024, was one of 11 national priority intervention operations operating in 6 provinces and one on a national level:

72.1 3 in Gauteng Province;

72.2 1 in the Western cape Province;

72.3 1 in the Eastern Cape Province;

72.4 1 in the Mpumalanga Province;

72.5 1 in the Limpopo Province;

72.6 3 in the KwaZulu Natal Province; and

72.7 1 National.

- 73 These task teams are established to address wide ranging challenges in the country including illicit mining, aggravated cash in transit heists, cross border related crimes, political killings, extortion and theft of minerals etc.

STRUCTURES AND OPERATIONS OF THE PKTT

- 74 The PKTT is structured as a centralised command with geographically dispersed sub-units. Under a Mission Area Joint Operational Centre (“**MAJOC**”) based at SAPS KZN HQ, four Tactical Joint Operational Centres (“**TACJOCs**”) were set up (roughly by region/district) to handle clusters of cases. Each TACJOC is headed by an experienced commander and includes SAPS detectives, crime intelligence analysts, and Hawks investigators. This “command-and-control” design was intended to coordinate intelligence-gathering, rapid reaction, and prosecution efforts in a unified way.

- 74.1 SAPS: provides investigators, forensic support, and crime intelligence. The PKTT was set up as a SAPS-led task unit.

- 74.2 The NPA (through the KwaZulu-Natal Office) embeds prosecutors in the PKTT.

- 74.3 SSA: provides intelligence support on political-targeted killings.

- 74.4 Department of Correctional Services (“**DCS**”): assists with matters such as witness protection and prisoner transfers.

74.5 The Provincial Government: provides support at a provincial level while also expressing the needs of the province. This is done through the attendance by the Premier and MEC.

75 Thus, the PKTT is explicitly a multi-agency integrated structure. It is an analysis driven, prosecutorial-guided police investigation team supported by the NPA and security agencies, coordinated through the IMC.

76 The PKTT directly reports to the IMC: Chaired by the Police Minister. The IMC provides strategic direction and oversight for the PKTT and in turn reports to the President.

STRATEGIC FRAMEWORK AND ORGANOGRAM

77 When the PKTT was conceptualised, there was no strategic framework in place. I was part of the team that prepared the initial implementation plan in June 2018 wherein it was recommended that the implementation plan for the strategy to investigate and prosecute perpetrators of political related cases be approved.

78 In terms of the original plan, the operational chain of command ran through the TACJOC commanders and zone/unit leads. A National Steering Committee (composed of senior officers and IMC representatives) met regularly to assess progress. The operational approach was based on the tried and tested method of integrating operational processes, resources, competencies, capabilities and intelligence from all operational environments of SAPS with dedicated and

centralised command structures in order to achieve its clearly defined objectives in a result driven and holistic manner as more fully set out above.

79 The 2018 integrated strategic plan provided for the inclusion of members from key law enforcement and justice agencies, to create an investigative and prosecutorial strategy.

80 The integrated structure is copied below:

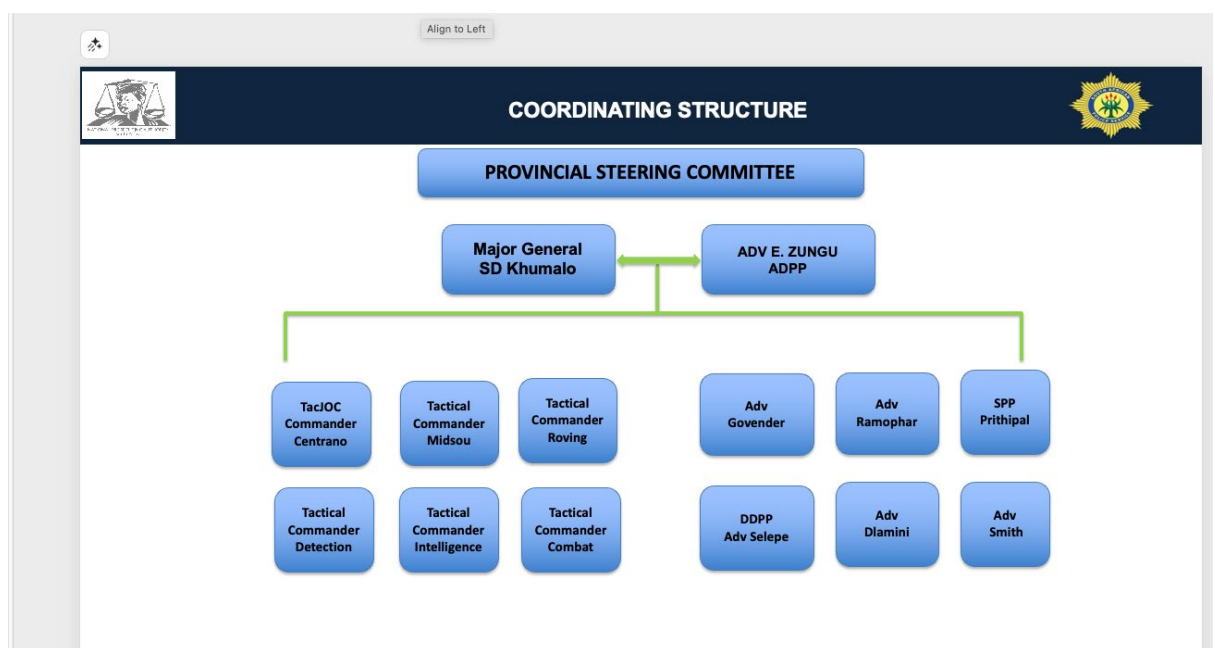


TABLE 3: Provincial Steering Committee (Source: Integrated Final Strategy)

- 81 Through this revised structure, the Provincial Steering Committee (made up of NPA/SAPS) reported directly to the National Steering Committee chaired at that time by the National Head of DPCI Lt-Gen Lebeya and NPA Acting Deputy National Director of Public Prosecutions Advocate S Mzinyathi.
- 82 The Provincial Steering Committee, consisting of Senior Managers from the NPA and SAPS Command Structure, met monthly to monitor, evaluate and report progress to the National Steering Committee
- 83 The PKTT currently operates in KwaZulu-Natal and the Eastern Cape under Lt-Gen Khumalo's supervision as a project manager and directed by the National Steering Committee, the IMC, and the President. The deployment to the Eastern Cape was at the direction of the President. In the Eastern Cape, the PKTT investigated crimes designated as national high priority.
- 84 As Provincial Commissioner, I maintain overall responsibility for policing and investigations in KZN within the contemplation of section 207(3) of the Constitution and sections 12 and 16(4)(a) of the SAPS Act.

WORK AND SUCCESS OF PKTT

- 85 From the outset, the PKTT had its work cut out for it. Politically related cases are difficult to crack because they are organised and are executed through different

role players such as hitmen, spotters, coordinators and the person who ordered the hit.

86 Ultimately, politically related cases rely on predominantly section 204² witnesses that were part of the conspiracy and/or planning in order to secure convictions against politicians and or business persons who were not directly involved in the commission of the crime. In addition, the involvement of politicians and business persons often means that they are well resourced and pay legal fees for those arrested, they bribe law enforcement officials and generally ensure that prosecutions do not proceed or are eventually abandoned.

87 From 2018 to date, the task team had been assigned responsibility for approximately 612 dockets. This figure includes 333 dockets concerning politically related cases, 90 parallel cases, 120 ad hoc cases, 18 University of Fort Hare and 51 traditional leaders investigations. The specific details of these cases are as follows:

87.1 Murder: 171 dockets were for murder cases, with a total of 173 victims.

Among those killed were 59 local government councillors, 58 political party members, 31 political party office bearers, and 25 municipal officials, illustrating the prevalence of violence targeting individuals holding public office or political affiliations.

² Criminal Procedure Act 51 of 1977

- 87.2 Attempted Murder: 50 dockets addressed cases of attempted murder.
- 87.3 Intimidation: 79 dockets were categorized as intimidation, reflecting ongoing threats against political and municipal figures.
- 87.4 Conspiracy to Commit Murder: 9 dockets involved alleged conspiracies to commit murder.
- 87.5 Other Politically Related Offences: 24 dockets were associated with other categories of politically motivated crime.
- 88 The team has enjoyed incredible success such as, 401 suspects arrested and charged, 55 firearms recovered from suspects which have been linked through ballistics to other politically related cases. An additional 35 SAPS members were arrested and charged on attempts to defeat the course of justice on these cases.
- 89 Furthermore, a total of 130 accused have been successfully prosecuted and convicted with 34 accused receiving life sentences, a further 42 accused were sentenced to between 10 and 135 years, 25 accused received sentences between 1 to 9 years and 23 accused were sentenced to between 3 to 12 months. Of the accused prosecuted 6 are awaiting sentencing.
- 90 Out of the 333 dockets allocated:
- 90.1 Finalised Cases: 209 dockets have been closed following thorough investigation, indicating a significant rate of case resolution.

- 90.2 Pending on the Court Roll: 60 cases remain active and are scheduled or ongoing in court as of the given date.
 - 90.3 Under Investigation: 64 cases are still under investigation, reflecting the continued commitment to addressing complex and unresolved matters.
- 91 In addition to the above, the team was tasked with handling 18 dockets pertaining to incidents of killings at the University of Fort Hare. Of these:
- 91.1 14 dockets are on the court roll, indicating that these cases had progressed to judicial proceedings.
 - 91.2 2 dockets have been finalised.
 - 91.3 2 dockets are still under active investigation, highlighting ongoing efforts to resolve these cases.
- 92 On 1 April 2024, the team's mandate was extended to include murders targeting traditional leadership. The team was allocated 51 dockets. The status of these cases is as follows:
- 92.1 48 dockets remain under investigation, pointing to the intricate and ongoing nature of inquiries into attacks on traditional leaders.
 - 92.2 3 dockets are currently on the court roll, having reached the trial phase.

- 93 These figures demonstrate both the scale and diversity of politically related violence and intimidation in KwaZulu-Natal, as well as the systematic approach adopted by the team to ensure accountability through investigation, prosecution, and finalisation of cases involving political, municipal, university, and traditional leadership contexts. The PKTT thus has a demonstrably unmatched success rate.
- 94 I am informed that on 6 March 2025, the day after my appearance before the PCOP, Lt-Gen Khumalo made a presentation to the Minister on the PKTT disbandment plan, wherein he presented these statistics of cases investigated and prosecuted by the Task Team from 2018. I provide further details about this in a subsequent section of this statement.
- 95 As discussed above, although initially conceptualised to address political killings in KZN, by 2021–2022 the PKTT was deployed in Eastern Cape to tackle politically motivated crime. While KZN remained its base, the PKTT has assisted in investigations and prosecutions of high-priority cases in Eastern Cape, including the Fort Hare University murders at the request of the President.
- 96 On 16 April 2024, the PKTT's term of operation was extended for a further 12 months and approval of a further budget granted. The retention of Lt-Gen Khumalo as the team's Project Manager for the financial year 2024/2025 was

also approved. This extension was signed and recommended by DNC Lt-Gen Sibiya and approved by the National Commissioner. A copy of this extension is attached marked "**MK6**".

97 The reasons for this extension are stated as follows:

97.1 the mandate of the Task Team had been extended from 1 April 2024 and on the direction of the President to include the investigation of cases involving the killings of Traditional Leaders in KwaZulu Natal.

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

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

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

98 On 23 July 2025, I submitted to the National Commissioner a request for a further extension and provision of a budget for the period 01 August 2025 to 31 March 2026. I attach marked "**MK7**" a copy of this request. This annexure reflects confirmation by the Divisional Commissioner: Financial Management

and Administration that some of the funds required are available for the Task Team for the period requested. Final approval by the National Commissioner is awaited.

INVOLVEMENT OF THE PKTT IN THE GAUTENG COUNTER INTELLIGENCE OPERATION

- 99 On 17 April 2024, Armand Swart, an employee at Q Tech Engineering Company based in Vereeniging was shot and killed while seated in his vehicle outside his workplace. Mr Swarts' employer, Q Tech had allegedly reported price inflation in a Transnet contract which revealed a complex case entwined with organised crime, police corruption, and substantial personal risk for investigators.
- 100 I am advised that, the organised crime unit took over the investigation into Mr Swart's murder under the leadership of Deputy PC Gauteng: Maj-Gen Mbuso Khumalo. This investigation became part of a wider investigation named the Gauteng Counter Intelligence Operation (**"the GCI Ops"**).
- 101 Three suspects have been arrested in connection with this murder: Michael Pule Tau, a police officer; Musa Kekana and Tiego Floyd "Danny" Mabusela. The charges spanned murder, conspiracy, attempted murder, possession of suspected stolen property, and possession of unlicensed firearms and ammunition. Forensic analysis linked the recovered firearms to multiple other

violent crimes, strengthening the case against the accused and exposing a wider syndicate with significant financial resources allegedly offering nearly a million rand for the assassination.

102 Despite initial successful opposition to bail, accused Michael Pule Tau was later granted release, citing health reasons. This sparked grave concern among investigators and prosecutors on the team, who feared for their safety due to escalating threats—verbal and physical intimidation, including being followed and threatened with harm.

103 As a result, on 5 August 2024, Mrs R Coetzee, a Senior Public Prosecutor, directed correspondence to senior law enforcement including Brigadier Gopane (Provincial Head of Organised Crime Unit), Maj-Gen Mbuso Khumalo (Deputy PC: Gauteng), Lt-Gen Mthombeni (PC: Gauteng), Lt-Gen Sibiya (Deputy National Commissioner) and Gen Masemola (National Commissioner) in which she formally expressed the threats being faced by the investigating team by the accused and their associates and requested urgent protection for Sergeants Mbele and Sithole.

104 I attach Ms Coetzee's letter as "**MK8**".

105 Through the formal SAPS channels, Maj-Gen Khumalo was required to conduct a threat and risk analysis and became seized with the matter. Major General Lekalakala, Gauteng's Head of Crime Intelligence was informed and a TRA was

conducted by Col Ntuli. His findings were that the risk was high and recommended 24 h protection. In addition, Lt Gen Khumalo was informed. This resulted in the case being moved to the national office and a counter-intelligence case being opened to run parallel to the main investigation.

106 I in time came to learn that throughout the investigation, the detectives faced a number of obstructions and irregularities:

106.1 Deliberate omission of crucial information in forensic ballistics reporting.

106.2 Interactions with senior police officials and the detectives which revealed further complexities—including

106.2.1 suspects' connections to identified influential figures within SAPS;

106.2.2 detectives being offered bribes and being told if the bribes are not accepted, their lives would be in danger;

106.2.3 detectives in the course of investigations encountering senior SAPS officials at gatherings with targets/suspects linked to high profile murders; and

106.2.4 accused persons being granted bail despite serious charges and resources available to those accused persons.

106.3 Moreover, during the period of his incarceration and while out on bail, accused Michael Pule Tau, a former detective with SAPS, had made threats against the investigation team.

107 Given the apparent association of SAPS officials of all ranks with persons who are subjects of investigations, the threats made against the investigators, allegations of bribery for magistrates, established links to members of the cartel under investigation; growing concern of infiltration of the police and the reduction of the Investigation Team from 5 to 2 people due in part to death threats made to detectives it became evident to Lt-Gen Khumalo that urgent intervention was required and that the two remaining detectives seized with the investigation required assistance and support from law enforcement falling outside of Gauteng Province.

108 The assistance required was a of highly specialised team to ensure that the investigations are advanced swiftly. To this end, I was contacted by Lt-Gen Khumalo who requested that a team of members from the PKTT be seconded to the GCI Ops to assist with these investigations. I approved the request in November 2024 and seconded 10 PKTT members for the operations.

109 As explained above, PKTT uses a sophisticated method employing various disciplines to “crack” the case. This includes technical expertise, inhouse ballistics, touch DNA and ongoing engagements with prosecutors.

- 110 The Task Team members seconded were selected on the basis of the needs expressed by Lt-Gen Khumalo as well as their respective specialised skills. The team included a commander, operational analyst, criminal investigator, digital forensic investigator, ballistic analyst, crime scene experts, designated firearm officer and a cell data analyst.
- 111 Due to the sensitivity of their identities and the work they do, the identities of these members cannot be disclosed in public proceedings.
- 112 The 10 seconded PKTT members became part of the Gauteng investigation team. The dockets, whose investigations they became a part of, are Gauteng dockets.
- 113 Although these members worked on the dockets, the dockets were not transferred to PKTT and remained under the remit and custody of Lt- Gen Khumalo and his team.
- 114 As at the arrest of Mr Katiso Molefe in connection with the Vereeniging murder and the execution of a search and seizure warrant at the property of Mr Vusimuzi “Cat” Matlala on 6 December 2024, the 10 PKTT secondees were integrated into the investigating team and operating under the direction of Lt- Gen Khumalo.

115 These matters fall under the remit of the GCI op team and will be addressed in further detail by Gen Khumalo in due course.

ARREST OF MOLEFE AND MATLALA

116 Lt-Gen Khumalo and I are in regular contact regarding the continued need for the 10 deployed Task team members and I receive regular briefings from him. The Task team is operating without 10 key members who were withdrawn from active investigations in KZN and Eastern Cape to support Gen Khumalo in Gauteng. Their secondment has had a direct and discernible impact on Task Team which I try to mitigate as much as possible within available resources.

117 It has thus been necessary therefore for me to be in constant liaison with Gen Khumalo to manage their possible return, or at leaser the return some of them, to the Task team without compromising the Gauteng investigations. In the course of this liaison Lt-Gen Khumalo updates me on the status of the GCI Ops investigations.

118 The Gauteng team, assisted by the seconded team members conducted two operations on 6 December 2024 – the arrest of Mr Molefe and the questioning of Mr Matlala regarding the kidnapping of one Mr Jerry Boshoga.

119 I am advised that soon after his arrest, Mr Molefe was charged with the murder and conspiracy to commit murder. Since July 2025 further charges have

reportedly been laid against Mr Molefe, all of which are Schedule 6 (Of the Criminal Procedure Act 51 of 1977) offences.

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

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

THE DISESTABLISHMENT OF THE PKTT

122 On or about 2 January 2025, I learnt via the media that the Minister had issued a directive that the PKTT be disbanded. The Minister's letter disbanding the team was bandied about in the media. I had not received formal communication in this regard.

123 When I did not receive this information with the passage of time, I subsequently initiated contact with the National Commissioner, to enquire about this alleged dissolution of the Task Team. He informed me had been on leave until 14 January 2025 and had not had an opportunity to consider the contents of the letter from the Minister but that he was aware of it. The National Commissioner made it clear to me at least that he had nothing to do with the disbandment and

informed me that the Minister never sought his advice before taking the decision. I advised him that I too had not been engaged on the possible dissolution of the team.

124 I suggested to the National Commissioner that he speak to the Minister to establish what factors the Minister had taken into consideration in arriving at such a drastic decision. It seemed irrational, and indeed irregular, to me that a decision of such magnitude and impact would be taken without the National Commissioner's knowledge (and engagement) and in the absence of liaising with stakeholders, including myself as the functionary responsible for policing and investigations in KZN where the PKTT was based.

125 I did not hear back from the National Commissioner. I subsequently resolved to initiate contact with the Minister directly.

126 I had also suggested to the National Commissioner that he consider seeking an audience with the President as the National Commissioner to discuss this matter. It was important to establish if the President was aware of the directive and whether he was in agreement therewith, bearing in mind that the PKTT came about as a result of the President's decision to constitute the IMC which had oversight of the PKTT and had been kept informed of the Task Team's progress.

127 At this stage, it had become clear, to me at least, that the Minister issued the directive based on advice other than that based on official records of SAPS. I strongly suspected that he was advised to disband the Task Team because someone thought the PKTT was responsible for the investigations in Gauteng of the crime syndicates involving participation of senior police officials, senior politicians and their associates.

128 I attach the Minister's letter in this regard marked "**MK9**".

129 In the letter, the Minister claims that his observation is that the existence of this Team is no longer required and that it is not adding value to policing in South Africa. I do not know what facts support the Minister's conclusion. I deny the correctness of the Minister's conclusion; they are wholly baseless.

130 As I have indicated above, the PKTT is one of the priority investigations/operations in the country, funded from the SAPS national budget. It submits formal requests to the National Commissioner on an annual basis justifying its continued existence. In such justification the Task Team substantiates its request with reference to its achievements, official statistics and progress of its investigations. It is on the basis of these facts that extensions have been granted.

131 It is important to point out that at this juncture the mandate of the Task Team had already been extended to include the killing of traditional leaders in KZN as

well as some key investigations in the Eastern Cape. This was as a direct result of the objective success rate of the Team in KZN. Most importantly, a further extension granted for the current financial year (2024/25) had already been granted and a budget allocation approved.

132 It is simply inconceivable that the entire operational management of SAPS under the leadership of the National Commissioner would see value to the Task Team's policing efforts in the country and to approve its continued existence, which approval is based on objective facts, and the Minister concludes the contrary based on the same facts. More so as (in terms of the IMC mandate) the Minister of Police chairs this body. Periodic, and at the very least annual formal reports, are made to the IMC by me as the Provincial Commissioner. The Minister's decision ought rationally to have been informed by the contents of these reports.

133 The reasons I advance annually for the continuation of the Task Team are those reflected in the very reports made to the IMC. To the extent that the Minister, as a newly appointed Minister to the post having been appointed at the end of June and taking office in early July 2024, may have required a historical perspective on the work of the Task Team, he need only have had regard to the IMC reports, the reports to the President and/or have called for reports from me as the Provincial Commissioner in order to form an objective and informed

view. For reasons unknown to me the Minister elected not to rely on this expansive resource base prior to issuing the directive.

134 My other concern was the seeming undermining of the IMC by the Minister. The letter does not suggest that the IMC had approved the dissolution of the Task team nor that it mandated such dissolution. The Minister has to date not advised of the IMC's decision in this regard, if any.

135 It is important to highlight that in his letter the Minister did not direct how the dockets under the Task Team's control should be dealt with. I am informed that this determination was made by General Sibiya in his letter to Lt General Senthumule dated 4 February 2025. I annex hereto marked "**MK10**" a copy of this letter. I am not aware of the reasons why the dockets had to be handed to General Sibiya, and on whose directive/instruction.

136 The majority of these dockets relate to crimes committed in KZN and would by right have to be returned to the relevant stations upon the dissolution of the Task Team. In the absence of a national intervention, there would be no basis for further involvement by National functionaries. Most concerning is that this decision by General Sibiya was not officially communicated to me, even though I bear responsibility for policing in KZN. As with the Minister's decision referred to above, I do not know what informed General Sibiya's decision in this regard.

- 137 During a case flow management session in KZN with the PKTT on 20 May 2025, I came to learn that the 121 dockets had indeed been removed from the Task Team. The meeting was led by Colonel Matlou who advised that the dockets had been delivered to Lt-Gen Khumalo.
- 138 On 22 May 2025, I wrote to Lt-Gen Khumalo enquiring about the under-investigation dockets. I attach marked “**MK11**” a copy of the letter I directed to Lt-Gen Khumalo in this regard.
- 139 Lt-Gen Khumalo informed me that the dockets were handed over in compliance with a direction by the Deputy National Commissioner of Crime Detection, Lt-Gen Sibiya. I was verbally informed that Lt-Gen Sibiya was acting on the instruction of the Minister of Police to disband the Team, although I was never furnished with proof of such an instruction.
- 140 The affidavit deposed to by the National Commissioner in the urgent application brought by Lt-Gen Sibiya wherein the latter sought to challenge, in the Pretoria High Court (Case No: 123874/2025), the decision to place him on special leave confirms that this action was taken without the authority of the National Commissioner. The National Commissioner will in due course deal in more detail with these matters. Suffice to confirm that, I as a Provincial Commissioner was never informed prior to the removal of these dockets.

- 141 From March 2025 until August 2025, these dockets were stored at Head Office in compliance with Lt-Gen Sibiya's direction. In the time intervening, it was my belief that no investigation work was being carried out on these dockets. My belief was subsequently confirmed with an analysis conducted by the Task Team upon the return of the dockets which conclusively establishes that no progress was made on any of the dockets since they were removed from the Task Team's control.
- 142 By way of example, at the time of their removal from the Task Team, 5 of these dockets already contained instruction to arrest named suspects. In the period that they were under the control of Lt-Gen Sibiya these arrests were not effected for reasons not known to me.
- 143 I have in the interim been receiving queries and follow ups from the families of the victims seeking progress reports on the investigations. I have been unable to address any of these queries satisfactorily as I no longer had access to these dockets.
- 144 The immediate and adverse impact of the dissolution of the Task Team cannot be overstated. This is aptly and succinctly set out by the Director of Public Prosecutions Adv E Harrison in her letter to me dated 10 June 2025. Adv Harrison points out that the benefit of case coordination efforts under the auspices of the Task Team, of which the NPA is a part, which have led to

numerous successful prosecutions would be lost as the individual dockets would have to be returned to the respective areas where the crimes were committed. On the happening of such eventuality, the dedicated prosecutorial team which had been established by the NPA would have no further role to play and would have to be dissolved. I annex hereto marked “**MK12**” a copy of this letter.

- 145 Already, the workings of the Task Team have advanced to the stage where its successes have led to general cooperation between the SAPS and the NPA resulting in the conclusion of a Memorandum of Understanding (“**MOU**”) with the aim to improve efficiency of investigations and prosecutions. This MOU has led to the establishment of the Provincial Efficiency Optimisation Forum. I attach the MOU marked “**MK13**”.

EFFORTS TO STOP THE DISBANDMENT

- 146 Numerous efforts were made to stop the eventual disbandment of the Task Team. This is a matter that directly impacts KZN that can only have negative consequences for the Province, and in whose resolution, I have a personal interest.
- 147 As expressed above, I had enquired from the National Commissioner whether he had prior knowledge that the Task Team would be disbanded, and he had confirmed he had not.

- 148 I had also suggested to the National Commissioner that he engage the Minister regarding his decision to disband the Team with a view to have the directive withdrawn. I did not receive feedback on this.
- 149 In light of the urgency and importance of the matter, and having not received feedback from the National Commissioner, I resolved to reach out to the Minister myself. My efforts too came to naught.
- 150 I also suggested to the National Commissioner that he seek an audience with the President as the National Commissioner to discuss this matter. I never received feedback from the National Commissioner.
- 151 On 27 January 2025 during police day celebrations, I was interviewed by ENCA. Media had been present at these celebrations. During this interview I mentioned that I believed that the Minister issued the directive to disband the PKTT because someone had whispered in the Minister's ear that the Team was investigating cases that might link his or her associates, the PKTT should be disbanded. My conclusion in this regard was informed by the facts that objective evidence within the police structures militated against the dissolution of the Task Team. I concluded therefore that the decision was influenced by information other than that at the disposal of the police and served the interests of those impacted by the ongoing investigations.

152 In that interview I also stated that there should not be someone from head office influencing the Minister to destroy or attempt to halt investigations. In other words, the PKTT was now fighting criminal syndicates involved in the political killings on the one hand and at the same time had to contend with forces within the State apparatus indirectly fighting the PKTT through the Executive (the Minister) and highly placed members of SAPS with the view to sabotage critical investigations.

153 I was aware that after this interview the target on my back had grown exponentially. However, I simply could not keep quiet and allow the Minister to take this drastic action. At this stage, I did not yet know that the person I mentioned in the interview, Mr Brown Mogotsi (who it has since been confirmed by the Minister himself, is an associate of the Minister) was linked to Mr Matlala, a prominent cartel member currently under investigation in Gauteng, and a direct target of the organised crime unit's investigation as assisted by members of the PKTT as part of the GCI Ops.

ALLEGATIONS ADVANCED AGAINST VARIOUS ARMS OF GOVERNMENT, FUNCTIONARIES AND OTHER PEOPLE

154 During the press briefing of 6 July 2025, I made serious allegations suggesting impropriety and/or criminality on the part of some against persons serving in

the different arms of government, the law enforcement agencies as well as members of the business community.

155 These allegations were made after careful consideration of all facts at my disposal and fully supported by the investigation reports received which suggest that some politicians, members of law enforcement agencies, prosecutors and business people are involved with criminal syndicates operating in the country.

156 Before I turn to substantiate my claim, it is important that I point out that the majority of the information I rely upon is part of ongoing investigations and as such cannot be disclosed publicly as this would adversely affect these investigations. For these reasons, I will only briefly touch on the facts that give rise to the concerns. Further, I will provide one example in each case, the remainder to be addressed in-camera. The choice of example is informed by, amongst other things, the completeness of the supporting facts at this juncture and potential impact on ongoing investigations the disclosures may have.

157 I assure the Commission however that full disclosure of the relevant facts will be made at subsequent in-camera hearings.

158 I request that each of the facts I articulate below be taken in proper context, being the developing pattern of cartel infiltration of policing and the criminal justice system in general in the country that is being established by available intelligence. Each fact on its own may, admittedly, not be conclusive, but I

submit that in the context provided each supports, at the very least, a call for further and deeper interrogation and investigations.

THE JUDICIARY

Magistrate Mahlangu

- 159 In June 2025, Lt-Gen Khumalo was arrested by IDAC on a charge of corruption in terms of section 3, 4 and 10 of the Prevention and Combatting of Corrupt Activities Act, 12 of 2004 and fraud allegedly committed during the period April 2024 to June 2024.
- 160 The charge emanates from a case opened against Lt-Gen Khumalo by Adams MP as discussed above. The charge relates to the appointment of Mrs Mokwele as Head of the Technical Support Services at Crime Intelligence.
- 161 Lt-Gen Khumalo applied for bail, along with his co-accused. However, the bail conditions that were imposed by the Magistrate are startling, excessive and disruptive to the workings of the SAPS. The magistrate imposed a bail condition that none of the accused were allowed to enter any Crime Intelligence office in the country. A further condition is that if the accused required anything related to their work, it could only be obtained through the intervention of the investigating officer, Senior Investigator Brian Padayachee of IDAC.

162 For the purposes of the work of this Commission, I seek to make the following observations:

162.1 despite several senior SAPS members being charged criminally for a labour-related matter, the facts of this matter do not warrant the extremely stringent bail conditions imposed by the Magistrate.

162.2 An order barring Lt-Gen Khumalo from entering the premises of any Crime Intelligence office in the country places an embargo on the ability of Lt-Gen Khumalo to discharge his duties. Despite not being formally placed on suspension or being subject to any internal disciplinary proceedings, he has been embargoed from working.

162.3 Having regard to the sensitive nature of Lt-Gen Khumalo's role, a condition empowering Mr Padayachee to have any access to Crime Intelligence information is unwarranted. It compromises state security. Lt-Gen Khumalo has applied for the bail conditions to be amended but the hearing of this application to amend the bail conditions has been postponed on numerous occasions.

163 In conclusion, I again raise a concerning feature of this criminal investigation as well as its progression through the courts. The complaint originates from Mr Adams. MP and I have explained in my statement its dubious genesis. As to the role of IDAC, I fail to see how an employment matter of a mid-level

employee rises to the level of serious, high profile or complex corruption or unlawful activity arising from the State Capture Commission.

POLITICIANS

164 In so far as politicians are concerned the allegations are levelled against parliamentarians and members of the executive. I will address each in turn:

Parliament

165 In so far as Parliament is concerned, I will address myself in large part to the conduct of Mr Fadiel Adams MP. I will briefly draw attention to the conduct of Ms Kohler Barnard, a member of the DA.

166 The main concerns with Mr Adams are the following:

166.1 Unauthorised access to intelligence information and his reckless use thereof; and

166.2 Abuse of his seeming influence on the police structures at the highest echelons.

167 I elaborate further on these issues hereunder.

168 Mr Adams appears to have come into possession of certain information that relates to the operations and functioning of the intelligence services of the police.

169 I do not intend to engage with the veracity or otherwise of any such information. I point out that such information, regardless of its veracity or the absence thereof, relates to matters that fall strictly within the purview of the Joint Standing Committee on Intelligence, on which, to the best of my knowledge Mr Adams does not serve.

170 I submit that it was incumbent on Mr Adams as a serving lawmaker in Parliament, immediately upon receipt of such information to refer the matter to the Joint Committee on Intelligence for action.

171 The information relates to vetting processes and outcomes within SAPS. These are matters that are regulated by the National Strategic Act and are strictly regulated.

172 He, for reasons best known to him, elected not to, notwithstanding the fact that he knew, or ought to have known as a Parliamentarian, how such information and investigations ought to be handled, if indeed there was substance to the information.

173 Mr Adams instead appears to have utilised this information for his own ends.

174 On 29 October 2024, Mr Adams opened three cases in Cape Town.³

174.1 One concerned a claim that some vetting procedures followed in respect of a member of the SAPS were improper and that other senior members failed to investigate the matter, notwithstanding the fact that they became aware of such facts;

174.2 The other related to a claim of abuse of secret funds within the Crime Intelligence Division of the SAPS. Mr Adams contends that these funds were being unlawfully channelled for procurement of items such as vehicles for the PKTT which he alleges is a private service for former Minister Bheki Cele;

174.3 The third case concerned the appointment of Mrs Mokwele as head of the Technical Support Services at Crime Intelligence.

175 Two days later and on 31 October 2024, Mr Adams laid the same charges at Orlando Police station, in the Gauteng Province.⁴

176 The following day, on 1 November 2024 at 08h21, Mr Adams wrote an email to the Minister of Police complaining that there were efforts to undermine investigations relating to these cases and requesting the Minister to intervene.

³ Cas Nos: 1650/10/2024, 1651/10/2024; 1653/10/2024

⁴ Cas Nos 403; 404 and 405

I attach marked “**MK14**” a copy of the email dispatched by Mr Adams in this regard.

- 177 It is interesting to note that in this letter Mr Adams claims that the Cape Town dockets had been ‘intercepted’. I do not know what this means. He further claimed that he had been notified that the Gauteng police department had “followed the same *modus operandi* as the Western Cape PC and is interfering in the investigative process.”
- 178 These claims are astonishing regard being had to the fact that they were made only three days after the Cape Town dockets were opened and a day after the Orlando dockets were opened.
- 179 This complaint was acted upon by the National Commissioner who referred it to the Police Inspectorate. I attach the report of Lt-Gen PA Jacobs, the Divisional Commander: Inspectorate which set out the steps the Inspectorate took to investigate Mr Adams’ complaint marked “**MK15**”. Notably, the report notes that notwithstanding all efforts by the Inspectorate the unit could not secure an appointment with Mr Adams to obtain an affidavit, due, allegedly, to Mr Adams’ diary schedule.
- 180 Notwithstanding, the Minister’s office found it fit to act on these claims and on 11 November 2024 directed a letter, under the hand of the Chief of Staff Mr Nkabinde, to IDAC in respect of the Orlando cases. I attach a copy of this letter

marked “**MK16**”. The letter claims that the request is in terms of section 27 of the National Prosecuting Authority Act 32 of 1998.

181 In light of the fact that Mr Adams could very well have approached IDAC himself in terms of section 27 it is unclear why the Chief of Staff elected to act on his behalf.

182 It is evident that Mr Adam’s complaint was contrived and filed to achieve other objectives, but the pursuit of justice. His decision to unavail himself for the Inspectorate’s investigation, notwithstanding that he had laid serious charges against senior police officers, bears testimony to this.

183 To my understanding the functions of a Chief of Staff do not extend to the issue of requests such as Mr Nkabinde extended to IDAC as per annexure “MK16”. I have no basis to conclude that he was acting on the instructions of the Minister. The letter does not reference the requisite authorisation or even purport to be issued on behalf of the Minister. At face value, it appears attributable to only the Chief of Staff.

184 The decision of the Chief of Staff in the Minister’s office leads to the inescapable conclusion that he is either in collaboration with Mr Adams or has resolved to advance Mr Adam’s objectives, whatever they may be.

185 After long engagements the files were uplifted from the Inspectorate by IDAC.

186 The conduct of Ms Kohler Barnard as a member of Parliament, a lawmaker and member of the Joint Standing Committee on Intelligence raises concerns. By virtue of that position, she has access to classified information relating to matters of intelligence. She utilises this position to publish information that would otherwise not be for public consumption. A case in point is a press statement she issued as a member of the Democratic Party.

<https://www.da.org.za/2025/02/crime-intelligences-r22-8-million-property-purchase-da-calls-for-urgent-investigation>



Crime Intelligence's R22.8 million property purchase: DA calls for urgent investigation

Issued by Dianne Kohler Barnard MP – DA Spokesperson on State Security

17 Feb 2025 in News

Please find attached a soundbite by Dianne Kohler Barnard

The Democratic Alliance (DA) is calling for an immediate and thorough investigation into the recent purchase of a multi-million Rand commercial property by the Crime Intelligence Division of the South African Police Service (SAPS) in Berea, Durban.

This purchase, approved by high-ranking officials within Crime Intelligence, raises serious concerns due to the vast amount of taxpayers' money involved, especially as it follows a previous, highly questionable property acquisition in Pretoria, to the tune of R22.7 million — a matter that the Inspector-General of Intelligence confirmed is now being investigated.

THE EXECUTIVE

187 Minister Mchunu, through his associate Mr Brown Mogotsi and as corroborated by his Chief of Staff, Mr Nkabinde, maintained associations that have confirmed links with the underworld. When confronted about this, the Minister initially provided misleading information to Parliament by denying any relationship with Mr Mogotsi; however, in a private conversation dated 30 March 2025, he subsequently acknowledged this association.

188 On or about 30 September 2024, Mr. Mogotsi sent me a WhatsApp message regarding an allegation of defeating the ends of justice matters which was to subsequently be widely publicised, arising from an incident that occurred at Correctional Service at eMpangeni in KZN. His communication however preceded any media coverage that I am aware of about the incident that happened at eMpangeni.

189 I have since caused for the number used by Mr Mogotsi for these communications with me to be verified. I can confirm that the cell-phone number **[number redacted]** is indeed registered to Mr Brown Mogotsi.

190 In this message, he attached several documents that were clearly intended for SAPS members only. He shared a police letter and a picture of an entry into the occurrence book regarding the eMpangeni matter. This register is a record

used at police stations and is supposed to be accessed only by police officers.

Mr. Brown therein advised me that there was a plot to charge me.

191 In the same communication chain, he sent me a further screenshot of a presentation that was made on the 30th of September 2024, titled 2024-2025 Division Crime Intelligence Policies. I confirm that such a presentation was indeed made to the Minister on the said date regarding the policies of this Division. I was surprised again at the level of access that he enjoyed. Despite not being a policeman, he was in possession of classified information where the Crime Intelligence Division was presenting and discussing its policies.

192 This act meant one of two things, either:

192.1 Mr Mogotsi was present at this presentation which is most unlikely as this would be the most egregious breach of protocol; *alternatively*, and no less disconcerting

192.2 That a senior SAPS official or someone with clearance to be present at a meeting concerning intelligence took a picture of the screen onto which the presentation was projected and shared such picture with Mr Mogotsi, who in turn latter forwarded it to me.

193 I asked him to share the copy of this presentation through WhatsApp communication, and he declined and instead said that General Khan would brief me the following week.

194 I only have knowledge of one General Khan in the South African Police Service, namely General Feroz Khan, who is the Component Head of Operational Intelligence Support. General Khan is a senior officer within SAPS and the former Acting Head of Counter and Security Intelligence and had been the subject of a protracted disciplinary process stemming from allegations that he interfered with an investigation and obstructed justice in relation to a 2021 drug bust in Johannesburg.

195 In the same communication chain, Mr Mogotsi also informed me that the Minister is briefed and has just arrived in Lusikisiki.

196 I attach marked "**MK17**" a copy of these message communications I received on the WhatsApp platform from Mr Mogotsi.

197 On the same day, I telephoned Mr. Nkabinde, the Chief of Staff of the Minister of Police, and asked him as to who Brown Mogotsi was. The latest communication intimated that Mr Mogotsi would be travelling with the Minister to Lusikisiki. I assumed therefore that the Chief of Staff would know of this gentleman.

198 The response from the Chief of Staff was that Mr Mogotsi is an associate of the Minister but is not employed in the department. That is when I first got confirmation about Mr Brown Mogotsi. I then asked the Chief of Staff to send the phone number of this Brown Mogotsi, which he did. It is the same number

from which all these communications were made and which I have since confirmed as being registered to Mr Mogotsi. The Chief of Staff thus confirmed to me that indeed the person who is sending me WhatsApp messages is the same person called Brown Mogotsi, and is from North West.

199 On the 5th of March 2025, I appeared before the Portfolio Committee in parliament and gave a presentation regarding the matters traversed in this statement. I raised in Parliament the issue of the proximity of the now suspended Minister of Police and Mr Brown Mogotsi. This is at 4h26 minutes in the video posted online by the Parliamentary Monitoring Group.

200 The Minister denied on record that he knew Mr Mogotsi. He did so in his briefing before Parliament and insisted that he does not know Mr Brown Mogotsi. This is at 4h52 minutes of the video.

201 However, a telephone conversation was soon leaked on the X platform (previously known as Twitter) under the handler *@londcare*, on 30th of March where he confirmed that this was his comrade from North West. This clip can be accessed through the following link from 50 seconds:
<https://www.youtube.com/watch?v=zEt8ijPgvf0>

202 These events viewed cumulatively made three things clear to me:

202.1 Firstly, that despite not being a SAPS officer Mr Mogotsi had access to highly classified and confidential criminal intelligence information;

202.2 Mr Mogotsi had access to the Minister's diary and was known in the Office of the Minister as being an associate of the Minister; and

202.3 Despite their association, the Minister endeavoured to keep his association with Mr Mogotsi unknown, to the extent of misrepresenting the facts to Parliament when he denied knowing him.

203 Members of the SAPS team responsible for the criminal investigations relating to Mr Matlala will appear before this Commission and confirm the authenticity of these communications.

204 Investigations and analysis of data downloaded from Mr Matlala's cell phone point to a deeper association between Mr Mogotsi and Minister Mchunu which association the Minister had at first categorically denied at the Parliamentary Portfolio Committee meeting of 5 March 2025 but was later to reluctantly admit.

205 In the WhatsApp conversations downloaded from Mr Matlala's cellphone after the sting operation at his house, there is communication between Mr Matlala and Mr Mogotsi of 31 December 2024 which is noteworthy for purposes of this statement. In this communication Mr Mogotsi advises Mr Matlala that it was "*D-day' and that he should stand back*".

206 It must be borne in mind that the Minister's letter disbanding the PKTT was signed and dated 31 December 2024 and addressed to National Commissioner Masemola, who as I stated was at the time on leave. However, on the same date Mr Mogotsi was already aware that such a letter would be issued

207 On 1 January 2025, Mr Mogotsi informed Mr Matlala that he would be meeting with Minister Mchunu and DNC Lt-Gen Sibiya. The text message reads as follows:

"Goodday! I hve arranged a meeting 4 Sibiya and the Minister. Must hve a solution."

208 Later that evening at 22:38, Mr Mogotsi sent a WhatsApp Mr Matlala indicating that: *"The Task Team tht came to yr house and harassed u has been Dissolved/ Disbanded!"*

209 On 2 January 2025, Mr Matlala responded as follows: *"Oh really, I see you tried calling me last night, When is this happening?"*

210 Mr Mogotsi responded stating that:

"They got the letter on Monday. As we speak they re bringing all the dockets to Sibiya."

211 As I pointed out, the Minister's letter of disbandment did not direct that dockets be handed over to General Sibiya. General Sibiya's formal instruction to bring

the dockets to him postdate this communication between Messers Matlala and Mogotsi. Mr Mogotsi's knowledge of what was to be the eventual fate of the dockets cannot therefore be explained away as mere coincidence.

212 The inescapable conclusion is that General Sibiya's instruction to General Khumalo in respect of the dockets was informed by a plan to which Mr Mogotsi was either a part of, or was reliably informed by a senior SAPS official of the intention to uplift these dockets from the Task team.

213 Mr Mogotsi then sent Mr Matlala the letter addressed to NC Masemola to disband the team. To the best of my knowledge at this time General Masemola was still on leave and had not seen this letter. Neither had General Khumalo become aware of it

LAW ENFORCEMENT AGENCIES

214 I am aware of a case where the vehicles registered to Mr Matlala's business, CAT Securities, were found to have been fitted with blue lights which were being utilised.

215 The use of blue lights is intended for specific emergency situations to alert road users, and those in the vicinity of the relevant road, to the presence of, or approach by, law enforcement services (the South African Police Service (SAPS), Municipal Police Services, Traffic Officers, and the South African

National Defence Force (SANDF) Military Police). A vehicle using blue lights at the time of travel is authorized to deviate from road rules under certain conditions to ensure that members can effectively perform their functions.

216 The use of this equipment is strictly regulated by the National Road Traffic Act 93 of 1996. Only members of the prescribed services may fit such equipment in their vehicles. Furthermore, the use of this equipment is limited to when members are actively performing their official duties.

217 The installation of these lights in Mr Matlala's vehicles was facilitated by the Deputy Chief: Operations Director of the Ekurhuleni Metropolitan Police Department Major-General Julius Mkhwanazi. This was patently unlawful.

218 The Independent Police Investigative Directorate ("IPID") conducted an investigation into the matter. The investigation included alleged registration of Mr Matlala's vehicles as part of the EMPD fleet.

219 IPID has since concluded its investigations and rendered its report. This report is classified. I understand that the Commission will be seeking its declassification, and it shall be availed as soon as it is duly declassified.

220 A further concerning aspect regarding the conduct of some members of our law enforcement agencies is the use of these police officers by persons such as Mr

Katiso Molefe, who is currently facing serious multiple criminal charges, to serve their personal interests.

- 221 On 05 February 2025 one officer Johannes Mokgatle, of the Johannesburg Metropolitan Police Department deposed to an affidavit in the course of investigations currently underway by the GCI Ops following Mr Molefe's arrest by the GCI Ops on 06 December 2024. Officer Mokgatle had arrived at the scene after the operation had commenced and in response thereto. His presence was neither authorised nor required by the members of the GCI Ops.
- 222 In this affidavit Officer Mokgatle states that he became acquainted with W/O Michael Pule Tau, a former member of the SAPS Detective Branch, Johannesburg Central and co-accused with Mr Molefe in the Vereeniging murder case of Mr Swart, as a fellow police office during 2008. Through him he was introduced to Mr Katiso Molefe with whom he struck a close relationship over time, and they established direct contact. I understand that W/O Tau resigned from the service after he was arrested and charged for the murder of Mr Swart.
- 223 He states under oath that on 6 December 2024 after he reported for duty, he received a call from Mr Molefe complaining of a suspicious vehicle parked on his street. He immediately proceeded to Mr Molefe's residence and collected him after which they drove to the car concerned. He took note of the car's

registration number, and with the use of the SAPS systems available to him checked to establish ownership of same.

224 Thereafter he alighted from the vehicle and approached the occupants of this vehicle to whom introduced himself as Constable Mashego of the SAPS. He thereafter returned to the vehicle and confirmed to Mr Molefe that the vehicle was registered to SAPS. He claims that he thereafter dropped Mr Molefe back at his home and resumed his routine patrols.

225 He claims that later in the day he received a call from Mr Molefe's son, Neo, informing him of Mr Molefe's arrest for the same murder that his colleague, Officer Pule Tau.

226 The testimony of General Khumalo and members of his investigation team which will follow, will show that Officer Mokgatle played a more active role during the arrest of Mr Molefe than the affidavit suggests.

227 His relationship with Mr Molefe included utilising SAPS resources to check ownership of vehicles against specific registration numbers provided by Mr Molefe and thereafter furnishing the later with the required ownership details. This exercise was, on his own version, clandestine and one he was not authorised to undertake as it could only be carried out by one specific person within the police force who he names in the affidavit. This meant that if the

specific person was not on duty, he Officer Mokgatle, couldn't conduct the searches.

228 He also renewed licenses for vehicles, at Mr Molefe request, for which he would receive gratification.

229 A copy of this affidavit is attached marked "**MK18**".

230 This is undoubtedly a flagrant abuse of police resources and a demonstration of unlawfulness of the conduct of some members of our service.

231 These are but just two examples of the modalities and effect of the infiltration of the police services. More witnesses will testify to this and other similar matter in due course.

BUSINESS PEOPLE

232 Under this heading, amongst others, I will highlight different communications between persons currently facing serious criminal charges with business people, whether directly or through a third party.

233 Mr Suluiman Carrim maintains direct connections with Mr Matlala and plays a pivotal role in accelerating the approval and payment processes for their tender invoices arising from a tender Mr Matlala then held with the SAPS. Once these

payments are expedited, Mr Matlala compensates him accordingly. Furthermore, he actively intervened, though without success, to ensure that the Minister of Police prevented the National Commissioner from cancelling Matlala's tender, thereby safeguarding Mr Matlala's interests at the highest level.

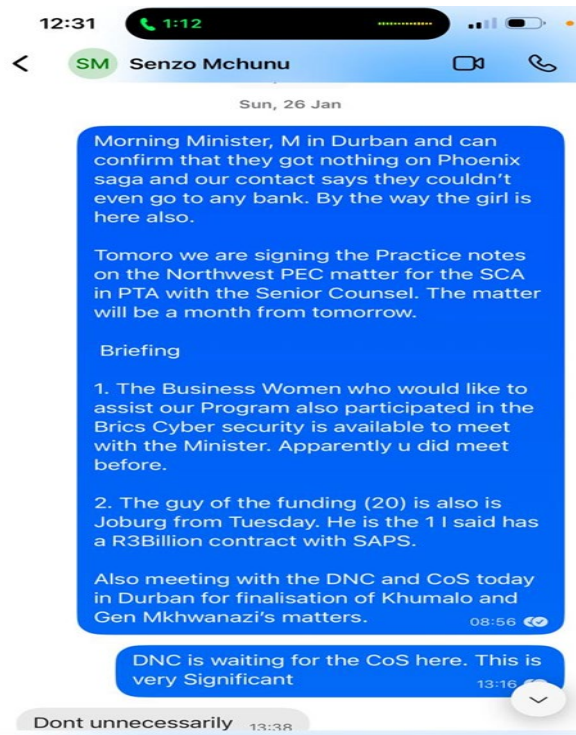
- 234 Amongst the texts obtained from Mr Matlala's phone by the investigators, the following conversation of 7 February 2025 between Mr Matlala and his business associate Mr Mike van Wyk bears quoting. The text is from Mr Matlala to Mr van Wyk and reads as follows:

BREAKING NEWS: NPA "ID" GUNS FOR NATIONAL

POLICE "ROGUE UNIT", THE NPA INVESTIGATIVE DIRECTORATE "ID", RAIDS NATIONAL POLICE COMMISSIONER, FANNIE MASEMOLA AND NATIONAL CRIME INTELLIGENCE HEAD LIEUTENANT GENERAL, KHUMALO OFFICES AFTER SERVING THEM WITH NOTICES OF ARREST. THIS COMES AFTER AN INVESTIGATION LODGED BY PARLIAMENTS POLICE PORTFOLIO COMMITTEE. The National Police Commissioner Liuetenant General Fannie Masemola appeared weak and shaken when confronted by the ID. The ID had served him with arrest notices for 5 senior officers within the Crime Intelligence Division, including its National Head Liuetenant General Khumalo. When serving the arrest notices, the National Commissioner asked the ID for indemnity from prosecution if he cooperates with them. An investigator states, " The National Commissioner was very nervous and appeared to be shaking." He then blamed the collapse of Crime Intelligence at the hands of Liuetenant General Khumalo and KZN Provincial Commissioner Nhlanhla Mkhwanazi Developing.....

- 235 Mike Van Wyk responded saying: "not good".

- 236 Mr Matlala responded saying: “It’s actually good my person is going to be a National Commissioner now.”
- 237 Excerpts of this conversation are attached as annexure **“MK19”**.
- 238 On 11 February 2025, a Mr Rafadi sent Mr Matlala the published advertisement for the post of DPCI to which Mr Matlala responded by saying: “*They gave it to General Sibiya already*”.
- 239 At the time of this communication the interviews were yet to be conducted.
- 240 On 26 January 2025, Mr Mogotsi sends a message to Mr Matlala reminding him to submit his invoices. From intelligence gathered by the team, I am informed that based on Mr Matlala’s submission of invoices, Mr Mogotsi expedites payments through his contacts with SAPS.
- 241 Additionally, Mr Mogotsi sends a screenshot of his conversation with Minister Mchunu, including that he plans to meet with DNC Lt-Gen Sibiya and Chief of Staff Nkabinde to discuss the “finalisation of Khumalo and Gen Mkhwanazi matters”.



242 There is evidence these correspondences that Mr Mogotsi is facilitating further deals between Minister Mchunu and other businesspersons.

POLITICAL INTERFERENCE

243 Finally, I wish to note that this is not the first time where the suspended Minister has conducted himself in such a manner unbecoming of his office and has inappropriately and directly intervened in police matters.

244 Maj-Gen Anthony Gopaul, a District Commissioner in iLembe (Kwa-Zulu Natal) has deposed to an affidavit wherein he confirms that the Minister telephoned

him on 5 February 2025 inquiring about the details surrounding the murder of Councillor Phendukani Mabhida.

245 According to Maj-Gen Gopaul, Minister Mchunu asked to be kept abreast of developments in the matter. The Minister was advised that the docket is not at the local police station but is with the PKTT.

246 According to Maj-Gen Gopaul, during this conversation the Minister inquired why the PKTT was investigating the case as opposed to the local police station, as per his instruction. To which the Maj-Gen explained that the PKTT knew the modus operandi and was familiar with the suspects usually involved in these kinds of crimes. The Minister reiterated his request to be kept abreast of developments in the matter.

247 On the same day, Maj-Gen Gopaul telephoned me and briefed me about this conversation.

248 On 15 February 2025, the Minister again reached out to Maj-Gen Gopaul seeking an update on the case. The Maj-Gen sent a request to the Investigating Officer assigned to the case and requested that they update the Minister. The Investigating Officer, whose name I do not know, advised that he would first update me as PC, and I would then update the Minister in the event that a briefing is sought from me. The Minister suddenly responded to Maj-Gen Gopaul that he was “now covered.”

249 The affidavit of Maj-Gen Gopaul is marked and attached as “**MK21**”

250 I bring this incident to the Commission’s attention and further highlight that it is inappropriate for the political head of the SAPS to directly intervene and engage a district commissioner concerning an ongoing investigation in this manner. These are operational matters which fall outside the Minister’s Constitutional and legislative mandate. It is also inappropriate for a member of the executive to direct where a docket should go after it has been assigned. Such conduct blurs the distinction between the executive policy direction of political heads, and the operational mandates of SAPS members constitutes political interference in criminal investigations.

251 In the event that the Minister sought a briefing on a particular case in order to provide feedback to his constituents, he ought to have followed the proper channel, which is to address a request for an urgent briefing through the Provincial Commissioner, who would brief him after obtaining a full report from the Investigating Officer.

HISTORICAL INTERFERENCE WITH THE CRIMINAL JUSTICE SYSTEM

252 It bears mentioning that the 6 July 2025 media briefing, and indeed my presentation to the Portfolio Committee, were triggered by earlier experiences I had within the police service.

- 253 I joined the senior management ranks of the SAPS in 2011 when I was appointed by former President JG Zuma as the Acting National Commissioner for SAPS. In this role I became exposed to the functioning of the criminal justice system in general and the operations of the various units within SAPS in particular.
- 254 At the time I took office, the Lieutenant General Richard Mdluli had been placed on suspension and the subject of disciplinary processes. He was subsequently charged with two criminal offences – the first related to the death of one Oupa Ramogibe, and the second arose from claims of corruption within the Crime Intelligence Division of the SAPS, a division he headed.
- 255 The manner in which this matter was dealt with caused me grave concerns, including the role played by the NPA in the eventual withdrawal of these criminal cases. I strongly objected to the withdrawal of both the criminal and disciplinary charges levelled against the Lt-Gen. My acting appointment was subsequently withdrawn in 2012. I was later transferred to the post of Divisional Commissioner: Facility Management, a post I held until 2016. Thereafter I was moved to the Human Resources Development Division. In these posts I no longer had influence over these and similar matters.
- 256 Lieutenant General Richard Mdluli has since left the service, having retired in 2018.

257 The detail of these matters and the specific roles played by the various bodies in this debacle are set out in an affidavit I deposed to and submitted to the Judicial Commission of Inquiry into the Allegations of State of Capture, Corruption and Fraud in the Public Sector Including Organs of State chaired by former Deputy Chief Justice Zondo, as he then was. A copy of this affidavit is attached and marked **“MK22”**.

258 The challenges highlighted at the media briefing represented for me history repeating itself. I thought it would be irresponsible of me if I did not take definitive steps, within my ability, to prevent a repeat of the past. The more they recur, the more entrenched they become within the system.

GENERAL SIBIYA

259 During the media briefing on 6 July 2025 and in response to a question from a member of the press concerning my relationship with General Sibiya regarding I stated that there can never be peace between a criminal and a policeman.

260 To place my comments in their right context, it is necessary that I refer to General Sibiya’s previous employment.

261 General Sibiya was employed in the current position of Deputy National Commissioner: Crime Detection on 1 July 2022. In this capacity he is responsible for Crime Detection, Crime Intelligence and Ballistics within SAPS.

These three functions constitute the heart of policing operations. The failure of any one of them compromises all and any policing efforts to combat crime.

262 Prior to July 2022 Gen Sibiya had been employed at the City of Johannesburg as Group Head: Forensic and Investigation Services.

263 On 20 June 2022 a Mr Mesuli Mlandu, then Executive Director City Manager's Office at the City of Johannesburg Metropolitan Municipality ("the COJ") addressed a letter to the Minister of Police, Mr Bheki Cele, copying the City Manager, requesting his intervention to stop General Sibiya from assuming the office of the Deputy National Commissioner: Crime Detection. The reason stated for the request for intervention was alleged corrupt conduct on the part of General Sibiya at the COJ. He alleged that his employment at the COJ was based on fraud and corruption and as Group Head: Forensic and Investigation Services (GFIS) was receiving R3.5 million in unlawful gratification. The letter was supported by extensive documentation. I attach marked "**MK23**" a copy of this complaint and its annexures.

264 The allegations made against General Sibiya in annexure "**MK23**", and the attached documents are very serious and would have, if proven, precluded General Sibiya from being employed at SAPS, more particularly in the position of Deputy National Commissioner: Crime Detection.

- 265 Annexure “MK23” bears a stamp of the Ministry of Police dated 20 June 2022 which confirms that it was duly delivered to and received by the Minister’s office.
- 266 General Sibiya did however take up his post as the Deputy National Commissioner on 1 July 2022. I do not know whether Minister Cele investigated the allegations made in this complaint or whether or not he did bring these matters to the attention of the National Commissioner to address the impending employment of General Sibiya.
- 267 In terms of regulation 39(4) an appointment of a level of Major-General and higher must be made in consultation with the Minister. This provision applies to the appointment of a Deputy National Commissioner. He bore a duty to engage the National Commissioner regarding these allegations and their potential impact on General Sibiya’s appointment.
- 268 To the extent that Minister Cele failed to do so, I submit that it was a deliberate act on his part, for the allegations made against General Sibiya are most egregious. It is inconceivable that a Minister of Police would not have concerns of these allegations and at least test their veracity before the employment is given effect to. I accept that at the time of receipt General Sibiya was expected to take up his new position in less than 10 calendar days. I submit however that Minister Cele did have the legal authority to at least seek to postpone the date of the General’s assumption of office until the Minister and/or the National

Commissioner has conducted at the very least preliminary investigations to determine whether the offer of employment to general Sibiya ought not to be withdrawn.

269 As it turns out there was substance to Mr Mlandu's complaint sufficient, at least to sustain a formal investigation as borne out by the subsequent establishment of a Special and Independent Investigation Committee ("the SIIC") by the Council of the COJ during or about 2024. I attached marked "**MK24**" a copy of the Terms of Reference of this Investigation Committee.

270 The Terms of Reference require the SIIC to inquire into, amongst others:

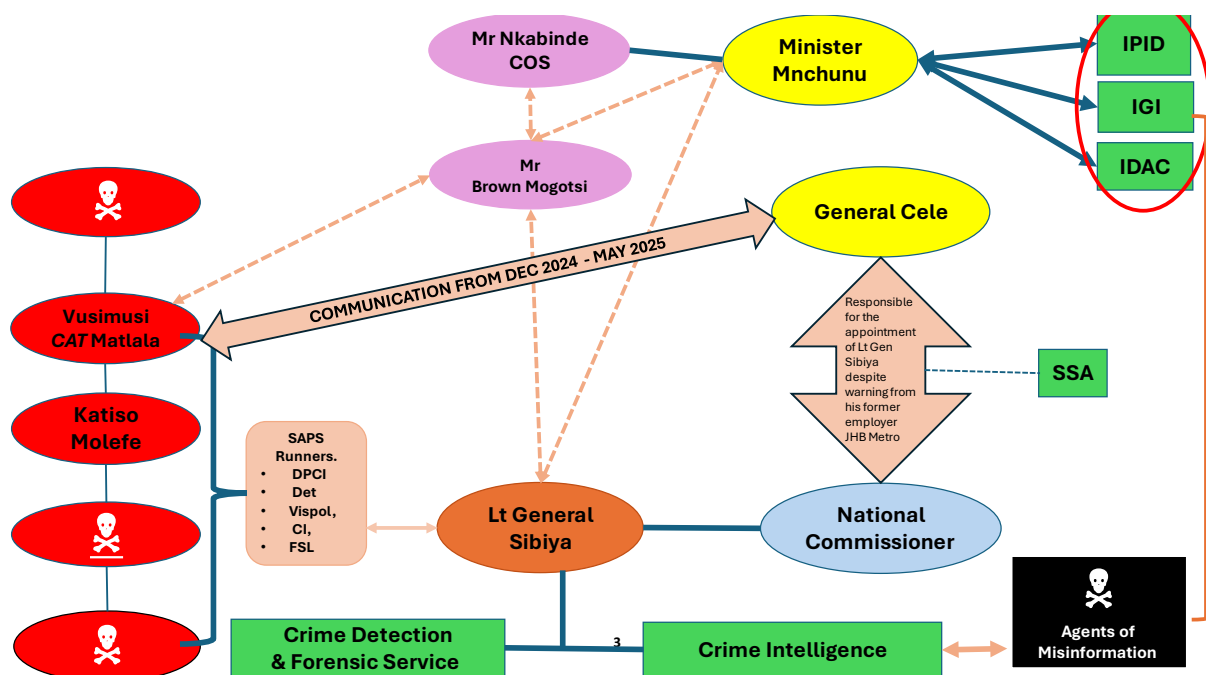
270.1 Allegations of fraud in the establishment of the GFIS in the COJ and which General Sibiya was appointed the Group Head of;

270.2 Allegations of fraud, corruption, maladministration and breach of law in the appointment of the head of the GFIS;

270.3 Allegations of fraud, corruption, maladministration and breaches of law regarding the implementation of rogue, clandestine and unlawful investigations by GFIS, particularly the *"unlawful procurement and/or deployment of snooping device called the Digital Forensic Equipment ("DFE") which is used to remotely access, intercept and store electronic information from various gadgets without authorisation."*

- 271 The TOR extend to investigations of other alleged unlawful acts by General Sibiya as the Group Head: GFIS. I highlight the above to simply make the point that had Minister Cele performed his duty at the time, these matters would have been fully investigated and verified.
- 272 Most concerning of these is the procurement of Digital Forensic Equipment by the GFIS. Such procurement by agencies other than those authorised in terms of legislation is strictly prohibited. To the extent that it may be proven that the GFIS in fact did procure such equipment under the direction of General Sibiya the question must be who the supplier of such equipment was and for what purposes was it acquired. Most importantly, where is this equipment today and how is it being deployed, by whom and for whose benefit.
- 273 The position General Sibiya occupies in SAPS is very senior and highly influential. As a Deputy National Commissioner responsible for Crime Detection Crime Intelligence and Ballistics in the country, he must be beyond reproach and these allegations against him, at least until fully investigated and verified, ought to have disqualified him for appointment.
- 274 I am not suggesting that these allegations are necessarily true. My point is they demanded proper and thorough investigations prior to anyone against whom they are levelled being appointed to such a critical position.

275 I submit that General Sibiya's conduct within the SAPS has not been the most exemplary. I will briefly speak to certain matters for which evidence will be provided in camera to support my claim. I will do so with reference to a diagram reproduced from available evidence set out below.



ATTEMPTS TO SEEK REDRESS

276 Since I became aware of the ongoing threats to the Criminal Justice System, I have made numerous attempts to bring these concerning developments to the appropriate structures calling for urgent action, including:

276.1 Making submissions to the Zondo Commission;

276.2 Seeking an audience with the Minister of Police;

276.3 Requesting to appear before the Portfolio Committee of Police.

276.4 Opening a case of defeating the ends of justice following the removal of the 121 dockets; and

276.5 Holding the 6 July 2025 media briefing.

277 I will briefly summarise these efforts in turn and comment on the lack of action by the various entities, which left me no option but to address our concerns to the South African public which we serve and seek to do so with honour and integrity.

SUBMISSIONS TO THE ZONDO COMMISSION

278 During the course of the Zondo Commission, I took the initiative to prepare submissions and submit to the Commission. These were submitted in September 2020.

279 These submissions are set out in the affidavit already attached.

280 Unfortunately, I didn't get the opportunity to testify before the Commission.

REQUESTS TO MEET WITH THE MINISTER

281 I also attempted to meet with the Minister to understand the rationale behind his decision to disband the PKTT, particularly in the face of the threats to our Criminal Justice System by organised crime cartels and ongoing political killings in KZN.

282 Since I was not involved in the day-to-day engagements regarding the implementation of the disbandment, I had no insight into his reasons for the disbandment. As stated above, I had my suspicions regarding the motive behind the disbandment but considered it appropriate to first have an engagement with the Minister who could potentially persuade me otherwise.

283 My efforts in this regard came to nought.

284 For some reason not known to me, instead of meeting with me regarding the disbandment of the PKTT, the Minister elected to convene a so-called “peace meeting” between myself and Gen Sibiya which would be facilitated by the Minister.

285 I was indeed invited to such a meeting at the Minister’s official residence in Pretoria. When I received the meeting invite, I was unsure why the Minister would schedule a meeting with Gen Sibiya and me. I soon came to realise that

the meeting was an attempt by the Minister for General Sibiya and I to reach some form of amicable working arrangement.

286 I was frustrated at this point because I had repeatedly called for a meeting with the Minister to discuss the disbandment of the PKTT, which was a more serious and pressing issue, but now I was being called to a so-called peace meeting with Lt Gen Sibiya and the Minister.

287 This meeting took place on 16 May 2025, at the Minister's official residence in Pretoria. Present at the meeting was the Minister, the National Commissioner, Lt-Gen Sibiya and I. I had not expected the National Commissioner to be present at the meeting because when I received the meeting invite, the National Commissioner was not included in the meeting invite. I came to learn that Minister had earlier held his own meeting with the National Commissioner prior to our meeting scheduled with Gen Sibiya. It would appear that the National Commissioner had attended at the Minister's invitation.

288 During the meeting the Minister stated that he knew that I wanted to meet with him regarding the disbandment of the task team but that the meeting he had called was not about the disbandment. The meeting was aimed at "brokering" peace between Lt-Gen Sibiya and me.

289 I did not understand what had given rise to a need for such a meeting and who in particular was seeking the so-called peace and on what basis. I left the meeting none the wiser.

290 The meeting concluded on the basis that Lt-Gen Sibiya and I would continue to do our work as there didn't appear to be any problem between us.

291 The meeting invitation is attached and marked **"MK25"**.

REQUEST TO APPEAR BEFORE THE PARLIAMENTARY PORTFOLIO COMMITTEE ON POLICE

292 On 5 March 2025 I appeared, at my request, before the Parliamentary Portfolio Committee on Police (PCOP) via a virtual platform. This appearance before the PCOP was meant to be ongoing challenges being experienced in the SAPS. At this stage, I had made efforts to meet with the Minister to discuss the disbandment, but all these efforts were rebuffed by the Minister.

293 When I appeared before the PCOP my intention was to bring to Parliament's attention the unintended consequences of the disbandment of the PKTT, particularly in the manner that the Minister sought in the light of the serious threats posed to the Criminal Justice System by the infiltration of organised crime cartels and to further highlight the severe consequences that would result if the disbandment was allowed to go ahead.

294 When I appeared before the PCOP it was clear that though they granted me an audience, they failed to appreciate the gravity of my message regarding the disbandment and my suspicions as to the Minister's motives for the disbandment of the Task Team or the Minister's association with Mr Mogotsi. What was evident from that session was that the PPCP had no intention of taking any action to entertain what I raised.

295 In fact, the focus seemed to be aimed at vilifying the PKTT, its members and its work. There also appeared to be personal vendettas against Lt Gen Khumalo and me by members of the Committee such as Mr Fadiel Adams, MP. Mr Adams was not interested in my allegations that the Minister seemed to have an unholy alliance with Mr Mogosti. He was more focussed in raising an issue against Lt-Gen Khumalo and the appointment of a brigadier to Crime Intelligence that he alleged was unlawful and criminal.

296 I left that meeting despondent and unconvinced that the Portfolio Committee had any intention to play its oversight role and investigate or at the very least question the Minister about the disbandment and his motives for the disbandment. Suffice to say, nothing came of this intervention and indeed my fears came to pass.

297 The full presentation I made to the PCOP and engagement with the members of the Committee is available on the parliamentary YouTube website and can

also be accessed through the following link:

<https://www.youtube.com/watch?v=36venqS0ljw>

298 I was never thereafter contacted by the Portfolio Committee whether seeking clarification on matters I had raised or requesting further information or evidence to support the claims I had made. The first time since my presentation that I was contacted by the PCOP was after the 6 July media briefing when I received an invitation from the Chairperson of the Ad Hoc Committee since established by Parliament following the press briefing to appear before the committee.

DEFEATING THE ENDS OF JUSTICE CASE

299 On 22 May 2025, I was attended a meeting at which I learnt that that Gen Sibiya had instructed that 121 dockets that the PKTT was working on and that were still under investigation be handed over to Head Office, Pretoria. This was the first I had heard of this. I contacted Lt-Gen Khumalo enquiring about the whereabouts and status of these under-investigation dockets that were allocated to PKTT. He informed me that the dockets had been handed over to Lt-Gen Senthumule, Divisional Commissioner: Detectives and Forensics on the instruction of Lt-Gen Sibiya.

300 I registered a case of defeating the ends of justice in respect of the 121 dockets that had been handed over. The matter is still under investigation.

301 The dockets have since been returned to the PKTT. A full analysis is being conducted on these dockets.

THE 6 JULY 2025 MEDIA BRIEFING

302 The media briefing of 6 July 2025 was a desperate last-ditch attempt by concerned policemen and women who uphold their oath to serve this nation to draw attention to these matters that pose serious risk to the criminal justice system in particular and to the citizens of this country in general.

303 This briefing was called after careful thought and consideration of the impact on the general public of what was to be shared. Many views were exchanged and debated the outcome of which was that silence was no longer an option. All attempts to have the matters addressed had failed and further silence placed the public in even greater jeopardy. In essence, the systemic failure to address these grave matters left the police no option but to turn to the populace they serve.

304 It is indeed with great relief that we are here today. The matter is now in the hands of the Commission and the police's attention must revert to their operations and the discharge of their duties.

CLAIMS OF FAILURE TO FOLLOW PROTOCOL

305 It has often been said that in making that media briefing on 6 July 2025 I failed to follow protocol. Curiously, the protocol I am alleged to have failed to follow is never fully articulated.

306 I submit that this is an unfair and unfounded criticism, regard being had to the various fora I have approach to bring attention to these challenges.

307 To the extent that there may be a forum I am deemed to have ignored in seeking to highlight these matters or a protocol I have failed to observe, I invite my critiques to draw my attention to such, substantiating why they consider such forum and/or protocol to be binding and articulating what value would have been derived therefrom.

RETALIATORY EFFORTS

308 In an effort to stop the PKTT and law enforcement officials from doing their work, several quarters of law enforcement, journalists and activists have allowed themselves to be used to bring the work of the PKTT to a halt.

309 This is done through the co-opting of legitimate government structures in order to advance political interests and factionalism within the SAPS, followed by

persistent circulation of these reports in the media, irrespective of how flawed the process.

310 I, Lt-Gen Khumalo and other members of his team have borne the brunt of smear campaigns in the media and the manipulation of law enforcement.

ONGOING CONCERTED CAMPAIGN AGAINST ME AND THE TASK TEAM

311 Since the PKTT started recording significant successes with the cases they investigated, I and the Team have faced myriad efforts to discredit us. I will highlight some of these below.

The Independent Police Investigative Directorate [IPID]

The eMpangeni matter

312 The genesis of the IPID investigation is the eMpangeni matter which is summarised below. On 8 January 2024, members of the SAPS raided the home of Colonel Joyce Ndlovu in Empangeni. She is employed at Qalakabusha Prison, Empangeni. In that operation, officers found five R5 rifle rounds of ammunition and 12 pills, suspected to be drugs, in a dustbin outside the house.

- 313 The items were seized as evidence, and Col Ndlovu was arrested and held at the Empangeni Police Station.
- 314 Colonel Ndlovu confirms that she contacted Regional Commissioner Nxele of Correctional Services, who in turn contacted me. I contacted District Commissioner, Maj-Gen Ngubani who didn't know about the operation but subsequently inquired and confirmed with me that it involved the National Team deployed at Richards Bay Minerals, a business based in Richards Bay.
- 315 I know that Captain Nkuna is a member of this team, and I telephoned her. In the course of our discussion, she confirmed that she is part of the operation, and I requested her to pass the phone to the person in charge, who I was informed was Lt-Col Matthys.
- 316 In the course of my discussion with Lt-Col Matthys, I advised him to consider the location of where the drugs were found and to consider opening an inquiry as opposed to a criminal docket. I also asked him to consider taking the discovered rifles for ballistics testing, and to request forensic services to conduct touch DNA to determine who had access to the dustbin where the drugs were discovered and to thereafter discuss the matter with the local prosecution after which he will have to determine whether he has a basis to register a case.
- 317 Colonel Ndlovu was subsequently released.

318 On 14 February 2025, Advocate Mkhonza of the NPA declined to prosecute Colonel Ndlovu on unlawful possession of ammunition and drugs. It was reasoned that the items were found in a dustbin outside of her house where anyone would have access.

319 The affidavit of Colonel Ndlovu and the NPA letter are marked and attached as **“MK26”**.

320 On 12 March 2025, I received a letter from IPID’s Acting Head of Investigation, that IPID had received a complaint of interference from the Minister of Police regarding allegedly interference with the arrest of a Senior Correctional Official in January 2024. The letter from the IPID Acting Head of Investigation is annexed as **“MK27”**.

321 IPID requested that I submit a sworn statement by 19 March 2025 related to the incident in Empangeni.

322 The Acting head IPID, has since sought to convince me that the reference to the Minister of Police as the complainant is an error and that the complainant was anonymous. It is baffling to me that the acting head of investigations would make such a serious mistake. I have no doubt that it is indeed the Minister of Police who made the complaint against me in respect of a matter he knows nothing about and that occurred at a time when he was not the Minister of Police or in any way involved in the business of SAPS.

323 I confirm before this Commission as I told the Parliament portfolio committee on police that a close associate of Minister Mchunu had informed me of an internal effort to discredit me.

324 One month after the incident - I received a phone call from Mzilikazi wa Afrika inquiring about this case. Upon considering the documents and hearing my explanation, Mzilikazi elected not to go ahead with the story. A year later – his colleagues have gone on to publish these unsubstantiated claims.

325 At present, I don't know what the status of this complaint is.

The Lt-Gen Khumalo Case

326 A further entity that advances political interests and factionalism within the SAPS is the Investigating Directorate Against Corruption ("**IDAC**").

327 IDAC was established in terms of section 7(1)(a) of the NPA Act, as amended. Its mandate is to investigate and prosecute high level and complex corruption, including common law and statutory offences.

328 These include commercial crimes such as fraud, forgery, uttering and theft. Statutory offences related to legislation covered by the Prevention of Organised Crime Act 121 of 1998, Prevention and Combating of Corrupt Activities Act 12 of 2004, Protection of Constitutional Democracy and Terrorist and Related

Activities Act 33 of 2004, the Public Finance Management Act 1 of 1999, Municipal Finance Management Act 56 of 2003, and crimes covered by the Financial Intelligence Centre Act 38 of 2001.

329 The IDAC's mandate also deals with referrals arising from public commissions of enquiries in criminal activities that involve prominent figures in government departments, State Owned Entities (SOEs), and the private sector.

330 Despite its mandate, IDAC has elected to involve itself in labour matters.

331 On 26 June 2025, the IDAC effected the arrest of Lt- Gen Khumalo, along with six senior members of management, on charges of corruption relating to the irregular appointment of Brigadier Makwele (Brooklyn CAS 542/06/2025). It is important to note that, under normal circumstances, irregular appointments are addressed through established human resources procedures. In this instance, however, the members of the selection panel responsible for Brigadier Makwele's appointment were arrested and formally charged. This peculiar exercise of criminal jurisdiction over a labour matter warrants further scrutiny by this court.

332 I was further informed that members of the PKTT have been the subject of several unwarranted cases as a result of their work. Although the cases themselves are without merit, they serve to distract members, instill fear and undermine the Team in the eyes of the public. The cases include:

332.1 During December 2024, the accused, Mr. Vusimuzi “CAT” Matlala, was advised to open a false case against members of the PKTT, allegedly at the instruction of the Minister of Police, Senzo Mchunu, acting through Mr. Brown Mokgotsi. Mr. Matlala subsequently confessed during his arrest in May 2025 that he had indeed been encouraged to open a theft case, alleging that members of the PKTT stole his Rolex wristwatch on 6 December 2024 during a search and seizure operation. It should be noted that, at the time of this conversation, Mr. Matlala was in possession of the aforementioned watch. This information was further corroborated by data extracted from Mr. Matlala’s mobile device.

332.2 In December 2024, three additional cases were opened by Ms. Fundiswa Nyalungu, the partner of accused Mr. Katiso “KT” Molefe, and by two of his nieces, Ms. Lebogang Molefe and Ms. Fana Moloi. The respective case numbers were Douglasdale CAS 425/12/2024, Katlegong CAS 237/12/2024, and Kliptown CAS 410/12/2024; all pertained to allegations of kidnapping. The alleged incident occurred when the three complainants accompanied members of the PKTT to a relative’s residence in search of a suspect. After assisting the team, the complainants were returned to their original location and at no point were they detained, kidnapped, or deprived of their liberty.

332.3 In January 2025, Captain Makgotloe, a ballistic expert with Forensic Services, opened a kidnapping case (Loate CAS 118/01/2025). The

allegations arose during an investigation into inconsistencies in a ballistic report. Captain Makgotloe escorted the investigative team to his office to provide an original report previously sent via email. Upon the team's discovery of discrepancies in multiple reports and their subsequent request to seize Captain Makgotloe's computer, he alleged that he had been kidnapped.

332.4 During April 2025, Brigadier Shabalala from the DPCI Head Office initiated a case in the Eastern Cape (East London CAS 446/04/2025) involving allegations of theft under the Corruption Act. Further clarification regarding the details of this case is pending.

ALLEGATIONS AGAINST ME IN THE PUBLIC DOMAIN

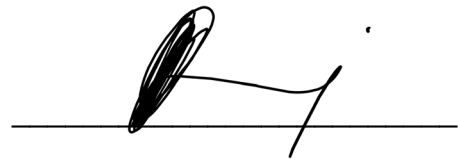
333 I am aware of allegations of impropriety or indeed criminality levelled against me and/or the PKTT by people such as Mr Paul O'Sullivan (security industry businessman) and Professor Mary De Haas (academic and violent-crime analyst) amongst others.

334 I respectfully request that I not be required to address these allegations at this juncture. Rather, I request the Commission to invite all parties who may have facts to support these allegations to make formal statements to the Commission as I have done.

335 Upon receipt and collation of all these statements I undertake, with the leave of the Commission and at a time of its choosing, to address each and every single one in turn. Only this approach I believe would be of assistance to the Commission by providing the Commission with concrete facts to investigate.

CONCLUSION

336 This is the conclusion of my testimony at this juncture. Should it become necessary I will prepare and submit a further statement.

A handwritten signature in black ink, consisting of a large, stylized 'N' followed by a horizontal line and a vertical stroke, positioned above a horizontal line.

NHLANHLA SIBUSISO MKHWANAZI

16 September 2025