

PRETORIA

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ALL MEDIA & TO WHOM IT MAY CONCERN

12 AUGUST 2026

Dear All,

RE: THE JUDICIAL COMMISSION OF INQUIRY INTO CRIMINALITY, POLITICAL INTERFERENCE, AND CORRUPTION IN THE CRIMINAL JUSTICE SYSTEM ("THE COMMISSION")- APPLICATION BY EVIDENCE LEADERS FOR TESTIMONY OF WITNESS SCHEDULED FOR 14 AUGUST 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 and as well as the attached application brought by the witness scheduled to appear on Friday, 14 August 2026, supported by the evidence leaders and legal team.
3. Accordingly, please find attached the redacted application and supporting affidavit of Witness P, the said application is before the Chairperson and Commissioner's 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 to do so.
4. In the circumstances, should you wish to oppose same, such opposition must be within 24 hours and be delivered to the Commission, thus allowing a reply for the chair to consider and provide a ruling by **Friday, 14 August 2026.**
5. Accordingly, please see attached application, together with founding affidavit and supporting affidavit in support of the said application.

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 Mbaio
Idah Maake

Associates:

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

Chief Operations Officer: Michelle Morgan

Office Managers: Nelisiwe Monashane
Mapule Boikanyo

Finance Manager: Karen Greyling

ICT Manager: Clement Tala

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

6. We trust the above is in order.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Geraldine Burger', with a horizontal line extending from the end of the signature.

Geraldine Burger

Email: geraldine@dm-inc.co.za

**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:

WITNESS P

Applicant

And

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

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. Directing, in terms of the Rules of the Commission, that the Applicant's appearance before the Commission, and any subsequent appearance before the Commission, be held *in camera*;
2. Directing that the Applicant's testimony, 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.

3. That the Chairperson shall specify in the order those persons who will be permitted to attend the *in camera* proceedings.
4. 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 **WITNESS P** will be used in support of this application.

SIGNED ON THIS 12th DAY OF AUGUST 2026.



APPLICANT

**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,

WITNESS P

Do hereby make oath and state that:

1. I am an adult male officer in the South African Police Services.
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. I make this request on the basis that my evidence solely concerns the matters uncovered in a clandestine counter intelligence operation relating to an organised drug gang in the Durban area. This operation involved both the electronic surveillance of communications and the use of informants.
5. My evidence will consist only of taking the Commission through telephone intercept transcripts and intelligence reports and other documents created in the course of the operation, and explaining the significance of these transcripts and intelligence reports.
6. All of the documents to which I will refer the Commission were previously classified but have now been declassified only to enable them to be placed before the Commission in a session that is anticipated to be a closed session.
7. The public disclosure of my evidence would compromise

- a. the safety of informants used in the operation because it may enable the targets of the operation to identify the informants,
 - b. the utility of the information uncovered in the operation because it would alert the targets of the operation to what the SAPS know and do not know about them and would allow them to modify their behaviour accordingly,
 - c. the methodology and strategies used by SAPS counter intelligence during the operation, and
 - d. my own safety as an officer involved in an operation targeting a drug gang.
8. In order to avoid these consequences, I request that the Chairperson grants the relief sought in the Notice of Motion.
9. In order to protect the disclosure of my identity, the Notice of Motion and Founding Affidavit published with notice of this application, will not be signed by me. However a signed copy of the application will be lodged with the Commission.

WITNESS P

**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 14 August 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 14 August 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 **12 AUGUST 2026**.



DIALE MOGASHOA ATTORNEYS

ATTORNEYS FOR COMMISSION

1ST AND 2ND FLOORS

MENLYN CORNER

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MENLYN

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AND TO: ALL MEDIA