

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

HELD AT:

Sci-Bono Discovery Centre, corner Mirriam Makeba & Helen Joseph Street,
Newtown, Johannesburg

INDEX:

SOUTH AFRICAN POLICE SERVICE (SAPS)

BUNDLE 4: LESETJA JOEL MOTHIBA

ITEM	BUNDLE DESCRIPTION	PAGES
1.	A copy of the affidavit of LESETJA JOEL MOTHIBA dated 1 July 2026 in the Commission of Inquiry into stopped TRC investigations and/or prosecutions	1 – 6
2.	Annexure “ LJM1 ” a copy of commission’s letter of request for assistance with information in aid of the judicial commission of inquiry dated 24 June 2026	7 - 8

**JUDICIAL COMMISSION OF INQUIRY TO INQUIRE INTO ALLEGATIONS
REGARDING EFFORTS OR ATTEMPTS HAVING BEEN MADE TO STOP THE
INVESTIGATION OR PROSECUTION OF TRUTH AND RECONCILIATION
COMMISSION CASES**

AFFIDAVIT OF LESETJA JOEL MOTHIBA

I, the undersigned,

LESETJA JOEL MOTHIBA

do hereby make an oath and state that:

1. I am an adult male, and a retired member of the South African Police Service (SAPS).
2. The facts herein contained are, unless specifically stated or the contrary appears from the context, within my personal knowledge and to the best of my belief, both true and correct.
3. This affidavit serves as a response to the Commission's letter dated 24 June 2026, wherein I was requested to assist with information in the following manner:
 - 3.1. By setting out my role, responsibilities, and authority as the Acting National Commissioner of SAPS during my tenure in as far as investigations of TRC cases are concerned;

LTJM

- 3.2. The manner in which I exercised oversight, direction, supervision, coordination, or support in relation to investigations concerning TRC cases, including reporting, briefing, decision-making, or resource-allocation processes relevant to such investigations;
 - 3.3. My knowledge of involvement in, or contribution to the management, prioritisation, investigation, monitoring or administration of TRC cases, including any steps taken in the execution of my responsibilities;
 - 3.4. Any communications, instructions, representations, requests, concerns, or interventions relating to TRC cases that came to my attention during my tenure, including any instances in which efforts were made, or were alleged to have been made, to influence, delay, limit, discourage, or stop the investigation of such matters;
 - 3.5. My knowledge of any interactions between the SAPS, the National Prosecuting Authority ("the NPA"), the Department of Justice and Constitutional Development, members of the Executive, or any other persons or institutions concerning the investigation or prosecution of TRC cases; and
 - 3.6. Any additional information that may assist the Commission in understanding my role, responsibilities, knowledge, and involvement in matters relating to TRC cases during my tenure.
4. The Commission's letter to that effect is annexed to this affidavit and marked

as "LJM1".

5. Before directly responding to the Commission's request for assistance, I set out a brief history of my career in the SAPS. Specific focus will be on my role and responsibilities during my tenure as the Acting National Commissioner.

EDUCATIONAL AND CAREER BACKGROUND

6. I started my early professional career in the erstwhile South African Police ("SAP") in 1982 as a Constable. I was then promoted to a Sergeant in 1985 doing general guard and charge office duties, vehicle and foot patrol, uniform investigation and enquiries.
7. I possess a National Diploma in Police Administration obtained from Technikon SA in 1989. I then proceeded to obtain a BA and Honours degrees in Police Science from the University of South Africa ("UNISA") in 1994 and 1997 respectively. I later obtained a Master of Technology in Policing (M-Tech) from TUT in 2019.
8. I grew through the ranks over the years in the following sequence:
 - 8.1. I assumed the rank of a Warrant Officer in 1987, and was later promoted to the rank of Lieutenant Commander in 1989 in the foot drill section. I then became Captain Commander responsible for Foot Drill in 1991 within the Training Division before being promoted to

LJM

managing student affairs with the rank of Major / Lieutenant Colonel in 1993 within the same Division.

- 8.2. In 1996, I assumed the position of Colonel Commander within Crime Prevention Unit at Alexandra Police Station, Gauteng Province. I was promoted to the post of a Station Commander at the same police station as Brigadier to manage the said station's activities in 1997 until I later assumed the position of the Component Head: In-Service Training at Training Division in 2004 at the level of Major General. This was followed by my promotion to the post of Divisional Commissioner responsible for Visible Policing at Lieutenant General level in 2010.
- 8.3. In 2013, I was appointed the Provincial Commissioner for Gauteng Province and remained in the rank of Lieutenant General. It was during my position as such that I was designated by the National Commissioner to be the Regional Commissioner: Management Intervention for Regional C to conduct oversight, evaluations and compliance audits in the Eastern Cape, Northern Cape and Western Cape Provinces.
- 8.4. I was appointed acting National Commissioner from 01 June 2017 to 22 November 2017 in the place of Lieutenant General Phahlane, who was placed on suspension at the time.



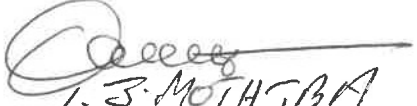
RESPONSE TO THE NOTICE

9. During my tenure as the Acting National Commissioner of the SAPS:
- 9.1. I have never directly or knowingly exercised oversight, gave direction, supervised, coordinated, or supported investigations in relation to TRC cases.
- 9.2. I have never received any report/ reporting or briefing, and I was never involved in decision-making, or resource-allocation processes that had to do with investigations of the TRC cases.
- 9.3. I never issued any instructions or made any requests for interventions relating to TRC cases.
- 9.4. I was never involved in any efforts which sought to influence, delay, limit, discourage, or stop the investigation of such matters.
- 9.5. I never issued any instruction that sought to undermine the investigation of any TRC cases, or any other matter to any official member of the SAPS.
10. Accordingly, I was not privy to any communications, or/and any interactions between the SAPS, the National Prosecuting Authority (NPA), the Department of Justice and Constitutional Development, members of the Executive, or any other persons or institutions concerning the investigation or prosecution of TRC cases. Furthermore, I do not have in my possession any information, document or any material that shows my involvement or otherwise in relation

to TRC cases. I am thus unable to assist the Commission in its crucial mandate.

CONCLUSION

11. During my entire career in the SAPS, I always strived to adhere to my legal obligations as outlined in section 205 of the Constitution and never engaged in any act of political interference aimed at stopping the investigations and/or prosecutions of the TRC cases.


L. J. MOTHIBA

DEPONENT

6-3m-
01/07/26
JUL 26
THUS SIGNED AND SWORN TO before me at GARSFONTEIN on this 01 day of June 2026 the deponent having acknowledged that he knows and understands the contents of this affidavit, he has no objection to take the prescribed oath and considers it to be binding on his conscience.


CAPTAIN
P. M. MOKINYA

COMMISSIONER OF OATHS

Name: PUTUMANI ONKE MOKINYA
Address: SAPS GARSFONTEIN
Designation: CAPTAIN





“LJM1”

LT General LM Mothiba

Former SAPS National Police Commissioner

Per Email: mokonemothiba4@gmail.com

24 June 2026

Dear LT General Mothiba

REQUEST FOR ASSISTANCE WITH INFORMATION IN AID OF THE JUDICIAL COMMISSION OF INQUIRY TO INQUIRE INTO ALLEGATIONS REGARDING EFFORTS OR ATTEMPTS HAVING BEEN MADE TO STOP THE INVESTIGATION OR PROSECUTION OF TRUTH AND RECONCILIATION COMMISSION CASES

1. On 29 May 2025, the President of the Republic of South Africa, Mr Cyril Matamela Ramaphosa, issued Proclamation Notice 264 of 2025 establishing a Commission of Inquiry to Inquire into Allegations Regarding Efforts or Attempts Having been Made to Stop the Investigation or Prosecution of Truth and Reconciliation Commission (“TRC”) Cases (“the Commission”).
2. The Terms of Reference of the Commission require that, among other things, the Commission must inquire, make findings, report and make recommendations concerning:

“...whether, why and to what extent and by whom, efforts were made to influence or pressure members of the South African Police Service or the National Prosecuting Authority to stop investigating or prosecuting TRC cases.”
3. You are requested to assist the Commission and furnish us with an affidavit addressing your knowledge of relevant events and matters. In particular, your affidavit should set out:
 - 3.1. Your role, responsibilities, and authority as National Commissioner of the South African Police Service during your tenure, insofar as they related to the investigation of TRC cases;
 - 3.2. The manner in which you exercised oversight, direction, supervision, coordination, or support in relation to investigations concerning TRC cases, including any reporting, briefing, decision-making, or resource-allocation processes relevant to such investigations;
 - 3.3. Your knowledge of, involvement in, or contribution to the management, prioritisation, investigation, monitoring, or administration of TRC cases, including any steps taken by you in the execution of your responsibilities;

LJM

- 3.4. Any communications, instructions, representations, requests, concerns, or interventions relating to TRC cases that came to your attention during your tenure, including any instances in which efforts were made, or were alleged to have been made, to influence, delay, limit, discourage, or stop the investigation of such matters;
 - 3.5. Your knowledge of any interactions between the South African Police Service, the National Prosecuting Authority, the Department of Justice and Constitutional Development, members of the Executive, or any other persons or institutions concerning the investigation or prosecution of TRC cases; and
 - 3.6. Any additional information that may assist the Commission in understanding your role, responsibilities, knowledge, and involvement in matters relating to TRC cases during your tenure.
4. Should you require any assistance in preparing your affidavit or in furnishing the requested material, you are entitled to liaise with your legal representatives. Alternatively, you may contact the Commission's Secretariat directly, and we will gladly provide the necessary support.
 5. Please furnish us with your response by no later than 30 June 2026, to allow the Commission sufficient time to consider the information and complete its work timeously.

Yours faithfully

Advocate I Semanya SC
CHIEF EVIDENCE LEADER

C-37

PB