

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

In the application of:

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

Applicant

And

MAJOR GENERAL FEROZ KHAN

Respondent

**NOTICE OF MOTION
APPLICATION FOR THE EVIDENCE TO BE HELD *IN CAMERA***

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:

1. Condoning any non-compliance with the Rules of the Commission regarding the timeframes set for making applications of this nature.
2. Directing, in terms of the Rules of the Commission, that the appearance of Major General Khan on the evidence led by the Applicants on 7 and 9 July 2026, be held *in camera*;

3. That the legal representatives of General Khan shall be entitled to be present in the *in camera* proceedings.
4. That the Chairperson shall specify in the order all other persons who will be permitted to attend the *in camera* proceedings.
5. Directing that the *in camera* proceedings, including any transcript, recording, or documentation, be treated as confidential, and that all persons present during the *in camera* proceedings be prohibited from disclosing any information arising the hearing, subject to the directions of the Chairperson.
6. That such further and/or alternative relief be granted as the Chairperson of the Commission may deem fit.

TAKE FURTHER NOTICE that that the accompanying affidavit of **MS MARI WILSNACH** will be used in support of this application.

DATED AT PRETORIA ON THIS 18th DAY OF SEPTEMBER 2026.

pp M. Wilsnach

**APPLICANT
EVIDENCE LEADERS**

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

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

**FOUNDING AFFIDAVIT
IN SUPPORT OF THE APPLICATION FOR *IN CAMERA* HEARING**

I, the undersigned,

MARI WILSNACH

Do hereby make oath and state that:

1. I am an adult attorney practising at Diale Mogashoa Inc, the attorneys of record of 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. The evidence leaders will seek a ruling from the Chairperson that certain evidence relating to General Khan be led *in camera*, but in the presence of his legal representatives, in advance of his appearance before the Commission. They have asked me to depose to this affidavit to set out their reasons for requesting such a ruling.
4. The background to this application is the following:
 - a. General Khan was due to appear before the Commission on 1 July 2026;
 - b. Shortly before midnight on 28 June 2026, General Khan was shot and was subsequently admitted to hospital, recovering from gunshot wounds.
 - c. In the absence of General Khan, the evidence leaders presented evidence relevant to the terms of reference of the Commission, comprising certain WhatsApp chats of General Khan and related evidence on 3, 5 and 6 July 2026. In addition the evidence leaders

presented sensitive evidence *in camera*, on 7 and 9 July 2026, in the presence of Major General Khan's legal representatives

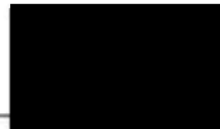
5. The evidence leaders had previously submitted to the Commission that certain evidence would need to be led *in camera* because
 - a. There is some evidence which the evidence leaders intend to lead which, if led in open hearings, would disclose the identity of informants who are involved in organised crime gangs and are supplying information to Major General Khan and the disclosure of the relevant evidence would put the lives of those informants and other persons at risk, and
 - b. There is some evidence which the evidence leaders intend to lead which relates to ongoing investigations into specific offences committed by organised crime groups. The public disclosure of such evidence is likely to prejudice the relevant investigations and/or may lead to suspects absconding.
6. Having led evidence *in camera* on 7 and 8 July it is necessary that the responses by Major General Khan to that body of evidence and the questioning by evidence leaders on that evidence be heard *in camera*.
7. The concerns in paragraph 5 above may cease to be relevant with the passage of time. In this regard
 - a. It is possible that the identity of the relevant informants may later be revealed in the context of criminal proceedings, and
 - b. It is hoped that the investigations that are currently ongoing into specific offences committed by organised crime groups, will soon lead to charges being instituted against the relevant suspects.
8. In such an event, a transcript of the relevant proceedings that no longer need to be kept confidential will be capable of being made publicly available and the evidence leaders will seek a ruling from the Chairperson to that effect.

9. The evidence leaders accordingly seek a ruling in the terms set out in the notice of motion.



DEPONENT

I hereby certify that the above signature is the true signature of the deponent and that she has acknowledged that she knows and understands the contents of this affidavit which affidavit was signed and sworn to before me in my presence at Pretoria on 23 SEPTEMBER 2026 in accordance with Government Notice No. R1648 dated 19 August 1977 as amended by Government Notice No. R1428 dated 11 July 1980, and by Government Notice No R774 of 23 April 1982.



COMMISSIONER OATHS

Siphelele Victoria Mnkhonza
Attorney

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