THE JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS REGARDING EFFORTS OR ATTEMPTS TO STOP THE INVESTIGATION OR PROSECUTION OF TRUTH AND RECONCILIATION COMMISSION CASES (TRC CASES INQUIRY)

HELD AT:

Sci-Bono Discovery Centre, Corner of Miriam Makeba & Helen Joseph Street
Newtown, Johannesburg

BEFORE:

COMMISSIONERS:

The Honourable Ms Justice Sisi Khampepe (Judge Ret.) – Chairperson
The Honourable Mr Justice Frans Diale Kgomo (Judge President Ret.)
Adv Andrea Gabriel (SC)

EVIDENCE LEADERS:
Adv Ishmael Semenya (SC)
Adv Vas Soni (SC)
Adv Fana Nalane (SC)
Adv Nompumelelo Seme
Ms Baitseng Rangata

REPRESENTATIVES
Adv Gerrie Nel SC (for AfriForum)
Adv Phyllis Vorster (for AfriForum)
Adv Varney (SC) – The Calata Group
Adv D Pillay – The Calata Group
Ms A Thakor – The Calata Group
Mr J Venter – The Calata Group
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PROCEEDINGS ON 25 FEBRUARY 2026

CHAIRPERSON: Mr Nel?

ADV NEL: May it please the Commission.

ADV SEMENYA: Chair, I am saying to, I need to place on record that Mr Rantho from the SAPS are to be excused for today.

CHAIRPERSON: To be excused?

ADV SEMENYA: Yes.

CHAIRPERSON: Thank you.

ADV NEL: May it please the Commission. We were asked by the evidence leaders to prepare a statement for Mr Leask, which we did, and we were granted leave to lead his evidence. Mr Andrew Gordon Leask is available and he is ready to take the oath.

CHAIRPERSON: Thank you. Mr Leask, please place your full names for the record.

MR LEASK: Lady Chair, it is Andrew Gordon Leask.

CHAIRPERSON: Are you going to take an oath or affirmation?

MR LEASK: I will take the oath.

CHAIRPERSON: Yes. Do you swear that the evidence you will give will be the truth, the whole truth and nothing but the truth? If so, raise your right hand and say; so help me God.

MR LEASK: So help me, God.

CHAIRPERSON: Thank you.

EXAMINATION BY ADV NEL: Mr Leask, just before we introduce you to the Commissioners, just to give perspective to your evidence I would refer you to a portion in the record. We have made a copy

available to the Commissioners and all the other parties, I want to refer you to a portion of the evidence of Ms Suka that was led on the 17th of February 2026 and it is from line 16. Would you just read that into the record? It is page 47 of her evidence.

MR LEASK:

> "You know at the time, and I am sure you will hear from him, but at the time you had the amnesty applications for the Simelane case you already had almost a complete docket by Captain Andrew Leask, who had done quite an amazing job, I have to say before the Truth Commission even began its work."

ADV NEL: Are you that Captain Lease?

MR LEASK: Yes.

CHAIRPERSON: Incorrectly spelt.

ADV NEL: He is very used to it, of the incorrect spelling of his name. The worst is Leaks. Mr Leask, can you just confirm your statement that we drafted? The statement is at page 119(1) and your signature appears at page 119(7) of the affidavit. Do you confirm that is the affidavit that you made?

MR LEASK: I do.

ADV NEL: Do you confirm the contents thereof?

MR LEASK: I do.

ADV NEL: Now Mr Leask, what is your current employment?

MR LEASK: I am currently employed at the Private Prosecutions Unit under the umbrella of AfriForum where I am employed as, I head up

the Investigative Division.

ADV NEL: Mr Leask, how long have you been in law enforcement?

MR LEASK: For 44 years. I started my career in 1982 in the South African Police at Westonarea.

ADV NEL: You were then a uniformed policeman.

MR LEASK: I was a uniformed policeman for approximately a year, a year and a half, and then was transferred to the Detectives.

ADV NEL: And you were at Detectives at what station?

MR LEASK: At the Westonarea, at that time the CID, the Criminal Investigation Department.

ADV NEL: And from there, Mr Leask?

MR LEASK: I was applied for and transferred to the Murder and Robbery Unit, that was 1986 and I remained there for, in the Murder and Robbery component for most of my career within SAPS.

ADV NEL: Then later you also then, well transferred or assigned to the Priority Crimes Investigation Unit. We have got lots of those. That was the PCIU within the police.

MR LEASK: That is correct, Lady Chair. At the time the Murder and Robbery Units were disbanded or closed down and there was a change in certain structures and the Murder and Robbery Units were taken up into what was that time termed the SVC, the Serious Violent Crimes component, which was a Division within the Detection, and I was posted within the office of the Head of the Priority Crimes Investigation Unit at the Provincial Head Office in Johannesburg for the province Gauteng.

ADV NEL: And that was Director Toms at the time.

MR LEASK: That is correct.

ADV NEL: Mr Leask, that is where you became the investigating officer in two matters that is relevant for today, one is the Nokuthula Simelane matter and the other one that we will describe later, but the Strong Man matter.

MR LEASK: That is correct.

ADV NEL: Can you perhaps just indicate to the Commission how you got involved as the investigating officer in the Nokuthula Simelane matter?

MR LEASK: Yes Lady Chair, I remember clearly, what had happened was I was directed to report to the Auditor-General at the time of the Witwatersrand wherein, or where at I was provided with a newspaper article that had been published in the Sowetan. I recall the journalist, I think it was a Ms Checky, and it held reference to the disappearance of a lady, Nokuthula Simelane, and that someone had come forward and made a disclosure of their knowledge about, their involvement and up until their involvement could assist the story in confirming that she had disappeared and the reasons for that.

So based on that, at the time it was, if I recall, and this is a long time ago, but I think the article referred to a Mr X and if I recall it was a Mr Vay whom I interviewed and from there within, I have tried to go back on the information available to me, I do not think it was more than two weeks and we pretty much wrapped up the involvement of the Security Police at the time, the disclosure that

Nokuthula had been lured to South Africa, she was kidnapped at the Carlton Centre and that she was then taken to the police accommodation at the Norwood Police Station where she was held captive on the roof of the building for a short period, and when I refer to a short period I do not mean it disrespectfully, but it was a short period of I think just under two weeks or so, and then she was taken to a farm in Northam, family members' farm who was relative of, I just cannot remember if it was Coetzee and Pretorius who were identified as the two main suspects, who at that time were attached to the Security Police in Soweto.

COMMISSIONER KGOMO: Yes, if Mr Nel can help you or you can refresh your memory, when you were roped in what was the year, the date?

MR LEASK: Commissioner Kgomo, it was 1996, if I remember and I am making that on the, because we registered a case docket at the time which was registered under the Case Administration System for the police, the CAS number which was 1469/02/1996.

ADV NEL: So the Auditor-General at the time was a well-known person, who was he?

MR LEASK: Mr Class ... (intervenes)

ADV NEL: Vondlerus Ontvuka.

MR LEASK: Vondlerus Ontvuka.

ADV NEL: So Mr Vondlerus then wanted you to investigate the matter. You opened the case docket.

MR LEASK: That is correct.

ADV NEL: We will get back to all these facts, but let us just, we are building on your career, how you were then at BCIU, you became the investigating officer in this particular matter. Then later you were also attached to the D'Oliveira Unit.

MR LEASK: Yes, what had happened is my investigations or my component that I headed up at the province, we husband the Nokuthula matter and amongst other matters had developed and it was thought that it would be best that we were relocated to form part of the, at the time the Jan D'Oliveira Investigative Unit, which I think it was the unit into third force activities.

ADV NEL: You then, when you joined the D'Oliveira Unit you joined the unit with all your cases and your team.

MR LEASK: That is correct.

ADV NEL: And you continued working on your cases with your team.

MR LEASK: That is correct.

CHAIRPERSON: When was this, Mr Nel?

ADV NEL: When did you join the D'Oliveira Unit?

MR LEASK: At about, I think it is 1996, ja 1996 when we were relocated.

ADV NEL: We are still building on your career, we will get to all the detail a bit later. Then you later joined an organisation, IDOC.

MR LEASK: That is correct.

MR LEASK: The Investigative Directorate for Organised Crime.

ADV NEL: You were there, although a policeman to form part of IDOC, and that happened in 1998, you were seconded to the

Department of Justice, am I correct?

MR LEASK: That is correct.

ADV NEL: Then from IDOC you were then also part of the establishment and the first impacts of the DSO.

MR LEASK: That is correct.

ADV NEL: And that was in?

MR LEASK: In 2000.

ADV NEL: In 2000. That is the Directorate of Special Operations also known as the Scorpions.

MR LEASK: That is correct.

ADV NEL: Now in the Scorpions you were appointed as a Chief Investigating Officer.

MR LEASK: Yes, that happened after the amendment to the NPA Act and the structuring of the, there was no structuring or, ja, there was no structure for a detective leg within the National Prosecuting Authority, more so in the DSO. The amendments were made and in 2001 the structure had been set up and I was appointed as a Chief Investigating Officer in the DSO.

ADV NEL: And you served at the head office component of the DSO as the Chief Investigating Officer.

MR LEASK: That is correct.

ADV NEL: We will get to it in a bit more detail later, but that then also brought you to be part of the SNPU that was headed by Advocate Chris Macadam.

MR LEASK: That is correct.

ADV NEL: Now just to complete your whole career then, with the disbandment of the Scorpions or the DSO you joined a different unit within the NPA, is that correct?

MR LEASK: Yes, I was transferred into the office of Mr Willie Hoffmeyer who headed up the Asset Forfeiture Division of the NPA.

ADV NEL: And from there you eventually in 2017 resigned and joined the Private Prosecution Unit.

MR LEASK: That is correct.

ADV NEL: So Mr Leask… Commissioners, we are now at paragraph 5. You have not been in the employment of the government since 2017.

MR LEASK: Yes.

ADV NEL: And you have not been employed by the South African Police Service since 1998 when you joined IDOC.

MR LEASK: Yes.

ADV NEL: That is correct. Now have you had access to any case dockets to prepare yourself for your evidence?

MR LEASK: No, absolutely, I have got no access to any of the case dockets.

ADV NEL: But we had access to certain documentation and we base our evidence on that. Can you just run through what access you had?

MR LEASK: Yes. During a consultation with the evidence leaders I was, two documents were submitted or presented to me for comment. I have those two documents. The one is in relation to a

correspondence between the, it was directed to the Investigating Director, who at the time was Advocate Jeff Ledwaba, the Investigating Director was the Operational Head of the Scorpions, and it was addressed to him by Advocate Macadam.

ADV NEL: May I just inform the Commissioners that it is page 287 of the Calata pack. We will deal with that. Then also a second memorandum, that is page 294, that was, just indicate from whom to whom that memorandum was.

MR LEASK: That was directed from the Investigating Director, Advocate Ledwaba, to myself.

ADV NEL: But we are still busy with the information you had available before you made your affidavit. You also then, after you submitted your affidavit, came across two documents that we will testify about. Those are reports drafted as in relation to the Nokuthula Simelane matter, is that correct?

MR LEASK: That is correct. They go back ... (intervenes)

ADV NEL: Commissioners, it is page 494 to pages 503, both.

FEMALE SPEAKER: Of the Calata papers?

ADV NEL: Yes. And if we identify those two reports, it is reports written by yourself and Director Toms to the head office of the South African Police Service, am I right?

MR LEASK: Yes, and also at the time Mr Cachalia at the Secretariat for Safety and Security.

ADV NEL: We will deal with that, we are just identifying that. Then the other information you had available, that was your memory.

MR LEASK: Yes, that is correct.

ADV NEL: Good. Now Mr Leask… Commissioners, we are now at paragraph 8.

COMMISSIONER GABRIEL: Can I ask a question? Did you read the Calata papers? I am just curious.

MR LEASK: I have, at the time that I was approached I started looking at everything I could find that would assist me to deal with what was posed in the beginning regarding, you know obstructing, stopping, ordered to not do things, so I have to a certain extent read as much as I can.

COMMISSIONER GABRIEL: Okay, thank you.

MR LEASK: But it has been a massive task.

ADV NEL: We are at paragraph 8, Commissioners. Mr Leask, in the DSO, you have already indicated that you were the investigative component, you were the, one of the first Chief Investigating Officers, now did you have any prosecutorial powers in the DSO?

MR LEASK: No, I am not a prosecutor at all, I am a career policeman, I am a career detective and that is my profession. I had nothing to do with prosecutorial decisions. I formed part of the other component of the DSO.

ADV NEL: And in the DSO and in the structure of the DSO as the Chief Investigating Officer, who did you report to?

MR LEASK: In my capacity I was the most senior investigator in head office and I reported directly to the ID, the Investigating Director.

ADV NEL: Which was?

MR LEASK: Advocate Ledwaba.

ADV NEL: Good. Now you then was a member of the SNPU, Special National Projects Unit, headed by Advocate Macadam, you were assigned to him.

MR LEASK: That is correct.

ADV NEL: And in that particular capacity you were involved with the investigation of TRC matters.

MR LEASK: Yes, part of our duties.

ADV NEL: Now you were assigned, the fact that you were assigned to SNPU, that was terminated at a stage.

MR LEASK: In 1980 ... (intervenes)

ADV NEL: No.

MR LEASK: No, in 2003.

ADV NEL: Good. So you worked with Advocate Macadam until 2003 and then?

MR LEASK: It was stopped.

ADV NEL: How was it stopped.

MR LEASK: Well, in relation to the TRC matters the mandate, I had received the instruction that Advocate Macadam was transferred to the PCLU, the Priority Crimes and Litigation Unit, which was to, as their main focus deal with TRC matters, amongst others. The PCLU was not part of the DSO. I was then, took over as the Head of the Special National Projects Unit and the TRC matters, I was directed to do a proper handover of the office as it was in relation to which matters had to be transferred to wherever we have directed, more

specifically that the TRC matters were to be handed over and that was what occurred in 2003.

ADV NEL: And in that regard there is the memorandum at page 294 of the Calata papers, from Mr Ledwaba to you on the 15th of July 2003.

MR LEASK: Yes Lady Chair, that sets out the instruction.

ADV NEL: Just read paragraph, I am sure it is part of the record and people testified about it, but let us just read the first paragraph and then the first two lines just to indicate what the instruction of Mr Ledwaba was. So let us start there with 'due to the recent creation'.

MR LEASK:

> "Due to the recent creation of the PCLU, it has become necessary to redefine the mandate and operations of the SNPU as follows.
>
> 1. The TRC cases. I have decided that SAPS must take over the investigations of all such cases currently handled by you."

ADV NEL: And just one more line please.

MR LEASK:

> "Your files should be closed off and all the material given to the PCLU."

ADV NEL: And that was an instruction by your direct head and you followed the instruction.

MR LEASK: Yes.

ADV NEL: You carried on with Special National Projects within the DSO in that capacity.

MR LEASK: That is correct.

ADV NEL: Now although you handed over the, all the cases, were you still involved in some way with, tasked to complete the TRC investigations?

MR LEASK: Yes. I had a relatively well skilled investigative capacity. The PCLU had no investigative capacity in their structure. Although I could only perform investigative functions within the DSO, as all members of the DSO where it was, you were issued with a certificate from the Investigating Director indicating that he authorised an investigation or a pre-investigation or that the National Director had directed something to be investigated, those were the scope of how the case intake was managed and authorised, but working in an environment where the PCLU was across, we were across from each other in the passageway, I had several investigators who had been involved in other TRC matters at the D'Oliveira Unit who also later took up positions and were appointed in the DSO.

So wherever we had an opportunity that an investigator was needed to do something on an *ad hoc* basis, there was no problem, I would either do something myself or I would direct someone to assist the PCLU to take statements, find witnesses, victims, that kind of stuff, and that feedback would be given directly back to the prosecutors dealing with the matter at the PCLU.

COMMISSIONER KGOMO: Are you saying it was not coordinated or

there was no teamwork or it was not organised?

MR LEASK: Commissioner Kgomo, at that stage it was pretty much, the Scorpions was in its infant years with legislation, the organisation itself, the direction that that was given. I would say it was, ja, to a certain extent it left the PCLU I think in a quandary regarding the TRC matters, but I did not make policy, I was not in a position to make policy or decide policy.

My understanding was, is that the Hawks, or not at that time the Hawks themselves, but SAPS with a massive capacity would have detectives deployed to assist the PCLU, but it did not happen I think as quick as one would have and I was, as a cordial relationship that we had within the NPA, if we were asked we helped.

ADV NEL: Mr Leask, perhaps we should explain it in a bit more detail. The PCLU, when the PCLU was created it was created outside the DSO.

MR LEASK: That is correct.

ADV NEL: And if you assisted, you assisted just as a favour to people you knew well and you were not obliged to assist.

MR LEASK: Yes, and there was no way that we could do any, for lack of a better word, intrusive investigation, because it was not authorised no longer. I was directed that the DSO's authority to conduct any investigative work no longer was authorised, it had seized on the issuing of this directive to me.

ADV NEL: Let us just go back one step. I forgot that. So whilst at the SNPU were you assigned a case docket and appointed as an

investigating officer or what was the methodology used at the SNPU?

MR LEASK: At the time in, more specific on the TRC matters the prosecutors were going through a massive amount of cases that had come in, in relation to TRC matters, so they would be working on the files and at that stage were trying to identify certain issues that needed investigation and then would either in writing or in discussions or in meetings set out a request of stuff that had to be done. That would then be done and submitted back to the prosecutor.

ADV NEL: So you received taskings from prosecutors.

MR LEASK: That is right.

ADV NEL: And that will then put into perspective the memorandum of 5 May 2003 at page 287 of the Calata papers, which is a typical tasking by Advocate Macadam in relation to the Amatimo matter, is that correct?

MR LEASK: That is correct.

ADV NEL: So in that tasking, if we just go to paragraph 4, that is at page 288, there were various taskings, number one is George Bizos must be interviewed to establish whether he has the post-mortem report and any other information. Did you do that?

MR LEASK: No.

ADV NEL: But what you in fact did was number two, Ivo Powel must be interviewed to get the information that was discussed at paragraph 3 that he was informed that Sergeant Rodrigues had told his daughter what had really happened. So did you interview Ivo

Powel?

MR LEASK: I did.

ADV NEL: So that tasking you did, and the information you received from Ivo Powel, was it positive or not?

MR LEASK: No, he did not confirm what we were told he would confirm.

ADV NEL: All right, so that was the tasking by Advocate Macadam to the investigators.

MR LEASK: May I just indicate?

ADV NEL: Ja.

MR LEASK: That when I say that the other taskings I did not do, I just want to bring that in perspective. When these taskings were issued I had no idea that in a week's time or a month's time or six months' time we would not be involved with the TRC, so these were not the only taskings.

So if I had foresight or, that within two weeks we would not longer be doing that and this was important, then obviously we would have deployed resources to do that, but we were taking on these and I was of the view that in these kind of matters if you get information that someone is going to confess or they are heartbroken and feel that they must expose things that have bothered them in relation to these kind of offences you jump at that, you get to the person, because they speak from the heart.

It develops a case quickly and you get in most instances in-between the whole story a golden thread of honesty about what

happened and that makes an investigation run at a great speed, so therefore Ivo Powel, the reference to the Ivo Powel interview was for me important. The other stuff more than likely would have been dealt with, but I did not know whether, you know that we would have been tasked not to exist with an involvement on the TRC matters.

ADV NEL: Commissioners, it is where it now dealt with paragraphs 18 and 14 as far as that is concerned. Mr Leask, in preparation for your evidence today and in drafting your statement you noted the versions of Advocate Bikoli and Advocate Macadam.

MR LEASK: Yes.

ADV NEL: Is there anywhere that you disagree with their evidence?

MR LEASK: I have absolutely no reason to doubt that what they say is not true.

ADV NEL: Let us deal with that, Commissioner, that paragraph 16 of the affidavit. You had the interaction with Advocate Ackermann in the passage.

MR LEASK: Yes, that is correct. I know now what the date, but I could not recall the date, but if I remember it was in November of 2004, I had, I was just around the corner from Advocate Ackermann and Advocate Macadam and on the day I recall Advocate Ackermann, he was absolutely livid. He had come from the NDPP's office, at the time it was the Acting NDPP, Advocate Ramaite, and he just in passing said to me that he was of the view that it had reached a breaking point in terms of interference in his office and his prosecutorial duties.

ADV NEL: And we now know from the evidence of Mr Ramaite in other papers that that is when Mr Ramaite called him in to say that he should not proceed with the matter that he intended to.

MR LEASK: Yes.

ADV NEL: Now let us just deal with the Nokuthula Simelane matter in a bit more detail. Commissioners, that is paragraph 11 of the statement.

COMMISSIONER KGOMO: Just a moment. Although Mr Ackermann will come say that himself, but did he expatiate and reveal, unburden what is troubling him, what specifically, by whom?

MR LEASK: I was not inquisitorial at all, but my understanding, the clear, the clear message that I got that he was told to stop and I knew that there was imminent arrests to be done on the attempted murder of Doctor Frank Chikane and I knew that it, or he was told to stop that.

It was not going to happen and he also made mention to, and I do recall it is, I think in one, and I have read several affidavits and I am not sure how many he made, but I am sure that I read it also in one of his affidavits where he said that the attorney Mr Waggenaar had interfered, that was my understanding.

I never took it further or thought, you know, it was my place to ask, but I am presenting his view on, and my, we knew each other well and I knew that he was livid. He was in a position that he could not do his work.

COMMISSIONER KGOMO: Yes, thank you.

ADV NEL: Now we are dealing with the Nokuthula Simelane matter in a bit more detail. To give perspective to your involvement, your involvement was pre TRC.

MR LEASK: Absolutely. I was a Murder and Robbery detective, I was stationed at Province and I was doing detective work within the Province.

ADV NEL: Before the TRC even commenced you identified suspects.

MR LEASK: That is correct.

ADV NEL: The suspects you identified, they were?

MR LEASK: Colonel Coetzee and Pretorius.

ADV NEL: Now what happened to your docket, the Nokuthula Simelane docket?

MR LEASK: Lady Chair, the stage, well we put together a docket and I can say it was in a relatively short span of time, we met and interviewed many witnesses, family member and got a perspective of what the alleged offences were, put the docket together and that docket went with me to the D'Oliveira Unit.

ADV NEL: Ja.

MR LEASK: Whilst, so there we continued with investigations, that investigation expanded into, premised on information that detectives get in the normal scope of their work is, you know an indication, people would say look at that because it holds reference to that and it was conveyed to me that this Bambo, Adriano Bambo, also known as Strong Man, that his killing held a direct relationship to the Nokuthula Simelane matter, so that also formed part of the investigation.

That matter also was, as far as I am concerned there is always outstanding investigation that happens, but at that stage a docket was completed and on a day, I cannot recall the date, there might be an entry or something in the case docket, I have not seen my case docket, that would indicate I received a message that those two dockets were to be handed to a colleague that worked, I also knew very well, he was from the East Rand Murder and Robbery, also assigned to the Third Force investigations at the D'Oliveira Unit, and that he was to collate the dockets.

The reason for that was that he had got a message from Advocate Tori Pretorius who told him to collate the dockets because there was an imminent process underway to address the involvement of General Krappies Engelbrecht.

ADV NEL: Two things before you proceed, that person that collated the docket was?

MR LEASK: Captain Mike Holmes.

ADV NEL: Mike Holmes. Now when you received this message and where you handed over your dockets to Captain Holmes, as an investigator that investigated lots of cases, what was the status of that particular case docket, the Nokuthula Simelane matter that you handed over?

MR LEASK: Well, I would say I pretty much felt, I think like Advocate Ackermann, the case came, well there was an expectation and I understand that when you deal with organised crime cases you always look at finding a crack in the system and then running it up as

quick as you can to get to the top, so with that in mind I was obviously disappointed, because I was confident that both those matters were ready for arrests and consideration of prosecution to start at that time, that was my position at that.

ADV NEL: Then Mr Leask, then and even now after you have heard everything that there is to be heard about TRC investigations, can you see any relevance of those two case dockets with the possible arrest of General Krappies Engelbrecht?

MR LEASK: Absolutely nothing.

ADV NEL: Then you said so, and I think it will become also important later, after you handed over your case dockets to Captain Holmes did you ever see them again?

MR LEASK: No.

ADV NEL: Or what is even more important, did any person ever consulted with you about the investigative work and the contents of those case dockets after you handed them over?

MR LEASK: No. Well, let me just place something in context. I do recall at a stage a captain of the police approached me, it was a very limited enquiry he was making with relation to, at the time of my investigations in the Nokuthula matter I was placed at head office, I was a junior officer and there were, the suspects were seniors, Security Policemen that were in the building and there was just an atmosphere of, to an extent I would say intimidation and supported by that in my investigations I had established that there was an effort to ensure that the people involved in the matter as possible witnesses or

co-perpetrators and that were being approached to enquire if they had been approached, were they making statements, who is talking and that kind of thing, and that developed to a stage where I had heard that there was going to be a meeting between some of the parties with Coetzee and Pretorius.

I am not sure exactly, I cannot recall which one had arranged it, but that they had made a determined effort to arrange a meeting. I arranged for that meeting, I caused it to be recorded. And getting back to what is being posed now, and I am testifying about the captain approaching me, is that he wanted to know what happened to the recordings. Obviously I assisted him in that regard, but I have never been consulted after the docket was taken away, nothing after that.

ADV NEL: We will get to… But let us deal with it now. There is some information that in 2016 the NPA decided to prosecute on the Nokuthula matter.

MR LEASK: Yes. I was, I did not know that.

ADV NEL: And you were not consulted.

MR LEASK: Not at all.

ADV NEL: And you had the docket from the start, you did all the investigative work, went to Swaziland and visited the scenes, but you were never consulted.

MR LEASK: Yes, that is correct.

ADV NEL: Good.

MR LEASK: I was never consulted.

ADV NEL: Now let us just deal with the … (intervenes)

COMMISSIONER KGOMO: Maybe you are going to come back to the scene, but what scene are we talking about in Swaziland now?

MR LEASK: Commissioner, once again at a stage I had forgotten that I had been to Swaziland, but we were investigating a matter in which Nokuthula Simelane had been kidnapped, we could follow the spoor, for lack of a better word, up until the stage where all the ... (intervenes)

COMMISSIONER KGOMO: The trail, the trail.

MR LEASK: The trail, thank you. Up until the point where the evidence regarding her, where she was after they had last seen them was exhausted and that had indicated that she was last seen in the car of Coetzee where she was still cuffed, badly injured, and that is pretty much where it stopped.

ADV NEL: Sorry, where in that car? I think that is important.

MR LEASK: It was in the boot of the vehicle. So important for the investigation was to establish is she missing and there was rumours already that had come that no, she had gone back to Swaziland, that she was with the ANC, you know those, that kind of information.

So the obvious thing for me was that with missing people it is almost important to listen to family, they know things that other people do not know and if someone goes missing and gets a chance to return from where they come they will in some way make contact with family, they would make contact with the structure she was working in, the people she was involved with and she had a, there

was a strong relationship with her as a person and let us say the community in which she lived in and that in Swaziland.

So that is why I went there, interviewed a lot of people, went to the ANC structures that were there. I had an excellent communication with the family, they assisted me greatly. Pretty much, you know at a time where it was not easy I think for people to trust detectives from the police at the time, but I had an excellent relationship. I was doing nothing but my job, and so that was what covered the investigation in Swaziland. I could find absolutely no support that Nokuthula Simelane had returned to Swaziland and nobody has seen her since.

ADV NEL: Mr Leask, perhaps a good opportunity to refer to those two reports of you.

CHAIRPERSON: Mr Nel, Ms Gabriel has a question to put to the witness.

COMMISSIONER GABRIEL: Mr Leask just remind me, were you the investigating officer for the Nokuthula Simelane matter?

MR LEASK: That is correct.

COMMISSIONER GABRIEL: And you remained in that capacity throughout.

MR LEASK: Up until the time when the docket was removed.

COMMISSIONER GABRIEL: Right, thank you, thank you. Yet you were never consulted thereafter as the IO?

MR LEASK: No, Commissioner Gabriel.

COMMISSIONER GABRIEL: Okay.

ADV NEL: It is perhaps a good opportunity to refer to the reports. We have to go somewhere first before we do that. Now dealing with TRC in amnesty hearings, members applied for amnesty in the Nokuthula Simelane matter.

MR LEASK: Yes.

ADV NEL: Now we discussed that at paragraph 12 and Commissioners, I have to alert the Commission to an error we made and I think I should take the blame for the error, but it is an error we want to correct in paragraph 12 where we indicate in the last sentence, but let me read it.

> "I had identified the suspects in the Simelane matter, Timo Coetzee and Anton Pretorius received amnesty for the kidnapping and assault charges."
>
> But we are wrong.

MR LEASK: In relation to, absolutely, in relation to Coetzee and Pretorius it was for kidnapping, not the assault charges, but ... (intervenes)

ADV NEL: And also not ... (intervenes)

MR LEASK: For murder, no.

ADV NEL: But we had to go there first. Now we go back to the reports. You at a stage, because of information you received, decided that you are investigating a murder.

MR LEASK: Absolutely.

ADV NEL: What was that information?

MR LEASK: I will refer to my ... (intervenes)

ADV NEL: 497, Page 497 of the Calata papers at paragraph 714.

MR LEASK: Chair, as I previously indicated with the developments of what was nothing other than an attempt to interfere I had discussed it with my, the head at that time, which was Director Toms, and we put together this report with the purpose of partly to ensure that we were recommending suspension of Coetzee and Pretorius and part of that report where I set out who had spoken to me, what they said, I indicate in paragraph 7 Mr Lengeni had made an affidavit, but then said that he his affidavit was not completely truthful, because he had made it under duress, but that he was now telling the truth and in that report he said that why did that, he was presently serving under Superintendent Pretorius who also brought him for the interview on the day of him giving his statement.

So on the day that I had summoned the person for me to take their affidavit the main suspected in the matter brought him, so I mean that in itself indicates the level of duress that the witness would have been under when he comes to make the statement.

He was, he had been told that it was up to him and Norman Scotch to save their skins. Norman Scotch is also a Security Policemen. And indicated to the witness that Director Toms, who was my boss and the Provincial Head, would reveal all that had been said to them after taking his statement. So the witness was told that my boss who I report to would tell them, Pretorius what I was doing or what they had told and then for me as, from a detective point of view it was a slam-dunk.

I was, I just knew that when they told the witness Captain Leask could not be able to prove any charges, as he had no proof of a body, why anyone who is innocent in a matter of a missing person would concern themselves by saying that they should not worry with what I am doing, because they have no proof of a body. It is not a denial that we, I knew that we were looking for a body.

ADV NEL: So that was it, that convinced you that you are dealing with a murder matter.

MR LEASK: Absolutely.

ADV NEL: And that is how you treated the matter. There is one other aspect that we are not very sure about, but let us just inform the Commissioners. In the evidence led this far, there was evidence led I think by Minister Simelane on a response to a question by Mr Varney that you have taken warning statements of Coetzee and Pretorius, you can recall that.

MR LEASK: Commissioners, I have taken, I cannot acknowledge or deny it. It is a normal course of an investigation and when you get to the point of the finality of an investigation that you would take a warning statement, but I have taken many warning statements and confessions and pointing outs in my career that I, if I had access to the case docket it would speak for itself.

ADV NEL: Ja, but you are still, it is still your evidence that the docket was ready for trial.

MR LEASK: Absolutely, that is my view.

ADV NEL: Now we are not reading these whole two reports into the

record, but you have read them.

MR LEASK: Yes.

ADV NEL: And do you still confirm the correctness of the two reports that one can find at 494 to 503 of the Calata papers?

MR LEASK: That is correct.

ADV NEL: Good. Now let us just deal with the Strong Man, Bamboo investigation that is very closely linked to the Nokuthula Simelane matter.

MR LEASK: During the course of the Nokuthula investigation I had an opportunity where my witnesses in that matter had indicated to me that it was important that I speak to a person, and I only remember the surname, Olifant. I cannot commit to being correct about the relationship, but my understanding is that they were distant cousins or very close, there was a close relationship and that he knew more about the fact that Bamboo had been killed and that there was a, the motive behind that was to silence him.

Coupled what that Captain Mike Holmes, who was with us at the task team, he had been investigating or involved in investigations in the East Rand relating to armed robberies, he was also a Murder and Robbery detective, and that during the course of his investigations this Adrian Bamboo had been identified, apparently been arrested at a stage, he escaped and Olifant told me that at a stage my two main suspects, Coetzee and Pretorius, had directed him to speak to Strong Man. I see they refer him, in certain papers it is referred to that he was an informer. Now I have difficulty with my

understanding of their understanding of an informer.

He was in a scurry, he worked for the Security Police. He had gotten into financial difficulties at the time when the South African Police Force became the South African Police Service and the amalgamation of the other policing structures in Southern Africa or South Africa were brought into the Service, and as happens people are given an opportunity to take a package and leave and my understanding, and this is just what was conveyed to me that he had taken a package, he got into financial difficulties and the man started involving himself in crime because of his financial position.

Olifant had indicated that he was warned to speak to him because there was a fear from the Security Police that if Murder and Robbery had arrested him in the matters that there was a change that he would expose certain secrets or confidential activities and that was a risk for them.

So in the course of the investigation I managed to establish that members of Vlakplaas assisted a colleague of Captain Mike Holmes, I think at the time it was a Lieutenant Koekemoer, he was Lieutenant Koekemoer at the Murder and Robbery Unit who was, they assisted him to go and set up a DLB, dead letter box or an arms catch in the area of Nelspruit.

COMMISSIONER KGOMO: Is it a dead letter box?

MR LEASK: Yes.

COMMISSIONER KGOMO: A dead letter box?

MR LEASK: That is correct, Commissioner. So the Murder and

Robbery Detective Koekemoer, accompanied by a Vlakplaas operative, Duiwel Brits, took certain explosives and weapons, went to Nelspruit, set up the DLB, drove back because, and on the next day Strong Man who had been rearrested was in detention, booked him out, took him out on a pointing out that he was going to do pointing outs on an arms cash, took him to the same arms cash, reported that he was attacked by the suspect. If I remember correctly a hand grenade want off, he shot the man and they killed him.

ADV NEL: Now did you have cause to understand that Strong Man was relevant to the Nokuthula Simelane matter?

MR LEASK: Yes, in as far as all the witnesses that I had spoken to and other persons who approached me who were not necessarily witnesses, but who confided in me and the investigations I was involved in, had indicated to me that Adrian Bamboo was not referred to as Strong Man for no reason at all.

He was a powerful figure, he was a man of means and they were all of the view that part of the secrets, or let me say the risk was that he would have been in a position, a person in a position to bring us closer to actually what happened to Nokuthula once she was handed back to Coetzee.

ADV NEL: Now three people received amnesty for the death of Strong Man, Adriano Bamboo, is that correct?

MR LEASK: Yes. Three, it was Eugene de Kok, Lionel Snyman and then my witness, Duiwel Brits.

ADV NEL: You say your witness Duiwel Brits, Duiwel Brits is the one

person that decided to come clean and to give you a full explanation of what happened.

MR LEASK: He did.

ADV NEL: He is not with us anymore.

CHAIRPERSON: Mr Nel, if I may interpose, we have come to that part where we have got to adjourn for tea. At an appropriate time would you please indicate so that we can take a break?

ADV NEL: I think it is appropriate now. We are almost done, but it is appropriate now. It will also assist me in going through my notes.

CHAIRPERSON: Yes. I think we adjourn now and reconvene at 11:20.

ADV NEL: As the Commission pleases.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Thank you, Mr Nel.

ADV NEL: Thank you, Ma'am Chair. Mr Leask, let us continue. You testified about the individuals that received amnesty for the Bambo, Adriana, Bambo killing. You indicated it was de Kok, Ritz, and Snyman.

MR LEASK: That is correct.

ADV NEL: Now, Mr Leask, out of your own accord, had you ever stopped any TRC investigation out of your own accord?

MR LEASK: No, I have not.

ADV NEL: I just want to make it clear, and we have emphasised it over and over, but I think it is important. Since the time you handed

over your case docket for Adriana Bambo and Nokuthula Simelani to Captain Holmes, you have never seen them again.

MR LEASK: That is right.

ADV NEL: Mr Leask, let us deal with paragraph 17 in your affidavit about the delineation of the investigations of the TRC matters.

MR LEASK:

> "Before the amalgamation or the establishment of the Special National Projects Unit at the DSO, where the TRC matters had been all brought together at the NBA offices, before that, there were two investigative groupings. The Dr Jan De Oliveira, Third Force Investigations, which focused on the crimes of the government at the times, or the apartheid government's services, the security police, the defence involvement in alleged atrocities. And on the other hand, there was a unit that sat in a different building at Church Square in Pretoria at the DPP's office. I understood or I knew that Advocate Paul Fick headed up that investigative component. It was staffed with investigators that worked separately to us. And their focus was on looking at alleged crimes by the freedom fighter liberation groups."

ADV NEL: And you focus on investigation of the security forces?

MR LEASK: That is correct.

ADV NEL: Now, Mr Leask, I am going to refer you to the evidence of Minister Simelani that was given to this Commission. Commissioners, I made the transcript of the record available, just for ease of reference, so we do not have to page through it.

COMMISSIONER KGOMO: Yes, before you come to it, Mr Leask, do you have any information about the whereabouts of [indistinct]?

ADV NEL: No, Commissioner Kgomo, I last engaged with him in the 90s.

COMMISSIONER KGOMO: Okay.

ADV NEL: I referred to the evidence of Minister Simelani on the 12 February, and I will start at page 316. Mr Leask, will you just read paragraph 316 from line two to line 11?

> "And subsequently, I think that is what led to the opening of the case and the beginning of the appointment of Mr Leask as the department or SAPS to investigate the case of Nokuthula. It started very well. There was huge progress, I must say, and very positive progress. Mr Leask was able to go firstly to Swaziland, round up almost everybody from my aunt's uncle and everybody else to check in who was she working with and all that. All the investigation and the docket obviously was then opened. The first team actually to go to the farm and all that, and we are getting feedback in relation to what is the findings bit by bit as he was doing investigation."

ADV NEL: The next paragraph as well, for completeness sake.

MR LEASK:

> "And subsequently, we do not know how he then stopped the investigation, and we were told the investigation has been transferred. I think there was a De Oliveira and Thompson investigation group or team that took over from Mr ..."
>
> It indicates indistinct:
>
> "That was the end of us."

ADV NEL: So you confirm that as far as your investigation is concerned, that she refers to what you did in consulting with the family?

MR LEASK: Yes.

ADV NEL: And you have now explained to the Commission what happened to the case docket at the De Oliveira unit?

MR LEASK: That is correct.

ADV NEL: Then we dealt with it, but I think we should just do it again. At line 21, that is where there is reference to a warning statement in a question from Mr Varney, and it follows on the next page.

CHAIRPERSON: What page are you on Mr Nel?

ADV NEL: I am on page 316.

CHAIRPERSON: Okay.

ADV NEL: At line 21. Can we just read that into the record, perhaps, from line 21? Starting with De Oliveira unit.

MR LEASK:

"The De Oliveira unit was established under Mr De Oliveira to investigate these crimes. Am I also right in saying that Mr Andrew Leask went as far as taking a warning statement against Mr Coetzee for the murder of Nokuthula."|

ADV NEL: And then there was a response. Can you just... (intervenes)

MR LEASK:

"Commissioners, you are correct. I actually even think after the warning statements, they were suspended from the police and the investigation continued. I may not recall the dates per se, but as he started the investigation, the suspensions also kicked in and warning statements were taken."

ADV NEL: We have dealt with the warning statements.

MR LEASK: Yes.

ADV NEL: It is still your evidence that the investigation was ready for prosecution as far as you were concerned, but you cannot recall if you in fact took warning statements... (intervenes)

MR LEASK: That is correct.

ADV NEL: But you also testified that they were suspended from the police service.

MR LEASK: Yes.

ADV NEL: Good. Let us then, page [indistinct] not do everything, but there is quite a few references about you in the evidence which we have gone through. Is that correct?

MR LEASK: Yes, that is correct.

ADV NEL: And you agree with most of those and that is what you did?

MR LEASK: Yes.

ADV NEL: Perhaps we should just deal with one other then at page 318 from line three. If you just read that one paragraph into the record as well.

MR LEASK: Just the one line?

ADV NEL: No, just that paragraph starting with "Ms Simelani, I may say so, Chair".

MR LEASK:

> "I may say so, Chair, that is why in my previous statement I said then that was the end of us. Because there was this investigation and we were cooperating very well. We made sure that Mr Leask is, our families are indistinct in Swaziland, my aunts and my uncles, everybody that he deemed fit to speak and talk to as part of his investigation. And we were getting feedback and after that, when the docket was transferred, we never heard any progress and there was no investigation that concluded. I mean that continued to even conclude on the case or possible what should be done about the case."

ADV NEL: Do you in fact agree with it that also when you lost that any feedback and involvement with the case docket when it was handed over?

MR LEASK: Yes.

ADV NEL: So you confirm that... (intervenes)

MR LEASK: That is correct.

ADV NEL: The evidence as far as you are concerned and that we have seen that she was just actually correct and that is the role you played in the case that you investigated?

MR LEASK: Yes.

ADV NEL: May it please the Commissioners, I have nothing further for Mr Leask.

CHAIRPERSON: Thank you Mr Nel. Mr Varney, any clarifications, any questions?

ADV VARNEY: Yes, Chairperson, we do have some questions for clarity arising out of Mr Leask's evidence-in-chief. Mr Leask, before I put some questions for clarification to you, just on behalf of the families, we would like to thank you for your professional... (intervenes)

COMMISSIONER KGOMO: If you could shift the mic maybe a bit.

ADV VARNEY: Commissioner, is this a bit better?

COMMISSIONER KGOMO: It is a bit better. I know you are used to talking to yourself.

ADV VARNEY: I do [indistinct] bigger audience so it is important that everybody can hear. I will start again. Mr Leask, before I commence with a few questions, on behalf of the families, I have been instructed to thank you for your professional investigations into the Simelani

matter and others. The families take the view that you conducted yourself without fear or favour in those investigations.

MR LEASK: Thank you.

ADV VARNEY: I am looking at your paragraph eight of your statement. You make reference to the fact that after McAdams transferred to PCLU, you served as head of the Special National Projects Unit until the DSO's disbandment. You mentioned that that unit focused on the TRC cases. Were they exclusively the TRC cases, or were there other cases as well?

MR LEASK: There were, initially the TRC matters was a massive focus. But we were tasked with other matters which were regarded as national projects. Matters that sort of crossed the borders between the provinces that the provincial offices of the DSO were dealing with. And so they were encompassed under the Special National Projects Unit. I can mention that after 2003, we focused on what later became massive investigations that took up most of our lives with regards to our involvement in the investigation to the Commissioner Jackie Selebi and all those related matters with Agliotti and those matters which took up the time until we were disbanded.

ADV VARNEY: Thank you. Now, in your evidence-in-chief, you make reference to the fact that, perhaps on an ad-hoc basis, you were providing what you referred to also in paragraph eight, "As a limited support to the PCOU in respect of the TRC cases". And under questioning, my learned friend Mr Nel he made reference to the Timor case and that at the request of the PCOU, while you were on a trip to

Cape Town, you interviewed a journalist by the name of Ivor Powell. And you mentioned that the information you were trying to get from Mr Powell, he did not have that information.

Would you regard the step of seeing Mr Powell in Cape Town as a formal investigation, or was it simply just something you did on request of the PCOU?

MR LEASK: I would say there is two parts to that. The one that I had no authority after, well, before 2003, it was part of our mandate. The Jeff Ledwaba letter that came in June or July ended that mandate. So anything after that would be ad-hoc. But also in connection with Mr Powell, Mr Powell worked within my component. I was also the acting head of the Crime Information Collection Unit at Head Office. And Mr Powell had worked for me, I knew him well, and he was busy with work in Cape Town as I was with national projects, and it was an opportunity to meet with someone who not only would be a first approach, but a possible witness where we had confidence and an open relationship in terms of understanding each other. So I was confident that if he knew what it was alleged he knew in relation to the Ahmed Timor matter, he would have confirmed that a confession had been made to him, but he did not support that.

ADV VARNEY: Right, but just to confirm, this was post the handover of the TLC cases to the PCOU on the instruction of Advocate Ledwaba?

MR LEASK: No, I think the letter speaks for itself. It was while Advocate McAdam was the head. I was his deputy then, and I saw a

document that he had written to me saying that these were aspects of investigation that needed attention.

ADV VARNEY: Okay, we will check on that, because in Advocate McAdam's statement, which was just before this Commission, well that you have the record number, but I believe it is attached as FA5 to the collateral of the day. In that statement the impression one gets from Advocate McAdam is that he simply asked you if he was aware that you were heading to Cape Town, and because he did not have investigators, he asked if you would speak to Mr Powell in order to confirm that information.

MR LEASK: That might very well be the position, but I cannot indicate whether that would be correct or incorrect. It might very well be.

ADV VARNEY: Okay.

MR LEASK: And I maybe sorry.

ADV VARNEY: Okay.

MR LEASK: I have never seen the docket, if that in a sense would help, then I was not the investigating officer in that matter, if that would help clarify.

ADV VARNEY: All right, we just see that we can find the, yes, it is, Commissioners, it is at page 276 of bundle one. That is the affidavit of Raymond Christopher McAdam. And at paragraph 44, and that is on paginated page 284. Perhaps I can just read and extract from paragraph 44 to you. Advocate McAdam says as follows:

"

At the time of deposing to this affidavit, I was not in possession of Annex RCM1. At this stage when I [indistinct] both this document and RCM9, I recall that RCM9 was written after both the DSO and SAPS had refused to investigate TRC cases. If memory serves me correct, Leask had informed me that as a result of the decision taken by Ledwaba that the DSO would not investigate TRC cases. He was unable to comply with my original request for investigations. Since he was, however, travelling to Cape Town on other investigations, he contacted Ivor Powell and questioned him regarding the confession apparently made by the applicant in this matter."

The applicant being Rodriguez.

"The allegation was, however, denied by Powell and Mr Keji was informed accordingly."

Now that I have read that extract from Advocate McAdam, does that jog your memory?

MR LEASK: Yes, it would then have been an opportunity to, as we have said, to ad-hoc where we could assist, to assist and a reading of that would indicate that I did it as, not as part of my function, but to assist them.

ADV VARNEY: Yes, it was a formal investigation that you would be accountable for.

MR LEASK: Yes.

ADV VARNEY: Then if we can turn to paragraph 11 of your statement. And at paragraph 11 and also in your evidence-in-chief, you gave evidence on the fact that several of your investigations were

removed from the ground and they were to be escalated with a focus on the involvement of General Krappies Engelbrecht. And that these cases, including that of Nokuthula Simelane Adriano Bambo Strongman. And you have also mentioned that Captain Holmes advised you that it was Advocate Tory Pretorius who issued that directive. What was the position of Advocate Tory Pretorius at that time?

MR LEASK: I recall he was the, the deputy head in, in the Dalvery unit. He held a senior position and I recall, ja, I think he was the deputy.

ADV VARNEY: So he would have had authority to, to issue that command.

MR LEASK: Well, I can say there would be the, we, we were working on, on, on many cases and if, if any of, of those cases were met with positive links and as I have testified before that you, you, you need to move on from the foot soldiers, so to speak. So if there, if, if any of those instructions made sense that you were moving up, then at, at that stage I, had no information in my investigations that would indicate that General Krappies Engelbrecht was involved. But I did, I was not in a position to say that if someone said that those matters now form part of that, I at that stage thought there would be movement. We would see not the colonels and the foot soldiers, so to speak, brought before court but that we would move up to the generals. And that was, that was my understanding. So I, I did not

see it as, as a negative at that stage. But in hindsight where we are now, I have seen no movement.

ADV VARNEY: Now just turning to the, that the Bambo matter or sometimes referred to as Strongman. In your evidence you, you said and I, and I quote, I think the words you used were, "That there was a direct connection between the Strongman matter and the Nokuthula Simelani case". Can you elaborate what, what the direct connection was?

MR LEASK: I will refer once again to the discussions that I had with Olifant. That is one of the persons and in general the witnesses that I was interviewing and taking statements of in the Nokuthula investigation where they all raised the... No one could give me evidence as such but said that Strongman was a risk to the activities of the security police and they could not afford that if his, if his continued involvement in, in the, the robberies led to his re-arrest, that he might tell murder and robbery detectives our whole, he might, he might disclose what they said would be a risk to the activities of the security police going back with his employment as an, askari with the security police.

ADV VARNEY: Now, in, in one of the affidavits of, of Minister Tembi Simelani and we will g get the reference to the Commission. She alleged that Adriano Bambo Strongman was in fact one of the guards guarding Nokuthula Simelani at the North Farm.

COMMISSIONER KGOMO: Where are you looking at the reference?

ADV VARNEY: Commissioner, we are going to get that, that reference for you shortly.

COMMISSIONER KGOMO: You are just talking generally, okay.

ADV VARNEY: Yes, just, just to set a time but we will find it, perhaps you can just find it quickly here.

COMMISSIONER KGOMO: Let me not derail you.

ADV VARNEY: All right, my team will find that reference, it is either in, it is somewhere in bundle four dealing with the Tembi Simelani papers and the affidavits she made out there. So from Minister Simelani's perspective that the connection at least to her sister's case is that Bambo was allegedly one of the guards guarding Nokuthula at the Northern Farm where it is alleged that she was tortured before being disappeared. And that is the evidence you could potentially have given in the Nokuthula case. Is that your recollection?

MR LEASK: I would say yes, I am, I would be more helpful if I had my case docket. But I, I do recall that and, and, and why I am saying I am not sure what Strongman's role was with him, he was a guard at the stage because they were relieving each other. She was detained there. If I remember correctly, was more than two months that she was kept at this family member's farm in an outbuilding. And so I am not sure, and I cannot, I cannot remember offhand whether he was involved in the transport, the guarding, or whether it was at the end part when she was taken once again to where the, the last time that she was seen. And that is in the Western area, which is probably over a hundred kilometres from where she was detained on the farm

to where she was last seen in the, in the boot of the vehicle. It was disclosed that, and it was something that came to mind with me having grown up in the West Rand is that the, the place where the vehicle was, was last seen with, with Nokuthula in the, in the boot of the car was close to, in between the gold mines on the, on the Johannesburg, Potchefstroom road close to Fochville side. And I had received information that there was, it was alleged that she was going to be taken to, and once again I apologise, I cannot assist other than to say it was either Coetzee or Pretorius who had a family member, a brother or brother-in-law who worked on the mine. At that stage I had no clue where, but I later heard that it was at Heels haven, and Heels haven's proximity to where she was last seen was coincidentally close, having considered that she had been moved more over a, it is over a hundred kilometres from Northern to, to Western Area.

ADV VARNEY: Commissioners, we, we have found one of the references, and that is in, in bundle four, at page 555, and that is an annex to one of Tembi Simelani's affidavits. And then she was Tembi Nkadimeng. It is a letter from Advocate McAdam of the PCLU to Colonel Xaba, that is X-A-B-A, of the Priority Crime Delegation Unit, dated 13 February 2013. And the paragraph three of that letter one of the witnesses, Norman Mokonza, testified at the Amnesty Committee:

> "That there was a safe house in Clip Strait West, which was used by Strongman Bambo. Evidence was led at the amnesty hearing that Mr Bambo was also present on the farm."

That being Northam Farm.

"He must be requested to point this house out, and again the missing persons task team must be requested to conduct an assessment."

So there is also evidence of this in the amnesty proceedings, and you of course will point out exactly where that is.

COMMISSIONER KGOMO: Yes, thank you.

ADV VARNEY: Mr Leask, if I remember correctly, in your evidence you said that, "The docket in relation to the Strongman murder", and you have given a detailed account of what you know about that murder, that, "That was completed". So once the docket was handed over to Captain Holmes, did you then expect that matter to be taken forward?

MR LEASK: Absolutely. In fact I thought that the Bambo matter was at an even more advanced stage than the Nokuthula matter. Obviously the difficulties of, at the time, in the 90s, was the, was it a missing person or a murder? But the Bambo matter was, in my view, it was clear-cut. We had witnesses, we knew what happened, there was just a version of the main perpetrator indicating that he had acted in self-defence, whilst we had witnesses that said it was nothing else but a set-up to assassinate the man.

ADV VARNEY: And then subsequent to that, Mr Ne referred you to the Amnesty decision in that matter, in respect of Eugene de Kok, David Britz and Lionel Snyman. And just for the record Commissioners, that Amnesty decision is AC 2001 252.

Commissioners, we are grateful for Mr Nel referring us to this Amnesty decision, and we believe that it should be placed before the Commission. It is not currently before the Commission, we will take steps to put it up in due course.

So further evidence then emerged in the Amnesty process, and yet as we speak to you today, we are not aware of any arrests, or any movements in that matter, what do you make of that?

MR LEASK: I am sorry, is that in the Nokuthula matter or the Bambo matter?

ADV VARNEY: No, it is all within the Bambo matter.

MR LEASK: No, my understanding is that at a stage there was a, and that I recently heard, I cannot confirm it. But that there is an indication that the DPP in Pretoria had declined to prosecute.

ADV VARNEY: Because in that Amnesty decision, AC 2001 252, dealing with this incident, other suspects emerged and some of whom you have referred to, including Mr Koekemoer. And others behind the scenes, such as Krappies Engelbrecht, who was in the security branch, and Ivor Schumann, who was with East Rand murder and robbery.

MR LEASK: Yes.

ADV VARNEY: And our information is that all three of them are still alive today.

MR LEASK: I understand so as well. I think that the witness, Britz, has passed on, but I am not sure.

ADV VARNEY: Yes, I think you are correct on that. I want to refer you to an extract that you made in your evidence-in-chief, and I am hoping that I am paraphrasing you correctly. And it is also dealing with the Bambo matter. It is the developments leading up to the setting up of this dead letterbox that you referred to. And do correct me if I am wrong, but my note says the following.

> "Members of Vlakplaas consulted a colleague of Mike Holmes, one Lieutenant Koekemoer at Murder and Robbery, to go and set up the dead letterbox."

MR LEASK: The day before the incident.

ADV VARNEY: Yes.

MR LEASK: Yes.

ADV VARNEY: Now, is this the same Mike Holmes who took over the Bambo and Nokuthula Simelani cases?

MR LEASK: It is the same person. I just want to indicate my understanding was that Mike Holmes was not there to take over the cases as the investigating officer, but he was just in the office, the nodal point, if I can indicate as such. And I do know that Mike Holmes, who I knew very well, had become, in fact, he became terminally ill. And Mike is no longer with us. I cannot recall that he was actively involved in any investigations to his full capacity, if I could say that. He got ill and be off for long stretches of time and come back. So, with regards to him doing those investigations, that was not... I might be wrong, because I never dealt with any of those

issues going forward. But it was not my understanding that he was the investigating officer.

ADV VARNEY: Yes, I think it is something that this Commission will have to look into, because the allegation from Minister Tembi Simelani which has been put before this Commission, and perhaps the information is wrong, we will have to double check. But then once the dockets were removed from you and then handed over to Mike Holmes, apparently for the purpose of this greater investigation, that is when the investigations effectively died.

MR LEASK: Even now, if I look back, it is disappointing.

ADV VARNEY: And we are concerned that there might be a link or some kind of question mark over Mike Holmes, given that, according to you and your evidence-in-chief, members of Vlakplaas consulted a colleague of Mike Holmes, a certain Lieutenant Koekemoer, at East Rand Murder and Robbery.

MR LEASK: Maybe I could just clarify that.

ADV VARNEY: Please do.

MR LEASK: When I said a colleague of Mike Holmes, Koekemoer worked in the very Murder and Robbery unit, the East Rand Murder and Robbery, where Mike Holmes worked. I can indicate that when the... And I am speaking from my knowledge of how the Murder and Robbery units worked. What stood out is that it is a no-no that detectives would come to a police station and involve themselves in a matter where you were the investigator. Come to question them, it should not happen. And there were instances where you would have

the intelligence arms or the security. You would find out that they had gone and interviewed your suspects that were in detention before appearing in court.

But what stood out for me on the Bambo matter is that my understanding was that they feared Mike Holmes was involved. He was a Senior Captain in the Murder and Robbery. He was closely involved in the matters that were bringing Strongman to book. He was arrested, he escaped. I do not know how that happened, whether he was assisted or what led to that. And that was the time when they said, "Get a message to him, he must stop involving him because if Murder and Robbery gets involved in these armed robbery matters and he is arrested, he is a potential risk".

What stood out is that he then gets re-arrested. My understanding is he gets re-arrested, not on the old cases, he involved himself in a new matter, got arrested and was in detention. What happens is that the Koekemoer instructs a Warrant Officer, I might be wrong, but a junior member of the unit, telling him, "That he must go and book out the man because he has got information that he is involved in the movement of arms smuggling" and stuff like that.

And they go and take him out without the knowledge of the investigators at the same unit who were working on that. Koekemoer is a senior member at the Murder and Robbery and opens an inquiry and it is just coincidental, it happens on the spur of the moment, we have the witnesses who say, and once again I might be out with a day or two. But my recollection is on the Sunday, they go and do the

preparation work for the DLB so that there is an arms cash, there is a reason to go out. So the whole reason for that inquiry was established on the Sunday and the Monday the man gets booked out, taken away and the detectives, including Mike Holmes, because he discussed it with me at the stage and said, "I knew nothing about this".

The next thing is, we heard that the man was taken out and he died, he was killed. And he was killed in an attack on Koekemoer who was doing the pointings out on this arms cash armament deposit that had been made the previous day by themselves.

COMMISSIONER KGOMO: Thanks for that clarification. And my memory is faint now. I have been out of circulation for a long time. Is it not a sign out if they take someone, what is that called, the R what the register?

MR LEASK: Yes, Commissioner Kgomo, there is a, so the person would be detained and entered into the cell register. I think it is the SAP 14. Your property would be collected and put in the SAP 22. And the occurrence book register would, and I think that is what Commissioner is referring to... (intervenes)

COMMISSIONER KGOMO: Ja the occurrence book.

MR LEASK: The occurrence book register would then keep details of all the occurrences that happened. So the prisoners get booked out and if you booked the prisoner out, or if you booked him out, it would be, you book him out to court or for further investigation and you had to return him. So that is the way in which that is managed.

COMMISSIONER KGOMO: Die voorvalle boek.

MR LEASK: That is, yes Commissioner.

COMMISSIONER KGOMO: Okay.

ADV VARNEY: Just to bring to the Commissioner's attention that the bundle note is referred to in the Calata affidavit in bundle one. It is at page 159 from paragraph 414.3 onwards. And then Mr Calata points out that the DPCI and the NPA, the DPCI being the Director of Property Crimes Investigation with SAPS, refused to operate with the representatives of the Nokuthula Simelani family because they did not possess [indistinct] attorney from Bambo's family. Mr Simelani attempted to liaise with the police and NPA because of the alleged connection between the two cases, namely that Bambo had been a guard of Nokuthula when she was at the Northern Farm.

Before I move on, Commissioner Kgomo, you had asked the witness where is Mr Olifant. My attorneys advised me considerably. The attorneys are also representing Minister Simelani in respect of the Bambo matter. Their information is that he is still alive and he was last known to have a contract with SAPS in 2024.

COMMISSIONER KGOMO: Thank you.

ADV VARNEY: Now you mentioned in your statement in paragraph 13 as well as in your evidence-in-chief that:

> "There was no consultation that was conducted with you or your team after the handover of the cases from your unit to the PCLU."

Is it customary or perhaps good practise for new

investigation teams to consult with the original investigators?

MR LEASK: In my experience, I have no hesitation in saying that it is where you start. You start with the family. In any cold case, you start with the family. They remember things because it is more subjective for them. Mothers and fathers and sisters and daughters remember things that, and I say it with respect, we were dealing in my lifetime with hundreds of cases where you go through a case clinically, professionally, and deal with them. Families remember so much about what happened at the time, so you start with the family.

And if you have someone that is worked on a matter and it is progressed, it is difficult for me to understand how you would do any meaningful investigation if you do not understand the environment, the motive that was established. Is there a motive? Because not everything is captured in the case docket. It is just the way it works. And I worked with policemen that were spokers who wrote everything that happened in their day at work on the back of the cigarette box and kept those cigarette boxes as notes.

So if you read the docket, I am using this as an example, I apologise, but it brings across the point that people sit with stuff that might be so essential that is not captured in the case docket. And just to take the case docket and go through it and think that you are making any progress is a tick-box exercise. And I do not think that is what I mean. I would have expected that what I am testifying about today would have been so meaningful for anybody who had to deal with that matter with the intention of establishing not only what was

known, but whether there is other things that had come to the fore, time passes on, people hear things that they did not know about two months, two weeks, two years ago. So that is what I am saying. This never happened. And it is my view. There was never any engagement with me that I would say was intended to bring the matter forward, and that appears to be the case.

ADV VARNEY: And what are we rightly saying that your name would have been all over the original docket. At least in the early years of its investigation?

MR LEASK: Absolutely. This document that we referred to, this is an internal document. It is available. It should be in the case docket. It, in fact, sets out a lot of information just by itself. But this document might not have been in the case docket. But when you go through it, you remember. If you follow the admin process, you can get that document. It would help because also, as I sit here today, I am testifying with different hats on. As a detective with no issue with TRC matters that I was looking, I was dealing with an investigation. The Attorney General at the time said to me, "This is on the front page, deal with it". So I was doing an investigation, and all of that kind of stuff would not necessarily be in the Nokuthula matter, but it could have been something that was filed in the Bambo matter or some of the other matters. There were other matters that also had come to the fore in relation to substations that had been blown up. In the same circle as the Nokuthula person's involvement, the suspect's involvement. And I know that those dockets do not exist. We could

not find them. I reconstructed them by going at that time. Eskom had an effective security division, and we recovered their files. Where they are, I have no idea.

ADV VARNEY: Commissioner, I am just seeing whether there is anything further. Yes, in your evidence-in-chief, when Mr Nel asked you whether there had been any further consultations and you replied "No", except there was, you mentioned a Captain in the SAPS who approached you in relation to obtaining the recording you had done when you were investigating the attempt to tamper with the criminal investigation by two of the suspects. Do you recall the name of that SAPS Captain?

MR LEASK: I would probably do what people do with my surname. It is Lees and Leeks. I remember, if I remember correctly, it was something with an M, Mangela, something in that.

ADV VARNEY: Yes, I think it was a Captain Masegla.

MR LEASK: That could be correct.

ADV VARNEY: I beg your pardon, I got the name wrong as well. Captain Masegla. Is it M-A-S-E-G-L-A? I believe it is the correct spelling.

CHAIRPERSON: Masegla.

ADV VARNEY: Yes, thank you Chairperson. And also one small correction. You were referred to a statement in Bundle one dealing with a certain witness by the name of Lengeni. And you had pointed out to the Commission that once you had heard, once Lengeni had indicated to you that it was either concealed or rhetorically said there

was no proof of a body that you realised you were dealing with a murder case. And the Commission was referred to Bundle one at page 497. In fact, Commissioners, that is Bundle four, page 497. And there is correspondence there from Officers Toms and Mr Leask providing a report of that. So we are just indicating that it is Bundle four and Bundle one. And the reference to the warning statement, Commissioners, that is also part of the Commission's record. It is also Bundle 4, page 255. There Mr Leask took a warning statement from Wilhelm Johannes Coetzee. It is dated 6 July 1998 in respect of the murder of Nokuthula Simelani. No further questions.

CHAIRPERSON: Thank you Mr Varney. Ms Moroka.

ADV MOROKA: No questions, thank you.

CHAIRPERSON: Mr Tsagae.

ADV TSAGAE: Good afternoon Commissioners. I am led by... (intervenes)

CHAIRPERSON: Oh, you are with Ms Moroka?

ADV TSAGAE: Yes.

CHAIRPERSON: Yes.

ADV TSAGAE: We are together, yes.

CHAIRPERSON: Yes. Sorry about that, Ms Tsagae. I am doing it for the second time. My apologies, Ms Moroka.

ADV MOROKA: No, Chair, I think you do want to promote her, which is a good indication that she can do a good job.

CHAIRPERSON: Mr Semenya.

ADV SEMENYA: Any further questions will be done by Ms Seme if it is all right, Chair.

CHAIRPERSON: Thank you. Ms Seme.

ADV SEME: Thank you, Chair. Mr Leask, in your statement in paragraph 17 of your statement, you say:

> "That there was a clear divination between investigations dealing with the S [indistinct] security forces and those dealing with MK and the ANC or other liberation groups. And that you have not been involved in any TRC investigation against individuals in MK or ANC for crimes for which amnesty was not granted."

Do you recall, perhaps, an investigation linked to Commissioner Van der Merwe and the ANC leadership and former President Thabo Mbeki?

MR LEASK: Yes, I do.

ADV SEME: Can you elaborate more on your interactions?

MR LEASK: My reference to the delineation is with reference to the third force under Dr Jan de Oliveira and then the other team that was established at the church square under Advocate Paul Fick. That grouping was completely separate. I had no involvement at all. But what did happen in with the SNPU at the DSO, all those matters were brought together. They had been transferred from each one of those components, if I remember. And I have no knowledge of that, but I understand that it was brought to the Human Rights Establishment. And then from there it was documented at the NPA, and then

obviously it was then together. And in relation to that what I recall is I was requested to meet with General van der Merwe. I did, at his home. The purpose was that there had been some arrangement or discussions, I was not privy to any of that. But that there was information that would be available that would, my understanding, add to investigations related to all, or within that ambit of the TRC matters.

However, I received nothing. If I recall, I reported back by indicating that the General had indicated that what he had that was available, or what they wanted to volunteer, was in the possession of his legal team, and that would be the way forward. So I passed the message on, again it had, it played no part in any further investigative role that I had with that.

ADV SEME: It has not been placed on the record.

CHAIRPERSON: Can you move forward please?

ADV SEME: Thank you. It has not been placed on the record, but perhaps Mr [indistinct] can assist by jolting your memory, and there is a statement that you made in respect of this. Maybe if you can put it into the record.

ADV NEL: Please, the Commissioners, may I just deal with this at this stage?

CHAIRPERSON: Yes.

ADV NEL: I want to deal with this, and I have got two other questions, not questions, corrections or issues that I want to deal with, that is only two questions. But may I first deal with this? I was

handed this affidavit just now, may I hand it over to Mr Leask, and then I will ask questions from that.

CHAIRPERSON: Yes.

ADV NEL: Mr Leask, just take a minute or two and just read through that quickly. Commissioners, I am referring to a statement made by Mr Leask, the statement was made on the 9 March 2004 at 14:00. And you indicate in this affidavit, Mr Leask, that you consulted with ex-Police Commissioner Johan van der Merwe, on which date?

MR LEASK: My affidavit indicates it was the 9 March 2004.

ADV NEL: Mr Leask, just read out the purpose of the meeting that is contained in your affidavit.

MR LEASK:

> "The purpose of this meeting was to offer him an opportunity to make available any information or evidence that could assist in establishing a case for possible criminal charges against the leadership of the ANC."

ADV NEL: I think it would just be correct if you read the next two paragraphs. It is a very short affidavit, and then that was the purpose, and you said the General then answered or stated.

MR LEASK:

> "The General has clearly stated that he has conducted an investigation and has obtained documents and statements implicating members of the ANC with regard to the so-called TRC cases. Further, that these

documents have been handed to the Attorney Wagner, who is still in possession thereof."

ADV NEL: And then you end off the statement by saying.

MR LEASK:

"General van der Merwe has undertaken to confirm this in a sworn statement which he will prepare himself."

ADV NEL: Have you had any further dealings about this matter with General van der Merwe?

MR LEASK: No.

ADV NEL: Have you received anything from General van der Merwe?

MR LEASK: Absolutely nothing.

ADV NEL: Have you had any contact with Mr Wagner about this issue at all?

MR LEASK: Not at all.

ADV NEL: But leave it to the Commission. I have got two issues that I would like to deal with.

CHAIRPERSON: Can it not wait for you when you have an opportunity to ask further questions after clarificatory questions?

ADV NEL: Ja, indeed. I thought that is the time now. I am wrong.

CHAIRPERSON: Yes. Ms Seme.

ADV SEME: Was one of your instructions from McAdam to obtain a docket in relation to former President Thabo Mbeki from van der Merwe?

MR LEASK: No. Well, let me say this. The name of the President Thabo Mbeki was never mentioned to me.

ADV SEME: Thank you.

CHAIRPERSON: Mr Nel.

ADV NEL: Just two issues. Mr Leask, in the document we referred to, the reports by you and Director Thoms, it is, I was correct, it is bundle four, page 494, you have it with you?

MR LEASK: Yes.

ADV NEL: There is written, somebody wrote on the document, at the top.

MR LEASK: Yes, that is my handwriting.

ADV NEL: Your handwriting. What did you write there?

MR LEASK: The CAS number, which is the record of the registering of a criminal complaint.

ADV NEL: And the CAS number was?

MR LEASK: 1469, it is John Forster Square, CAS 1469 of 296.

ADV NEL: The only reason I mention it is that you could recognise your own handwriting on the document.

MR LEASK: Yes.

ADV NEL: Then a last issue. Captain Mike Holmes, he was the investigator in a very prominent case.

MR LEASK: Yes.

ADV NEL: He was the investigator, investigating officer in which matter?

MR LEASK: In the murder of Chris Hani.

ADV NEL: And he investigated that murder?

MR LEASK: He did.

ADV NEL: And that murder happened, I do not want to give evidence, but I think it is common knowledge, in 1993.

MR LEASK: Yes, I recall.

ADV NEL: And he was part of the investigation team going forward?

MR LEASK: Well, I understood, he led the investigation. The main investigator.

ADV NEL: I have nothing further.

CHAIRPERSON: Mr Nel, shall we assign exhibit numbers to the documents that you have handled up? Starting with the transcript with regard to Mosoka? Shall we give an exhibit number to that one?

ADV NEL: Ma'am Chair, the document I handed up was just to make it easier. It is in the record, it is a record of the proceedings.

CHAIRPERSON: Yes, it will also make it easier for us when we are preparing our report to hand it back to documents that were handed up during the witness' testimony.

ADV NEL: May I then request to mark then the Mosoka document ALA. ALA, so it is Andrew Leask exhibit number A.

CHAIRPERSON: Yes.

ADV NEL: May I then ask that we, as far as the other documents that we handed up, as part of the record, but that we also mark those. Commissioner, that the internal memorandum dated 5 May 2003 that we referred to, but I never handed it up. The only other document I handed up, and I am now interrupting myself, the only other document I handed up was the evidence of Minister Simelani.

CHAIRPERSON: Yes.

ADV NEL: May I request that we mark that ALB?

CHAIRPERSON: Yes.

ADV NEL: And then the last document we handed up, that is not handed up, but I think it should form part of the record, is the affidavit of Mr Leask, statement of Mr Leask, that was done on the 9 March 2004. May I request, and I hand it up now, that this be marked as ALC.

CHAIRPERSON: Thank you.

ADV NEL: Thank you. May I ask, Commissioner, just that I will make sure that the evidence leaders have this.

CHAIRPERSON: We do have it.

ADV NEL: As it [indistinct].

CHAIRPERSON: Then we have the Amnesty Committee decision that was also handed up. Will that be AN4?

ADV NEL: ALD.

CHAIRPERSON: ALD. Thank you.

ADV NEL: As the Commission pleases. That concludes the evidence of Mr Leask.

CHAIRPERSON: Thank you. Mr Leask.

ADV VARNEY: Mr Leask, Chairperson, Commission, we have one question for Mr Leask arising out of the... (intervenes)

CHAIRPERSON: Just give me a second, Mr Varney.

COMMISSIONER KGOMO: [Indistinct] or maybe should I address Mr Semenya? We think it is important, if you have not already done so, we may not know, to obtain a statement from Mr Olifant.

ADV SEMENYA: We will, now that we know that he is alive. We will, Chair.

COMMISSIONER KGOMO: Yes, yes. And I may have missed something. Remind me, the docket that Mr Leask has been talking about, is that docket available or a reconstructed docket available?

ADV SEMENYA: We will enquire about that as well, Commissioner.

COMMISSIONER KGOMO: Yes. Thank you.

ADV SEMENYA: Thank you Chair.

CHAIRPERSON: Mr Varney.

ADV VARNEY: Chairperson, with the leave of the Commission, may we put one question to Mr Leask arising from the letter that the evidence leaders circulated in relation to the compilation of dockets against the leadership of the ANC?

CHAIRPERSON: You mean an affidavit?

ADV VARNEY: Yes, yes, sorry, the affidavit, 9 March 2004.

CHAIRPERSON: Yes.

ADV VARNEY: My apologies, as the Commission pleases. Mr Leask, as far as you are aware, you indicated in that affidavit that these dockets were in possession of the Attorney Wagner. Are you aware whether the dockets were ever handed over to the police or the National Prosecuting Authority?

MR LEASK: No, I have no knowledge. My role ended after this and, as you can see, in 2004, it was, I was assisting.

ADV VARNEY: Because, Mr Calata, in his affidavit in bundle one, Commissioners, that is page 154 of bundle one, he does make

reference to these dockets also in the possession of Mr Wagner. But as far as Mr Calata is aware, and I believe relying on the evidence of either, probably, Advocate McAdam or Advocate Ackerman, and we are obviously trying to find the reference. A request was made for those dockets, but they were never handed over.

MR LEASK: I have never seen such a docket.

ADV VARNEY: No further questions.

CHAIRPERSON: Thank you, Mr Varney. Mr Leask, we thank you for having made yourself available to come before this Commission to give evidence. We appreciate it. You are excused now as a witness.

MR LEASK: Thank you, Ma'am Chair.

ADV NEL: Ma'am Chair, can we be excused? I do not think we have any further witnesses for the day.

CHAIRPERSON: Yes.

ADV NEL: We intend leading two more witnesses tomorrow, but they are not available today, but they will be available tomorrow, and we will do both witnesses tomorrow. If the Commission will excuse us, we could perhaps follow the budget speech this afternoon.

CHAIRPERSON: The Commissioner's work is more important than the budget speech.

ADV NEL: I agree, I agree, for now.

ADV SEMENYA: For now.

CHAIRPERSON: Mr Semenya.

ADV SEMENYA: That Chairperson, would be the business of the day.

CHAIRPERSON: Yes, this proceedings are adjourned until tomorrow at 10:00.

ADV SEMENYA: Thank you.

INQUIRY ADJOURNS UNTIL 26 FEBRUARY 2026

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CERTIFICATE OF VERACITY

We, the undersigned, hereby certify that **as far as it is audible**, the aforegoing is a true and correct transcript of the digitally recorded proceedings in the matter of:

JUDICIAL COMMISSION OF INQUIRY INTO TRC

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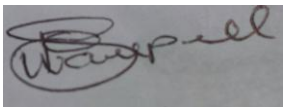
TRANSCRIBERS	**:**	

TRANSCRIBER'S NOTE:

- ***Where no information provided, names transcribed phonetically.***
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