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

INDEX TO IN CAMERA APPLICATION OF LT – GENERAL KHUMALO

ITEM	DESCRIPTION	PAGE NO.
1.	Notice of Motion.	1 – 3
2.	Founding Affidavit in Support of the In camera Application.	4 – 7
3.	Notice in terms of Rule 4 of the Rules Governing the Proceedings of the Commission.	8 – 9

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

RE: EVIDENCE OF LT GEN KHUMALO TO BE HEARD IN CAMERA

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

KINDLY TAKE NOTICE that the Applicant hereby applies to the Chairperson of the Commission, in terms of Rules 4.2 of the Commission's Rules, for an order in the following terms:

1. That the evidence of Lt Gen Khumalo scheduled for 25 November 2026 be held in camera;

2. That the Chairperson specify the persons who will be permitted to attend the in-camera proceedings;

3. That Lt Gen Khumalo's statement, together with the annexures and documents referred to therein and/or any exhibits, which have been declassified for purposes of the Commission but not for general publication or public dissemination, be treated as confidential and not be published or disseminated, save as may otherwise be directed by the Chairperson;

4. That the transcript and recording of the in-camera proceedings, insofar as they contain or disclose such information, similarly be treated as confidential and not be published or disseminated, save as may otherwise be directed by the Chairperson; and

5. Granting such further and/or alternative relief as the Chairperson may deem appropriate.

TAKE FURTHER NOTICE that that the accompanying affidavit of **Mr VUMILE VUNDLA** will be used in support of this application.

DATED AT PRETORIA ON THIS THE 19TH DAY OF NOVEMBER 2026.

[redacted]

DIALE MOGASHOA ATTORNEYS
Attorneys for the Commission
1st and 2nd Floors
Menlyn Corner
87 Frikkie de Beer Street
Menlyn
Pretoria

Email: Mari@dm-inc.co.za

AND TO: **ALL MEDIA**

AND TO: **WILLEM DE KLERK ATTORNEYS**
Attorneys for Daily Maverick and News24
Le Val North Block
45 Jan Smuts Avenue
Westcliff
Johannesburg
2034
Tel: (011) 486 0242/3
Fax: 086 610 4240
Email: charl@wdklaw.co.za

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,

VUMILE VUNDLA

Do hereby make oath and say:

1. I am an attorney of Diale Mogashoa Inc., the attorneys acting on behalf of the Judicial Commission of Inquiry into Criminality, Political Interference and Corruption in the Criminal Justice System ("the Commission"). I have been requested by the Evidence Leaders to depose to this affidavit in support of an application for the evidence of Lt Gen Khumalo to be heard in camera.

2. The facts deposed to herein fall within my personal knowledge, save where the contrary is stated or appears from the context, and are, to the best of my knowledge and belief, both true and correct.

THE COMMISSION'S RULES

3. Rule 4.2 of the Rules Governing the Proceedings of the Commission provides:

"In an appropriate case, the Chairperson may make an order that a hearing be held in camera or via electronic means. In such a 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."

[redacted]

4. I respectfully submit that the evidence which Lt Gen Khumalo is required to give presents an appropriate case for the exercise of the Chairperson's powers under Rule 4.2.

NATURE OF LT GEN KHUMALO'S EVIDENCE

5. Lt Gen Khumalo is the Divisional Commissioner for Crime Intelligence in the South African Police Service.

6. He will be testifying on 25 November 2026 in relation to the Crime Intelligence rules and procedures in relation to the use of informants and agents as embodied in a classified document developed for this purpose by the Division of Crime Intelligence.

7. The relevant rules and procedures are, by their nature, extremely confidential. If they were publicly known,

7.1. the operational methods of the Division of Crime Intelligence would be disclosed with harmful consequences for its operations,

7.2. criminal targets of informants and agents would be better placed to devise means for identifying informants and agents within their ranks, and

7.3. informants would be better placed to manipulate the Division of Crime Intelligence.

8. The document embodying these rules and procedures has been classified "Secret" accordingly and has been declassified for use only by the Commission but not for public dissemination. Accordingly, unless Lt Gen Khumalo is to testify

[redacted]

in camera, it will not be possible for him to give most of the evidence that the evidence leaders want him to give.

9. The relevant evidence will focus on:

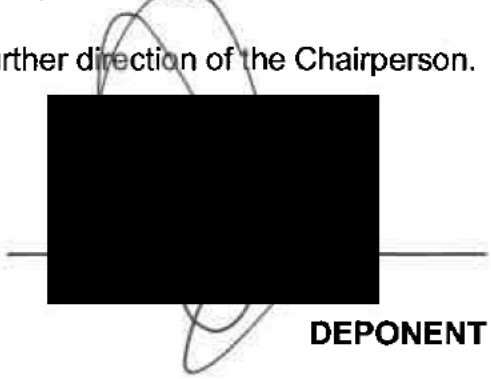
9.1. the adequacy of the rules currently in force to ensure that the use of informants and agent by Crime Intelligence officers is properly controlled,

9.2. the systems in place to ensure compliance with these rules, and

9.3. any amendments to the rules or reforms to the compliance systems that have shown to be necessary from the evidence at the Commission in relation to the use of informants and agents.

CONCLUSION

10. I accordingly respectfully request that the Chairperson grant the relief sought in the Notice of Motion and direct that the evidence of Lt Gen Khumalo scheduled for 25 November 2026 be heard in camera, and that his statement, annexures, the transcript and recording of his evidence, and any related material containing or disclosing the information referred to above, remain confidential and not be published or disseminated, subject to any further direction of the Chairperson.



DEPONENT

I certify that the Deponent has acknowledged that he knows and understands the contents of this affidavit, that he has no objection to taking the prescribed oath, and

that he considers the prescribed oath to be binding on his conscience. Thus, signed and sworn to before me at Pretoria on this the 19th day of November 2026, the Regulations Governing the Administration of an Oath or Affirmation having been complied with.



COMMISSIONER OF OATHS





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 Evidence Leaders have brought an application before the Commissioners on behalf of Lieutenant General Khumalo, who is scheduled to testify before the Commission on 25 November 2026, seeking an order in the following terms:

1. Directing that Lieutenant General Khumalo's testimony, scheduled to be heard before the Commission on 25 November 2026, be heard in camera.

PLEASE TAKE FURTHER NOTICE THAT the Evidence Leaders will rely on the founding affidavit attached hereto in support of the relief sought.

TAKE NOTICE FURTHER THAT, should any member of the media wish to oppose the application, written notice of such opposition must be submitted to the Commission within 24 hours of receipt of this notice.

DATED AT **PRETORIA** ON THIS **19 NOVEMBER 2026.**



DIALE MOGASHOA ATTORNEYS
ATTORNEYS FOR COMMISSION
1ST AND 2ND FLOORS
MENLYN CORNER
87 FRIKKIE DE BEER STREET
MENLYN
PRETORIA
TELEPHONE: (012) 346 5436
EMAIL: mari@dm.co.za
vumile@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**