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

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"ANNEXURE VR1"

14/1/4

INFORMATION NOTE

To: The National Commissioner
SOUTH AFRICAN POLICE SERVICE

IMPLEMENTATION PLAN: INVESTIGATION OF POLITICAL RELATED CASES KWAZULU NATAL FROM 2018-07-01 TO 2018-12-31

1. Purpose

The purpose of this information note is to request the approval of the strategy, its implementation plan and funding for investigation and prosecution of political related cases in KwaZulu Natal.

2. Background

The spate of attacks and killings of political leaders, activists and Local Government officials in KwaZulu Natal since January 2011 continued unabated, escalated towards the 2016 Local Government Elections and to date has reached unprecedented and appalling levels. During May 2018, the President of the Republic established the Inter Ministerial Committee (IMC) consisting of the ministries of State Security, Justice and Correctional Services and Police. The committee is chaired by the Minister of Police and is tasked with ensuring that the perpetrators of these crimes are brought to book.

The IMC met with the Task Team investigating these cases on 21 May 2018 and one of preliminary observations was that this multidisciplinary Task Team was working in silos and that it does not have an investigation and prosecutorial plan or strategy that is aligned to overall government priorities contained in the National Development Plan (NDP) 2030, the Medium Term Strategic Framework (MTSF) and other key policy prescripts i.e. creating safe and secure environment.

The Acting Provincial Commissioner of Police in KwaZulu Natal then led the process of developing the Strategy for Investigation and Prosecution of Political Related Cases in the Province which was tabled during the follow up

IMPLEMENTATION PLAN: INVESTIGATION OF POLITICAL RELATED CASES KWAZULU NATAL FROM 2018-07-01 TO 2018-12-31

meeting of the IMC on the 12th of May 2018. The Strategy and its Implementation Plan were provisionally approved by the National Commissioner.

3. **Current Situation**

When reflecting upon the criminal cases reported to the SAPS within the Province of KwaZulu-Natal for the period 2011-01-01 until 2018-05-30. Records reflect the total of 99 Political related cases was reported as per the following breakdown:

Murder	Attempted Murder	Intimidation	Conspiracy to commit murder	Arson
67	11	11	3	3

The status of these cases as per the break down below in terms of investigation and prosecution shows an unacceptable situation when comparing cases that are still under investigation, already withdrawn and those that have been finalized. This then necessitated an intervention in a project format.

Total Cases	Under Investigation	Pending Court	Withdrawn	Finalised	
				Not Guilty	Guilty
99	48	27	14	2	8

IMPLEMENTATION PLAN: INVESTIGATION OF POLITICAL RELATED CASES KWAZULU NATAL FROM 2018-07-01 TO 2018-12-31

3. The operational approach and concepts

The approach is 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 the clearly defined objective in a result driven and holistic manner, and is implemented as follows:

- Determining the operational area (Mission Area Joint Operational Centre), in this case KwaZulu Natal Province and divide it into four small and manageable action areas (Tactical Joint Operational Centres)in this case four geographic zones made up of between two and seven Clusters
- Establish and activate MAJOC and TACJOC`s at identified locations and appoint suitable, experienced and competent Operational and Tactical Commanders as well as members to implement and command the following operational concepts:
    - Intelligence Gathering, Analysis and Co-ordination
    - Combat and Reaction Approach
    - Investigation and Prosecution including Organised Crime Approach
    - Communication & Liaison

- Establish an integrated small operational teams that are inclusive of the following disciplines:
    - Crime Intelligence Gathers, and Analysts to implement **Pillar: 1** (Intelligence Gathering, Coordination and Analysis)

    - NIU and TRT to implement **Pillar:2** (Combat and Reaction Approach)

    - DPCI, Detectives, Forensic Services and National Prosecuting Authority to implement **Pillar:3** (Investigation and Prosecution including Organised Crime Approach)

    - IMC, Steering Committee, DPCI and SAPS Corporate Communication to implement **Pillar:4** (Communication & Liaison)

IMPLEMENTATION PLAN: INVESTIGATION OF POLITICAL RELATED CASES KWAZULU NATAL FROM 2018-07-01 TO 2018-12-31

4. Composition of Operational Teams

ROLE-PLAYERS	MAJOC STRUCTURE	TACJOC STRUCTURE (PER ZONE)
TASK TEAM COMMANDER	1 x MAJ GEN	
PROJECT MANAGER, OPS COORDINATOR AND MAJOC / TACJOC COMMANDERS	1x BRIG	4X LTCOL
OPERATIONAL & ADMINISTRATION SUPPORT	1 x LT COL	4 x CAPT
INTELL COLLECTION ANALYSIS AND COORDINATION)	1 x LT COL	4 x CAPT
TACTICAL COMMANDER (DETECTION)	1 x LT COL	-
INTELLIGENCE GATHERS	1X LT COL	6
ANALYSTS	1X LT COL	1
NIU/TRT(COMBAT TEAM)	-	4
DPCI		2
DETECTIVES		5
TRACKING TEAM MEMBERS		2
FORENSIC SERVICES		1
TOTAL	**7**	**33 X 4**
TOTAL MAJOC + 4 TACJOCs	**7**	**132**
GRAND TOTAL	**7+132**	**139**

5. Costing

The intervention will commence from 2018-07-01 to 2018-12-31 over a period of six months. The deployment of 139 personnel over six months period is estimated to cost R49 138 808.00 with the breakdown as follows:

N.T

IMPLEMENTATION PLAN: INVESTIGATION OF POLITICAL RELATED CASES KWAZULU NATAL FROM 2018-07-01 TO 2018-12-31

5.1 MAJOC:

	TARRIF	DAYS DEPLOYED	PERSONNEL	TOTAL
MEALS	R180	186	7	R 234 360
DAILY ALLOWANCE	R122	186	7	R 158 844
OVERTIME	R200	600	5	R 600 000
ACCOMMODATION	R750	186	7	R 976 500
INFORMERS				**R 3000 000**
REWARDS				**R 2000 000**
COORDINATION EXPENSES				R 100 000
LAUNDRY	R150	24	7	R 25 200
TOTAL				**R 7 094 904**

5.2 NORTH COAST TACJOC:

	TARRIF	DAYS DEPLOYED	PERSONNEL	TOTAL
MEALS	R180	186	33	R 1 104 840
DAILY ALLOWANCE	R122	186	33	R 748 836
OVERTIME	R200	600	33	R 3 960 000
ACCOMMODATION	R750	186	33	R 4 603 500
LAUNDRY	R150	24	33	R 118 800
TOTAL				**R10 535 976**

5.3 MIDLANDS TACJOC

	TARRIF	DAYS DEPLOYED	PERSONNEL	TOTAL
MEALS	R180	186	33	R 1 104 840
DAILY ALLOWANCE	R122	186	33	R 748 836
OVERTIME	R200	600	33	R 3 960 000
ACCOMMODATION	R750	186	33	R 4 603 500
LAUNDRY	R150	24	33	R 118 800
TOTAL				**R10 535 976**

N.T

IMPLEMENTATION PLAN: INVESTIGATION OF POLITICAL RELATED CASES KWAZULU NATAL FROM 2018-07-01 TO 2018-12-31

5.4 CENTRAL TACJOC

	TARRIF	DAYS DEPLOYED	PERSONNEL	TOTAL
MEALS	R180	186	33	R 1 104 840
DAILY ALLOWANCE	R122	186	33	R 748 836
OVERTIME	R200	600	33	R 3 960 000
ACCOMMODATION	R750	186	33	R 4 603 500
LAUNDRY	R150	24	33	R 118 800
TOTAL				**R10 535 976**

5.5 SOUTH COAST TACJOC

	TARRIF	DAYS DEPLOYED	PERSONNEL	TOTAL
MEALS	R180	186	33	R 1 104 840
DAILY ALLOWANCE	R122	186	33	R 748 836
OVERTIME	R200	600	33	R 3 960 000
ACCOMMODATION	R750	186	33	R 4 603 500
LAUNDRY	R150	24	33	R 118 800
TOTAL				**R10 535 976**

5.6 TOTALS

Meals	= R 4 653 720.00
Daily allowance	= R 3 154 188.00
Overtime	= R16 440 000.00
Accommodation	= R19 390 500.00
Informers	= R 3 000 000.00
Rewards	=R 2 000 000.00
Laundry	= R 500 400.00
Grand Total	**= R 49 138 808.00**

N T

IMPLEMENTATION PLAN: INVESTIGATION OF POLITICAL RELATED CASES KWAZULU NATAL FROM 2018-07-01 TO 2018-12-31

6. Monitoring and Evaluation

- Tactical Joint Operational Centre (TACJOC) Commanders will meet on daily basis to inspect dockets and direct operations in accordance with tasking's from the Mission Area Joint Operational Centre (MAJOC) and Task Team Leader

- Tactical Joint Operational Centre (TACJOC) Commanders and Mission Area Joint Operational Center (MAJOC) will meet on weekly basis to check on the progress of the investigations and direct operations in accordance with tasking's given by the Joint Operational Coordinating Committee (JOCCOM).

- Mission Area Joint Operational Centre (MAJOC) will brief the Joint Operational Coordinating Committee comprising of the Provincial Commissioner South African Police Service, the Director of Public Prosecution, the Provincial Manager State Security Agency and the Regional Commissioner of Correctional Services on the status and progress of the cases bi-weekly

- The status report will be submitted to the Justice Crime Prevention and Security (JCPS) Director Generals Cluster Chairperson bi-weekly for further handling with the IMC.

- The first review of the project will be at the end of September 2018 and the last review at the termination of the project (December 2018)

7. Recommendations

- The implementation Plan for the Strategy to investigate and prosecute perpetrators of political related cases to be approved.

- The project to be approved and funded from National Budget on the estimated total amount of R49 138 808.00 to be managed at Provincial Office KwaZulu Natal

LIEUTENANT GENERAL
ACTING PROVINCIAL COMMISSIONER: KWAZULU-NATAL
NS MKHWANAZI

Date: 2018.06.18

NT

IMPLEMENTATION PLAN: INVESTIGATION OF POLITICAL RELATED CASES KWAZULU NATAL FROM 2018-07-01 TO 2018-12-31

Recommended/not recommended
Cost Centre Posting different to other national Ops. Understood that its Provincial driven Ops. Vehicle budget to be standin

LIEUTENANT GENERAL
DEPUTY NATIONAL COMMISSIONER: POLICING
SF MASEMOLA

Date: 2018/06/18.

Recommended/not ~~recommended~~.

LIEUTENANT GENERAL
DEPUTY NATIONAL COMMISSIONER: CRIME DETECTION
LJ TSUMANE

Date: 2018.06.18

NT

IMPLEMENTATION PLAN: INVESTIGATION OF POLITICAL RELATED CASES KWAZULU NATAL FROM 2018-07-01 TO 2018-12-31

Recommended/~~not recommended~~

LIEUTENANT GENERAL
NATIONAL HEAD: DIRECTORATE FOR PRIORITY CRIME INVESTIGATION
SJ LEBEYA

Date: 2018-06-18

Funds available/~~not available~~

Funds will be made available

LIEUTENANT GENERAL
DEPUTY NATIONAL COMMISSIONER: ASSEST & LEGAL MANAGEMENT
FN VUMA

Date: 2018-06-18

NT

IMPLEMENTATION PLAN: INVESTIGATION OF POLITICAL RELATED CASES KWAZULU NATAL FROM 2018-07-01 TO 2018-12-31

Approved / ~~not approved~~

NATIONAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICE GENERAL
KJ SITOLE (SOEG)

Date: 2018 -06- 18

Information Note compiled by:	Brigadier SD Khumalo
Telephone number:	031 325 4825
Date:	2018-06-15
Information note verified by:	Lieutenant General N S Mkhwanazi
Telephone number:	031 325 4824
Date:	2018-06-15

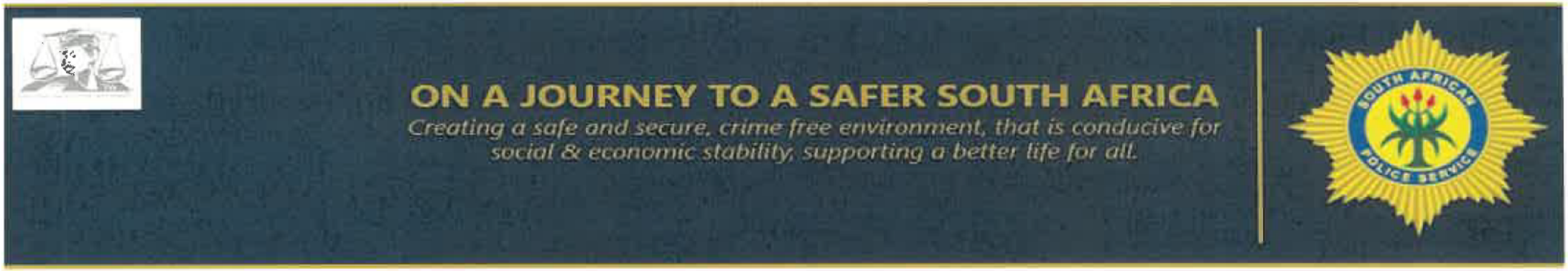
N.T

ON A JOURNEY TO A SAFER SOUTH AFRICA

Creating a safe & secure, crime free environment, that is conducive for social & economic stability, supporting a better life for all.

INTEGRATED STRATEGIC PLAN FOR INVESTIGATION AND PROSECUTION OF POLITICALLY RELATED CASES: KZN

#Patriotic & Selfless Service



This Strategy is to provide an integrated framework within the JCPS Cluster led by the South African Police Service and the National Prosecuting Authority in the detection, investigation and prosecution of politically related cases in order to mitigate all the risk factors associated with investigation and prosecution of these cases in KwaZulu-Natal Province.

BACKGROUND

- The escalation of Politically related incidents in KwaZulu Natal up to 2018 led to the President establishing the Inter Ministerial Committee (IMC) consisting of the ministries of State Security Agency, Defence, Justice and Correctional Services and Police.

- The Committee is chaired by the Minister of Police and is tasked with ensuring that the perpetrators of politically related cases in KwaZulu Natal are brought to book.

- After the assessment of the then Task Team investigating these cases by the IMC, one of preliminary observations was that the Task Team was **working in silos** and that it **did not have an investigation and prosecutorial plan or strategy.**

- The former acting Provincial Commissioner of Police in KwaZulu Natal was then tasked to develop the Strategy for Investigation and Prosecution of Politically Related cases in the Province which was subsequently approved and the Integrated Multi-disciplinary Task Team consisting of SAPS and NPA supported by SSA and Correctional Services was then established in July 2018 to implement the approved plan.

- The implementation of the Integrated Multi-Disciplinary plan had some challenges that led to the Task Team briefing the National Director of Public Prosecutions and the National Commissioner of Police on Friday 2019-08-23.

- As a result, the Provincial Steering Committee (NPA/SAPS) has been directed to report to the National Steering Committee that will be co-chaired by the National Head of Directorate of Priority Crime Investigation (DPCI) Lieutenant General Lebeya and NPA Acting Deputy National Director of Public Prosecutions Advocate S Mzinyathi.

- The National Commissioner and the National Director of Public Prosecutions directed that a revised Provincial Multi-Disciplinary Strategic Plan with deliverables and time frames be developed which will incorporate both SAPS and NPA.

OBJECTIVES OF THE STRATEGY

→ To immediately attend to, investigate and prosecute reported incidents of politically related cases in KwaZulu-Natal.

→ To implement the multi-disciplinary TROIKA methodology consisting of Intelligence gathering, Crime Investigation and Prosecution.

→ To ensure perpetrators of politically related cases are arrested and prosecuted as speedily as possible to instill public confidence and stability.

→ To identify and successfully prosecute the "kingpins" or "master minds" behind politically related cases.

→ To optimize the provision of witness protection.

STAKEHOLDER ENGAGEMENT

→ South African Police Service (SAPS)

→ National Prosecuting Authority (NPA)

SUPPORT AT OPERATIONAL LEVEL

→ State Security Agency (SSA)

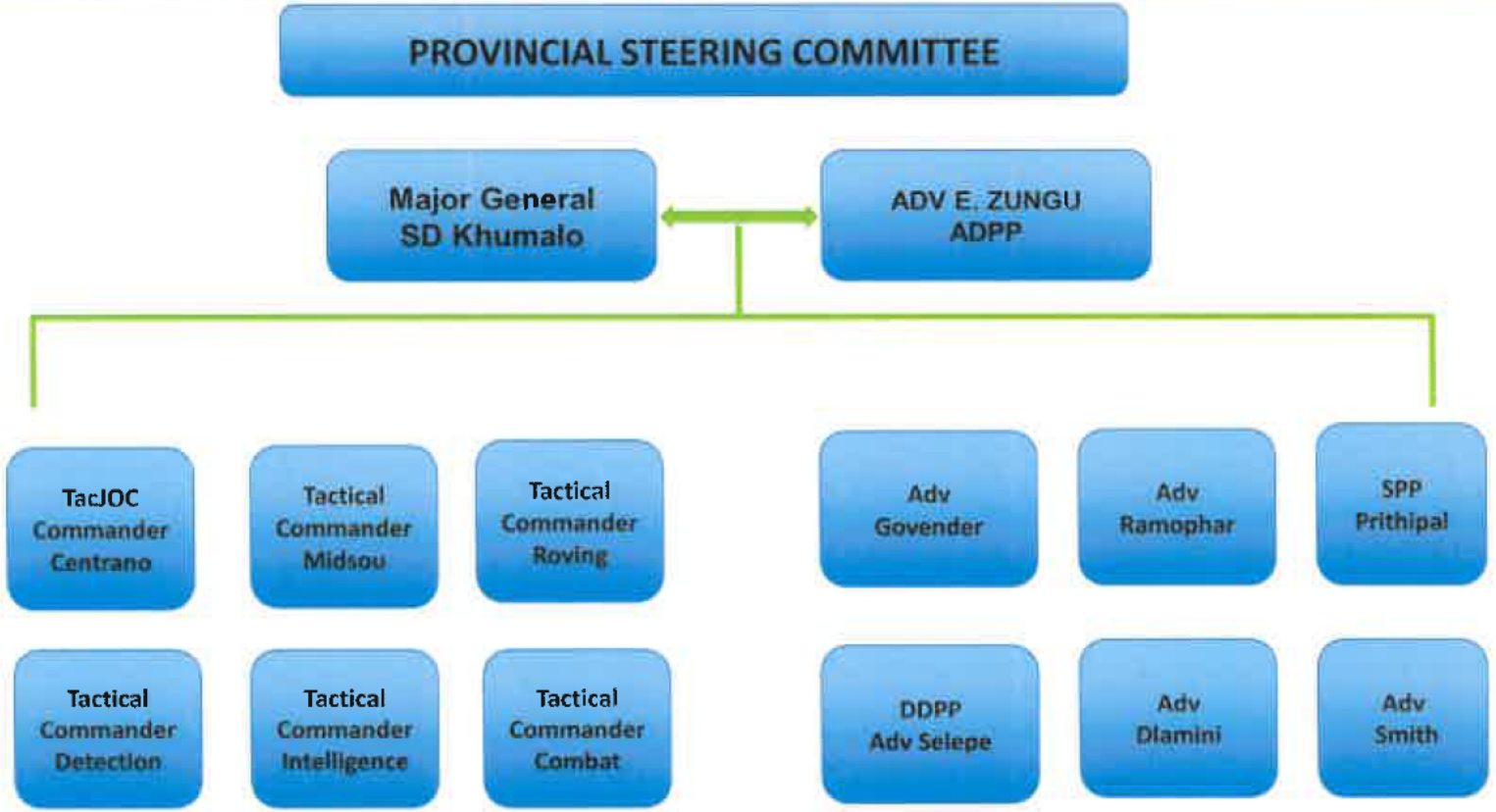
→ Department of Justice and Correctional Services (DCS)

IMPLEMENTATION AND GOVERNANCE

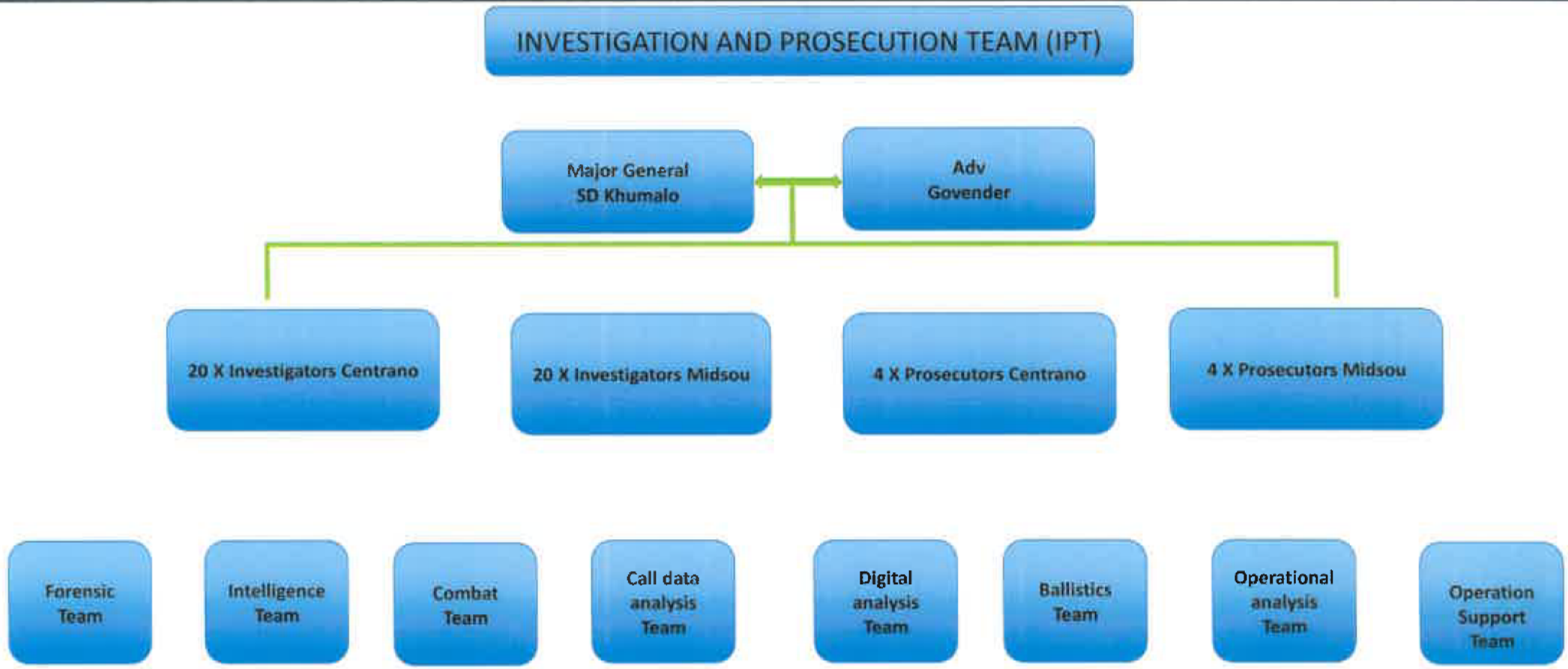
→ The approach is based on the method of integrating all relevant stakeholders from SAPS and NPA into a Provincial Steering Committee, in order to address the identified threat and mitigate all risks associated with investigation and prosecution of Politically Related cases in KZN Province. The structure is envisaged to be implemented as follows:

- **Provincial Steering Committee**
  - This committee consists of Senior Managers from the NPA and SAPS Command Structure and will meet monthly to monitor, evaluate and report progress to the National Steering Committee.
- **Investigation and Prosecution Team (IPT)**
  - The Investigation Team consists of dedicated investigators from SAPS who are divided into two Tactical Operational Centres within the KZN province concentrating on the North and Central regions as well as the Midlands and South regions.
  - The Prosecution Team consists of dedicated prosecutors from the Organised Crime Component of the NPA, KwaZulu Natal.
  - The IPT will subscribe to the Prosecutor Guided Investigation (PGI) methodology in dealing with Politically related cases.

COORDINATING STRUCTURE

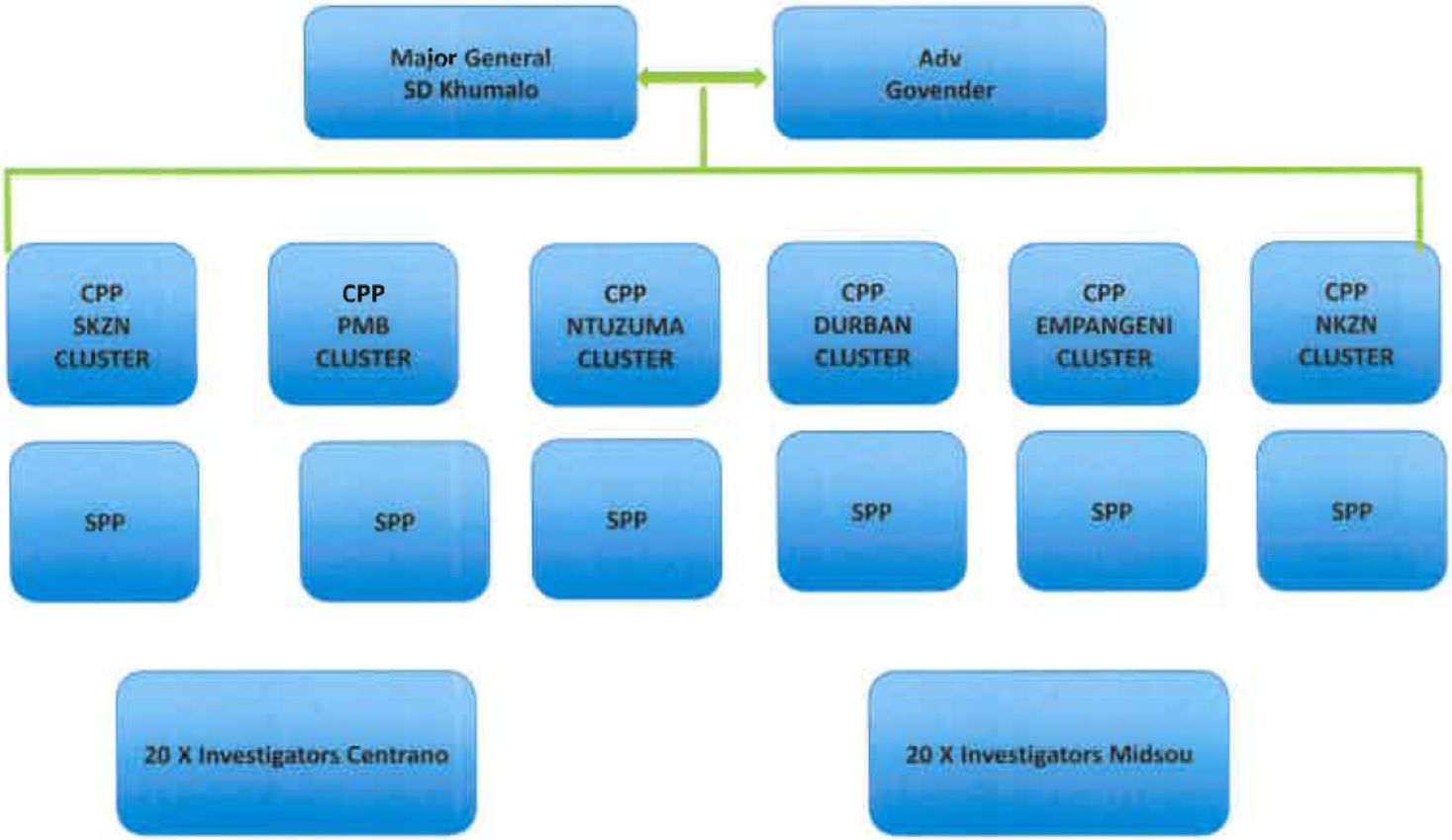


OPERATIONAL STRUCTURE



OVERALL COORDINATING SRUCTURE

RESPONSIBLE FOR PROSECUTION OF PARALLEL AND ADHOC CASES AT DISTRICT AND REGIONAL COURTS



STAKEHOLDER : SOUTH AFRICAN POLICE SERVICE

Pillar 1	**Intelligence Gathering, Analysis and Coordination (CI and SSA– Operatives & Analysts)**
Key action	**To enhance intelligence gathering, analysis and coordination on all political related cases**
Deliverables	**Short Description of the Deliverable**
Intelligence gathering	Increase the ground coverage on the identified hot spots and Identification of perpetrators
	Collection of focussed pro-active and re-active intelligence regarding the threat being addressed and Recruiting of credible informer(s)
	Provision of intelligence products to tactical teams for operationalization
Information/Intelligence Analysis	Collect, collate, correlate, verify and analyse information and intelligence available
	Operational docket analysis on all related registered cases
	Profiling and linkage of wanted/priority suspects, Identification and analysis of hotspots and modus operandi
	Identify cross clusters & provincial linkages
	Profiling of forensic investigative leads received from Forensic Services
	Provision of analysis products to crime combating teams
	Identify and compile trends and pattern analysis (Events like meetings, Days and times)
Intelligence Coordination	Ensure focused intelligence gathering, cooperation between intelligence cell and operational teams
	Issue taskings to intelligence operators and analysts
	Ensure the creation and maintenance of database on political related crimes, modus operandi and suspects

STAKEHOLDER : SOUTH AFRICAN POLICE SERVICE

Pillar 1	**Detection (Investigation, Forensic and Digital Analysis)**
Key action	**Focus on Crime Investigation for the effective detection of crime**
Deliverables	**Short Description of the Deliverable**
Detection Approach	Quality investigation (proper statement taking and evidence collection) and docket management
	Activate and enhance informer network
	Focussed liaison with Prosecution
	Coordination and investigation of all organised criminality and anti-corruption related cases to the operation
	Linkage and tracing of wanted suspects (Warrant of arrest, finger print and other forensic leads)
	Coordination of all exhibit packaging, analysis and examination in support of the operation
Forensic Investigation	Attend and manage crime scenes, coordination of the **fingerprints process and other forensic leads/evidence** for identified crime scenes.
	The analysis and provisioning of **forensic evidence** to enhance investigations and use thereof by Detectives.

STAKEHOLDER : SOUTH AFRICAN POLICE SERVICE

Pillar 1	Combat Approach (Specialised Operatives and Correctional Services)
Key action	**To focus on escorts and protection**
Deliverables	**Short Description of the Deliverable**
Combat Approach	Escorting and protection of detection, prosecution and prisoners
	Intelligence driven and disruptive operations
	Observations and waylays in identified hotspots
	Rapid response to incidents
	Fresh or hot pursuits of wanted/priority suspects
	Specialised operational reaction capacity
	Cordon and search
	Conduct takedown operations

STAKEHOLDER: NATIONAL PROSECUTING AUTHORITY

PILLAR 2	NATIONAL PROSECUTING AUTHORITY
Key Action	**To increase successful prosecution in respect of all politically related cases**
Deliverable	**Short Description of the Deliverable**
Reduction in case cycle times (6 Months from the time of enrolment to finalization) **Reduction in withdrawals (less than 3%)** **Successful prosecution (74%)**	Screening of all politically related case dockets by OCC/CPPs.
	Quality guidance of investigation on all politically related cases.
	Decision to arrest to be taken jointly by the team.
	Interviewing of critical witnesses before-enrolment.
	Timeous consultation with witnesses before trial.
	Interrogate reasons for acquittals to identify skills gaps and trends to allow for continuous training.
	Provide and Interrogate reasons for withdrawals.
	To provide dedicated capacity to deal with Politically related cases.
	Optimal utilisation of Witness Protection and other protective measures (i.e. CPA).
	Optimise referrals to the Asset Forfeiture Unit

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Monitoring and evaluation	
Key action	**To attend integrated accountability and evaluation sessions**
Deliverables	**Short Description of the Deliverable**
Monitoring of Tactical Joint Operational Centres (SAPS)	The Operational Command Centre (MAJOC) and two Tactical Joint Operational Centres will meet on daily basis to review the past 24 hour activities and plan for the next day.
	Conduct weekly feedback sessions to monitor and provide guidance on prioritized cases for the month
Accountability and guidance sessions (Investigation and Prosecution Team)	Prosecutor guided investigation sessions to be held regularly between investigator and prosecutor.
	The Investigation and Prosecution Team will meet Bi-Weekly on a Monday to assess the progress, give guidance and compile/forward weekly report including updating case management template to the office of the Provincial Steering Committee in order to update the National Steering Committee.

RISK MANAGEMENT

Risks	Mitigation action
Corrupt SAPS and NPA members working in collusion with criminals	Employ counter intelligence measures. Employ integrity testing and life style audits. Arrest and charge corrupt members
Security/walkouts/pass outs of witness protection program and killing of witnesses	Utilization of police officials to fulfil the function of the security officers for state witnesses on political related cases who are on the Witness Protection Program as prescribed in the Witness Protection Act 112 of 1998 Sec 3 (5) (a) (iii) and Sec 6 (b).
Security of prosecutors and investigating teams	Regular threat assessments to be conducted by SSA.
Reluctance/refusal of witnesses to enter the program.	Explain the alternative protective measures provided for by Legislation (i.e. CPA).

COMMUNICATION STRATEGY

→ A comprehensive communication plan will be implemented for internal and external communication of the SAPS and NPA Strategy for Investigation and Prosecution of politically related cases:

- This committee consists of Senior Managers from the NPA and SAPS Command Structure and will meet monthly to monitor, evaluate and report progress to the National Steering Committee.
- Joint media release by SAPS and NPA in relation to the successes.

→ The marketing of the strategy to all internal and external role players will be undertaken with a view to obtaining support and buy-in of all stake holders.

COSTING

MONTH	OCTOBER	NOVEMBER	DECEMBER	TOTAL
No. of SAPS members	152	152	152	456
Goods & Services	6 122 108	5 927 744	6 122 108	18 171 960
Overtime	3 344 000	3 344 000	3 344 000	10 032 000
Computer and Cellphones consumables	500 000	500 000	500 000	1 500 000
Informer rewards	200 000	200 000	200 000	600 000
Air transport	50 000	50 000	50 000	150 000
Total Expenditure	**10 216 108**	**10 021 744**	**10 216 108**	**30 453 960**
No of NPA members	14	14	14	42
Goods & Services	640 626	620 858	640 626	1 902 110
Overtime	308 000	308 000	308 000	924 000
Air transport	20 000	20 000	20 000	60 000
Computer and Cellphones consumables	200 000	200 000	200 000	600 000
Total Expenditure	**1 168 626**	**1 148 858**	**1 168 626**	**3 486 110**

COSTING

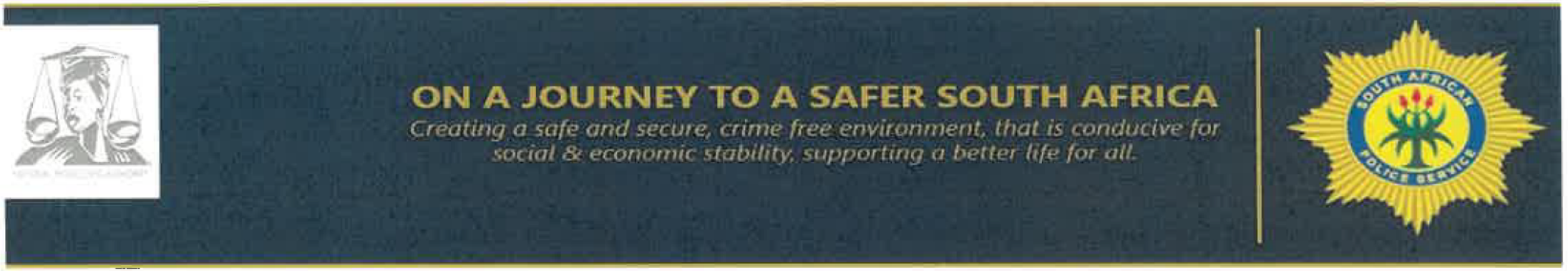
MONTH	JANUARY	FEBRUARY	MARCH	TOTAL
No. of SAPS members	152	152	152	456
Goods & Services	6 122 108	5 733 380	6 122 108	17 977 596
Overtime	3 344 000	3 344 000	3 344 000	10 032 000
Computer and Cellphones consumables	500 000	500 000	500 000	1 500 000
Informer rewards	200 000	200 000	200 000	600 000
Air transport	50 000	50 000	50 000	150 000
Total Expenditure	10 216 108	9 827 380	10216 108	30 259 596
No of NPA members	14	14	14	42
Goods & Services	640 626	600 460	640 626	1 881 712
Overtime	308 000	308 000	308 000	924 000
Computer and Cellphones consumables	200 000	200 000	200 000	600 000
Air transport	20 000	20 000	20 000	60 000
Total Expenditure	1 168 626	1 128 460	1 168 626	3 465 712
GRAND TOTAL	22 769 468	22 126 442	22 769 468	67 665 378

CONCLUSION

→ The investigation of all politically related cases will be undertaken in line with this strategy upon its approval and until termination hereof.

→ Regular engagements will take place with all stake holders and the strategy updated whenever necessary to yield optimal results.

→ Commitment of all role players is of importance in order to ensure the success of this strategy and to ensure that the people are and feel safe.


ON A JOURNEY TO A SAFER SOUTH AFRICA
Creating a safe and secure, crime free environment, that is conducive for social & economic stability, supporting a better life for all.
SOUTH AFRICAN POLICE SERVICE

The End

77

"ANNEXURE VR2"

N.T

ESTABLISHMENT OF SPECIALISED MULTI-DISCIPLINARY ECONOMIC INFRA-STRUCTURE TASK TEAMS (EITT's)

N.T

TABLE OF CONTENT

1. Purpose

2. Background

3. Focus Areas

4. Operational Approach (Pillars and Stakeholders involvement)

5. Co-ordinating Structure

6. Implementation Approach

7. Identified Districts

8. Newsworthy Successes Since Establishment

N.T

PURPOSE

To present a new policing approach to address extortion related crimes and violence at economic and construction sites.

N.T

BACKGROUND

The Honourable President of the Republic of South Africa, Mr Cyril Ramaphosa, in his State of the Nation Address (SoNA) on 10 February 2022 stated the following in relation to economic infrastructure related crimes:

> *"The ongoing damage to and theft of economic infrastructure has damaged confidence and severely constrained economic growth, investment and job creation. This requires a focused and coordinated response. Government has therefore established specialised multi-disciplinary units to address economic sabotage, extortion at construction sites and vandalism of infrastructure."*

The current policing methodology to address the above mentioned challenges have proven to be ineffective, hence the establishment of Specialized Multi-disciplinary Economic Infrastructure Task Teams (EITTs).

The EITTs were established at twenty two (22) identified Districts with a high number of reported cases related to the focus areas of the EITT's. The EITT's will utilise their combined expertise and resources to address the scourge of economic infrastructure related crimes.

N.T

FOCUS AREAS

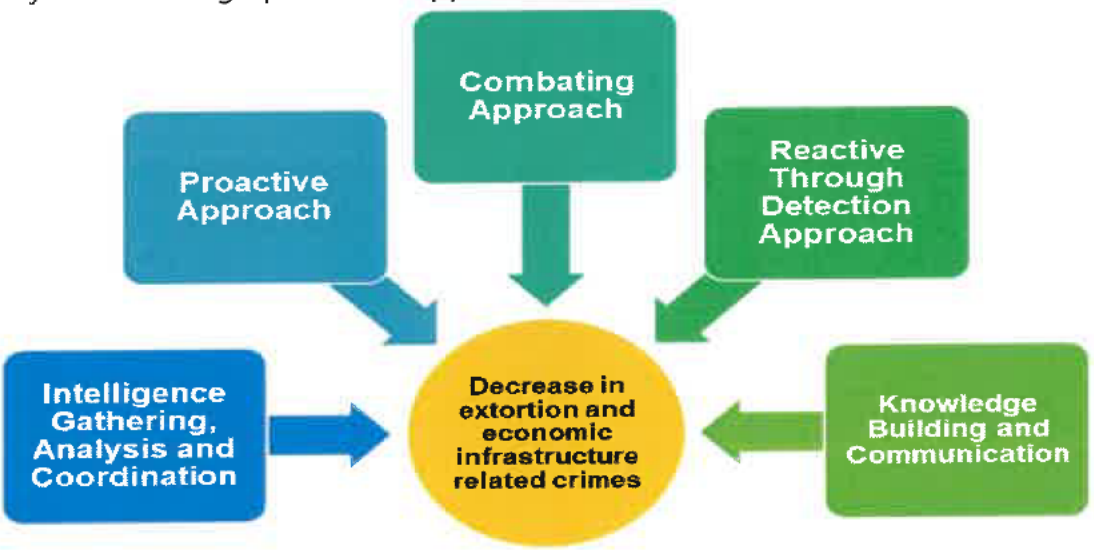
The EITTs is focused on the following areas to address the scourge of economic infrastructure related crimes:

- Non-Ferrous Metal Theft (e.g. Copper cable theft);
- Essential Infrastructure Crimes (e.g. Tampering, damaging or destroying of infrastructure related to energy, transport, water, sanitation and communication services);
- Critical Infrastructure Crimes (e.g. Pipeline fuel theft);
- Extortion at construction and or economic sites; and
- Illegal mining and illicit trafficking.

5

OPERATIONAL APPROACH

The functioning of the specialised multi-disciplinary Economic Infrastructure Task Teams (EITT's) is guided by the following operational approach:



6

N.T

OPERATIONAL APPROACH :PILLARS

PILLAR	FUNCTIONARIES
Pillar 1: Intelligence gathering, analysis & coordination	Crime Intelligence Gatherers, ORS Information Officers, Analysts from CI and DPCI as well as the Crime Registrar, Modus Operandi Strategic Analysis Centre (MOSAC)
Pillar 2: Pro-active approach	Crime Prevention operators, Designated Second-Hand Goods Officers, First Responders (Flying Squad, CSC Response Vehicles etc), Border Police and Railway Police.
Pillar 3: Combat approach	Crime Prevention operators, Specialised Operations, Crime Intelligence, Airwing, K9 Units, Designated Second-Hand Goods Officers, Flying Squad, CSC Response Vehicles, POP, Border Police, Railway Police and PSS.
Pillar 4: Reactive through detection approach	DPCI, Forensic and Detectives Services (Organized Crime)
Pillar 5: Knowledge Building and Communication	Visible Policing and Operations, and Corporate Communications and Liaison

N.T

STAKEHOLDER ENGAGEMENT

There exists a close collaboration between SAPS and External Stakeholders such as, Eskom, Telkom, Transnet and PRASA.

The SAPS engages with the external role players in forums such as:

- The National and Provincial Non-Ferrous Metals Crime Combating Committees;
- The National and Provincial Rail Crime Combating Forums;
- Eskom Priority Committee;
- Illicit Mining and Non-Ferrous Metals Intelligence Meeting;
- National Coordination and Strategic Management Team.

OPERATIONAL APPROCAH: STAKEHOLDERS INVOLVEMENT

Listed below are permanent stakeholders

- Division: Crime Intelligence
  - Crime Intelligence Coordination;
  - Organised Crime Analysis; and
  - Modus Operandi Strategic Analysis Centre (MOSAC).

- Division: Visible Policing and Operations
  - Firearms, Liquor and Second-Hand Goods Services;
  - Crime Prevention Operations; and
  - Specialised Operations.

- Division: Detective and Forensic Services
  - Organised Crime Investigations

N.T

OPERATIONAL APPROACH: STAKEHOLDERS INVOLVEMENT

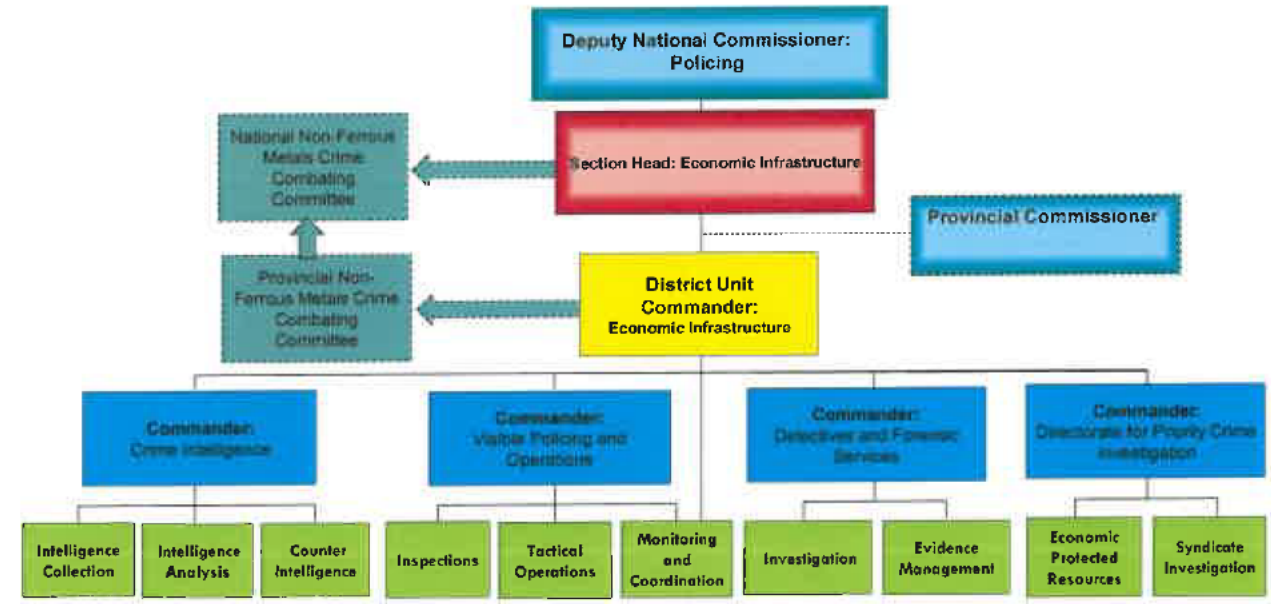
AD-HOC STAKEHOLDERS (BUT NOT LIMITED TO):

- South African Police Service
  - Division: Visible Policing and Operations -
    - ✓ Rapid Rail and Police Emergency Services;
    - ✓ Border Police;
    - ✓ Crime Prevention Operations; and
    - ✓ Frontline Service.
  - Protection and Security Services.
  - Directorate for Priority Crime Investigation
    - ✓ Economic Protected Resources
- Other Government Departments
  - National Prosecuting Authority (NPA)
  - Financial Intelligence Centre (FIC)
  - International Trade Administration Commission (ITAC)
  - South African Revenue Services (SARS)
    - ✓ Customs and Excise
- Other Government Departments - continue
  - Department of Mineral Resources and Energy (DMRE)
  - National Intelligence Coordinating Committee (NICOC)
- Other Law Enforcement Agencies
  - Metropolitan Police Departments (including City of Cape Town Metal Theft Unit)
- State Owned Entities (SOE's)
  - Transnet
  - PRASA
  - Eskom
  - Telkom
- Other industry stakeholders
  - Cellular Telephone Providers (Vodacom, Cell C, MTN etc.)

10

N.T

CO-ORDINATING STRUCTURE



Model "A" – Unit Commander (Col)
Model "B" – Unit Commander (Lt Col)
Model "C" – Unit Commander (Capt)

11

N.T

IMPLEMENTATION APPROACH

- The EITT's will be reviewed after two (2) years for purpose of possible conversion into fully fledged units.
- The EITT's are resourced from the existing capacity and an operational budget was ring-fenced.
- Monitoring will continue at all levels (POCC, PNFMCCC, NOCC, NNFMCCC, NATJOINTS).
- Normal policing functions (pro-active and reactive) will continue within station areas to address the non-ferrous metals, essential infrastructure, extortion and illegal mining environments.

N.T

IDENTIFIED DISTRICTS

IDENTIFIED DISTRICTS WHERE ECONOMIC INFRASTRUCTURE TASK TEAMS (EITT's) WERE ESTABLISHED		
WESTERN CAPE PROVINCE • City of Cape Town • Cape Winelands	**EASTERN CAPE PROVINCE** • Nelson Mandela	**FREE STATE PROVINCE** • Lejweleputswa
NORTHERN CAPE PROVINCE • Frances Baard • John Taola Gaetsewe • Pixley Ke Seme	**LIMPOPO PROVINCE** • Waterberg • Mopani • Capricorn	**KWAZULU-NATAL PROVINCE** • Ethekwini • King Cetshwayo • Umgungundlovu
GAUTENG PROVINCE • Tshwane • Ekurhuleni • Johannesburg • Sedibeng • West Rand	**MPUMALANGA PROVINCE** • Nkangala • Gert Sibanda	**NORTH WEST PROVINCE** • Bojanala Platinum • Dr Kenneth Kaunda

N.T

NEWSWORTHY SUCCESSES SINCE ESTABLISHMENT

NEWSWORTHY SUCCESSES ACHIEVED SINCE ESTABLISHMENT OF ECONOMIC INFRASTRUCTURE TASK TEAMS (EITT's)		
PROVINCE	**CIRCUMSTANCES**	**SUCCESSES**
Gauteng (Cullinan)	On 16 May 2022 five (5) suspects were arrested for tampering with essential infrastructure at a railway line.	Prevented copper cable to be stolen
Gauteng (Eldoraigne)	On 26 May 2022 three (3) suspects were arrested posing as contractors.	Undisclosed amount of Telkom copper cable.
Gauteng (Industria West Extention)	On 28 May 2022 three (3) suspects were arrested for the possession of Eskom and City Power cables at an identified premises.	Eskom and City Power cables (R500 000,00) and aluminium (R200 000,00)
Western Cape (Bonteheuwel)	On 6 June 2022 one (1) suspect was arrested at an unregistered SHG premises.	106kg (R25 000,00) worth of cable confiscated
Eastern Cape (Bethelsdorp)	On 9 June 2022 one (1) suspect was arrested for the possession of copper cable from various SOE's.	2 591 kg Copper cable (R168 415,00)
KwaZulu-Natal (Phoenix Industrial Park)	On 7 July 2022 two (2) suspects were arrested at a registered scrap metal dealer premises for the possession of suspected stolen copper cable.	Copper cable to the value of R55 000,00
Gauteng (Elandsfontein)	On 8 July 2022 one (1) suspect was arrested at a company.	R10 million worth of Telkom Property
Gauteng (Tambo Informal Settlement)	On 22 July 2022 three (3) suspects were arrested when a suspicious vehicle was stopped.	Undisclosed amount of steel pipes utilized within the mining industry

14

N.T

NEWSWORTHY SUCCESSES SINCE ESTABLISHMENT

NEWSWORTHY SUCCESSES ACHIEVED SINCE ESTABLISHMENT OF ECONOMIC INFRASTRUCTURE TASK TEAMS (EITT's)		
PROVINCE	**CIRCUMSTANCES**	**SUCCESSES**
Western Cape	On 3 August 2022 one (1) suspect was arrested for not being registered in terms pf the Second-Hand Goods Act, 2009 (Act No 6 of 2009)	Dealer closed
Western Cape (Vrygrond)	On 1 August 2022 EITT members confiscated copper and aluminium cables, the suspect was also not a registered second-hand goods dealer.	437,05 KG of copper and aluminium cables with an estimated value of R43 000
Western Cape (Mfuleni)	On 3 August 2022 EITT and Public Order Police arrested one suspect for being in possession of electric boxes and electric breakers.	Three (3) electric boxes and thirty three (33) electric breakers with an estimated value of R20 000
Western Cape (Mfuleni)	On 9 August 2022 during second-hand goods compliance inspections EITT arrested one scrap metal dealer for being in possession of rolls of Telkom cable, further investigation led the team to a farm where there was a further confiscation of cables.	Eighteen (18) rolls of Telkom cable and 500KG of cables with an estimated value of R50 000 was seized.
KwaZulu-Natal (Embuthisweni)	On 22 August 2022 the EITT and other role players followed up information at a warehouse that was manufacturing aluminium pots at EMbuthisweni where inquiries into melted copper were made, a reasonable explanation of acquisition could not be provided. Two suspects were arrested for possession of suspected stolen goods and tampering with essential infrastructure.	Copper and tools used to manufacture pots valued at R450 000 were serized.

N.T

NEWSWORTHY SUCCESSES SINCE ESTABLISHMENT

NEWSWORTHY SUCCESSES ACHIEVED SINCE ESTABLISHMENT OF ECONOMIC INFRASTRUCTURE TASK TEAMS (EITT's)		
PROVINCE	**CIRCUMSTANCES**	**SUCCESSES**
Western Cape (Bishop Lavis)	On 29 August 2022 EITT and EITT role players conducted VCP's near a scrap metal dealer's premises, one (1) suspect was arrested with bags of copper belonging to various Parastatals.	Seven (7) bags containing 293KG copper cables with an estimated value of R36 000 and the vehicle that was used for transporting the goods.
Western Cape (Elsies Rivier)	Elsies Rivier: On 29 August 2022 two males were arrested for being in possession of cables that were identified as property of the Drakenstein Municipality and for contravening Section 3 of the Criminal Matters Amendment Act , 20015 (Act No 18 of 2015)	11 KG copper cables of which the value was not recorded.
Western Cape (De Doorns)	On 8 September 2022 Winelands EITT arrested one suspect at a scrap metal dealer in De Doorns for being in possession of suspected stolen property (bags of copper) and for contravening Section 3 of the Criminal Matters Amendment Act , 20015 (Act No 18 of 2015).	22 bags of copper with a total weight of 289 kilogram with an estimated street value of R38 536
Western Cape (Belhar)	On 7 September 2022 EITT arrested one suspect who was found in possession of underground cables belonging to a cellular service provider and a rail agency at one of the scrap dealers in Belhar Business Park, Further investigation led to the discovery of another illegal scrapyard within the premises.	Underground cables weighing 180,50 KG with an estimated street value of R30 000
Western Cape (Elsies Rivier)	On 21 September 2022 EITT during a second-hand goods compliance inspection arrested seven suspects on a charge of contravention of the Criminal Matters Amendment Act. A suspicious Toyota Corolla then sped off from the premises and a high speed chase ensued, the car was subsequently involved in a collision, the driver was arrested.	A 9mm pistol and ammunition confiscated.

N.T

THANK YOU

N·T

"ANNEXURE VR3"

36/1/4/1(202300373)

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION 3964

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 17 NOVEMBER 2023 (INTERNAL QUESTION PAPER NO 45-2023)

3964. Ms Z Majozi (IFP) to ask the Minister of Police:

(1) What has he found to be the (a) extent of effectiveness and (b) current status of the SA Police Service (i) specialised units and (ii) task forces dedicated to combating specific types of crime, such as organised crime, cybercrime and drug trafficking;

(2) whether there are plans to enhance the co-ordination and collaboration among various law enforcement agencies to address complex and interconnected criminal activities; if not, what is the position in this regard; if so, what are the relevant details?

NW5207E

REPLY:

(1)(a)(b)(i)(ii)

The South African Police Service (SAPS) has established specialised capabilities within both the visible policing and crime detection capabilities, specifically to ensure a specialised response to a particular threat. This is done in instances where the normal policing capability is not capable of adequately responding to the specified threat.

Within the Visible Policing capability, specialised intervention units provide the SAPS with unique crime combating capabilities, that have proven to be indispensable, including the Public Order Police, Tactical Response Teams, National Intervention Units and Special Task Force Units. In addition, a total number of 20 Economic Infrastructure Task Teams (EITT's) were established throughout the country, with 18 having been established at district level and two at provincial level. The EITTs have been operational since 1 June 2022 and will be converted into fully functional units, in 2024. The SAPS also intends establishing the following visible policing specialised capabilities, in order to improve service delivery in the visible policing environment: Highway Patrol

N.T

Units, Motorbike Units, Water Policing and Diving Services and Hostage Negotiation.

Within the Crime Detection capability, the specialised capabilities that have been established include the Organised Crime Investigation (OCI) Component, which is focused on prosecution-guided project investigations, as well as major investigations, which focus on priority crimes. The SAPS has also established Anti-corruption Units within the Detective Service, which address corruption investigations against SAPS members. The OCI Component and Anti-corruption Units, in all nine provinces, deal with cases which are not investigated by the Directorate for Priority Crime Investigation (DPCI). The Family Violence, Child Protection and Sexual Offences (FCS) Investigation Service is also a specialised environment in the Division: Detective and Forensic Services, which is responsible for the prevention, investigation of FCS-related crimes. The SAPS is in the process of establishing dedicated Murder and Robbery Units in the provinces, as a specialised investigative response to these contact crime categories.

The DPCI has different specialised units with different focus areas of speciality. The specialised units responsible for the investigation of crime provides the specialised investigative expertise to resolve serious and complex crimes. The DPCI specialised units focuses on national priority offences, which comprises Serious Organised, Commercial, and Corruption capabilities. The investigation of serious and complex crimes requires different approaches, which include amongst others the creation of task teams. These teams are established to address specific organised crime threats in collaboration with other internal, external, private and international entities. The task teams in the DPCI are temporary capacities that are established, based on the prevalence of a particular crime threat(s). Drug Trafficking and Cyber Crime are part of serious organised crime, which are also addressed through the task team approach.

It would, however, undermine the operational effectiveness of these specialised capabilities to disclose detail in terms of human and physical resource capacities.

N.T

(2) Multidisciplinary teams have been established to address complex and interconnected criminal activities, which include various law enforcement agencies and the private sector, through the National Joint Operational and Intelligence Structure (NATJOINTS). Daily monitoring by the Operational Intelligence Coordinating Committee (OICC) and Provincial Joint Operational and Intelligence Structures (PROVJOINTS), ensures the effectiveness of the implemented measures. Impact analyses, scheduled within three months, serves as a barometer for success.

In all of the abovementioned interventions, the SAPS partnered with relevant internal and external stakeholders, e.g. State-Owned Entities (SOE's), such as Eskom, Telkom, Transnet, Gautrain, as well as other Government Departments, such as the National Prosecuting Authority (NPA) and private stakeholders such as Business against Crime South Africa (BACSA) and the South African Revenue Protection Association (SARPA).

There is excellent coordination and collaboration between the South African Narcotics Enforcement Bureau (SANEB) and various local, international and private entities. The SANEB has dedicated transnational and national networks, chemical monitoring programme and national projects. The SANEB Transnational Networks sub-section participates in various fora both nationally and internationally, where the effectiveness and collaborative cooperation is evident from the various successes achieved.

In relation to cybercrime, the International Criminal Police Organisation (INTERPOL) National Central Bureau (NCB), in Pretoria assists the SAPS' Detective Service and DPCI with international investigations and training initiatives. The establishment of the Designated Point of Contact as provided by Section 52 of the Cybercrime Act, 2020 (Act No. 19 of 2020) has enhanced the collaboration and coordination, particularly regarding Mutual Legal Assistance. The DPCI intends to strengthen its collaboration with the African Police Cooperation Organisation (AFRIPOL) Cybercrime Desk and to enhance coordination with the Africa Joint Operation against Cybercrime (AFJOC).

N.T

The National Priority Crimes Operational Committee (NPCOC), formerly known as the Anti-Corruption Task Team (ACTT), was established in April 2023 and is a key player in combating national priority offences. This multidisciplinary committee comprises various subcommittees, including the Anti-Corruption Subcommittee (ACSC), Commercial Crime Subcommittee (CCSC), and Organised Crime Subcommittee (OCSC).

Reply to question 3964 recommended/~~not recommended~~

GENERAL
NATIONAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICE
SF MASEMOLA (SOEG)

Date: 2023/12/11

Reply to question 3964 approved/~~not approved~~

MINISTER OF POLICE
GENERAL BH CELE, MP

Date: 15/12/2023

N.T

"ANNEXURE VR4"

MINISTRY OF POLICE
REPUBLIC OF SOUTH AFRICA
Private Bag X463 PRETORIA 0001, Tel: (012) 3932815, Fax: (012) 393 2824/20 Private Bag X9080 CAPE TOWN 8000, Tel: (021) 467 7000, Fax: (021) 467 7077

General SF Masemola (SOEG)
National Commissioner
South African Police Service
Private Bag X463
Pretoria 0001

Dear General Masemola

DIRECTIVES ON MATTERS RELATING TO CRIME INTELLIGENCE, PORTS OF ENTRY AND THE POLITICAL KILLINGS TASK TEAM

I trust this correspondence finds you well in this festive season. In the past few months towards the end of this year 2024, I have made observations on a number of important aspects on the SAPS and policing. For purposes of this letter I'm focusing on the three aspects that require very urgent attention to address some of the challenges at hand.

1. Filling of posts in the Intelligence Division.

All processes to fill vacant posts in the Division should be halted immediately. This applies to all posts in Provinces, including those of Provincial Heads of Intelligence that are currently vacant. It also applies to all posts currently vacant at Head Office. This should be the position until substantive discussions between the Minister and the National Commissioner take place sometime early next year.

2. Ports of Entry

It is common course that all South African ports of entry are managed by Border Management Authority with SAPS playing a critical role in the same space which cannot be over emphasised. In line with this role, SAPS personnel impact and efficiency should be reviewed from time to time with an objective of enhancing their role in improving security in the country's ports of entry. I, in terms of section 207(2) direct that you develop a new plan in this regard and present it to the next Ministry

N.T

Management Executive Committee meeting later in January 2025. Key reference points to include but not limited to the following;

2.1 A comprehensive analysis of the current challenges of security in the Ports of Entry and Exit, the SAPS perspective.
2.2 A comprehensive, operational and remedial action plan based on a policy of rotation of staff members among others.

3. Political Killings Task Team

In 2019, a directive was made to the National Commissioner of Police following the Moerane Commission report, even though not flowing directly from such that an inter- ministerial task force be established. The key mandate was to stop/investigate/resolve unresolved murders of politicians in the country especially in KwaZulu-Natal.

My observation in this regard as indicated above is that further existence of this Team is no longer required nor is it adding any value to policing in South Africa. I therefore direct that the Political Killings Task Team be disestablished immediately. Further, that a preliminary report in this regard be submitted to the Minister by the 20th of January 2025. The final and closing report must be submitted to the Ministry-Management Executive Committee meeting late January 2025, the date of which will be communicated as soon as possible.

Yours Sincerely

MINISTER OF POLICE
MR ES MCHUNU, MP
Date: 31/12/2024

N.T

"ANNEXURE VR5"

N.T

SAPS 21

GG.P.-S. 002-0222

SOUTH AFRICAN POLICE SERVICE

SOUTH AFRICAN POLICE SERVICE

Private Bag X302, Pretoria, 0001

Reference	21/2/1/59
Enquiries	Lt Gen SM Sibiya
Telephone	012 393 2082
E-Mail	AffinanndL@saps.gov.za

THE DEPUTY NATIONAL COMMISSIONER
CRIME DETECTION

The Divisional Commissioner
DETECTIVE & FORENSIC SERVICES

DEACTIVATION AND DISBANDMENT OF THE NATIONAL TASK TEAM ON POLITICAL KILLINGS

1. The South African Police Service (SAPS) established the National Task Team on Political Killings (NTTPK) to address the concerning rise in politically motivated murders and related crimes involving political figures.

2. This specialised task team was dedicated to investigating, resolving, and preventing such incidents to ensure justice and maintain political stability in affected regions.

3. On 31 December 2024, the Minister of Police issued a directive to the National Commissioner to immediately deactivate and disband the NTTPK. This decision was informed by an assessment that the task team no longer significantly contributed to policing efforts.

4. The directive requires immediate compliance, with appropriate measures to be undertaken to ensure the effective disbandment of the NTTPK in accordance with current prescripts in this regard.

5. In compliance with the aforementioned directive of the Minister of Police you are directed to engage with the Divisional Commissioner of Crime Intelligence with the view to do a proper handing over and to follow all processes necessary to conduct a handing over process. This includes, but not limited to:

5.1 A status report of all cases
5.2 A case register wherein all the cases were recorded and current status of court going cases and cases under investigation,
5.3 All cases or projects , documentation relevant to the Political killings task team This should include all evidentiary material (documents, electronic, recordings, etc) It must be booked into the SAPS 13 or in possession of the team or stored in any storage facility
5.4 All human and physical resources allocated listed, as well as a report on all financial expenditure for the duration of the operations of the Task Team.

N.T

DEACTIVATION AND DISBANDMENT OF THE NATIONAL TASK TEAM ON POLITICAL KILLINGS

6. It is advised that the Divisional Commissioner : Detective and Forensic Services ensures that the cases / investigations are taken care of to ensure that cases are not lost in Court because of the deactivation and disbandment of the Task Team.

7. You are required to ensure that this is done within 7 days in also considering the content of the attached correspondence sent to the Divisional Commissioner : Crime Intelligence, which you will also ensure that the closing report is submitted as per directive of the National Commissioner.

LIEUTENANT GENERAL
DEPUTY NATIONAL COMMISSIONER: CRIME DETECTION
SM SIBIYA

Date: 2025-02-04

N. T

GG.P.-S. 002-0222

SAPS 21

SOUTH AFRICAN POLICE SERVICE

SOUTH AFRICAN POLICE SERVICE

Private Bag X302, Pretoria, 0001

Reference	21/2/1/59
Enquiries	Lt Gen SM Sibiya
Telephone	012 393 2082
E-Mail	Sibiyas6@saps.gov.za

THE DEPUTY NATIONAL COMMISSIONER
CRIME DETECTION

The Divisional Commissioner
CRIME INTELLIGENCE
DETECTIVE & FORENSIC SERVICES

DEACTIVATION AND DISBANDMENT OF THE NATIONAL TASK TEAM ON POLITICAL KILLINGS

1. My evenly numbered correspondence dated 2025-01-17 and 2025-02-04, respectively, refer.

2. In compliance with the directive of the Minister of Police on 31 December 2024 and subsequent directives on the matter you are advised that this process should be finalised by Thursday 24 April 2025.
   This includes the transfer of all dockets , closed, currently under investigation and in Court , to the Division Detective and Forensic Services.

3. A final feedback report on the finalisation of this process, including confirmation that all task team members have reported back to their Stations of origin, is awaited on or before Friday 25 April 2025.

4. Kindly acknowledge receipt of this correspondence.

Sincerely

LIEUTENANT GENERAL
DEPUTY NATIONAL COMMISSIONER: CRIME DETECTION
SM SIBIYA

Date: 2025-04-22

N. T

Divisional Commissioner : Crime Intelligence

From: Affinannd Lee-Ann Colonel: National Commissioner MIC
Sent: Tuesday, 22 April 2025 07:39
To: Divisional Commissioner : Crime Intelligence; Nkosi NO - Staff Officer Detective & Forensic Services
Cc: Divisional Commissioner : Detective & Forensic Services – PA; Keketsi Sibongile - Captain; Mabula TR; Lethoko GH - Brig
Subject: DEACTIVATION AND DISBANDMENT OF THE NATIONAL TASK TEAM ON POLITICAL KILLINGS
Attachments: Letter Divcom Detectives CI follow up Political killings.pdf

Good Morning Colleagues

As directed by the DNC Crime Detection please find urgent correspondence for the attention of the Divisional Commissioners Crime Intelligence and DFS.

****

Brig Lethoko

Copy for information of the National Commissioner as directed by the DNC Crime Detection

Respectfully

Lee-Ann Affinannd | Colonel
Office of the Deputy National Commissioner: Crime Detection | South African Police Service
Cell: 0794970805
E-mail: Affinanndl@saps.gov.za | Affinannd Lee-Ann Colonel – National Commissioner MIC

"ANNEXURE VR6"

IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

CASE NO: 2025-123874

In the matter between:

LIEUTENANT GENERAL SHADRACK SIBIYA	**APPLICANT**
And	
SOUTH AFRICAN POLICE SERVICE	**1ST RESPONDENT**
NATIONAL COMMISSIONER OF THE SOUTH AFRICAN POLICE SERVICE, GENERAL SEHLAHLE MASEMOLA N.O	**2ND RESPONDENT**
MINISTER OF POLICE	**3RD RESPONDENT**
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA	**4TH RESPONDENT**

FILING NOTICE – ANSWERING AFFIDAVIT

The Documents filed: 1st and 2nd Answering affidavit

Documents filed by: The 1st and 2nd Respondent's Attorneys

SIGNED at **PRETORIA** on the **11th** day of **August 2025.**

ATTORNEY FOR THE 1st and 2nd RESPONDENTS
STATE ATTORNEY PRETORIA
316 THABO SEHUMBE STREET
PRIVATE BAG X 91
PRETORIA, 0001
Ref: 2902/2025/Z56
Tel: (012) 309-1677

N.T

appropriate, the commission must make recommendations regarding the employment status of such officials including whether they should be suspended pending the outcome of further investigations.

8.

THE EVENTS LEADING UP TO MY INSTRUCTION TO THE APPLICANT TO STAY AT HOME PENDING THE INVESTIGATION, FORMING THE SUBJECT OF THIS APPLICATION.

8.1 The Ministerial Directive came to my attention on 2 January 2025, and upon my return from leave on 14 January 2025, I studied the Directive in more detail.

8.2 The Directive came as quite a surprise and a shock to me, as there has not been an opportunity for me to brief the Minister on the background and successful work of the Task Team since his arrival in the Office of the Ministry of Police.

8.3 From the Directive, there was no indication that it originated from the Inter-Ministerial Committee, and there was certainly no coordination or consultation with me or any of the structures under my control that were directly involved with the Task Team prior to the Directive being issued.

8.4 I accepted that the Directive fell within the oversight powers of the Minister, but held the view that his insistence on how and when the Task Team be deactivated overreached into my Constitutional mandate as the National Commissioner of Police to manage and supervise the Police Service.

N.T

8.5 On 14 January 2025, I had a discussion with the applicant, and he presented a plan/letter on how to close the Task Team in line with the Minister's Directive. I was however not satisfied with the proposed plan and informed the applicant that it would be irresponsible to summarily disband the Task Team and remove the case dockets from them as it will have a detrimental effect on the investigation of the cases, it will cause problems/complications in relation to the prosecution of matters already in court, and it will detrimentally affect witnesses in witness protection and the families that were affected by the killings and the possibility of civil claims against the Police Service.

8.6 The applicant informed me that the Task team should be closed down similarly to the way the Scorpions and explained how they were closed down, saying they were individually called into the office with their dockets, they signed for handing over, and management signed for receiving the dockets. Thereafter, each officer received a new deployment. I told him that it would be irresponsible. I advised him to consult with Major General Rabie, Head of Strategic Management, in drafting an amended plan for closing down the Task Team. I called Maj Gen Rabie to assist him with a phased-out plan.

8.7 On 15 January 2025, whilst I was consulting with Major General Sebola applicant presented me with an amended plan directed at the Divisional Commissioner: Crime Intelligence, facilitating the immediate closure of the Task Team and handing over of the case dockets, and requested me to sign the instructions. The proposed plan once again negated my instruction that there must be a gradual

wind-down of the operations of the Task Team, and I was not prepared to sign the document and instructed him to leave the issue with me, as I will personally develop a plan to be presented to the Minister.

8.8 With the help of Lt Gen Khumalo, the Divisional Commissioner: Crime Intelligence, set out the establishment and workings of the Task Team and addressed the proposed winding down of the Task Team in such a way that it would not negatively impact the work done by the Task Team. The plan was prepared for presentation to the Minister on 20 January 2025.

8.9 I requested an urgent audience with the Minister of Police, as there were at that stage already negative media publications regarding the Directive by the Minister and the workings of the Task Team, including other Crime Intelligence matters, and the Minister agreed to be briefed on 16 January 2025 on the issues at hand.

8.10 On 16 January 2025, Lt Gen Khumalo and I briefed the Minister on the negative issues in the media as well as the counterintelligence investigation and project where the Task Team was providing assistance in Gauteng.

8.11 On 20 January 2025, I informed the Minister in writing that the report, as required in his Directive dated 31 December 2024, was ready to be submitted and as the Minister was not available to receive the report, it was, however, handed to the Minister through the Chief of Staff, Mr Nkabinde on 22 January 2025 as per agreement. A copy of the report and the acknowledgement of receipt are attached hereto respectively as **Annexures "FM2" and "FM3"**.

N.T

8.12 On 4 March 2025, I received an invitation to attend a ministerial meeting on the Political Killing Task Team disbandment implementation plan scheduled for 6 March 2025 in Cape Town.

8.13 I approved a Task Team disbandment implementation plan drafted by General Khumalo, which he presented at the Ministerial briefing on the Task Team disbandment plan on 6 March 2025. The plan advised the Minister that in order to avoid adverse effects and unnecessary civil claims and to ensure continuity of cases, particularly those that are under investigation and those that are in court, the disestablishment and all disbandment will take the form of a phased-out approach. This would mean that there would be a gradual withdrawal of the remaining members until the cases are finalised.

8.14 The proposal entailed that the disbandment would take a form of a phased-out report involving all the stakeholders, amongst others, the National prosecuting authority, as envisaged by the Inter-Ministerial Committee to ensure that the disbandment does not negatively affect the investigations and or prosecutions and or the civil rights of families, witnesses, and people involved.

8.15 The applicant was also present at the meeting, proposed the immediate disbandment of the Task Team, and after some debate, the plan presented by Lt Gen Khumalo was partially approved with amendments to be made, which specifically impacted the lifespan of the Task Team. The initial plan was that the docket under investigation would go the Provincial and or stations. The dockets on the court roll would stay with the Task Team. This was amended to provide that the

N.T

dockets will go to the stations. There was never a plan that the dockets would go to the Head Office in Pretoria.

8.16 At the meeting, I specifically enquired about the reasons for the disbandment of the Task Team, however, no reasons were provided to me. He indicated that the murders was just murders not necessary political of nature.

8.17 Upon leaving the ministerial meeting, it was agreed that the disbandment of the Task Team would take place in accordance with the phased-out plan I submitted as amended in relation to the lifespan for such disbandment. The Minister insisted that the disbandment be completed in 2025.

8.18 It later came to my attention that, since my discussion with the applicant on 15 January 2025, and contrary to my direct instructions on 14 January 2025, the applicant proceeded to give directives and instructions to the Task Team to immediately hand over the dockets to the Head Office and the redeployment of the Task Team members. Copies of the letters the applicant wrote and sent out contrary to my instructions on 17 January 2025, 4 February 2025, and 22 April 2025 are respectively attached hereto as **Annexures: "FM4", "FM5", and "FM6".**

8.19 On 4 February 2025, the applicant addressed a letter to the Divisional Commissioner, Detectives, and Forensic Services instructing the disbandment of the Task Team and handing over of the case dockets within 7 days.

8.20 Contrary to my instructions to the applicant, the applicant instructed Lt Gen Khumalo to hand over the dockets to the Divisional Commissioner: Detective and Forensic Service, Lt Gen Senthumule which happened on 28 March 2025.

8.21 The effect of the handover of the dockets to the Head Office was that these dockets were removed from investigators, and that they remained dormant at Head Office, not assigned to any investigators, and without any plan for their future investigations.

8.22 An application in the form of an Information Note was presented to my office as a REQUEST FOR FUNDING: INVESTIGATION OF POLITICAL TASKED KILLINGS DOCKETS NATIONAL: BY MEMBERS OF SERIOUS AND VIOLENT CRIME INVESTIGATIONS: MURDER AND ROBBERY: DIVISION DETECTIVE AND FORENSIC SERVICES. Applicant on 8 July 2025 recommended the request, and on 22 July 2025, I did not approve the request and made the following note:

> *"We can't spend double on the same function. Political Killing Task Team is there already doing the function. Why are dockets at HQ as it was agreed that some dockets from the Team be returned to station of origin."*

8.23 The document as annexure SS 22 was at the time when applicant attached was before I considered the document. I have attached the document as I signed it with my comment **Annexure "FM7".**

8.24 Upon making enquiries, it appeared to me that the applicant might have deliberately ignored my instructions and acted contrary to his obligations in terms of his appointment, which necessitated an investigation as to his intentions and motives, and interest in the disbandment of the Task Team.

N.T

8.25 To investigate whether the applicant indeed committed misconduct, I ordered him to stay at home pending a preliminary investigation to see whether disciplinary steps against him were warranted.

8.26 I must note at this stage that this stay-at-home order was in no way intended to be a precautionary suspension in accordance with the South African Police Service Disciplinary Regulation, 2016, but merely to ensure that the applicant, who is a high ranking Deputy National Commissioner was not present in his office whilst the preliminary investigation took place to embarrass him and to ensure that witnesses would freely and voluntarily participate in such investigation without the pressure or possible intimidation created by his presence.

8.27 On 14 July 2025, I signed a notice of impending investigation, which was handed to the applicant on 15 July 2025. The notice was accompanied by the stay-at-home order pending the investigation. Both documents are attached to the applicant's affidavit as annexures SS1 and SS2, respectively.

8.28 The preliminary investigation was concluded on 1 August 2025 and delivered by hand to me on 4 August 2025.

9.

9.1 I will now deal with the allegations in the founding affidavit *ad seriatim*.

"ANNEXURE VR7"

N.T

MINISTRY OF POLICE

MEDIA STATEMENT

Date: 2 September 2025

JOINT STATEMENT BY THE MINISTER OF POLICE, PROFESSOR FIROZ CACHALIA AND THE NATIONAL COMMISSIONER OF THE SOUTH AFRICAN POLICE SERVICE, GENERAL FANNIE MASEMOLA

The Minister of Police, Professor Firoz Cachalia called a meeting with the National Commissioner of the South African Police Service, General Fannie Masemola, yesterday, 1 September 2025. The purpose was to clarify and affirm their respective roles, with the Minister having Executive Authority and the National Commissioner having Operational Authority given their shared objectives of building public trust in the South African Police Service (SAPS) and improving morale amongst its members.

A key outcome was that Minister Cachalia and General Masemola agreed to the necessity of maintaining a professional, collegial and respectful relationship. Importantly, that there be prior consultation and regular reporting on important matters in the public and policy domains.

The Minister and the National Commissioner further agreed there was a need to strengthen the capacity of SAPS to investigate the killings of councillors, public officials, whistleblowers and others like professional auditors who are vital in the daily struggle against corruption and organised crime. This capacity must be strengthened across the country where needed so that those who threaten our national security have nowhere to hide. Furthermore, Minister Cachalia and General Masemola agreed to ensure that the SAPS and all its members support the work of the Madlanga Commission of Inquiry into Allegations of Interference in the Criminal Justice System and uphold its integrity.

The political killings task team dockets will be submitted to the Commission in the format that they require. This is to ensure the integrity of the dockets and enable the Commission to thoroughly investigate all the matters related to its terms of reference.

Where there are matters in these dockets requiring urgent further criminal investigations or prosecution, the SAPS will advise the Commission accordingly. The SAPS will also act with speed where the Commission refers new matters to it for urgent investigation in line with its terms of reference. Minister Cachalia and General Masemola remain committed to building a South African Police Service that is trusted and responsive to the needs of all South Africans.

ISSUED JOINTLY BY THE MINISTER OF POLICE AND THE NATIONAL COMMISSIONER OF THE SOUTH AFRICAN POLICE SERVICE.

N.T

"ANNEXURE VR8"

DIRECTOR OF PUBLIC PROSECUTIONS

KwaZulu-Natal Division
Tel: +27 33 845 4400 | dppmbhighcourt@npa.gov.za
286 Pietermaritz Street, Pietermaritzburg, 3200 | P/Bag X9008, Pietermaritzburg, 3200, South Africa

National Prosecuting Authority South Africa

Enq: Adv. E. Harrison

Gen N. Mkhwanazi
Provincial Commissioner: KZN
15 Bram Fischer Road
Durban
4001

Dear Gen Mkhwanazi

RE: POLITICAL TASK TEAM: PROSECUTOR GUIDED INVESTIGATIONS

Your correspondence dated 22 May 2025 refers. The contents thereof are noted.

Kindly take note that the purpose of this correspondence is related to the issue of whether the Political Task Team continues to exist. There have been a number of media reports whereby it has been noted that the Political Task Team has been disbanded. There has been no formal communication to the office of the National Director of Public Prosecutions as well as my office on this issue. It is of concern that this office remains unsure of what the correct position is regarding the existence of this team. A Ms. Mary De Haas has been very vocal regarding the disbandment of the Task Team and the fact that it continues to operate. My office has had to indicate to her that I have received no formal correspondence regarding this disbandment. Despite this response the concern continues to be a problem.

I engaged Adv. Gcaba regarding the contents of your abovementioned correspondence. He has confirmed that members were sent to his office to collect the dockets. My office cannot ignore an instruction when members are sent to collect dockets as same is the property of SAPS. Upon enquiry regarding the existence of the Task Team, there was no clear response except that he noted that the members of the Task Team have indicated to him that they will finalise the outstanding cases on the court roll. This is the only information that my office has regarding the issue.

N.T

In **2026** there will be local government elections. We are aware that all elections are often preceded by violent political activity. This consists of murder, attempted murder, assault, crimen injuria, malicious injury to property etc. being committed. The modus operandi differs in that it may involve members from the same political party against each other or between the different political parties.

Upon my assumption of duty in the province as the Director of Public Prosecutions in May 2019 (acting at that time), my office was approached by Gen Khumalo who requested for dedicated capacity to respond to the Political Task Team. At that time my predecessor had nominated Adv. C. T. Selepe, a Deputy Director of Public Prosecutions, to manage the portfolio (Political Related Cases). As the work increased, he was unable to manage the portfolio on his own. This led to my office issuing a directive to the KZN Prosecutors dated 13 June 2019 (a copy attached as **Annexure "A"** for easy reference) which dealt with how KZN would respond to these cases at that time. This directive set out the challenges which Gen Khumalo had raised. Despite this arrangement, there was a continued unhappiness regarding the Task Team not having dedicated capacity.

I also wish to bring to your attention a correspondence which the Minister of Police, Mr. B. H. Cele, had forwarded to our NDPP, Adv. Batohi. This correspondence is dated 24 May 2019. The purpose of the correspondence was to highlight the challenges regarding the successful prosecution of the politically related cases allocated to the Task Team. Attached **(Annexure "B")** is a copy of this correspondence for ease of reference.

On 05 August 2019, there was a meeting. This meeting was attended by the National Commissioner of the South African Police Service, the National Director of Public Prosecutions and other dignitaries regarding the challenges surrounding the politically related cases. I was requested to identify a dedicated capacity of prosecutors who would specifically deal with these cases. After consultation with my management team, it was decided that the Organised Crime Component (OCC) would be the dedicated capacity for the politically related cases. A coordination plan was devised internally as to how the cases would be dealt with.

On 23 August 2019, there was a Steering Committee meeting. There was a presentation done. Attached hereto is the presentation **(Annexure "C")** which was presented. The Task Team and OCC had met and developed the **"Integrated Strategic Plan for Investigation and Prosecution of Politically Related Cases: KZN".** This document is attached **(Annexure "D").** The purpose of this plan is set out on page 2 of the document.

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At the meeting of 05 August 2019, there was also a resolution that there be a dedicated court to deal with the Politically related cases. Attached is a correspondence addressed by the Minister of Justice and Correctional Services dated 10 September 2019 and addressed to Mr. V. Madonsela, the Director-General at that time. I have attached same as **(Annexure "E")** for your ease of reference.

All of the above indicates the amount of work which went into ensuring that the work of the Political Task Team was coordinated so that there was better case coordination and management of same by NPA, but above all to deal with the prosecutorial challenges that the team and the Minister of Police has raised to the NDPP. I was instructed to have a dedicated prosecutorial capacity, which was provided as per the request.

The dedicated prosecutorial capacity is headed by a Deputy Director of Public Prosecutions who has advocates under his management who are assigned to guide the investigations, make prosecutorial decisions and prosecute these matters where there are murder and or attempted murder charges. A database has been retained since the inception of this dedicated capacity. There have been numerous successful prosecutions. There are several high profile politically related matters/cases on the court roll. Some are in the High Court and others are in the Regional Court. The dedicated prosecutors continue to provide their prosecutorial dedication to these cases however they are also not certain as to what is the position regarding the existence of the team and new cases reported.

The Task Team had its own resources which assisted with the fast tracking of the investigations.

All of the information above has been set out to show the seriousness that this office made to address the challenges which the Task Team and SAPS as a whole had raised.

Conclusion

It is requested that you assist with providing my office with a response regarding whether the SAPS Political Task Team still exists. The dedicated capacity needs to respond to the dedicated Task Team. If there is no dedicated Task Team, then the dedicated prosecutorial capacity will be dissolved, and all new cases will have to be reported to the Chief Prosecutors in the area where the crime is committed. This office cannot retain dedicated capacity where there is no dedicated SAPS Task Team. Your correspondence will assist as the unit has to plan for the year 2025/2026. It has its own priorities as per the NPS AOP. As we are all aware, organized crime has become the new focus/priority and this office needs to plan. I am unfortunately not

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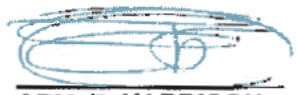
able to complete the planning because the issue regarding the existence of the Task Team has not been communicated. At this stage the only information which one has is that in the media

Your urgent response to the above issue will be appreciated.



ADV. E. HARRISON
DIRECTOR OF PUBLIC PROSECUTIONS: KWAZULU–NATAL
DATE: 10/06/2025

N.T

Annexure "A"

DIRECTOR OF PUBLIC PROSECUTIONS
KWAZULU-NATAL

TO: ALL DPP: KZN MEMBERS OF STAFF 13 June 2019

DPP: KZN DIRECTIVE 04/2019: POLITICALLY RELATED CASES

Director-of Public
Prosecutions
KWAZULU-NATAL

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PURPOSE AND BACKGROUND

1. This directive replaces Directive 01/2018.

2. KwaZulu-Natal has experienced a high level of violence particularly against persons linked to political parties or perpetrated by persons linked to political parties.

3. In order to manage the situation in KwaZulu-Natal, the Honourable President of the Republic of South Africa has convened an Inter-Ministerial Task Team comprising of JCPS Cluster Ministers to look into effective solutions aimed at eradicating the high level of politically linked violence experienced in our Division. The Inter- Ministerial Task Team (IMTT) will continue to visit KwaZulu-Natal until the situation can be considered to be under control. My office has to provide a comprehensive report to the NDPP on all these matters.

4. In addressing the complaints and challenges that have been brought to my attention, with regards to:

   4.1. 01 dedicated Prosecutor only in the Province dealing with the matters;
   4.2. Prompt decision making in these matters;
   4.3. Reduction of the withdrawals in these type of matters;
   4.4. Prioritization of these matters, and
   4.5. Better collaboration between the Chief Prosecutors, the assigned Deputy Directors and the SAPS Task Team

   it has become imperative that this Directive be issued in seeking to address the above.

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5. **All cases** involving offences, either perpetrated by a person(s) linked to political party or against a person(s) linked to a political party must be considered by the Chief Prosecutor before the matter being enrolled. In potential High Court matters the provisions of Circular 3/2000 still apply. Each cluster and unit or office must ensure that a complete copy of the docket(s) is forwarded to my office in the most expeditious manner in compliance with the "3 day rule, and the correspondence must indicate "Politically Related Cases" in the subject line.

6. The witnesses in these cases must be interviewed **prior to the enrolment** of these matters, especially in cases where one is dealing with accomplice witnesses and single witnesses.

7 Where the case has been enrolled already, it is directed that an interview be conducted before a decision is made to transfer the matter to the Regional or High Court.

8. The decision not to prosecute a person, but to use such a person as a witness in terms section 204 of the Criminal Procedure Act, must be made in consultation with the Chief Prosecutor and/or DDPP (in potential High Court cases). Section 204 should only be used in exceptional circumstances, where it is in the interest of justice to use the provision. Reference must be made to Part 4 of the NPA Policy Manual, section D headed "*Section 204 Witnesses*".

9. The Chief Prosecutors and Deputies must ensure that a database of these politically related cases is maintained for the cluster/unit and that by the 10th of each month one update for the whole cluster, unit or office is forwarded to the Strategy and Operations office, attention of Mr Sunil Prithipal and Ms Emmelda Mngomezulu.

10. No politically related case may be withdrawn without detailed and cogent written notes in the C-Clip of the docket or office file.

11. Adv. Selepe is the coordinator for these matters and where there is a doubt in regards to a decision, he can be contacted for assistance.

Kind regards

N.T

ADV. E. ZUNGU
ACTING DIRECTOR OF PUBLIC PROSECUTIONS
KWAZULU-NATAL

N.T

Annexure "B"

MINISTRY OF POLICE
REPUBLIC OF SOUTH AFRICA
Private Bag X463 PRETORIA 0001, Tel: (012) 3932500, Fax: (012) 393 2819/20 Private Bag X9080 CAPE TOWN 8000, Tel: (021) 467 7021, Fax: (021) 467 7033

The National Director of Public Prosecutions (NDPP)
Advocate S Batohi
123 Westlake Street
Weavind Park
PRETORIA
0184

Dear Advocate Batohi

CHALLENGES ON PROSECUTION OF POLITICAL RELATED CASES: TASK TEAM KZN

1. PURPOSE

The purpose of this report is to highlight the challenges with regards to successful prosecution of the political related cases allocated to the Task Team. Challenges range from delayed trials, State witnesses (Section 204) being turned against the state and killing of the witnesses including those who are in the witness protection program as well as recommendations.

2. BACKGROUND

A total of **167** cases are allocated to the Task Team, with 29 investigating officers and 1 dedicated prosecutor. Status of these cases are **50** under investigation, **64** court going, and **53** finalized and no cases withdrawn, however there are charges that have been provisionally withdrawn against certain individuals. The court going cases are perennially remanded or decisions

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delayed and thus affording more time for the State Witnesses to be turned against the state or to be killed.

3. CHALLENGES IDENTIFIED

3.1. Section 204 Witnesses Killed while in the Witness Protection Program

No.	Cases where witnesses were killed	Cases Affected
1.	Plessislaer CAS [redacted] – Murder (witness protection program)	Plessislaer CAS [redacted] Murder
		Estcourt CAS [redacted] Conspiracy to Commit Murder

3.2. Key witnesses killed outside the witness protection program

Witnesses on the cases mentioned in the table below were offered with witness protection program but declined.

No.	Cases Where Witnesses Were Killed	Cases Affected
1.	Inchanga CAS [redacted] Murder	Inchanga CAS [redacted] - murder
		Inchanga CAS [redacted] -murder
		Inchanga CAS [redacted] – murder
2.	Madadeni CAS [redacted] Murder	Madadeni CAS [redacted] Murder & Att. Murder

3.3. SECTION 204 WITNESSES TURNED AGAINST THE STATE

3.3.1. Witnesses who abandoned Witness Protection Program

No.	Cases that might be affected
1	Madadeni [redacted] Murder & Att Murder
2.	Ladysmith [redacted] Murder

N-T

3.3.2. Witnesses Who Turned Against The State Whilst outside the Witness Protection Program

Five witnesses turned against the state

- Umlazi CAS [redacted] Murder (2 witnesses)
- Ibisi CAS [redacted] Murder (1 witness)
- Madadeni CAS [redacted] Murder (2 witnesses)

4. QUESTIONABLE WITHDRAWAL DECISIONS BY NPA

NO.	STATION & CAS NO	DECISION	PROSECUTOR
1.	Ibisi CAS [redacted] Murder	Suspects placed on the roll and later withdrawn	PP Moodley
2.	Hilton CAS [redacted] Intimidation	"You will feel the heat" does not amount to intimidation. Which resulted in all three cases being declined to prosecute.	SPP Naidoo
3.	Hilton CAS [redacted] Intimidation		
4.	Camperdown CAS [redacted] Intimidation		
5.	Mahlabathini CAS [redacted] Unlawful possession of firearm	No evidence to prove the offence	SPP Sewpersad
6.	Plessislaer CAS [redacted] Possession of firearm and ammunitions without the valid licence/permit	The security guard is not liable for the charge but the owner	PP Tango
7.	Plessislaer CAS [redacted] Possession of firearm and ammunitions without the valid licence/permit	The security guard is not liable for the charge but the owner	SPP Senekal

N. T

8.	Richmond CAS [redacted] Negligent handling of firearm Failing to safeguard	Awaiting judgement on Richmond CAS [redacted] Murder	SPP Senekal
9.	Ingwavuma [redacted] Unlawful possession of the firearm	The owner of the security company does not cooperate to rectify the queries regarding the investigation.	SPP Khumalo
10.	Paulpietersburg CAS [redacted] Defeating the ends of justice and Perjury	The magistrate refused to give another remand date as the matter has been postponed four (4) times before for trial	PP Gumede
11.	Plessislaer CAS [redacted] Possession of unlicensed firearm and ammunition	Unreasonably demanding additional evidence to enrol the case despite overwhelming evidence which links the suspect to the case.	PP Sibiya

5. QUESTIONABLE DECISIONS BY NPA

1.	Ntuzuma CAS [redacted] Murder	NPA guidance to take the case for formal inquest instead of trial despite strong evidence of premeditated murder
2.	Plessislaer CAS [redacted] Murder	Unreasonably demanding additional evidence to enrol the case despite overwhelming evidence which links the suspect to the case.

N.T

CHALLENGES ON PROSECUTION OF POLITICAL RELATED CASES:
TASK TEAM KZN

6. SPEEDY TRIALS DELAYED

NO	CASE NUMBER & CHARGE	REASON
1.	Nongoma CAS [redacted] Murder	Since the arrest of the hitmen, linking and charging of the accused during September 2018, the accused is only on the pre-trial stage on the five cases he is linked to.
2.	Bulwer [redacted] Murder	Accused 2 Nokhona Mpanza indicated that she want to plead guilty but the process is delaying.
3.	Gamalakhe CAS [redacted] Murder (Ntokozo Lubunyana- no position her sister was a PR Councillor)	Accused Mhlengi Luvuno wants to plead but the process is delayed.
4.	Margate CAS [redacted] Murder Mr Thembinkhosi Zoleka	

7. DELAYED DECISIONS

NO	CASE NUMBER & CHARGE	DATE SUBMITTED	STATUS OF DOCKET	NAMES OF PROSECUTOR
1.	Richmond CAS [redacted] Murder	Submitted to SPP to 2019-04-08	Awaiting decision	DPP Miza
2.	Plassislaer CAS [redacted] Double Murder	Submitted to SPP on 2019/03/05	Awaiting decision	PP Padayachee
3.	Inchanga CAS [redacted] Defeating the ends of Justice	Submitted to SPP on 2019-04-29	Awaiting decision	CPP Dlamini

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4.	Dundee CAS [redacted] Defeating the ends of Justice	Submitted to SPP on 2019-04-23	Awaiting decision	SPP Zuma
5.	Ladysmith CAS [redacted] Possession of firearm without valid licence	Submitted to the SPP on 2019-04-23	Awaiting decision	SPP Rangasam
6.	Durban central CAS [redacted] Giving permission to unauthorised person to handle firearm	Submitted to the SPP on 2019-05-06	Awaiting decision	PP Mkhize
7.	Berea CAS [redacted] Giving permission to unauthorised person to handle firearm	Submitted to the SPP on 2019-04-29	Awaiting decision	PP Annan
8.	Ladysmith CAS [redacted] Negligent loss of firearm	Submitted to the SPP on 2019-04-23	Awaiting decision	SPP Rangasam

8. ACCUSED GRANTED BAIL WHILST ON BAIL

8.1. Sifiso Radebe a well-known hitman was arrested on Ibisi CAS [redacted] Murder of Councillor Thobela was granted R10 000.00 bail. Whilst out on bail he committed other offences as per Ibisi CAS [redacted] discharging of firearm and was granted R1 000.00 bail, UMzimkhulu CAS [redacted] Possession of unlicensed firearm granted R1 000.00 bail and UMzimkhulu CAS [redacted] Possession of unlicensed firearm and ammunition granted R2 000.00 bail. Bail was opposed on all cases but it was unsuccessful.

8.2. Thembinkosi Shazi a businessman who was also implicated in the murder of Wiseman Shibase a PR councillor he was granted bail of R10 000.00, Whilst out on bail he committed other offences as per UMzimkhulu CAS [redacted]

N.T

murder, UMzimkhulu CAS [redacted] Murder and attempted murder and UMzimkhulu CAS [redacted] Malicious damage to Property was granted R20 000.00 bail. Bail was opposed on both cases but it was unsuccessful.

8.3. Dr Mahlaba a Mayor of Newcastle was arrested and charged on Madadeni CAS [redacted] Murder of Freddy Ngubeni and was granted R50 000.00 bail, whilst on bail was charged on Vryheid CAS [redacted] Assault GBH and was granted R1 000.00 bail. Bail was not opposed on Madadeni case and opposed on Vryheid case but unsuccessful.

8.4. Sibusiso Praisegod Sibiya was arrested and charged on Madadeni CAS [redacted] Murder of Freddy Ngubeni and was granted R20 000.00 bail, whilst on bail he was arrested and charged on Madadeni CAS [redacted] Murder of Elizabeth Mbongwa was granted R20 000.00, bail was opposed on Madadeni [redacted] Murder but unsuccessful.

8.5. Khayalethu Njiyelwa was arrested and charged on Ibisi CAS [redacted] Murder of Khayalethu Thobela and was granted R10 000.00 bail, whilst on bail he was arrested and charged on Ibisi CAS [redacted] Murder of Mduduzi Tshibase and was granted R10 000.00 bail. Bail was opposed on both cases but it was unsuccessful.

8.6. Fisokuhle Ntuli was arrested, charged and sentenced on Putfontein CAS [redacted] 4x attempted murder. He appealed and was granted bail, whilst on bail he was arrested and charged on four murder cases as per Nongoma CAS [redacted] Nongoma CAS [redacted] Nongoma CAS [redacted] & Nongoma CAS [redacted] and two possession of unlicensed firearm as per Nongoma CAS [redacted] & Nongoma CAS [redacted] that he is alleged to have committed whilst on appeal.

9. Findings

- The political related cases especially murder are organised in nature with different role players carefully identified i.e. Hitmen, Spotters, coordinators and individuals at the top who are ordering the hits.
- Most cases are dependent on section 204 witnesses that were part of the syndicate especially when the investigation has to be directed against individuals on top (Politicians and Tenderpreneurs)
- The involvement of Politicians and Business people poses a threat of attempts to bribe the Criminal Justice System personal, if it fails then attempts to turn section 204 against the state, if that fails then they kill the state witnesses which results in the case being withdrawn.
- The lack of dedicated prosecutors to guide and prosecute on allocated cases.
- The trail ready cases being postponed for a longer period due to unavailability of dedicated magistrates.
- The repetitive granting of bail to accused who are already on bail.

10. Recommendations

- A dedicated courtroom for the processing of the politically related cases.
- Dedicated preferable prosecutors and magistrates to deal with these cases.
- Appointment of a permanent KZN Director of Public Prosecutions.
- Urgent appointment or utilization of police officials to fulfil the function of the security officers in the Witness protection program as prescribed in the Witness Protection Act 112 of 1998 Sec 3 (5) (a) (iii) and Sec 6 (b).

Yours faithfully,

Minister Bh Cele, MP
Minister of Police
Date: 24/05/2019

N.T

Annexure "C"

PROGRESS REPORT

INVESTIGATION AND PROSECUTION OF POLITICAL RELATED CASES

STEERING COMMITTEE

23 AUGUST 2019

Annexure "C"

N.T

BACKGROUND

- The escalation of Politically related incidents in KwaZulu Natal up to 2018 led to the President establishing the Inter Ministerial Committee (IMC) consisting of the ministries of State Security Agency, Defence, Justice and Correctional Services and Police.

- The Committee is chaired by the Minister of Police and is tasked with ensuring that the perpetrators of political related cases in KwaZulu Natal are brought to book.

- After the assessment of the then Task Team investigating these cases by the IMC, one of preliminary observation was that the Task Team was **working in silos** and that it **did not have an investigation and prosecutorial plan or strategy.**

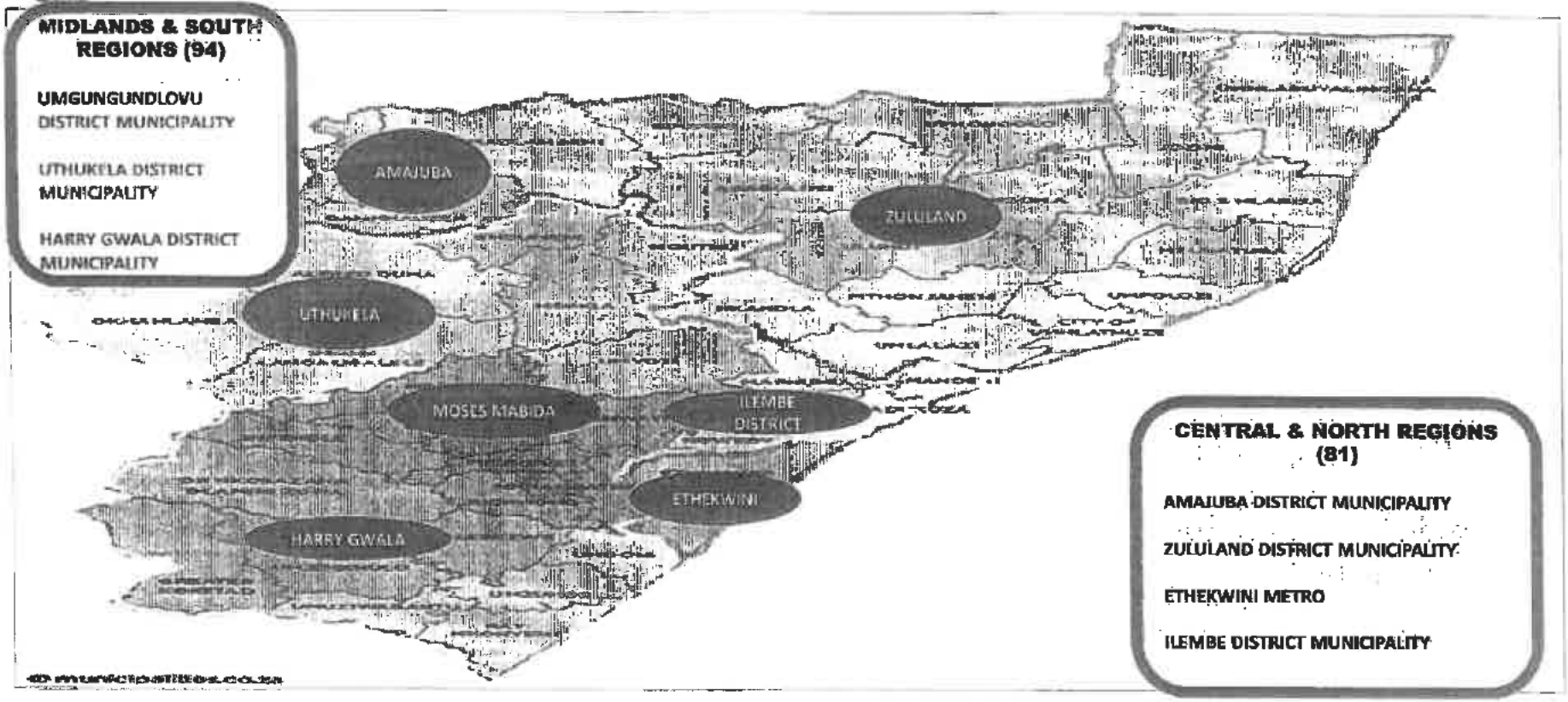
- The former acting Provincial Commissioner of Police in KwaZulu Natal was then tasked to develop the Strategy for Investigation and Prosecution of Political Related cases in the Province which was subsequently approved and the Integrated Multi-disciplinary Task Team consisting of **SAPS and NPA supported by SSA and Correctional Services** was then established in July 2018 to implement the approved plan.

- The report will highlight the breakdown and status of investigation and prosecution of current allocated cases

CASE DOCKETS ON HAND

- A total of **175** cases are allocated to the Task Team which includes **43** new cases reported after the formation of the task team.
- The status of these cases are **57** under investigation, **59** court going with **(225)** suspects arrested, **56** finalized with **(30)** accused convicted and **3** cases withdrawn.
- In addition, a total of **84** case dockets not related to the Task Team mandate but linked with allocated politically related cases are taken by the Task Team for parallel investigation.
- Over and above the allocated and parallel politically related cases, the Task Team is conducting intelligence-driven operations targeting unlicensed firearms with **36** cases which have led to **41** arrested suspects and **31** firearms were recovered.
- All three categories of cases with a total of **295** are allocated to the Task Team to ensure centralised investigation and prosecution.

TOTAL CASES DISTRIBUTION ACCORDING TO REGIONS (175)



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INVESTIGATIVE APPROACH

- The Task Team have adopted the investigation model which consists first of the **investigation of the motive** and the investigation of the incident which makes it easy to identify the possible suspects, however, the linking of the top structure to the crime has been a challenge as in most cases they did not physically take part in the commission of crime.

- The use of this investigation model led to the identification and successful arrest of all suspects in the structure on some cases, e.g. **Ladysmith CAS 125/02/2019 Murder and Kwandengezi CAS 13/09/2018 Murder.**

- The investigation of these cases have revealed that some of the cases are not politically related but are merely **domestic issues or revenge** where political figures within the different parties are killed not necessarily for political reasons mostly for monetary gain.

- It was also established through the investigation that some of the politicians register false cases with the aim to increase their security and to strengthen their positions within their political parties which has led to the Team registering cases of **defeating the ends of justice** and arresting the politicians involved.

CONFIDENTIAL

IDENTIFIED / ARRESTED SUSPECTS

MISSION AREA	MIDSOU	CENTRANO	TOTAL
Identified	140	98	238
Arrest	134	91	225
Outstanding identified suspects	6	7	13

CONFIDENTIAL

N.T

STATUS OF SUSPECTS ARRESTED

TAG JOC	NUMBER OF SUSPECTS ARRESTED	NUMBER OF SUSPECTS CHARGED	NUMBER OF SUSPECTS NOT CHARGED	STATUS							
				ACCUSED							
				IN CUSTODY	ON BAIL	TURNED SEC 204	DECEASED	RELEASED (57)		NOT GUILTY	CONVICTED
								WITHDRAWN	NOT ENROLLED		
TOTAL	225	213	12	42	54	10	7	34	23	13	30

CONFIDENTIAL

Z.T

CURRENT STATUS OF ALL CASES

POLITICAL RELATED CASES

TOTAL	UNDER INVESTIGATION	PENDING COURT		FINALISED	TOTAL
	57	59	3	56	175

PARALLEL CASES

TOTAL	UNDER INVESTIGATION	PENDING COURT		FINALISED	TOTAL
	15	64	4	1	84

ADHOC CASES

TOTAL	UNDER INVESTIGATION	PENDING COURT		FINALISED	TOTAL
	4	23	4	5	36

ALL CASES

TOTAL	UNDER INVESTIGATION	PENDING COURT		FINALISED	TOTAL
	76	146	11	62	295

MATTERS OF CONCERN

- The political related cases especially murder are organised in nature with different role players carefully identified i.e. Hitmen, Spotters, coordinators and individuals at the top who are ordering the hits.
- Most of these cases are dependent on **Section 204 witnesses** that were part of the conspiracy or planning and **circumstantial evidence** especially when the investigation has to be directed against individuals on top **(Politicians and Tenderpreneurs)** who are mostly not directly involved in the commission of the crime, for an example,
  - Ibisi CAS 54/7/2017 Murder
  - Madadeni CAS 149/5/2016 Murder
  - Newcastle CAS 208/5/2019 Murder
  - Umlazi CAS 487/10/2018 Murder
  - Plessislaer CAS 233/05/2018 Murder
  - Ulundi 155/5/2018 Murder
- The involvement of Politicians and Business people in these crimes results in them availing legal fees and assistance for whoever is arrested below them, attempts to bribe the Criminal Justice System personnel, if it fails then attempts to **turn Section 204 witnesses against the state**, if that fails then they **kill the state witnesses** which results in the case being withdrawn and makes it difficult for the investigation to reach the top level.

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MATTERS OF CONCERN

- The lack of dedicated prosecutors has contributed to the backlog of court going cases **(59 + 64 + 23 = 146),** increase of withdrawal of cases and witnesses losing interest.
- The **delayed decisions** whether to prosecute or not also negatively affects the turnaround time and finalization of investigation of these cases.
- There are some **questionable decisions to withdraw** the cases or charges against some individuals without valid reasons, endorsement and queries in the docket.
- The delaying of trial of an accused who is **pleading guilty** which leads to accused persons to be influenced otherwise and change their plea of guilty.
- The **trial ready (44 + 40 + 20 = 104)** cases being postponed for a longer period due to unavailability of dedicated prosecutors and presiding officers.
- **Reluctance to prosecute** on single witness cases, dying declaration, child witness and circumstantial evidence.
- The repetitive **granting of bail** to accused who are already on bail.

RECOMMENDATIONS

- Dedicated courtrooms x **2** for the processing of the politically related cases, one servicing the Central and Northern regions and the other court servicing the Midlands and Southern regions of the province.

- Dedicated prosecutors x **6** and presiding officers x **3** preferably from outside the province to deal with these cases without delay, fear and compromise.

- The use of dedicated Correctional Center (Ebongweni-Kokstad Super Maximum Prison) already identified by the Minister of Justice and Correctional Services for accused of politically related cases to minimize the risks of interferences.

- Utilization of police officials to fulfil the function of the security officers for state witnesses on political related cases who are on the Witness Protection Program as prescribed in the Witness Protection Act 112 of 1998 Sec 3 (5) (a) (iii) and Sec 6 (b).

CONCLUSION

- It is envisaged that in order to address the backlog on trial ready cases and finalize the investigation on **57** cases, the enhanced Task Team which includes dedicated courts, prosecutors and presiding officers will need approximately 6 months.

- As this is a project based intervention, it is imperative to ensure that the objectives are achieved within the set timeframe with a long term effect on stability and effectiveness of Criminal Justice System.

- There is a potential risk that the court going especially the **44** trial ready and **57** cases under investigation may collapse if the current Task Team withdraws without them being finalized.

Z.T

THANK YOU

ON A JOURNEY TO A SAFER SOUTH AFRICA

Creating safer & secure crime free environment that is conducive for social & economic stability responding to the needs of the people

INTEGRATED STRATEGIC PLAN FOR INVESTIGATION AND PROSECUTION OF POLITICALLY RELATED CASES: KZN

#Pursuit & Skills for Service

Annexure "D"

This Strategy is to provide an integrated framework within the JCPS Cluster led by the South African Police Service and the National Prosecuting Authority in the detection, investigation and prosecution of politically related cases in order to mitigate all the risk factors associated with investigation and prosecution of these cases in KwaZulu-Natal Province.

- The escalation of Politically related incidents in KwaZulu Natal up to 2018 led to the President establishing the Inter Ministerial Committee (IMC) consisting of the ministries of State Security Agency, Defence, Justice and Correctional Services and Police.

- The Committee is chaired by the Minister of Police and is tasked with ensuring that the perpetrators of politically related cases in KwaZulu Natal are brought to book.

- After the assessment of the then Task Team investigating these cases by the IMC, one of preliminary observations was that the Task Team was **working in silos** and that it **did not have an investigation and prosecutorial plan or strategy.**

- The former acting Provincial Commissioner of Police in KwaZulu Natal was then tasked to develop the Strategy for Investigation and Prosecution of Politically Related cases in the Province which was subsequently approved and the Integrated Multi-disciplinary Task Team consisting of SAPS and NPA supported by SSA and Correctional Services was then established in July 2018 to implement the approved plan.

- The implementation of the Integrated Multi-Disciplinary plan had some challenges that led to the Task Team briefing the National Director of Public Prosecutions and the National Commissioner of Police on Friday 2019-08-23.

- As a result, the Provincial Steering Committee (NPA/SAPS) has been directed to report to the National Steering Committee that will be co-chaired by the National Head of Directorate of Priority Crime Investigation (DPCI) Lieutenant General Lebeya and NPA Acting Deputy National Director of Public Prosecutions Advocate S Mzinyathi.

- The National Commissioner and the National Director of Public Prosecutions directed that a revised Provincial Multi-Disciplinary Strategic Plan with deliverables and time frames be developed which will incorporate both SAPS and NPA.

→ To immediately attend to, investigate and prosecute reported incidents of politically related cases in KwaZulu-Natal.

→ To implement the multi-disciplinary TROIKA methodology consisting of Intelligence gathering, Crime Investigation and Prosecution.

→ To ensure perpetrators of politically related cases are arrested and prosecuted as speedily as possible to instill public confidence and stability.

→ To identify and successfully prosecute the "kingpins" or "master minds" behind politically related cases.

→ To optimize the provision of witness protection.

→ South African Police Service (SAPS)

→ National Prosecuting Authority (NPA)

SUPPORT AT OPERATIONAL LEVEL

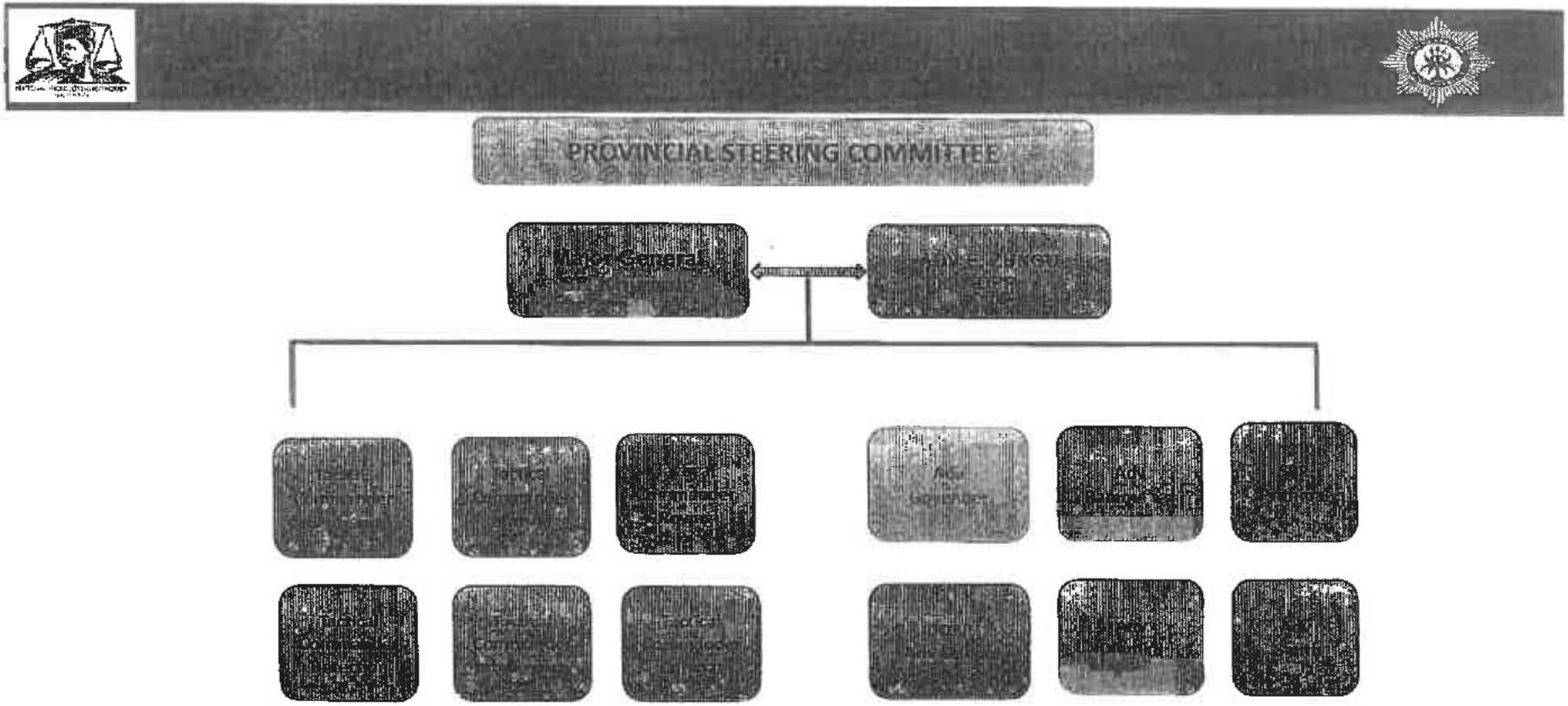
→ State Security Agency (SSA)

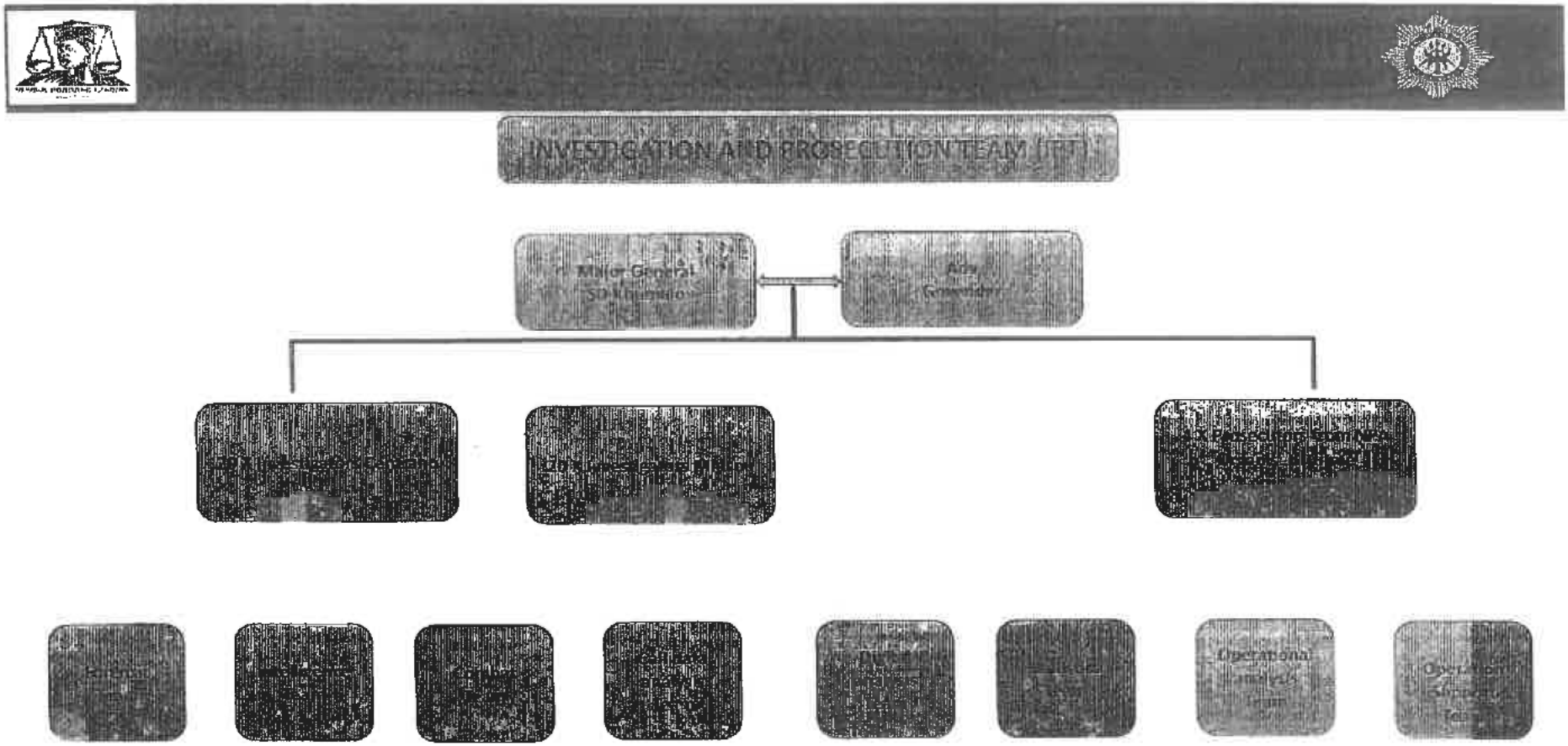
→ Department of Justice and Correctional Services (DCS)

→ The approach is based on the method of integrating all relevant stakeholders from SAPS and NPA into a Provincial Steering Committee, in order to address the identified threat and mitigate all risks associated with investigation and prosecution of Politically Related cases in KZN Province. The structure is envisaged to be implemented as follows:

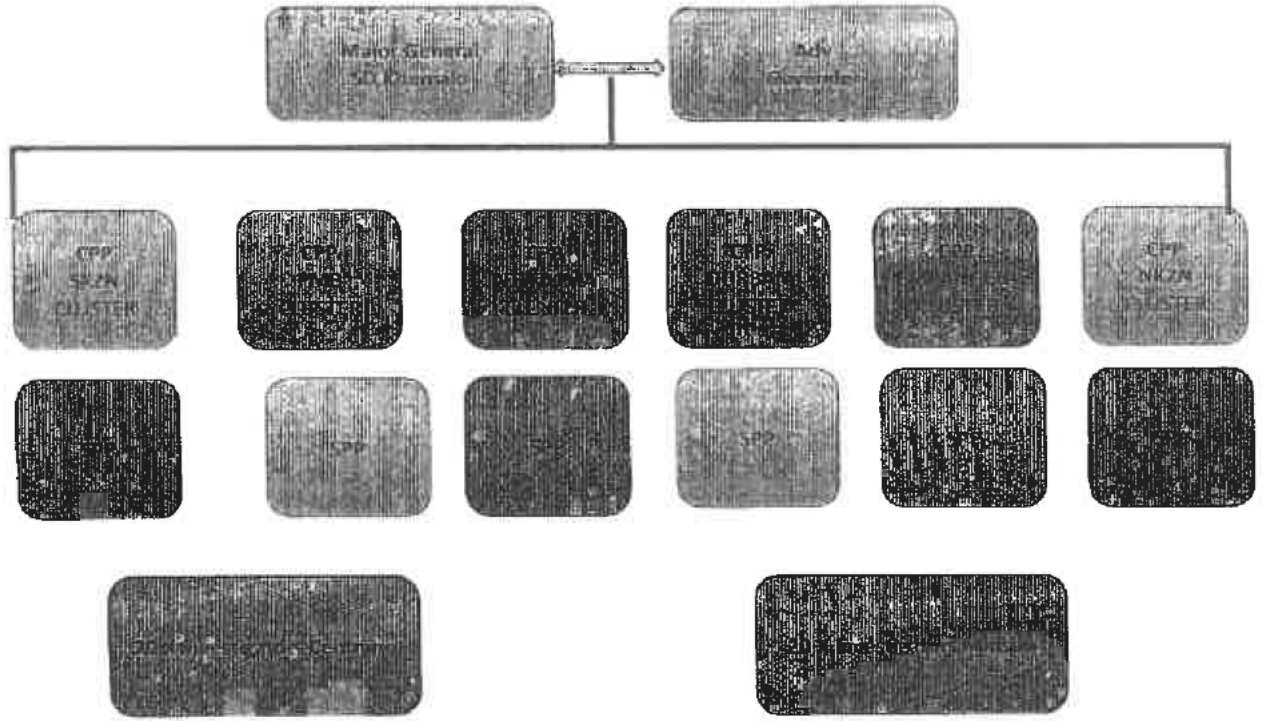
- **Provincial Steering Committee**
  - ➢ This committee consists of Senior Managers from the NPA and SAPS Command Structure and will meet monthly to monitor, evaluate and report progress to the National Steering Committee.
- **Investigation and Prosecution Team (IPT)**
  - ➢ The Investigation Team consists of dedicated investigators from SAPS who are divided into two Tactical Operational Centres within the KZN province concentrating on the North and Central regions as well as the Midlands and South regions.
  - ➢ The Prosecution Team consists of dedicated prosecutors from the Organised Crime Component of the NPA, KwaZulu Natal.
  - ➢ The IPT will subscribe to the Prosecutor Guided Investigation (PGI) methodology in dealing with Politically related cases.

N.T


PROVINCIAL STEERING COMMITTEE


INVESTIGATION AND PROSECUTION TEAM (IPT)

RESPONSIBLE FOR PROSECUTION OF PARALLEL AND AD HOC CASES AT DISTRICT AND REGIONAL COURTS



Pillar	Intelligence Gathering, Analysis and Coordination (CI and SSA – Operatives & Analysts)
Key action	To enhance intelligence gathering, analysis and coordination on all political related cases
Deliverables	Short Description of the Deliverable
Intelligence gathering	Increase the ground coverage on the identification of hot spots and identification of perpetrators
	Collection of focussed pro-active and re-active intelligence regarding the threat being addressed and recruiting of credible informers
	Provision of intelligence products to tactical teams for operationalization
Information/Intelligence Analysis	Collect, collate, correlate, verify and analyse information and intelligence available
	Operational docket analysis on all related registered cases
	Profiling and linkage of wanted/priority suspects, identification and analysis of hotspots and modus operandi
	Identify cross clusters & provincial linkages
	Profiling of forensic investigative leads received from Forensic Services
	Provision of analysis products to crime combating teams
	Identify and compile trends and pattern analysis (Events like meetings, Days and Times)
Intelligence Coordination	Ensure focused intelligence gathering, cooperation between intelligence cell and operational teams
	Issue tasking to intelligence operators and analysts
	Ensure the creation and maintenance of database on political related crimes, modus operandi and suspects

N.T

Pillar 4	Detection (Investigation, Forensic and Digital Analysis)
Key action	Focus on Crime Investigation for the effective detection of crime
Deliverables	Short Description of the Deliverable
Detection Approach	Quality investigation (proper statement taking and evidence collection) and docket management
	Activate and enhance informer network
	Focussed liaison with Prosecution
	Coordination and investigation of all organised criminality and anti-corruption related cases to the operation
	Linkage and tracing of wanted suspects (Warrant of arrest, finger print and other forensic leads)
	Coordination of all evidence packaging, analysis and examination in support of the operation
Forensic Investigation	Attend and manage crime scenes, coordination of the fingerprints process and other forensic leads/evidence for identified crime scenes.
	The analysis and provisioning of forensic evidence to enhance investigations and use thereof by Detectives

N.T

Pillar 4	Combat Approach (Specialised Operatives and Correctional Services)
Key action 1	To focus on escorts and protection
Deliverables	Short Description of the Deliverable
Combat Approach	Escorting and protection of detection, prosecution and prisoners
	Intelligence driven and disruptive operations
	Observations and waylays in identified hotspots
	Rapid response to incidents
	Fresh or hot pursuits of wanted/priority suspects
	Specialised operational reaction capacity
	Cordon and search
	Conduct takedown operations

PILLAR 2	NATIONAL PROSECUTING AUTHORITY
Key Action	To increase successful prosecution in respect of all politically related cases
Deliverable	Short Description of the Deliverable
Reduction in case cycle times (6 Months from the time of enrolment to finalization) Reduction in withdrawals (less than 3%) Successful prosecutions (74%)	Screening of all politically related case dockets by OCC/CPPs.
	Quality guidance of investigation on all politically related cases.
	Decision to arrest to be taken jointly by the team.
	Interviewing of critical witnesses before-enrolment.
	Timeous consultation with witnesses before trial.
	Interrogate reasons for acquittals to identify skills gaps and trends to allow for continuous training.
	Provide and Interrogate reasons for withdrawals.
	To provide dedicated capacity to deal with Politically related cases.
	Optimal utilisation of Witness Protection and other protective measures (i.e. CPA).
	Optimise referrals to the Asset Forfeiture Unit

2.1

Monitoring and evaluation	
Key action	To attend integrated accountability and evaluation sessions
Deliverables	Short Description of the Deliverable
Monitoring of tactical Joint Operational Centres (SAPS)	The Operational Command Centre (MAJOC) and two tactical Joint Operational Centres meet on daily basis to review the past 24 hour activities and plan for the next day. Conduct weekly feedback sessions to monitor and provide guidance on prioritized cases for the month.
Accountability and guidance sessions (Investigation and Prosecution Team)	Prosecutor guided investigation sessions are to be held regularly between investigators and prosecutors. The Investigation and Prosecution Team will meet Bi-Weekly on a Monday to assess the progress, give guidance and compile/forward weekly report including updating case management template to the office of the Provincial Steering Committee in order to update the National Steering Committee.

→ A comprehensive communication plan will be implemented for internal and external communication of the SAPS and NPA Strategy for Investigation and Prosecution of politically related cases:

- This committee consists of Senior Managers from the NPA and SAPS Command Structure and will meet monthly to monitor, evaluate and report progress to the National Steering Committee.
- Joint media release by SAPS and NPA in relation to the successes.

→ The marketing of the strategy to all internal and external role players will be undertaken with a view to obtaining support and buy-in of all stake holders.

2.1

MONTH	OCTOBER	NOVEMBER	DECEMBER	TOTAL
No of SAPS members	152	152	152	456
Goods & Services	6 122 108	5 927 744	6 122 108	18 171 960
Overtime	3 344 000	3 344 000	3 344 000	10 032 000
Computer and Cellphones consumables	500 000	500 000	500 000	1 500 000
Informer rewards	200 000	0	200 000	600 000
Air transport	50 000	50 000	50 000	150 000
Total Expenditure	10 216 108	10 021 744	10 216 108	30 453 960
No of NPA members	14	14	14	42
Goods & Services	640 626	620 858	640 626	1 902 110
Overtime	308 000	308 000	308 000	924 000
Air transport	20 000	20 000	20 000	60 000
Computer and Cellphones consumables	200 000	200 000	200 000	600 000
Total Expenditure	1 168 626	1 148 858	1 168 626	3 486 110

MONTH	JANUARY	FEBRUARY	MARCH	TOTAL
No of SAPS members	152	152	152	456
Goods & Services	6 122 108	5 733 380	6 122 108	17 977 596
Overtime	3 344 000	3 344 000	3 344 000	10 032 000
Computer and Cellphones consumables	500 000	500 000	500 000	1 500 000
Informer rewards	200 000	200 000	200 000	600 000
Air transport	50 000	50 000	50 000	150 000
Total Expenditure	10 216 108	9 827 380	10216 108	30 259 596
No of NPA members	14	14	14	42
Goods & Services	640 626	600 460	640 626	1 881 712
Overtime	308 000	308 000	308 000	924 000
Computer and Cellphones consumables	200 000	200 000	200 000	600 000
Air transport	20 000	20 000	20 000	60 000
Total Expenditure	1 168 626	1 128 460	1 168 626	3 465 712
GRAND TOTAL	22 769 468	22 126 442	22 769 468	67 665 378

Risks	Mitigation action
Corrupt SAPS and NPA members working in collusion with criminals	Employ counter intelligence measures. Employ integrity testing and life style audits. Arrest and charge corrupt members
Security/walkouts/pass outs of witness protection program and killing of witnesses	Utilization of police officials to fulfil the function of the security officers for state witnesses on political related cases who are on the Witness Protection Program as prescribed in the Witness Protection Act 112 of 1998 Sec 3 (5) (a) (iii) and Sec 6 (b).
Security of prosecutors and investigating teams	Regular threat assessments to be conducted by SSA.
Reluctance/refusal of witnesses to enter the program.	Explain the alternative protective measures provided for by Legislation (i.e. CPA).

→ The investigation of all politically related cases will be undertaken in line with this strategy upon its approval and until termination hereof.

→ Regular engagements will take place with all stake holders and the strategy updated whenever necessary to yield optimal results.

→ Commitment of all role players is of importance in order to ensure the success of this strategy and to ensure that the people are and feel safe.

ON A JOURNEY TO A SAFER SOUTH AFRICA
Creating a safe and secure, crime free environment, that is conducive for
sound & dynamic stability, supporting a better life for all

The End

Annexure "E"

MINISTER
JUSTICE AND CORRECTIONAL SERVICES
REPUBLIC OF SOUTH AFRICA
Private Bag X 276, Pretoria, 0001, Tel: (012) 406 4669: Fax: (012) 406 4680
Private Bag X 256, Cape Town, 8000, Tel: (021) 467 1700, Fax: (021) 467 1730

Mr Vusi Madonsela
Director General
Department of Justice and Constitutional Development
316 Thabo Sehume Street
Pretoria
0001

Dear Director General

INTER-MINISTERIAL COMMITTEE MEETING (IMC) REGARDING THE POLITICAL KILLINGS IN KWA-ZULU NATAL

This letter serves to inform you regarding the decision taken at the Inter-Ministerial Committee Meeting (IMC) regarding the Political killings in Kwa-Zulu Natal: and to instruct the Department to Implement the decisions taken

President has appointed an Inter-Ministerial Committee to focus on the political killings at Kwa-Zulu Natal. The inter-ministerial committee has resolved that the political killings should have a central court in Kwa-Zulu Natal. This process also emanates from the bi-lateral with the NDPP on the 05th August 2019, on the best possible way to handle this matter. Kindly advice of the possibility to central try all this matters in one Court and the recommended court that can be designated for this purposes, the regulations and financial implications thereof if any.

I am also in engagement with Correctional Services to find a correctional facility where all inmates who on trial for the above mentioned offence can be housed.

Please revert by the 16th September 2019.

Yours sincerely,

MR R G LAMOLA, MP
MINISTER OF JUSTICE AND CORRECTIONAL SERVICES
DATE: 10/09/2019

N.T

South African Police Service

South African Police Service

P.O. Box 1966, DURBAN

Reference : 26/13/3 (56)
Enquiries : Lieutenant General NS Mkhwanazi
Major General A Gopaul
Tel (031)325 4828
Email : [redacted]

THE PROVINCIAL COMMISSIONER
KWAZULU-NATAL

2025 -05- 22

The Director of Public Prosecution
KWAZULU-NATAL

POLITICAL TASK TEAM: PROSECUTION GUIDED INVESTIGATION: FAILURE TO EXECUTE J50 WARRANTS

This office wishes to apologise for the failure in executing J50 warrants in dockets among 121 case docket that this office has discovered to have been delivered to Pretoria due to a telephonic instruction received by the Political Task Team Leader.

It is an unfortunate situation that this office became alerted to on 2025-05-20 in a docket Accountability Session to the fact that all Prosecution Guidance since 2025-03-26 has not been addressed.

This office assures the office of the Director of Public Prosecution that the whereabouts of these dockets is being investigated and the findings will be brought to your attention.

Kind Regards

LIEUTENANT GENERAL
PROVINCIAL COMMISSIONER: KWAZULU-NATAL
NS MKHWANAZI

Acknowledge receipt of this corresp

N.T

Elaine Harrison

From:	KZN:Provincial Commissioner:Staff Officer <[redacted]>
Sent:	Monday, June 2, 2025 5:58 PM
To:	Elaine Harrison
Cc:	KZN:Ilembe District:Commissioner:Gopaul A - Major General
Subject:	[EXTERNAL] POLITICAL TASK TEAM: PROSECUTION GUIDED INVESTIGATION: FAILURE TO EXECUTE J50 WARRANTS
Attachments:	SKM_C650i25052216390.pdf

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know that the content is safe.

Good Day Advocate,

By direction of the Provincial Commissioner: KwaZulu-Natal, Lieutenant General Mkhwanazi, please find herewith the attached document for your attention and further handling.

Kind regards.

Colonel Ntandoyenkosi Khuzwayo
Staff Officer to the Provincial Commissioner: KwaZulu-Natal
Tel : [redacted]
Cell: [redacted]
Email: [redacted]

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N.T

Elaine Harrison

From: Duma Nontobeko (NPA Contact) <nyduma@npa.gov.za>
Sent: Friday, June 21, 2019 2:28 PM
To: Thulani Bhengu; Senekal Johann; Heeralall Hithesh; Vahed Zubeida; Sindisiwe Nkomonde; Chambilal Dookhi; Brandon Van Staden; Rene Schuler; Shandu Phumlani; Reddy Nicola; Vijesh Haridewu; Mbali Mcambi; smkhonza@justice.gov.za; Ngcobo Jabu; Veeran Prahaladh; Previnash Naidoo; Sanghine Bhartu; Phumzile Nogonyoti; Logan Reddy; Roshiela Benimadho; Ntuli Thami; Mamani Nontembiso; Mathibe Matshwana; Amanda A. Patterson; Val Melis; Emmelda G. Mngomezulu; Bulelwa B. Vimbani; Cyril CT. Selepe; Deneshree Naicker; Elsa Smith; Gert Nel; Kalaivani D. Govender; Kombisa Mbakaza (KK); Rita Blumrick; Sandesh S. Sankar; Sheriza Ramouthar; Steven Mmbara (T.S); Kistnasamy Ameeta; Branco Elsa; Isreal Zuma; Ngilande Lilian; Madlavu Lungisa; Jude Naedia; Nonhlanhla Dlamini; Philile Sibeko; Mckenzie Christine; Sagren Naidoo; Brisset Sorelle; Prithipal Sunill; Ndumo Xolani; Addelaid A. Watt; Andre R. Ludick; Attie Truter; Candy Kander; Cyril CT. Selepe; Dorlan A. Paver; Dawn D. Coleman; Sipho ES. Magwaza; Frank van Heerden; Gert Nel; Purity Gugulethu Shange; Ian Cooke (IP); Julius JM. Khathi; Johan Du Toit (J); Karen Govender; Korne Radyn; Mziwodumo M. Miza; Netleton ES. Buthelezi; Nledile Dunywa; Nkonzo N.F. Mlotshwa; Naveen N.B. Sewparsat; Pretty-Girl Ngcobo; Rita Blumrick; Roan Du Preez (R); Stephanie P. Erasmus; Sandra Senekal; Sandesh S. Sankar; Suhana Singh; Zukiswa GPZ. Dyasi; Abbey Letsholo (T.A); Alistair SH. Walters; Andre Calitz; Annelize Harrison; Ashika A. Haripersad; Ashika A. Lucken; Ayesha Bissessur; Bonga B. Vika; Bonginkosi B. N. Mbokazi; Christo Nel; Denardo C. Macdonald; Jeremiah JE. Sibanyoni; Kelvin K. Singh; Khatija Essack; Krishen Shah; Mahendra Naidu; Makhosi Mthembu; Mbali Mdadane; Meera Naidu; Mlungisi Magwanyana; Noxy Tokwana (N); Nevas N. Heeralall; Nirvana Rambali; Nadira Moosa; Nolwazi N.M. Letsholo; Phakamisa Manciya; Poovalingum Govender; Ranjini Govender; Reenal Ramouthar; Richard Xaba; Sanelisiwe Mcanyana; Sara Parak; Sheryl S. Nayager; Sheriza Ramouthar; Tamara S. Jacobs; Thavanessl Moodley; Thiru V. Chetty; Wendy Greef; Wendy-Anne W.A. OBrien; Yoliswa Nyakata; Yuri Gangai (M)
Cc: Elaine Harrison; Amanda I. Pillay; Ashika Sewchurran; Indharani Kisten; Lindokuhle LM. Khumalo; Shobona S. Sewlall; Sureka Pooren; Zamo Z.C. Gumede; Zandile E. Kubeka
Subject: DPP: KZN DIRECTIVE 03/2019 -POLITICALLY RELATED CASES
Attachments: DPP KZN DIRECTIVE 03 OF 2019 - POLITICALLY RELATED CASES.pdf

Dear All

Kindly find the attached Directive, in respect of Politically Related cases, for your urgent attention and dissemination to all Advocates / Prosecutors in your respective Units / Clusters.

Kind regards

Mrs Nontobeko Duma
Personal Assistant DPP KZN

201 Church Street
9th Floor, High Court Building
PIETERMARITZBURG
3201
Private Bag X9008, Pietermaritzburg, 3200

Tel: +27 33 845 4428
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N.T

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The National Prosecuting Authority of South Africa

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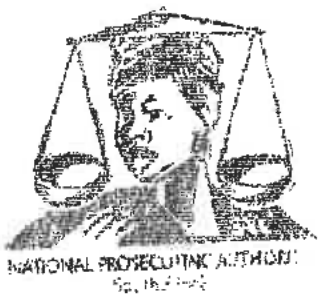
N.T

DIRECTOR OF PUBLIC PROSECUTIONS
KWAZULU-NATAL



Director-of Public
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TO: ALL DPP: KZN MEMBERS OF STAFF 21 June 2019

DPP: KZN DIRECTIVE 03/2019: POLITICALLY RELATED CASES

PURPOSE AND BACKGROUND

1. This directive replaces Directive 01/2018.

2. KwaZulu-Natal has experienced a high level of violence particularly against persons linked to political parties or perpetrated by persons linked to political parties.

3. In order to manage the situation in KwaZulu-Natal, the Honourable President of the Republic of South Africa has convened an Inter-Ministerial Task Team comprising of JCPS Cluster Ministers to look into effective solutions aimed at eradicating the high level of politically linked violence experienced in our Division. The Inter- Ministerial Task Team (IMTT) will continue to visit KwaZulu-Natal until the situation can be considered to be under control. My office has to provide a comprehensive report to the NDPP on all these matters.

4. In addressing the complaints and challenges that have been brought to my attention, with regards to:

   4.1. Only one dedicated Prosecutor in the Province dealing with the matters;
   4.2. Prompt decision making in these matters;
   4.3. Reduction of the withdrawals in these matters;
   4.4. Prioritization of these matters, and
   4.5. Better collaboration between the Chief Prosecutors, the assigned Deputy Directors and the SAPS Task Team

N.T

It has become imperative that this Directive be issued in seeking to address the above complaints / challenges.

5. **All cases** involving offences, either perpetrated by a person(s) linked to political party or against a person(s) linked to a political party must be considered by the Chief Prosecutor / delegated prosecutor before enrolment thereof. In potential High Court matters the provisions of Circular 3/2000 still apply. The Chief Prosecutor / delegated prosecutor must ensure that a complete copy of the docket(s) is forwarded to my office in the most expeditious manner in compliance with the "3 day rule, and the correspondence must indicate "Politically Related Cases" in the subject line.

6. The Chief Prosecutor / delegated prosecutor must interview the witnesses in these cases **prior to the enrolment** of these matters, especially in cases involving accomplice witnesses and single witnesses. Legible consultation notes must be filed in the B-section of the docket.

7. In respect of **pending cases**, the Chief Prosecutor / delegated prosecutor must interview the witnesses before a decision is made to transfer the matter to the Regional or High Court. Legible consultation notes must be filed in the B-section of the docket.

8. The decision to decline to prosecute a person and rather use such a person as an accomplice witness in terms section 204 of the Criminal Procedure Act 51 of 1977, must be made in consultation with the Chief Prosecutor and / or DDPP (in potential High Court cases). The provisions of section 204 should only be used in exceptional circumstances, where it is in the interest of justice to do so. See in this regard Section D, Part 4 of the NPA Policy Directives "***Section 204 Witnesses***".

9. The Chief Prosecutors and DDPPs must ensure that a database of these politically related cases is maintained for the cluster/unit and that by the 10th of each month one update for the whole cluster, unit or office is forwarded to the Strategy and Operations office, attention of Mr Sunil Prithipal and Ms Emmelda Mngomezulu.

10. No politically related case may be withdrawn without detailed and cogent written notes and reasons in the C-Section of the docket or DPPs office file.

N.T

11. Adv. Selepe remains the coordinator for these matters and where there is a doubt in regards to a decision, he can be contacted for assistance.

Kind regards

ADV. E. ZUNGU
ACTING DIRECTOR OF PUBLIC PROSECUTIONS
KWAZULU-NATAL

N.T

Elaine Harrison

From:	Nonceba MN. Monageng
Sent:	Monday, June 3, 2019 8:06 PM
To:	Sibongile Mzinyathi; Elaine Zungu
Cc:	Shamila Batohi
Subject:	Challenges on Prosecutions of Political Related Case
Attachments:	Letter from Minister of Police 20190603.pdf

Dear Advocates Mzinyathi and Zungu,

Kindly find attached a letter from Minister of Police for your attention and review.

The NDPP awaits your response in this regard.

Kind regards

Nonceba Monageng
Executive Assistant: National Director of Public Prosecutions
Republic of South Africa

Victoria & Griffiths Mxenge Building,
123 Westlake Avenue, Weavind Park
Silverton, Pretoria, 0184
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N.T

Elaine Harrison

From: Kalaivani D. Govender
Sent: Thursday, January 23, 2025 8:25 PM
To: Elaine Harrison
Subject: FW: REPORT TO THE NDPP AND NATIONAL COMMISSIONER.pptx
Attachments: REPORT TO THE NDPP AND NATIONAL COMMISSIONER.pptx

ADV KD GOVENDER
Deputy Director of Public Prosecutions
Director of Public Prosecutions, Kwazulu-Natal

031 3346061 [redacted] [redacted]

Southern Life Building, 88 Joe Slovo Street Durban, 4000

From: Elaine Zungu <[redacted]>
Sent: 27 August, 2019 11:21 AM
To: Shamila Batohi <[redacted]>; Sibongile Mzinyathi <[redacted]>
Cc: Prithipal Sunill <[redacted]>; Cyril CT. Selepe <[redacted]>; Sheriza Ramouthar <[redacted]>; Kalaivani D. Govender <[redacted]>; Nonhlanhla Dlamini <[redacted]>; Emmelda G. Mngomezulu <[redacted]>
Subject: FW: REPORT TO THE NDPP AND NATIONAL COMMISSIONER.pptx

Good day Adv Batohi and Adv Mzinyathi

Kindly find attached is the presentation that was done on Friday, 23 August 2019.

Regards,

Adv E Zungu
Acting DPP : KZN
Directorate of Public Prosecutions: PMB

361 Church Street,
Pietermaritzburg,
3201

Tel: [redacted]
Fax: 33 [illegible]
E-mail: [illegible]
Web: [illegible]

From: ORS Special Operations 1 <[redacted]>
Sent: Tuesday, August 27, 2019 9:00 AM
To: Elaine Zungu <[redacted]>
Cc: Khumalo Dumisani - Brigadier <[redacted]>
Subject: FW: REPORT TO THE NDPP AND NATIONAL COMMISSIONER.pptx

N.T

Good Morning Advocate

Attached please the report as requested

With respect

WARRANT OFFICER
MS MATJILA
SUB SECTION: ANALYSIS AND MONITORING
SECTION: OPERATIONS
[redacted]

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"ANNEXURE VR9"

MEDIA STATEMENT: MANAGEMENT DEFICIENCIES FROM STATION LEVEL TO NATIONAL AT THE HEART OF REPEAT AUDIT FINDINGS WITHIN SAPS

PRESS RELEASES

Parliament, Wednesday, 12 February 2025 – The Portfolio Committee on Police has reiterated its call that strong and effective managers, from station level to national, are critical to overcoming repeated audit findings within the South African Police Service (SAPS), a component that is currently missing within the organisation.

The committee received an update on the implementation of the audit action plan of both the SAPS and the Private Security Industry Regulatory Authority (PSiRA). While the two entities assured the committee of progress in implementing those plans, history has shown that tangible results are difficult to come by.

"The reality is that many challenges centre around ineffective leadership at police station level, which renders the entire system weak and susceptible to repeat audit findings. This is one of the reasons that the Portfolio Committee has suggested a far-reaching, independent skills audit to ensure that there is adequate capacity and capability to resolve challenges throughout the system," said Mr Ian Cameron, the Chairperson of the committee.

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The P20 Summit will ensure that the voices of South Africans and broader African communities are embedded in international policymaking, making global economic decisions more inclusive and representative.

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The committee is of the view that SAPS' challenges will persist if an audit of senior management is not implemented and the necessary restructuring happens. The reality is that many senior managers are ill-equipped and incapable of doing their work and must be removed.

The committee is also concerned about the lack of consequence management within the system, despite clear evidence of underperformance and dereliction of duty. For example, the committee highlighted that the Office of the Auditor General made many findings relating to supply chain and contract management in the SAPS. "This has been a longstanding finding and requires consequence management, which can be used as a deterrence against wrong-doing and inability to adhere to procurement policies," Mr Cameron highlighted.

The unwillingness and lack of progress in addressing the ongoing challenges with the 10111 hotline remains a major concern for the committee. "Over R200 million was set aside to resolve challenges at this critical interface with the SAPS, and the unannounced visits done by members of the committee have highlighted that this continues to be a major weakness within the SAPS. We remain unconvinced that there is a tangible plan to find solutions to longstanding challenges with the hotline," Mr Cameron emphasised.

In addition, challenges with infrastructure within the SAPS, from the Telkom Towers bungle to the inadequate infrastructure at police station level, highlight the continued lack of collaboration between the SAPS and the Department of Public Works and Infrastructure to ensure a streamlined effort to save the state's resources. Consequence management is the only tool that can ensure all departmental officials produce the kind of work that creates quality service.

With regards to civil claims, the committee called on the SAPS to present a comprehensive plan to counter the growing trend. The committee also called for accountability to prevent the abuse of state resources at taxpayers' expense, such as the continued futile litigation on the Central Firearms Registry (CFR) barrel issue, which has no prospect of success. "It is our view that the head of

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Mr Musawenkosi Mhlabuhlangene Gasa

(/person-details/6071)

National Assembly

(/group-details?chamber=2)

uMkhonto weSizwe

(/group-details?party=MK)

(National List)

[redacted]

MEMBER OF THE FOLLOWING COMMITTEES

- Portfolio Committee on Correctional Services (/committee-details/256)
- Portfolio Committee on Forestry, Fisheries and Environment (/committee-details/260)

the CFR should be held personally liable for the legal fees of this litigation because the prospect of success on that case was non-existent as there is no legislation supporting the requirements that were being made. These types of fruitless and wasteful expenditures should be frowned upon and people must be held accountable," Mr Cameron highlighted.

Meanwhile, the committee continues to criticise the delays in completely implementing IT innovations, which are frustrating the entire system and which make it vulnerable to corruption and fraud. The committee has urged SAPS to work together with the Portfolio Committee on Communications and Digital Technologies to find solutions to challenges at SITA to ensure that milestones are achieved.

Meanwhile, the committee welcomed the assurance that the SAPS intends to capacitate the detective services with an additional 4 000 detectives. However, the committee believes this is a drop in the ocean, considering that this critical service remains largely understaffed and under-resourced. "Detectives play a critical role in investigating crimes and the high workload undermines the capacity to effectively fight crime. Also, it is concerning that the additional capacity will take at least three years to function optimally," Mr Cameron concluded.

The committee has called on the SAPS to move with speed to resolve many of the highlighted inefficiencies to ensure a systematic change that will ensure effective crime fighting capability.

ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON POLICE, MR IAN CAMERON.

For media enquiries or interviews with the Chairpersons, please contact the committee's Media Officer:
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MEDIA STATEMENT: CASE BACKLOG AT IPID CONTRIBUTING TO LACK OF CONSEQUENCES WITHIN SAPS

PRESS RELEASES

Parliament, Thursday, 19 June 2025 – The Portfolio Committee on Police is concerned that the Independent Police Investigative Directorate (IPID) continues to face a huge case backlog, which negatively impacts on its ability to deliver on its mandate. The committee met with both IPID and the Private Security Industry Regulatory Authority (PSiRA) on the revised annual performance plan and strategic plan.

"IPID plays a critical role in ensuring accountability from the South African Police Service (SAPS), and the backlog directly undermines this drive. While the committee has noted various interventions to clear the backlog, the reality is that victims of police abuse of authority remain without recourse," said Mr Ian Cameron, the Chairperson of the committee. The committee is concerned that there is a backlog of 14 469 cases carried over to this financial year and has called for urgent strategies to remedy the concern.

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While the committee welcomes the R126.3 million additional funding over the medium term and is hopeful that it will significantly contribute to reducing the case backlog, it is concerned that the additional allocation without clear plans to overcome some of the internal systematic challenges will not resolve the problem. A major impediment for the IPID is the proportionally high case per investigator ratio, and the nominal increase of employees from 387 in the 2025/26 financial year to 421 in the 2027/28 financial year will not adequately resolve the challenge.

In the context of the increasing cases reported to IPID, it is necessary to ensure that the directorate is adequately capacitated to increasing demand.

Meanwhile, the committee acknowledged IPID's intentions to implement a new digital case management system that will enable the entity to monitor cases and ensure better tracking and communication with victims. Notwithstanding the plan, the committee has urged IPID to effectively implement the plan, as a functional system might have a positive impact on the case backlog.

The committee also welcomes the establishment of the internal investigation, Forensic Services, quality assurance and research units. The committee is of the view that the envisioned capacity will ensure that IPID will have the skills set it needs to investigate complex reported corruption cases.

The implementation of the recommendations made by IPID to SAPS is also a point of concern for the committee. The meeting today highlighted a concerning trend of SAPS seemingly ignoring strong recommendations made by IPID. "This phenomenon erodes the effectiveness of IPID and its mandate and the committee resolved that there is a need for a laser focus on the rate of implementation of the recommendations," Mr Cameron said.

Meanwhile, the committee agreed with the Minister of Police that there must be a general improvement in the conduct of SAPS members. "The bottom line is that there is no place in the SAPS for rogue police officers who engage in criminal activity. While the IPID provides the necessary checks and balances, the SAPS members must always be fit and proper for the service they must render to the people," Mr Cameron emphasised.

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(/person-details/8698)

Mr Adil Nchabeleng

(/person-details/8698)

National Assembly

(/group-details?chamber=2)

uMkhonto weSizwe

(/group-details?party=MK)

from the regional list for KwaZulu-Natal

021 403 2911

With regard to PSiRA, the committee has acknowledged the intention to implement a digital strategy that will ensure a seamless interaction process with users. Of major importance is functionality, such as verifying the training of private security officers through the digital platform.

The committee also welcomes the intention to increase PSiRA's footprint to ensure that private security companies in Limpopo, Northern Cape, North West are able to access its services more easily. Also, the intention to increase monitoring operations will be critical in ensuring that private security companies are legally registered and compliant with legal prescripts. The committee has always emphasised the importance of the private security industry in efforts to combat crime in the country.

ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON POLICE, MR IAN CAMERON.

For media enquiries or interviews with the Chairpersons, please contact the committee's Media Officer:

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