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

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PRETORIA
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CAPE TOWN: 9th Floor | Convention Tower | Cnr of Heerengracht & Walter Sisulu Avenue | Foreshore | Cape Town 8000 | **Postal:** Postnet Suite 027 | Private Bag X100 | Cape Town | 8000 | **Docex** 76 | Cape Town
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DIALE MOGASHOA INC
ATTORNEYS

ALL MEDIA & TO WHOM IT MAY CONCERN

11 NOVEMBER 2026

Dear All,

RE: THE JUDICIAL COMMISSION OF INQUIRY INTO CRIMINALITY, POLITICAL INTERFERENCE, AND CORRUPTION IN THE CRIMINAL JUSTICE SYSTEM ("THE COMMISSION") – APPLICATION FOR TESTIMONY OF WITNESS SCHEDULED FOR 16 NOVEMBER 2026 TO BE IN - CAMERA

1. We confirm we act for and on behalf of the Commission of Inquiry.

2. We refer to the above matter as well as the attached application brought by the witness scheduled to appear before the Commission on Monday, 16 November 2026, accompanied by a signed Rule 4 Notice.

3. Accordingly, please find attached the redacted application and supporting affidavit the witness. The said application is before the Chairperson and Commissioners for a ruling and further directives, however same is being brought to your attention to allow you an opportunity to oppose same should you wish.

4. In the circumstances, should you wish to oppose same, such opposition must be filed within 24 hours and be delivered to the Commission and the Attorneys for the Applicant, thus allowing a reply for the Chairperson and Commissioners to consider and provide a Ruling by **Friday, 13 November 2026.**

Directors:
Madimpe Mogashoa (Chairperson)
Donald Diale
Mari Wilsnach
Tammy Jantjies
Geraldine Burger
Curwin Pokpas

Consultants:
Samvu Gumede
Ian Petherbridge

Senior Associates:
Yajana Kilawan
Vumile Vundla
Mundia Mbao
Idah Maake

Associates:
Janet Ramokoka
Vongani Nghonyama
James Bone
Sebushi Lelaka
Debrah Shamuyarira
Kutloello Magoro
Basimane Pooe
Miranda Mtsweni
Lefa Maphopha
Nondumiso Ngcobo
Thabiso Lesufi
Izahn Burger

Chief Operations Officer: Michelle Morgan
Office Managers: Nelisiwe Monashane, Mapule Boikanyo, Dimakatso Molekwa
Finance Manager: Karen Greyling
ICT Manager: Clement Tala

Co. Reg.: 2012/007603/21
VAT Reg.: 4640260487

5. Accordingly, please see attached application, together with founding affidavit and supporting affidavit in support of the said application,

6. We trust the above is in order.

Yours faithfully



Vumile Vundla

Email: Vumile@dm-inc.co.za

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

NOTICE IN TERMS OF RULE 4 OF THE RULES GOVERNING THE PROCEEDINGS OF THE COMMISSION

TAKE NOTICE THAT the witness scheduled to testify during the period 16 November 2026, has brought an application before the Commissioners for an order in the following terms:

1. Directing that the testimony of the unidentified witness, scheduled to appear before the Commission on 16 November 2026, be heard in camera.

PLEASE TAKE NOTE THAT the witness will rely on the founding affidavit attached hereto in support of the order sought.

TAKE NOTICE FURTHER THAT, should same be opposed, the media has 24 hours within which to note their opposition to the Commission.

DATED AT **PRETORIA** ON THIS **11 NOVEMBER 2026.**



DIALE MOGASHOA ATTORNEYS
ATTORNEYS FOR COMMISSION
1ST AND 2ND FLOORS
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87 FRIKKIE DE BEER STREET
MENLYN
PRETORIA
TELEPHONE: (012) 346 5436
EMAIL: Vumile@dm.co.za
basimane@dm-inc.co.za

TO: WILLIAM DE KLERK ATTONNEYS
ATTORNEYS FOR DAILY MAVERICK AND NEWS24
GREENSIDE 2034
LE VAL NORTH BLOCK
45 JAN SMUTS AVE
WESTCLIFF JOHANNESBURG
TELEPHONE: (011) 486 0242/3
FAX 086 610 4240
EMAIL: charl@wdklaw.co.za

AND TO: **ALL MEDIA**

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

HELD IN PRETORIA

In an application of:

[redacted] APPLICANT

and

THE EVIDENCE LEADERS OF THE COMMISSION FIRST RESPONDENT

VARIOUS MEDIA HOUSES SECOND RESPONDENT

NOTICE OF MOTION

TO : **THE SECRETARY OF THE COMMISSION**

secretary@criminaljusticecommission.org.za

AND TO : **EVIDENCE LEADERS OF THE COMMISSION**

C/O THE ATTORNEY FOR THE COMMISSION

wilsnach@criminaljusticecommission.org.za

burger@criminaljusticecommission.org.za

"By Email"

SIR/MADAM,

KINDLY TAKE **NOTICE** that the Applicant hereby applies to the Chairperson of the Commission, in terms of Rules 4.2 and 4.3, read with Rule 11 of the Commission's Rules, for the relief set out below:

FIRST ORDER PRAYED

1. That any non-compliance with the Rules of the Commission regarding the time frames for the filing of an application for an *in camera* hearing, be and is hereby condoned.

2. That the appearance before the Commission of the witness identified as the Applicant on 16th November 2026, and any subsequent appearance before the Commission, and the leading of the Applicant's evidence, be held *in camera*.

3. Save for purposes of facilitating the *in camera* hearing, no person shall directly or indirectly publish the identity of the Applicant or any manner publically disclose the details or the occupation of the witness in such a manner that the witnesses becomes easily identifiable.

4. Only the following persons shall be permitted to physically attend and/or follow the proceedings relating to the testimony of the Applicant:

    4.1. the Chairpersons of the commission

    4.2. The Evidence Leaders.

4.3. The designated Attorney from Arvina Harricharan Attorneys

4.4. Counsel instructed on behalf of the Applicant by Arvina Harricharan Attorneys

5. The *in camera* proceedings, including any statements, the transcripts, recording or documentation relating to the *in camera* proceedings, shall be treated as confidential and persons granted access to the proceedings are prohibited from publishing, broadcasting, disseminating or otherwise placing in the public domain any document recording relating to the proceedings unless authorised to do by the Chairperson.

6. Should any transcripts or rulings be used the Applicant's personal information be redacted.

7. Further and/or alternative relief.

KINDLY TAKE NOTICE FURTHER that the accompanying affidavit of the Applicant will be used in support of this application.

DATED AT [redacted] THIS 11TH DAY OF **NOVEMBER 2025**

[redacted]

Applicant's Attorney

ARVINA HARRICHARAN ATTORNEYS

[redacted]

Email: [redacted]

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

HELD IN PRETORIA

In an application of:

[redacted] APPLICANT

and

THE EVIDENCE LEADERS OF THE COMMISSION FIRST RESPONDENT

VARIOUS MEDIA HOUSES SECOND RESPONDENT

FOUNDING AFFIDAVIT

I the undersigned,

[redacted]

IDENTITY NUMBER: [redacted]

Do hereby make oath and state:

[redacted]

1.

I adult [redacted] male aged [redacted] years' old who for purposes of this application has chosen the address of my attorney of record, Arvina Harricharan Attorneys, [redacted] at which I will accept notice and service of all documents in these proceedings and any further proceedings relating to the Commission.

2.

The facts contained herein are, unless otherwise stated or the context indicates otherwise, within my personal knowledge and are to the best of my belief both true and correct.

3.

I seek the permission of the Commission to testify *in camera* and not to have my testimony televised or heard in public.

4.

THE COMMISSION'S RULES

4.1. I respectfully draw attention to the provisions of Rule 4.2 of the Rules Governing the Proceedings of the Commission, which provides:-

> *"In an appropriate case, the Chairperson may make an order that a hearing be held in camera or via electronic means. In such case, the Chairperson shall specify in the order those persons who will be permitted to attend the hearing in camera or by some other means."*

4.2. I respectfully submit that the evidence I am required to give presents an appropriate case for the for the exercise of the Chairperson's powers under Rule 4.2.

[redacted]

5.

NATURE OF EVIDENCE

5.1. I am a self-employed businessman. My full business and personal particulars have been provided to the Commission in my statement dated 21st October 2026, the details of which I beg leave to be incorporated herein.

5.2. I am also the [redacted]

5.3. Further, I am a registered informer for the South African Police Services, and have been for over ten (10) years and I remain as such.

5.4. My evidence will in all probability deal with matters that I have provided information on to the South African Police Services and deal with members of the police force who I have assisted as an informer. To this end, my evidence my disclose sensitive police investigative methods.

5.5. The public disclosure of my evidence would compromise:-

5.5.1. Current ongoing investigations with which I have assisted;

5.5.2. Current matters in Court for which I am a witness, specifically and currently in relation to [redacted] I provided a detailed statement in that matter, as a result I am also a State witness in that matter. A copy of my statement in that matter has been provided to the Commission as Annexure [redacted] For ease of reference, I attach a copy of the said statement mark Annexure [redacted] I must add that the [redacted] matter is still under investigation with further arrests to be made. With my assistance the first arrest has been made, and the said person has made their appearance in Court. To this end I must add that I am uncertain if my information has been redacted in the said criminal proceedings, which again places my life at risk if this has not been done.

[redacted]

5.5.3. My identity and role as an informer remains unknown, and with respect, should remain so in the interests of justice. It should with respect also not be disclosed that I am a witness in the pending criminal matter above, as it may influence the matters and the ongoing investigations in those matters.

5.5.4. My life and my families' lives would be in danger should my relationship with the South African Police Services in relation to my assistance as an informer, be made public knowledge, as well the further information I shall provide to the Commission. Furthermore, the safety of my business associates and employees may be compromised.

5.6. The evidence I shall tender will implicate many Police Officials including DPCI members and Crime Intelligence. This classified information will place my life at risk and I am fearful for my life and that of my family. I must also add that on affidavit I cannot speak about the allegations brought against me by the investigations held against me by DPCI and its members.

5.7. I must further add that the evidence I will tender orally will implicate various senior police officials, including Crime Intelligence and DPCI officials. This will include SAPS members I was not asked about in the Regulation 10 (6) request.

5.8. There are also financial implications that need to be considered in having my evidence heard on a public platform. I am in [redacted] and when the allegations against me were mentioned on national television by [redacted], my business immediately began to suffer and both current and previous businesses have since had difficulties with various [redacted]. I attached herewith Annexure '[redacted]' letter from AA Insurance, who has removed [redacted] from their panel, which company I am a shareholder in, as per my Rule 10 reply.

5.9. My highest level of education is Grade [redacted] I have no other formal education, therefore I may not be able to articulate myself appropriately publicly, which would cause me to embarrass myself in a public hearing.

[redacted]

5.10. It is evident from the above that my evidence, if given publicly, has far more detrimental effects and as such I beg this Commission to grant my application.

6.

NEED FOR AN *IN CAMERA* HEARING

6.1. In order to avoid these consequences, I request that the Chairperson grants the relief sought in the Notice of Motion.

6.2. Any evidence I give is interwoven with the work I have done as an informer, and this is the evidence that I am required to give to the Commission. It is not practically possible to separate that fact, without materially disrupting or limiting the evidence I am able to give to the Commission.

6.3. I submit that hearing my evidence *in camera* would serve the in interests of justice, protect me in my role as informer and State witness, as well as my family, and safeguard the integrity of the Commission's work and ongoing criminal investigations.

6.4. My testimony falls within the following categories, each of which can be substantiated by evidence given *in camera*:

6.4.1. I am a witness whose identity, if publicly disclosed, would expose me to threats, intimidation, and retaliation and of serious physical harm. The Commission and Evidence Leaders are aware of witnesses whose lives have been taken due to them being a witness at the Commission, I fear that I may meet a similar fate.

6.4.2. I am a witness whose testimony concerns ongoing investigations that could be prejudiced by disclosure at this stage. Specifically alerting suspects, facilitate in the destruction of evidence and may in any way compromise investigation in matters.

[redacted]

6.4.3. The evidence I shall tender will most likely expose information of methods used to obtain information and assist the SAPS as well names mentioned of other informers and/or whistle blowers, which would result in their lives being placed at risk.

6.5. I must further add that should my *in camera* Application be denied, I will be forced to limit myself and not speak about information I verily believe is important for the Commission to be made aware of. I cannot place my life, or the lives of my family, at risk by speaking about these matters at a public hearing.

6.6. In fact, I have recently been advised that the whistle blower [redacted] matter has been threatened and a "hit" has been put on him. This person approached me and advised me that my life, as well as all those involved in the matter, are at risk.

6.7. Due to this and a number of death threats I have received, I have had to increase the precautionary measures I had taken to safeguard my life, and the lives of my family and business associates, by increasing the number of bodyguards I employ.

6.8. My personal safety, by appearing before the Commission, will be seriously endangered if my identity and the evidence I intend to give is made public. This level of exposure could lead to intimidation, retaliation, or physical harm.

6.9. It is accordingly necessary that the entirety of my evidence be heard *in camera*.

7.

I accordingly request that the Chairperson grant the relief sought in the Notice of Motion prefixed hereto, and direct that the entirety of my evidence be heard *in camera*.

[redacted]

[redacted]

DEPONENT

I HEREBY CERTIFY that the Deponent has acknowledged that he knows and understands the contents of this affidavit which was signed and sworn before me at [redacted] on this 11th day of November. **2026**, there having been due compliance with the Regulations contained in Government Notice No's R1258 and R2648, sated 21 July ~~1972~~ and 1977 respectively.

[redacted]

COMMISSIONER OF OATHS (RSA)

[redacted]

COMMISSIONER OF OATHS

[redacted]