

## INDEX (IPID)

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10.	IPID	Executive Director	Adviser to Minister of Police		Request for an interview ito S24(3)(a) of the IPID Act in investigation of alleged fraud involving I-	13 February 2018

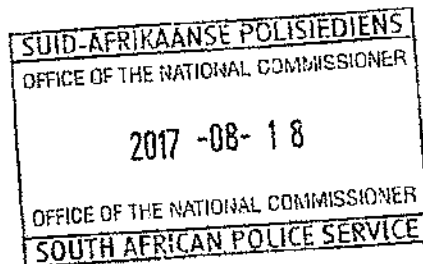
11.	IPID	Executive Director	National Commissioner	Gen Sitole	view integrated system Request for documents ito S24(3) read with 29(2)(b) and (c) and S 33(1) and 33(3) of IPID Act	14 February 2018
12.	IPID	Executive Director	Divisional Commissioner	Gen Khan	Request for interview ito S24(3)(a) read with S29(2) of IPID Act	15 February 2018
13.	IPID	Executive Director	National Commissioner	Gen Sitole	Non-compliance with S30 of the IPID Act	16 February 2018



## INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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Tel: (012) 399 0000, Fax: (012) 326 0020, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

L T General Mothiba  
Acting National Commissioner  
Wachthuis  
229 Pretorius Street  
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By Hand

REQUEST FOR DECLASSIFICATION OF CLASSIFIED DOCUMENTS: SILVERTON CAS 155-07-2011 (FRAUD, THEFT AND/OR CORRUPTION) AND LYTTTELTON CAS 432-11-2011 (FRAUD, THEFT AND/OR CORRUPTION) IN TERMS OF SECTION 29(2)(c) AND 24(3) OF IPID ACT 1 OF 2011.

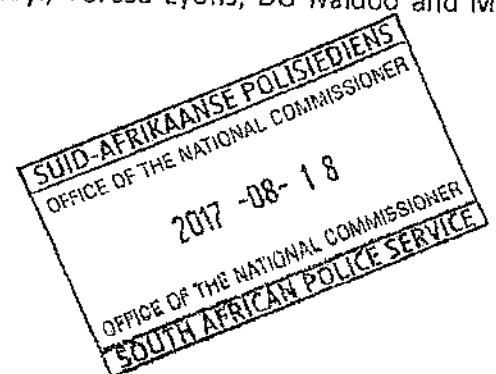
### 1. INTRODUCTION

The Independent Police Investigative Directorate and the Inspector General of Intelligence are conducting joint investigations on the above matters. Members of the DPCI who were involved in the initial investigation have been roped into the joint investigation.

### 2. BACKGROUND

- 2.1 The request for the declassification of certain classified documents flows from the abovementioned investigation.
- 2.2 The documents in question were allegedly created to facilitate the committing of offences and presented facts to internal auditors and the Auditor General which were not accurate. Had the South African Police Service's and the Auditor General knew the true nature of the expenditure they would have been able to identify the offences.
- 2.3 The documents in question will also not endanger any current or past project and/or agents and only relates to the actual procurement of certain items apart from the agents specifically refer to below. The declassification of the said documents might have a small financial effect as it would mean the two (2) vehicles in question will not be suitable for covert work. The vehicles can however be utilised in any other capacity.

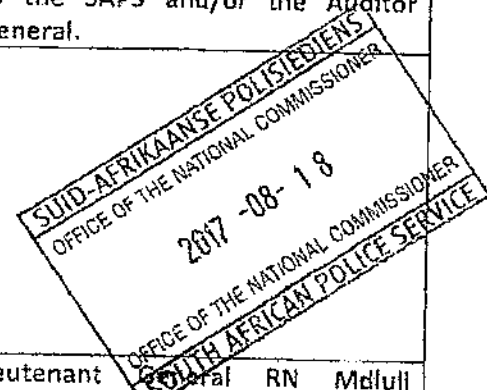
- 2.4 It is clear from the breakdown below that the classified documents mentioned indicate alleged personal gain to the accused via the secret service account. As such no current and/or past project could be compromised.
- 2.5 It is also recommended that these documents be declassified in light thereof that the accused who were employees of Crime Intelligence do not use that fact as a ground for the dismissal of some of the charges against them.
- 2.6 In determining your assessment we need to stress that the reclassification of documents in terms of the Minimum Information Security Standard (Miss) document lays down a minimum standard for the handling of classified information in all government institutions, which states that security measures are not to be applied to cover up maladministration, corruption, criminal actions, or to protect individuals/officials involved in such cases.
- 2.7 To put the above-mentioned request into context it is important to state that the National Prosecuting Authority (NPA) have instituted criminal charges with respect to the following events that relates directly to CI:
- The trade-in by Lieutenant General RN Mdluli ("Mdluli") on 2010-05-31 of his personal vehicle, a 2009 BMW 730 D with registration number XWT 151 GP, for a 2010 BMW 330d Sedan with engine number 21537366 and a 2010 BMW 530d Sedan with engine number 23567507, in order to generate a discount to finance a shortfall on his finance contract with BMW finance, South Africa in the amount of R90 526.01
  - A trip to Singapore undertaken by Lieutenant General RN Mdluli from 2009-10-09 to 2009-10-16 where some of the expenses incurred were paid from the secret service account
  - A trip to China undertaken by Lieutenant General RN Mdluli and VL Mdluli between 2009-11-06 and 2009-11-14
  - A trip to Singapore undertaken by Lieutenant General RN Mdluli, Major General Lazarus, Colonel Barnard, Inspector G Mahwayi, Teresa Lyons, DG Naidoo and M Venter from 2009-11-21 to 2009-11-28
  - Rental of SR 563692 and SR 572047

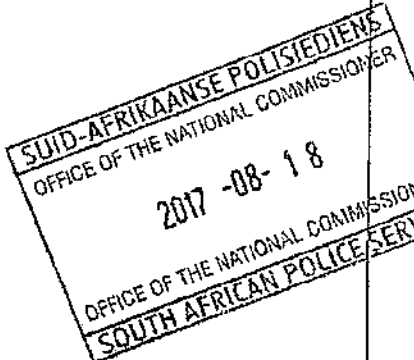


### 3. DOCUMENTS TO BE DECLASSIFIED

3.1 Below are documents that need to be declassified to enable IPID and IG to conclude the investigation.

CLAIM NUMBER/ ORDER NUMBER	CLAIM AMOUNT	MOTIVATION RECORDED ON CLAIM FORM	ALLEGATION OF ACTUAL EXPENCES AS SUPPORTED VIA AFFIDAVITS UNDER OATH
SR 3741 A00 2446 (2010 BMW 330d)	R 487, 313.00	"Vehicle will be utilized by members on operational protector, which is a specifically designed to address the threat of religious extremism and human trafficking and the application of counter terrorism techniques and methodology. The motivation is dated 21 June 2010 and submitted by V Singh.	Lieutenant General RN Mdluli traded in his personal vehicle, a 2009 BMW 730 D with registration number XWT 151 GP on a 2010 BMW 330d and a 2010 BMW 530d, in order to generate a discount to finance a shortfall on his finance contract with BMW finance, South Africa in the amount of R90 526.01. This vehicle was also never used as per the application submitted for the purchase thereof. The application is also dated after the purchase was completed. This transaction was also never declared to the SAPS and/or the Auditor General.
SR 3741 0507002025 0507002283 0507002171 0507002418 0507002902 0507002942 0507003056 0507003294		Expenses in respect of SR 3741 that relates the running cost of said vehicle (fuel, registration, toll fees)	
SR 3802 A00 2446 (2010 BMW 530d)	R 706, 150.00	"Application is hereby requested for the procurement of a BMW 5 series for the Divisional Commissioner's office. The vehicle will be solely used by this office for movement of the Divisional Commissioner within Gauteng Region". Document is not dated.	Lieutenant General RN Mdluli traded in his personal vehicle, a 2009 BMW 730 D with registration number XWT 151 GP on a 2010 BMW 330d and a 2010 BMW 530d, in order to generate a discount to finance a shortfall on his finance contract with BMW finance, South Africa in the amount of R90 526.01. This vehicle was delivered in



			September 2011 and in March 2012 Lieutenant General RN Mdluli stopped utilising this vehicle. This transaction was also never declared to the SAPS and/or the Auditor General.
SR 3802 0014010383 0507002797 0507002966 0507002967 0507003113 0507003384 0507010823 0507007824 0507007844 0587010923 0587007892 0587007987 0587010999 0587007987 0587011182 0587008039 0587008141 0587011412 0587008185 0587008284 0587008271 0587011567 0587008350 0587008404		Expenses in respect of SR 3802 that relates the running cost of said vehicle (fuel, registration, toll fees)	
0507000935	R 21,099.66	"Expense for Divisional Commissioner Mdluli's journey abroad Singapore. Visit was for Legend Building visiting foreign law enforcement".	The receipts attached to the claim relate to inter alia the purchase of clothing, electronic equipment, luggage, jewellery and other personal items. It is clear from the claim that none of the items mentioned was recorded in the CI asset register and is of a private nature. An additional claim, claim 11244 through the "open account" was also submitted by Lieutenant General Mdluli regarding his expenses on this trip.
0507000934	R 43,411.00	"Funds utilised to pay for air ticket for Div Comm Mdluli who travelled to China to establish links with law enforcement agency as well as contact person".	It is alleged that Lieutenant General Mdluli, together with his wife, V Mdluli, visited their daughter in China. Lieutenant General Mdluli was on leave at the time of this visit. No approval from either the National Commissioner of Police and/or Minister was found. It is also alleged that the funds to pay for the

			expenses of V Mdluli was provided by a CI service provider.
0507000936	R 10,000.00	"Funds utilised by Div Comm Mdluli for entertainment and Legend Building while visiting foreign law enforcement agency and contact persons".	It is alleged that Lieutenant General Mdluli, together with his wife, V Mdluli, visited their daughter in China. Lieutenant General Mdluli was on leave at the time of this visit. No approval from either the National Commissioner of Police and/or Minister was found. It is also alleged that the funds to pay for the expenses of V Mdluli was provided by a CI service provider. The funds were in actual fact used to buy clothing and one item of electronic equipment.
0014047758	R 69,567.00	"The above amount was used for Legend Building"	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that T Lyons, the then girlfriend of Lieutenant General Mdluli, accompanied the group as a "contact person". This was funded through the secret services account. Even though the Auditor General queried the expense the relationship between Lyons and Lieutenant General Mdluli was never disclosed. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507000978	R 22,365.60	"Funds utilised for accommodation, entertainment and gifts while undertaking official trip to Singapore to purchase electronic equipment".	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that Lt Col DG Naidoo accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001026	R 17,343.05	"Accommodation expenditure for the Stanford in relation to visit to Singapore from Friday 20/11 - Sunday 29/11. In terms	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is

2017-08-18  
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		of Divisional Commissioner's request for Legend Building purposes".	alleged that Col M Venter accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001029	R 4,000.00	"Daily allowance paid for trip to Singapore that has been covered by the SSA for the purpose of Legend Building. The normal allowance is 133 Singapore dollars p.d. With the exchange rate averaging P5-65 per Singapore dollar the total amount for 9 days amounts to R6763. Considering some of the expenditure has been covered an amount of R4000 has been authorised by the CFO"	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that Col M Venter accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001045	R 4,000.00	"Daily allowance paid for trip to Singapore that has been covered by the SSA for the purpose of Legend Building. The normal allowance is 133 Singapore dollars p.d. With the exchange rate averaging P5-65 per Singapore dollar the total amount for 9 days amounts to R6763. Considering some of the expenditure has been covered an amount of R4000 has been authorised by the CFO"	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that Col M Venter accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001123	R 15,809.50	"For the Divisional Commissioner Mdluli's journey abroad. Visit was for Legend Building in China and Singapore"	This claim relates to two visits abroad by Lieutenant General Mdluli (Singapore and China). The claim submitted is in respect of accommodation (China), entertainment (China), meals (China) and clothing (Singapore).
SR 563692	R 19,950.00 x 12 months	"APPLICATION FOR AUTHORITY TO ENTER INTO A LEASE AGREEMENT; FACILITY MANAGEMENT; COVERT INTELLIGENCE SUPPORT Application is hereby made for new premises which will be utilised by the Divisional Commissioner, Crime Intelligence for strategic planning with the Component Heads".	It is alleged that the premises was also used by Lieutenant General Mdluli in his personal capacity that he utilised the premises to reside in and accommodate his family (wife and children) from Cape Town when they visited him in Johannesburg. 2017-08-18

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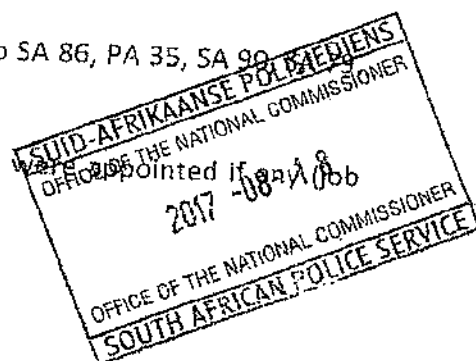
SR 572047	R 9,690.00 x 36 months	"APPLICATION FOR AUTHORITY TO ENTER INTO A LEASE AGREEMENT: COVERT OPERATIONAL INTELLIGENCE EAST RAND: WESTERN CAPE The premises will be utilised by intelligence operatives in accordance with their current legend, the said premises will be utilised as an office to conduct all administrative work, i.e. writing up informant files completing of SR forms for monies, as well as the planning of all undercover operations".	Lieutenant General Mdluli is the registered owner of this property. This fact was not disclosed to the SAPS or the Auditor General. It is further alleged that the premises was never used as stated in the application. This property is part of a duplex facility and therefore not conducive to the intended purpose. The property was furthermore furnished by CI as a residence and not an office. It is further alleged that the property was in fact only used twice as accommodation.
		Copy of CI SAPS POLICY AND DELEGATIONS AS SIGNED BY COMMISSIONER J SELEBI	The document will be used to show how the accused in this matter allowed expenditure contrary to CI's own policy document and "delegations"
		Copy of Theresa Lyons Biographical data for potential agents	This application is dated after she was already appointed in the CI agent programme
		Copy of Utilization of SR vehicles	This document was compiled and distributed by Lieutenant General Mdluli and clearly set out the guidelines with respect to the use of CI vehicles by senior management. This document will be used to show that the accused in this matter did not adhere to their own guidelines as to the use of state vehicles.

3.2 In addition to the above the National Prosecuting Authority (NPA) has also instituted criminal charges relating to:

- The appointment of SA 86, PA 35, SA 90, SA 79, SA 78, SA 92 and SA 80
- The misappropriation of R30 000.00 from the secret service account to partially finance the purchase of a private residence by Lieutenant General RN Mdluli in May 2010.

3.3 The following documents are needed in this regard with respect to SA 86, PA 35, SA 90, SA 78, SA 92 and SA 80:

- Applications to CI in terms of which the individuals



application)

- Interviews prior to appointment held with the individuals that were appointed if any
- Appointment letters
- Any other information relating to the appointment of the above mentioned individuals not mentioned
- All advances submitted by DG Naidoo during May 2010
- All advances relating to claims 0507000935, 0507000934, 0507000936, 0014047758, 0507000978, 0507001026, 0507001029, 0507001045 and 0507001123

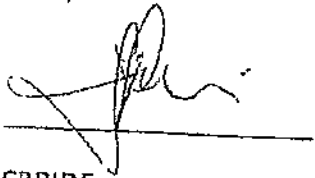
3.4 It is understood that SA 86, PA 35, SA 90 and SA 92 are still within the agent programme but are currently not active in any project. It is further understood that SA 79, SA 78 and SA 80 is no longer within the agent programme. It would be appreciated if the documents referred to in paragraph 3.3 be declassified prior to the handing over of same.

#### 4. CONCLUSION

It would be appreciated if the above documents can be urgently declassified and handed over to IPID for investigation in terms of section 29(2)(c) and 24(3) in terms of IPID Act.

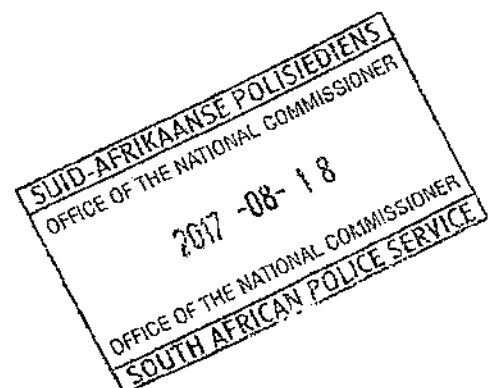
Hope you find this in order.

Yours sincerely



MR R J MCBRIDE  
EXECUTIVE DIRECTOR

DATE: 18/08/2017





## **INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

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Enq: M Sesoko

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SAPS HEAD OFFICE  
WACHTHUIS BUILDING  
231 PRETORIUS STREET  
PRETORIA  
0001

DEAR GENERAL MOTHIBA

SUBJECT: INVESTIGATION OF CORRUPTION AGAINST LT GENERAL PHAHLANE AND SERVICE  
PROVIDER, KEATH KEATING OF FDA

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### **1. INTRODUCTION**

1.1 In the course of investigation of General Phahlane's corrupt relationship with the service provider Kriminalistik and Crimetechnik, the IPID investigation was able to uncover a further corrupt relationship with another service provider, FDA, owned by Mr Keith Keating. The investigation has detected possible crimes of Corruption, Fraud and money Laundering facilitated by car dealer, Mr Durand Snyman. The following allegations are at the centre of the investigation of **Sinoville Cas 146/05/2017**.

- 1.1.1. General Phahlane and his wife Brigadier B Phahlane received vehicles alleged to be sponsorship by a Businessman Durand Snyman, a benefit which was neither due nor declared.
- 1.1.2. Ms Josephine Phahlane, (General Phahlane 's sister) received a benefit of a vehicle which was allegedly purchased by Durand Snyman and delivered to her at Siyabuswa, a benefit which was not due to her.
- 1.1.3. The vehicles that Durand Snyman gave to General Phahlane, Brigadier Phahlane, his sister Josephine Phahlane and Col Potgieter were purchased under a fictitious name of John Doe.

- 1.1.4. Keith Keating, SAPS Service Provider allegedly paid money into Durant Snyman's account which was used for the payment of the vehicles that General Phahlane, Brigadier Phahlane Josephine Phahlane and Col Potgieter benefited from unduly. These are the vehicles that are alleged to be sponsored.
- 1.1.5. Keith Keating, the Director of FDA has a contract with SAPS for the supply and maintenance of Rolfin lights alleged to be worth approximately one billion rand. He also has contracts with TMS which is headed by General Phahlane's wife, Brigadier Phahlane. Our investigation has revealed that since 2010 Keith Keating Company FDA has been paid over 5 billion rand by SAPS (see Annexure A).
- 1.1.6. We also uncovered some suspicious transactions in favour of FDA, where for an example from issuing of an order to delivery and payment only took three days (see annexure B).
- 1.1.7. The worst case was detected in the supply of 169 Forensic Light Sources by FDA. An order was generated on 2016/03/31 at 16h57 for an amount of R52 942 653.66 (see annexure C1). The invoice number INV16131 was submitted by the FDA on 2016/03/31(see annexure C2). The payment of R52 942 653.66 in favour of FDA was authorised and effected on 2016/03/31 under responsibility code 0075 TMS, the same in which Brigadier Phahlane(General Phahlane's wife) and Col Potgieter are based (see annexure C3). This transaction happened on the last day of the financial year 2015/2016, which clearly demonstrates corruption through fiscal dumping. The sequence of events may be construed to indicate that at the time when the order was issued, FDA was at the door with invoice and 169 Forensic Light Sources and different role players within SAPS (SCM and Management) were lined up for recommendation and approvals. This level of efficiency can only spell out one thing, "corruption". This is but one example; there are multitudes of similar transaction of "efficiency" involving FDA.

## **2. INVESTIGATION HIGHLIGHTS**

- 2.1 During the investigation, IPID uncovered that on 7/12/2015, a Toyota Hilux 3.0 4x4 single cab bakkie with registration number FB 21 DT GP was purchased from Naboom Toyota by an employee of InspectaCar, Hestie Groenewald. The vehicle was delivered to InspectaCar and paid for by InspectaCar, but processed in her name because car dealers are not allowed to sell vehicles to second hand dealers. The purchase price was R 377 360.22. The transaction was authorised by Snyman and recorded against Snyman's loan account with InspectaCar. The vehicle was given to Lt General Phahlane and insured it in his name on 15/12/2015. On 06 /01/2016 the vehicle was registered in Phahlane's name.

- 2.2 On 15/2/2016, VW Polo with registration number FC 98 TG GP was registered in the name of Brigadier Phahlane. The vehicle was insured by General Phahlane with effect from 19/2/2016. This vehicle was purchased by Snyman (acting in his personal capacity) from Bidvest McCarthy Volkswagen Wonderboom (VW Wonderboom) during January 2016. The purchase price was R 230 681.70. A salesperson at VW Wonderboom stated that, at Snyman's request, the vehicle was not to be registered to him or to his dealership, but was to be delivered to him with all the necessary manufacturer documents to enable him to register the vehicle on the NaTIS.
- 2.3 On 22/01/2016 Durand Snyman bought Hyundai i20 for an amount of R229 000.00. The Administrative assistant employed by InspectaCar stated that during January 2016, she was instructed by Ms Smith to invoice the vehicles, a VW Polo and Hyundai i20 under a fictitious name of 'John Doe'. Smith later asked for the files, and said that she had to make them "disappear".
- 2.4 She was instructed by Snyman to invoice the vehicles so that they could not reflect as stock, telling her that it was necessary because the vehicles were to be provided as sponsorships. He did not provide the details of the persons to whom the vehicles should be invoiced to. The invoice system required particulars of the parties to whom the vehicles were invoiced, and Smith had them invoiced under a fictitious name of 'John Doe'. She also inserted a false name for the salesperson involved. Payment was made to VW Wonderboom from InspectaCar's account on 13/01/2016 for an amount of R 230 681.70. The vehicle was not branded with InspectaCar's name or contact details.
- 2.5 During investigation it was further established that Durand Snyman gave General Phahlane's Sister, Josephine Phahlane a King Cab Ford Ranger which he purchased from Seising Motors in Mosselbay in March 2017. The total cost of the vehicle was R275 000.00.
- 2.6 Snyman provided an affidavit to the IPID dated 17 January 2017 in which he explained the sponsorship of the vehicles. He provided a supplementary statement thereafter, dated 3 February 2017, in which he explained that his relationship with General Phahlane was not corrupt.
- 2.7 The Independent Police Investigative Directorate uncovered that Durand Snyman did not give the vehicles to General Phahlane, Brigadier Phahlane, Josephine Phahlane and Col Potgieter as Sponsorship but that they were financed by Keith Keating the owner of FDA. Col Potgieter is based at TMS under the command of Brigadier Phahlane (Phahlane's wife).
- 2.8 On 13/01/2016 Keith Keating deposited an amount of R809 000.00 and on 04/03/2016 deposited an amount of R275 000.00 into Durand Snyman account via Namibian Bank 'Bank Windhoek' (see

annexure D). The total amount deposited by Keith Keating into Durand Snyman account is R1084 000.00 and the total cost of the vehicles alleged to be sponsorship is R1082 041.90

2.9 Payments of these vehicles by Durand Snyman where done shortly after Keith Keating deposited money into his Windhoek bank account. Forexample, on 13/01/2016 Keith Keating deposited R809 000.00 into Durand Snyman account and on 14/01/2016 the later transferred R230 681.70 to Mccarthy VW for a VW Polo, the same one which was given to Brigadier Phahlane as a sponsor.

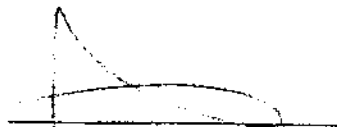
2.10 IPID is in the process of conducting an in-depth investigation into the contracts and payments made to Keith Keating companies by SAPS as well as his alleged corrupt relationship with members of SAPS.

### 3. RECOMMENDATION

The IPID recommends that Brigadier Phahlane and Col Potgieter be suspended or be moved from TMS to allow the Directorate's investigation team to access all necessary documents and witnesses. The continued presence of the two officers may jeopardise the investigation.

It is also recommended that no further payments are made to FDA until the investigation is concluded.

Kind Regards



M SESOKO  
NATIONAL HEAD OF INVESTIGATIONS  
INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE  
DATE: 25/10/2017



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Ref: Brooklyn Cas 565/11/2017  
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**General Sitole**

**Subject: Alleged fraud and corruption against members of Crime Intelligence and I-view Integrated System (Brooklyn Cas 565/11/2017).**

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### **1. INTRODUCTION**

The Independent Police Investigative Directorate is investigating a case of fraud and corruption in terms of section 28(1)(g) of IPID Act, 1 of 2011. The investigation stems from a request made by the Minister of Police and Inspector General of Intelligence regarding corruption involving millions of rand in the Crime Intelligence division of the police. On 13/11/2017, an urgent meeting was held between IPID and the informant wherein information surfaced regarding possible destruction of evidence in Crime Intelligence offices and offices of the implicated Service Provider, Brainwave trading as I-view. The IPID was made aware of an existing contract with I-View Integrated System and fraudulent activities. There also appear to exist corrupt relationships with Major General Nemutanzhela, Major General Makhele, Lt General Phahlane and the Service Provider. The State allegedly suffered a loss of R54 000 000.00 for a system which was hastily procured without proper procedures being followed.

The Directorate raided the offices of Crime Intelligence in Pretoria assisted by members of Inspector General of Intelligence resulting in the seizure of laptops, computers and cellphones. The second team went to Durban on 14/11/2017 and applied for a search warrant which was granted and executed at the identified operational center of I-view Integrated System in Durban. The operation resulted in the seizure of laptops, computers and cellphones.



## 2. INVESTIGATION HIGHLIGHTS

- 2.1 It is alleged that between 20 December 2016 and 31 March 2017 a procurement process was initiated between the Crime Intelligence (CI), a division of the South African Police Services (SAPS) and a company called Brainwave Projects 1323cc trading as I-View Integrated Systems with registration number CK 2005/125830/23. During preliminary investigations it was established that there were gross irregularities in the procurement process resulting in the State suffering a loss of more than R54 000 000.00.
- 2.2 It was established that tender processes were not correctly followed and no proper application was made. Only two quotations were obtained. The one was from Brainwave Projects 1323cc trading as I-View Integrated Systems with registered address 346 Mathews Meyiwa Road, Greyville Durban in the amount of R33 858 000.00. The other was from Perfect Source Professional Services (Pty) Ltd with registration 2014/202395/07 and registered address 20 Marli Chanel, 264 Main Avenue, Ferndale, Randburg (as recorded on the quotation invoice provided to the SAPS) in the amount of R45 715 191.15. However, according the Central Supplier Database used by Government, the recorded business address of Perfect Source Professional Services is 15 Monta Vista, 71 Valley View Avenue, Morning Side, Durban.
- 2.3 When comparing both quotations, it became clear that the description columns were identical. It is only the amounts that differed. However, according the Central Supplier Database used by Government, I-View Integrated Systems is registered as suppliers of electrical equipment and components and Perfect Source Professional Services is purely human resource management services. It also indicates that Perfect Source Professional Services was non-tax compliant on 04 October 2017 and therefore not eligible to provide a quotation. In this regard Perfect Source Professional Services provided a tax clearance certificate indicating tax compliance from 19 November 2016 to 20 November 2017. This was also not disclosed as far as it could be established. It is clear that the above mentioned inflated "cover quote" was supplied by Perfect Source Professional Services to ensure the awarding of this contract to I-View Integrated Systems.
- 2.4 During the investigation, the owner Perfect Source disputed having submitted any quotation to Crime Intelligence for an amount of R45 715 191.00. However she suspected that her husband might have used her e-mails to provide a cover quote for I-View since he is a best friend of the owner of I-view integrated system. She further stated that she saw an amount of R700 000.00 deposited into her business account by I-View, which she suspected to be kickback for a cover quote. Her husband allegedly took the money and she was left owing over forty thousand rand in tax (R40 000.00).

- 2.5 The investigation is continuing to establish the extent of the involvement of police members both in CI and management

### 3. NEW ALLEGATION OF CORRUPTION

- 3.1 On 2017/12/14 the Directorate received a tip-off regarding further transaction which is worth forty five million rand (R45 000 000.00) directed to Brainwave, trading as I-view Integrated System. The amount is alleged to be for the payment of a Graber system which its value is between seven million rand (R7 000 000.00) and ten million rand (R10 000 000.00). It was also brought to our attention that such amount of money directed to I-View Integrated System was in fact to be laundered for buying of votes at the ANC conference.
- 3.2 The Directorate engaged number of SAPS senior officials, whom some confirmed that such transaction was being pushed at all cost resulting in a strained relationship amongst senior members. It is against this background that the Directorate find this alleged transaction suspicious. It is also interesting to note that the same company which is being investigated by the Directorate is said to be the only company which is able to supply the system.

### 4. RECOMMENDATION

The IPID recommends that the transaction of R45 000 000.00 directed to I-View Integrated Systems be stopped with immediate effect. It is further recommended that SAPS suspends all its dealings with Brainwave, trading as I-view Integrated System until the investigation is concluded.

Kind Regards



M SESOKO  
NATIONAL HEAD OF INVESTIGATIONS  
INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

DATE: 15/12/2017



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X341, PRETORIA, 0001. City Forum Building, 114 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 399 1440, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

The National Commissioner  
Lieutenant General Sithole  
South African Police Services  
231 Pretorius Street  
Wachthuis Building  
Pretoria  
0001

By Hand

18 January 2018

**RE: FAILURE BY SAPS TO INITIATE DISCIPLINARY PROCEEDINGS AGAINST  
MAJOR GENERAL NEMUTANDZELA IN TERMS OF SECTION 30 OF THE IPID  
ACT**

The IPID referred disciplinary recommendations against Major General Nemutandzela to Acting Divisional Commissioner of Crime Intelligence Major General Ngcobo on the 07 November 2017, see attached Annexure "A".

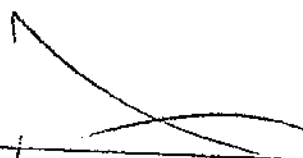
Section 30 of the IPID Act provides that *"the National Commissioner or the appropriate Provincial Commissioner to whom a recommendation regarding disciplinary recommendation matters were referred as contemplated in Section 7(6) and (7) must within 30 days of receipt thereof, initiate disciplinary proceedings in terms of the recommendations made by the Directorate and inform the Minister in writing and provide a copy thereof to the Executive Director and the secretary"*.

IPID has learnt with dismay that SAPS and General Ngcobo in particular as the Divisional Commissioner of Crime Intelligence failed to comply with the above provisions and also failed to comply with SAPS disciplinary regulations by ensuring that the disciplinary action is taken against Major General Nemutandzela.

As a result of this failure General Nemutandzela returned to work from suspension after 60 days lapsed without any action taken by SAPS.

Your office is requested to initiate disciplinary recommendations pursuant to Section 30 of the IPID Act against Major General Nemutanzela. IPID also recommends that you initiate appropriate disciplinary action against General Ngcobo for failing to initiate disciplinary action against General Nemutanzela in line with Section 30 of the IPID Act.

Regards

  
\_\_\_\_\_  
MR M SESOKO

NATIONAL HEAD: INVESTIGATIONS

DATE: 18/01/2017

Private Bag X941, PRETORIA, 0001. City Forum Building, 114 Madiba  
Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 326 0408, Email: [complaints@ip:d.gov.za](mailto:complaints@ip:d.gov.za)

To: Office of the National Commissioner SAPS

From: Independent Police Investigative Directorate  
Gauteng Province

Subject: Initiation of Disciplinary Recommendations in terms of s30 of the IPID Act

Reference: Lyttelton CAS 170/12/2015: Fraud and Corruption: CCN 2017060666

Suspects: Major General M O Nemutanzhela-1906189-7

col  
B. Meyers  
08/11/2017

It is alleged that on or about January 2013 and February of the same year, two requests for procurement of blinds and curtains were submitted and authorised respectively. The first request was R478 900.00 for Waterkloof Heights Safe House, which was allegedly sourced from Umvuzo Wethu Promotions. The second quotation was worth R84 105.00 for Brooklyn Safe House, which was allegedly sourced from Siboniseng Construction.

The investigation uncovered that neither Umvuzo Wethu Promotions nor Siboniseng Construction installed the blinds and curtains as per their approved quotations. In both instances, the service provider that rendered the service was in fact Industrial Corporation CC trading as Panda Blinds. It was also uncovered that, the company that was awarded R475 900.00 did quote the amounts as reflected on the approved quotes.

The actual cost for the Blinds in the Waterkloof Heights Safe House was R63 057.96 and not R478 900.00. The actual cost for the Brooklyn Safe House was R15 705.64 and not R84 105.00. The total amount claimed from Secret Service Account Funds was R563 005.00 whereas the actual cost for the service rendered was R78 763.60.

Major General M.O Nmutanzhela approved the Standing Advance of R563 005.00 to be paid in cash. The SSA Funds was arranged even before the procurement process was properly followed and that the procurement process was arranged after the funds were already paid.

There is evidence to sustain prima facie case of Corruption and Contravention of Public Finance Management Act (PFMA).

# CONFIDENTIAL

## Case Docket Contents:

1. In terms of section 30 of the IPID Act No. 1 of 2011 read with the SAPS Disciplinary Regulations issued on the 1 November 2016, you are hereby directed to initiate disciplinary proceedings against Major General M O Nemutanzhela with force number 1906189-7 attached to the Crime Intelligence.
2. The investigation was conducted and all the necessary statements/reports/documentary evidence are attached in the docket for your attention.
3. Please find attached copies of the content of IPID Case Docket CCN 2017060666 containing the following information:

Reference	Case Docket Content
A1	Statement of Eugene Roland Pitout
A2	Statement of Masaswivona Synthia Ramahana
A3	Statement of Charlene Strydom
A4	Statement of Sarel Frederick Reyneke
A5	Statement of Johannes Gerhardus Steyn
A6	Statement of Oupa Maluleke
A7	Statement of Priscilla Cheroleann Paynter
A8	Statement of Mariaan Schoeman
A9	Statement of Loretta Matlhodi Legodi
A10	Statement of Mari Esther Moeng
A11	Statement of Mahomed Chen Goolam
A12	Statement of Shang-Chan Fang
A13	Needs application
A14	Supply Chain Request Register
A15	Procurement request
A16	Quotations (F/G/H)
A17	Procurement Consumable list
A18	Application for Standing Advance (K1-K7) (R478 900)
A19	Claim Application (L1-L17) (R478 900)
A20	Application for Standing Advance (N1-N10) (R84 105)
A21	Claim Application (O1-O13) (R84 105)
A22	Panda Blinds Invoices (Q1-Q3 and S)

## IPID Recommendation:

4. Based on the above information contained in the case docket, the IPID recommends that disciplinary steps are taken against Major General M O Nemutanzhela for corruption and contravention of PFMA which took place between 01/01/2013 and 28/02/2013 in Pretoria
5. The following provisions Regulation 5(3) of the SAPS 2016 Disciplinary Regulations have relevance in the merits of this case;
  - 5.1. Regulation 5(3)(a): Fails to comply with, or contravenes an Act, regulation or legal obligation;
  - 5.2. Regulation 5(3)(b)(ii): Performs any act or fails to perform any act with the intention to undermine the policy of the Service; or

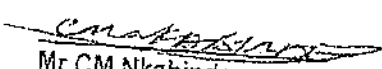
**CONFIDENTIAL**

- 5.3. Regulation 5(3)(b)(iii): Performs any act or fails to perform any act with the intention not to comply with his or her duties or responsibilities.
- 5.4. Regulation 5(3)(g): Prejudices the administration, discipline or efficiency of a department, office or institution of the State;
- 5.5. Regulation 5(3)(t): Conduct himself or herself in an improper, disgraceful and unacceptable manner;
- 5.6. Regulation 5(3)(u): contravenes any prescribed Code of Conduct of the Service or the Public Service, whichever may be applicable to him or her; and
6. Regulation 5(4) of the SAPS Disciplinary Regulations is also applicable and warrants the institution of an expeditious procedure as provided for in Regulation 9.

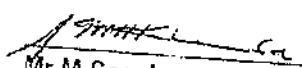
**Conclusion**

IPID awaits your report relating to when the disciplinary action was instituted and how the matter was finalised to enable the institution to comply with the provisions of section 30(c) of the IPID Act.

Kind Regards

  
Mr CM Nkabinde  
Principal Investigator

2017-11-07  
Date

  
Mr M Sesoko  
Chief Director  
Investigations and Information management  
IPID: National Office

2017/11/07  
Date



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001. City Forum Building, 114 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 399 1440, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

By Hand

The National Commissioner  
General Sitole  
South African Police Services  
231 Pretorius Street  
Wachthuis Building  
Pretoria  
0001

23 January 2018

Attention: General Vuma  
General Tsumane  
General Ntshea  
General Ngcobo  
General Khan

**RE: REQUEST FOR DOCUMENTS IN TERMS OF SECTION 24(3) READ WITH  
SECTION 29(2)(b) AND(c) AND SECTION 33(1) AND 33(3) OF THE IPID ACT  
NO.1 OF 2011**

1. IPID is investigating numerous cases within the Crime Intelligence environment, where request for declassification of documents was made. To date there has been no positive responds from the SAPS management. Find the attached request marked Annexure "A" and "B".
2. The request indicated in Annexure "A" and "B" has been outstanding for over 6 months.
3. IPID is further conducting investigation of allegation of corruption against other members of Crime Intelligence including some involved in the above cases. The allegations relate to a corrupt relationship with the service provider I-View.
4. IPID request that the documents on the I-View investigation that are in possession of the IGI be declassified and provided to IPID, as well as the



downloaded data on the computers and cellphones of Lieutenant Colonel Mahwayi, as it relates to the I-View investigation. The downloading was done by Crime Intelligence Cyber Unit, Colonel Smith.

5. IPID also request declassification of the personal file of Captain "KGB" Tshabalala who is currently registered as Crime Intelligence Agent. Files from both Crime Intelligence and Personnel Division are requested.
6. Information provided to us by sources within Crime Intelligence indicates that Captain "KGB" Tshabalala was being paid by SAPS Crime Intelligence from the SSA fund while he was serving his sentence in prison. We request SAPS to provide declassified documents in this regard and answer the following questions:-
  - 6.1 Who authorized and approved the re-appointment of Captain Tshabalala to the Police in September 2016?
  - 6.2 Who approved Captain Tshabalala's conversion to an agent programme in September 2016?
  - 6.3 Who authorized his payment as an agent while he was in prison from May 2013?
  - 6.4 Why Captain Tshabalala was handled by Warrant Officer Nembwili who is in IT section and who is not responsible to handle agents?
  - 6.5 Why Captain Tshabalala was not removed from SAPS persal system after his dismissal in June 2013?
7. You are advised that the continued retention and payment of Captain Tshabalala as an agent is in contravention of the SAPS policies and the PFMA and therefore unlawful. Appropriate action must therefore be taken by SAPS to remedy this situation and recover the resultant irregular, fruitless and wasteful expenditure.
8. The approved MISS document provides that *"security measures are not intended and should not be applied to cover up maladministration, corruption, criminal actions, etc, or to protect individual officials involved in such cases"*.

ANNEXURE 'A'



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001, City Forum Building, 114 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 399 1440, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

Lt. General Mothiba  
The Acting National Commissioner  
Wachthuis  
229 Pretorius Street  
Pretoria

By Hand

Dear Lt. General

17 July 2017

**RE: REQUEST FOR INFORMATION AND ASSISTANCE IN TERMS OF SECTION 29 (2)  
OF THE IPID ACT: PRETORIA CENTRAL CAS 534/05/2017**

Further to my request dated 09 June 2017

Our investigation in the above matter has revealed that an intelligence report was compiled by Brigadier Moyane for General Makhele relating to the alleged security breach at the residence of General Phahlane. The report is alleged to be classified hence it could not be obtained from either Brigadier Moyane or General Makhele.

You are requested in terms of the powers vested in you in the MISS Policy document, to declassify the report and provide the report to the IPID, we also request any other report related to this matter to be declassified and provided to us, pursuant to the above provisions of the IPID Act.

Your urgent response will be appreciated.

Regards

MR'M SESOKO

NATIONAL HEAD: INVESTIGATIONS

DATE: 17/07/2017

ANNEXURE "B"



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001. City Forum Building, 144 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 326 0020, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

LT General Mothiba  
Acting National Commissioner  
Wachthuis  
229 Pretorius Street  
Pretoria

By Hand

REQUEST FOR DECLASSIFICATION OF CLASSIFIED DOCUMENTS: SILVERTON CAS 155-07-2011  
(FRAUD, THEFT AND/OR CORRUPTION) AND LYTTTELTON CAS 432-11-2011 (FRAUD, THEFT  
AND/OR CORRUPTION)

**1. INTRODUCTION**

The Independent Police Investigative Directorate and the Inspector General of Intelligence are conducting joint investigations on the above matters. Members of the DPCI who were involved in the initial investigation have been roped into the joint investigation.

**2. BACKGROUND**

- 2.1 The request for the declassification of certain classified documents flows from the abovementioned investigation.
- 2.2 The documents in question were allegedly created to facilitate the committing of offences and presented facts to internal auditors and the Auditor General which were not accurate. Had the South African Police Service's and the Auditor General knew the true nature of the expenditure they would have been able to identify the offences.
- 2.3 The documents in question will also not endanger any current or past project and/or agents and only relates to the actual procurement of certain items apart from the agents specifically refer to below. The declassification of the said documents might have a small financial effect as it would mean the two (2) vehicles in question will not be suitable for covert work. The vehicles can however be utilised in any other capacity.

- 2.4 It is clear from the breakdown below that the classified documents mentioned indicate alleged personal gain to the accused via the secret service account. As such no current and/or past project could be compromised.
- 2.5 It is also recommended that these documents be declassified in light thereof that the accused who were employees of Crime Intelligence do not use that fact as a ground for the dismissal of some of the charges against them.
- 2.6 In determining your assessment we need to stress that the reclassification of documents in terms of the Minimum Information Security Standard (Miss) document lays down a minimum standard for the handling of classified information in all government institutions, which states that security measures are not to be applied to cover up maladministration, corruption, criminal actions, or to protect individuals/officials involved in such cases.
- 2.7 To put the above-mentioned request into context it is important to state that the National Prosecuting Authority (NPA) have instituted criminal charges with respect to the following events that relates directly to CI:
- The trade-in by Lieutenant General RN Mdluli ("Mdluli") on 2010-05-31 of his personal vehicle, a 2009 BMW 730 D with registration number XWT 151 GP, for a 2010 BMW 330d Sedan with engine number 21537366 and a 2010 BMW 530d Sedan with engine number 23567507, in order to generate a discount to finance a shortfall on his finance contract with BMW finance, South Africa in the amount of R90 526.01
  - A trip to Singapore undertaken by Lieutenant General RN Mdluli from 2009-10-09 to 2009-10-16 where some of the expenses incurred were paid from the secret service account
  - A trip to China undertaken by Lieutenant General RN Mdluli and VL Mdluli between 2009-11-06 and 2009-11-14
  - A trip to Singapore undertaken by Lieutenant General RN Mdluli, Major General Lazarus, Colonel Barnard, Inspector G Mahwayi, Teresa Lyons, DG Naidoo and M Venter from 2009-11-21 to 2009-11-28
  - Rental of SR 563692 and SR 572047

### 3. DOCUMENTS TO BE DECLASSIFIED

3.1 Below are documents that need to be declassified to enable IPID and IG to conclude the investigation.

CLAIM NUMBER/ ORDER NUMBER	CLAIM AMOUNT	MOTIVATION RECORDED ON CLAIM FORM	ALLEGATION OF ACTUAL EXPENCES AS SUPPORTED VIA AFFIDAVITS UNDER OATH
SR 3741 A00 2446 (2010 BMW 330d)	R 487, 313.00	"Vehicle will be utilized by members on operational protector, which is a specifically designed to address the threat of religious extremism and human trafficking and the application of counter terrorism techniques and methodology. The motivation is dated 21 June 2010 and submitted by V Singh.	Lieutenant General RN Mdluli traded in his personal vehicle, a 2009 BMW 730 D with registration number XWT 151 GP on a 2010 BMW 330d and a 2010 BMW 530d, in order to generate a discount to finance a shortfall on his finance contract with BMW finance, South Africa in the amount of R90 526.01. This vehicle was also never used as per the application submitted for the purchase thereof. The application is also dated after the purchase was completed. This transaction was also never declared to the SAPS and/or the Auditor General.
SR 3741 0507002025 0507002283 0507007171 0507002418 0507002902 0507002942 0507003056 0507003294		Expenses in respect of SR 3741 that relates the running cost of said vehicle (fuel, registration, toll fees)	
SR 3802 A00 2446 (2010 BMW 530d)	R 706, 150.00	"Application is hereby requested for the procurement of a BMW 5 series for the Divisional Commissioner's office. The vehicle will be solely used by this office for movement of the Divisional Commissioner within Gauteng Region". Document is not dated.	Lieutenant General RN Mdluli traded in his personal vehicle, a 2009 BMW 730 D with registration number XWT 151 GP on a 2010 BMW 330d and a 2010 BMW 530d, in order to generate a discount to finance a shortfall on his finance contract with BMW finance, South Africa in the amount of R90 526.01. This vehicle was delivered in

			September 2011 and In March 2012 Lieutenant General RN Mdluli stopped utilising this vehicle. This transaction was also never declared to the SAPS and/or the Auditor General.
SR 3802 0014010383 0507002797 0507002966 0507002967 0507003113 0507003384 0507010823 0507007824 0507007844 0587010923 0587007892 0587007987 0587010999 0587007987 0587011182 0587008039 0587008141 0587011412 0587008185 0587008284 0587008271 0587011567 0587008350 0587008404		Expenses in respect of SR 3802 that relates the running cost of said vehicle (fuel, registration, toll fees)	
0507000935	R 21,099.66	"Expense for Divisional Commissioner Mdluli's journey abroad Singapore. Visit was for Legend Building visiting foreign law enforcement".	The receipts attached to the claim relate to inter alia the purchase of clothing, electronic equipment, luggage, jewellery and other personal items. It is clear from the claim that none of the items mentioned was recorded in the CI asset register and is of a private nature. An additional claim, claim 11244 through the "open account" was also submitted by Lieutenant General Mdluli regarding his expenses on this trip.
0507000934	R 43,411.00	"Funds utilised to pay for air ticket for Div Comm Mdluli who travelled to China to establish links with law enforcement agency as well as contact person".	It is alleged that Lieutenant General Mdluli, together with his wife, V Mdluli, visited their daughter in China. Lieutenant General Mdluli was on leave at the time of this visit. No approval from either the National Commissioner of Police and/or Minister was found. It is also alleged that the funds to pay for the

			expenses of V Mdluli was provided by a CI service provider.
0507000936	R 10,000.00	"Funds utilised by Div Comm Mdluli for entertainment and Legend Building while visiting foreign law enforcement agency and contact persons".	It is alleged that Lieutenant General Mdluli, together with his wife, V Mdluli, visited their daughter in China. Lieutenant General Mdluli was on leave at the time of this visit. No approval from either the National Commissioner of Police and/or Minister was found. It is also alleged that the funds to pay for the expenses of V Mdluli was provided by a CI service provider. The funds were in actual fact used to buy clothing and one item of electronic equipment.
0014047758	R 69,567.00	"The above amount was used for Legend Building"	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that T Lyons, the then girlfriend of Lieutenant General Mdluli, accompanied the group as a "contact person". This was funded through the secret services account. Even though the Auditor General queried the expense the relationship between Lyons and Lieutenant General Mdluli was never disclosed. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507000978	R 22,365.60	"Funds utilised for accommodation, entertainment and gifts while undertaking official trip to Singapore to purchase electronic equipment".	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that Lt Col DG Naidoo accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001026	R 17,343.05	"Accommodation expenditure for the Stanford in relation to visit to Singapore from Friday 20/11 - Sunday 29/11. In terms	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is

		of Divisional Commissioner's request for Legend Building purposes".	alleged that Col M Venter accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001029	R 4,000.00	"Daily allowance paid for trip to Singapore that has been covered by the SSA for the purpose of Legend Building. The normal allowance is 133 Singapore dollars p.d. With the exchange rate averaging P5-65 per Singapore dollar the total amount for 9 days amounts to R6763. Considering some of the expenditure has been covered an amount of R4000 has been authorised by the CFO"	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that Col M Venter accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001045	R 4,000.00	"Daily allowance paid for trip to Singapore that has been covered by the SSA for the purpose of Legend Building. The normal allowance is 133 Singapore dollars p.d. With the exchange rate averaging P5-65 per Singapore dollar the total amount for 9 days amounts to R6763. Considering some of the expenditure has been covered an amount of R4000 has been authorised by the CFO"	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that Col M Venter accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001123	R 15,809.50	"For the Divisional Commissioner Mdluli's journey abroad. Visit was for Legend Building in China and Singapore"	This claim relates to two visits abroad by Lieutenant General Mdluli (Singapore and China). The claim submitted is in respect of accommodation (China), entertainment (China), meals (China) and clothing (Singapore).
SR 563692	R 19,950.00 x 12 months	"APPLICATION FOR AUTHORITY TO ENTER INTO A LEASE AGREEMENT: FACILITY MANAGEMENT: COVERT INTELLIGENCE SUPPORT Application is hereby made for new premises which will be utilised by the Divisional Commissioner, Crime Intelligence for strategic planning with the Component Heads".	It is alleged that the premises was also used by Lieutenant General Mdluli in his personal capacity in that he utilised the residence to reside in and also to accommodate his family (wife and children) from Cape Town when they visited him in Johannesburg.



SR 572047	R 9,690.00 x 36 months	<p>"APPLICATION FOR AUTHORITY TO ENTER INTO A LEASE AGREEMENT: COVERT OPERATIONAL INTELLIGENCE EAST RAND: WESTERN CAPE</p> <p>The premises will be utilised by intelligence operatives in accordance with their current legend, the said premises will be utilised as an office to conduct all administrative work, i.e. writing up informant files completing of SR forms for monies, as well as the planning of all undercover operations".</p>	<p>Lieutenant General Mdluli is the registered owner of this property. This fact was not disclosed to the SAPS or the Auditor General. It is further alleged that the premises was never used as stated in the application. This property is part of a duplex facility and therefore not conducive to the intended purpose. The property was furthermore furnished by CI as a residence and not an office. It is further alleged that the property was in fact only used twice as accommodation.</p>
		Copy of CI SAPS POLICY AND DELEGATIONS AS SIGNED BY COMMISSIONER J SELEBI	The document will be used to show how the accused in this matter allowed expenditure contrary to CI's own policy document and "delegations"
		Copy of Theresa Lyons Biographical data for potential agents	This application is dated after she was already appointed in the CI agent programme
		Copy of Utilization of SR vehicles	This document was compiled and distributed by Lieutenant General Mdluli and clearly set out the guidelines with respect to the use of CI vehicles by senior management. This document will be used to show that the accused in this matter did not adhere to their own guidelines as to the use of state vehicles.

3.2 In addition to the above the National Prosecuting Authority (NPA) has also instituted criminal charges relating to:

- The appointment of SA 86, PA 35, SA 90, SA 79, SA 78, SA 92 and SA 80
- The misappropriation of R30 000.00 from the secret service account to partially finance the purchase of a private residence by Lieutenant General RN Mdluli in May 2010.

3.3 The following documents are needed in this regard with respect to SA 86, PA 35, SA 90, SA 79, SA 78, SA 92 and SA 80:

- Applications to CI in terms of which the individuals were appointed if any (job

application)

- Interviews prior to appointment held with the individuals that were appointed if any
- Appointment letters
- Any other information relating to the appointment of the above mentioned individuals not mentioned
- All advances submitted by DG Naidoo during May 2010
- All advances relating to claims 0507000935, 0507000934, 0507000936, 0014047758, 0507000978, 0507001026, 0507001029, 0507001045 and 0507001123

3.4 It is understood that SA 86, PA 35, SA 90 and SA 92 are still within the agent programme but are currently not active in any project. It is further understood that SA 79, SA 78 and SA 80 is no longer within the agent programme. It would be appreciated if the documents referred to in paragraph 62 be declassified prior to the handing over of same.

3.5 The documents in question were obtained through different events and/or sources. The key attached to each document in respect of which declassification is required indicates from whom it was received, where it was obtained (if not a covert premises) and the date obtained.

3.6 The matter appeared before the Specialized Commercial Crimes Court, Pretoria on 06 July 2015 on which date this specific issue had to be addressed. This did not happen and as a result the matter was withdrawn.

Hope you find this in order,

Yours sincerely

---

MR R J MCBRIDE  
EXECUTIVE DIRECTOR

DATE: \_\_\_\_\_



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001, City Forum Building, 144 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 326 0020, Email: cnkabinde@ipid.gov.za

Ref: 2018010527

Enq: A Sehas

Acting Divisional Commissioner- CI  
South African Police Service  
Wachthuis  
229 Pretorius Street  
Pretoria  
0001

Dear General Ngcobo

**SUBJECT: REQUEST FOR AN INTERVIEW IN TERMS OF SECTION 24(3)(a) READ WITH 29(2) OF THE IPID ACT 1, OF 2011 IN THE INVESTIGATION OF ALLEGED FRAUD INVOLVING I-VIEW INTERGATED SYSTEMS.**

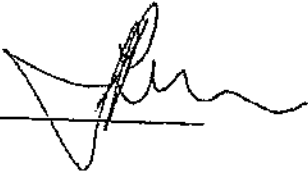
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The Independent Police Investigative Directorate is currently investigating a case of fraud in terms of section 28(1)(h) of IPID Act 1, of 2011. You are therefore required to appear before the Investigating Officer, Mr A Sehas on 15/02/2018 (10:00) at 114 Madiba street, Pretoria. Your appearance is in terms of 24(3)(a) which provides that, for the purpose of conducting an investigation, an Investigator may direct any person to submit an affidavit or affirmed declaration or to appear before him or her to give evidence or to produce any documents in that person's possession or under his or her control which has a bearing in the matter being investigated and may question such person thereon.

The purpose of the interview is to establish facts relating to a meeting which was held on 25 August 2017 and 13/12/2017 (Courtyard hotel in Pretoria) relating to the fraud. Your information is both crucial and material to the case under investigation.

Your attention is further drawn to the provisions of section 29(2) read with section 33(1) and 33(3) of the IPID Act which places an obligation on members of SAPS and MPS to cooperate with the Directorate. Section 33(1) criminalises any act by any person or private entity which interferes, hinders or obstructs the Executive Director or any member of the Directorate in the exercise or performance of his or her functions. Section 33(3) criminalises failure by members of the SAPS or MPS to comply with section 29.

Yours sincerely,



MR R McBride

EXECUTIVE DIRECTOR

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

DATE: 13/02/2018



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001. City Forum Building, 144 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 326 0020, Email: cnkabinde@ipid.gov.za

Ref: 2018010527

Enq: A Sehas

National Commissioner  
South African Police Service  
Wachthuis  
229 Pretorius Street  
Pretoria  
0001

Dear General Sitole

**SUBJECT: REQUEST FOR AN INTERVIEW IN TERMS OF SECTION 24(3)(a) READ WITH 29(2) OF THE  
IPID ACT 1, OF 2011 IN THE INVESTIGATION OF ALLEGED FRAUD INVOLVING I-VIEW INTERGATED  
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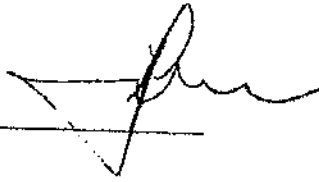
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Yours sincerely,



MR R McBride

EXECUTIVE DIRECTOR

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

DATE: 13/02/2018



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001. City Forum Building, 144 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 326 0020, Email: cnkabinde@ipid.gov.za

Ref: 2018010527

Enq: A Sehas

Deputy National Commissioner  
South African Police Service  
Wachthuis  
229 Pretorius Street  
Pretoria  
0001

Dear General Vuma

**SUBJECT: REQUEST FOR AN INTERVIEW IN TERMS OF SECTION 24(3)(a) READ WITH 29(2) OF THE IPID ACT 1, OF 2011 IN THE INVESTIGATION OF ALLEGED FRAUD INVOLVING I-VIEW INTERGATED SYSTEMS.**

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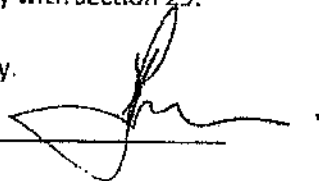
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Yours sincerely,

A handwritten signature in black ink, appearing to be 'R McBride', is written over a horizontal line.

MR R McBride

EXECUTIVE DIRECTOR

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

DATE:

13/02/2018



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001. City Forum Building, 144 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 326 0020, Email: cnkabinde@ipid.gov.za

Ref: 2018010527

Enq: A Sehas

Deputy National Commissioner  
South African Police Service  
Wachthuis  
229 Pretorius Street  
Pretoria  
0001

Dear General Tsumane

**SUBJECT: REQUEST FOR AN INTERVIEW IN TERMS OF SECTION 24(3)(a) READ WITH 29(2) OF THE  
IPID ACT 1, OF 2011 IN THE INVESTIGATION OF ALLEGED FRAUD INVOLVING I-VIEW INTERGATED  
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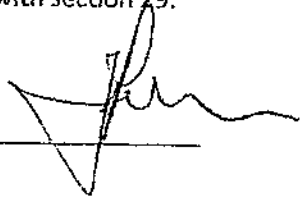
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Yours sincerely,



MR R McBride

EXECUTIVE DIRECTOR

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

DATE: 13/02/2018



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001. City Forum Building, 144 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 326 0020, Email: cnkabinde@ipid.gov.za

Ref: 2018010527

Enq: A Sehas

Adviser to the Minister of Police  
South African Police Service  
Wachthuis  
229 Pretorius Street  
Pretoria  
0001

Dear Mr B Mbindwane

**SUBJECT: REQUEST FOR AN INTERVIEW IN TERMS OF SECTION 24(3)(a) OF THE IPID ACT 1, OF 2011 IN THE INVESTIGATION OF ALLEGED FRAUD INVOLVING I-VIEW INTERGATED SYSTEMS.**

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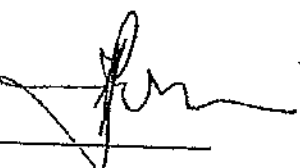
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The purpose of the interview is to establish facts relating to a meeting which was held on 25 August 2017 and 13/12/2017 (Courtyard hotel in Pretoria) relating to the fraud. Your information is both crucial and material to the case under investigation.

Your attention is further drawn to the provisions of section 33(1) of the IPID Act which criminalises any act by any person or private entity which interferes, hinders or obstructs the

Executive Director or any member of the Directorate in the exercise or performance of his or her functions.

Yours sincerely



MR R McBride

EXECUTIVE DIRECTOR

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

DATE: 13/02/2018



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X9411, PRETORIA, 0001, City Forum Building, 114 Madiba Street, PRETORIA  
Tel.: (012) 399 0000, Fax: (012) 399 1440, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

The National Commissioner  
General Sitole  
South African Police Services  
231 Pretorius Street  
Wachthuis Building  
Pretoria  
0001

By Hand

14 February 2018

Attention: General Vuma  
General Tsumane  
General Ntshea  
General Ngcobo  
General Khan

**RE: REQUEST FOR DOCUMENTS IN TERMS OF SECTION 24(3) READ WITH  
29(2)(b) AND (c) AND SECTION 33(1) AND 33(3) OF IPID ACT NO 1 OF 2011**

1. I refer to the letter written to you by Mr Sesoko dated 23 January 2018 as well as the responses from General Tsumane dated 30 January 2018 and 31 January 2018 respectively. Copies attached for ease of reference marked Annexure "A", "B" and "C".
2. Mr Sesoko also informs me that he spoke to General Khan on the 13 February 2018 as a follow up to this letter of the 23 January 2018. He indicates that General Khan undertook that all documents will be provided on Monday the 19 February 2018 as the National Commissioner and other senior managers were not available.
3. I note with concern that SAPS has failed to comply with IPID request for months now, in contravention of Section 29(2) of the IPID Act No.1 of 2011.

4. IPID is not willing to accept these delays any further. Failure to comply with these request by Monday 19 February 2018, will result in IPID invoking the provision of Section 33(1) and 33(3) of the IPID Act, and instituting any other legal remedy necessary to ensure compliance.

Regards



MR RJ MCBRIDE

EXECUTIVE DIRECTOR

DATE: 15/02/2018



INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

Private Bag X941, PRETORIA, 0001, City Forum Building, 114 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 393 1440, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

By Hand

23 January 2018

The National Commissioner  
General Sitole  
South African Police Services  
231 Pretorius Street  
Wachthuis Building  
Pretoria  
0001

Attention: General Vuma  
General Tsumane  
General Ntshea  
General Ngcobo  
General Khan

RE: REQUEST FOR DOCUMENTS IN TERMS OF SECTION 24(3) READ WITH  
SECTION 29(2)(b) AND(c) AND SECTION 33(1) AND 33(3) OF THE IPID ACT  
NO.1 OF 2011

1. IPID is investigating numerous cases within the Crime Intelligence environment, where request for declassification of documents was made. To date there has been no positive responds from the SAPS management. Find the attached request marked Annexure "A" and "B".
2. The request indicated in Annexure "A" and "B" has been outstanding for over 6 months.
3. IPID is further conducting investigation of allegation of corruption against other members of Crime Intelligence including some involved in the above cases. The allegations relate to a corrupt relationship with the service provider I-View.
4. IPID request that the documents on the I-View investigation that are in possession of the IGI be declassified and provided to IPID, as well as the



downloaded data on the computers and cellphones of Lieutenant Colonel Mahwayi, as it relates to the I-View investigation. The downloading was done by Crime Intelligence Cyber Unit, Colonel Smith.

5. IPID also request declassification of the personal file of Captain "KGB" Tshabalala who is currently registered as Crime Intelligence Agent. Files from both Crime Intelligence and Personnel Division are requested.
6. Information provided to us by sources within Crime Intelligence indicates that Captain "KGB" Tshabalala was being paid by SAPS Crime Intelligence from the SSA fund while he was serving his sentence in prison. We request SAPS to provide declassified documents in this regard and answer the following questions:-
  - 6.1 Who authorized and approved the re-appointment of Captain Tshabalala to the Police in September 2016?
  - 6.2 Who approved Captain Tshabalala's conversion to an agent programme in September 2016?
  - 6.3 Who authorized his payment as an agent while he was in prison from May 2013?
  - 6.4 Why Captain Tshabalala was handled by Warrant Officer Nembwill who is in IT section and who is not responsible to handle agents?
  - 6.5 Why Captain Tshabalala was not removed from SAPS persal system after his dismissal in June 2013?
7. You are advised that the continued retention and payment of Captain Tshabalala as an agent is in contravention of the SAPS policies and the PFMA and therefore unlawful. Appropriate action must therefore be taken by SAPS to remedy this situation and recover the resultant irregular, fruitless and wasteful expenditure.
8. The approved MISS document provides that *"security measures are not intended and should not be applied to cover up maladministration, corruption, criminal actions, etc, or to protect individual officials involved in such cases"*.

9. Your office is kindly requested to comply with this request in the spirit of co-operation by no later than 30 January 2018.
10. Failure to comply with this request will leave us with no option but to approach the Court for appropriate relief.

Regards



MR M SESOKO

NATIONAL HEAD: INVESTIGATIONS

DATE: 23/01/2018

ANNEXURE "A"



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001. City Forum Building, 114 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 399 1440, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

Lt. General Mothiba  
The Acting National Commissioner  
Wachthuis  
229 Pretorius Street  
Pretoria

By Hand

Dear Lt. General

17 July 2017

RE: REQUEST FOR INFORMATION AND ASSISTANCE IN TERMS OF SECTION 29 (2)  
OF THE IPID ACT: PRETORIA CENTRAL CAS 534/05/2017

Further to my request dated 09 June 2017

Our investigation in the above matter has revealed that an intelligence report was compiled by Brigadier Moyane for General Makhele relating to the alleged security breach at the residence of General Phahlane. The report is alleged to be classified hence it could not be obtained from either Brigadier Moyane or General Makhele.

You are requested in terms of the powers vested in you in the MISS Policy document, to declassify the report and provide the report to the IPID, we also request any other report related to this matter to be declassified and provided to us, pursuant to the above provisions of the IPID Act.

Your urgent response will be appreciated.

Regards

MR'M SESOKO

NATIONAL HEAD: INVESTIGATIONS

DATE: 17/07/2017

Annexure "B"



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001, City Forum Building, 144 Mediba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 326 0020, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

LT General Mothiba  
Acting National Commissioner  
Wachthuis  
229 Pretorius Street  
Pretoria

By Hand

REQUEST FOR DECLASSIFICATION OF CLASSIFIED DOCUMENTS: SILVERTON CAS 155-07-2011 (FRAUD, THEFT AND/OR CORRUPTION) AND LYTTTELTON CAS 432-11-2011 (FRAUD, THEFT AND/OR CORRUPTION)

**1. INTRODUCTION**

The Independent Police Investigative Directorate and the Inspector General of Intelligence are conducting joint investigations on the above matters. Members of the DPCI who were involved in the initial investigation have been roped into the joint investigation.

**2. BACKGROUND**

- 2.1 The request for the declassification of certain classified documents flows from the abovementioned investigation.
- 2.2 The documents in question were allegedly created to facilitate the committing of offences and presented facts to internal auditors and the Auditor General which were not accurate. Had the South African Police Service's and the Auditor General knew the true nature of the expenditure they would have been able to identify the offences.
- 2.3 The documents in question will also not endanger any current or past project and/or agents and only relates to the actual procurement of certain items apart from the agents specifically refer to below. The declassification of the said documents might have a small financial effect as it would mean the two (2) vehicles in question will not be suitable for covert work. The vehicles can however be utilised in any other capacity.

- 2.4 It is clear from the breakdown below that the classified documents mentioned indicate alleged personal gain to the accused via the secret service account. As such no current and/or past project could be compromised.
- 2.5 It is also recommended that these documents be declassified in light thereof that the accused who were employees of Crime Intelligence do not use that fact as a ground for the dismissal of some of the charges against them.
- 2.6 In determining your assessment we need to stress that the reclassification of documents in terms of the Minimum Information Security Standard (Miss) document lays down a minimum standard for the handling of classified information in all government institutions, which states that security measures are not to be applied to cover up maladministration, corruption, criminal actions, or to protect individuals/officials involved in such cases.
- 2.7 To put the above-mentioned request into context it is important to state that the National Prosecuting Authority (NPA) have instituted criminal charges with respect to the following events that relates directly to CI:
- The trade-in by Lieutenant General RN Mdluli ("Mdluli") on 2010-05-31 of his personal vehicle, a 2009 BMW 730 D with registration number XWT 151 GP, for a 2010 BMW 330d Sedan with engine number 21537366 and a 2010 BMW 530d Sedan with engine number 23567507, in order to generate a discount to finance a shortfall on his finance contract with BMW finance, South Africa in the amount of R90 526.01
  - A trip to Singapore undertaken by Lieutenant General RN Mdluli from 2009-10-09 to 2009-10-16 where some of the expenses incurred were paid from the secret service account
  - A trip to China undertaken by Lieutenant General RN Mdluli and VL Mdluli between 2009-11-06 and 2009-11-14
  - A trip to Singapore undertaken by Lieutenant General RN Mdluli, Major General Lazarus, Colonel Barnard, Inspector G Mahwayi, Teresa Lyons, DG Naidoo and M Venter from 2009-11-21 to 2009-11-28
  - Rental of SR 563692 and SR 572047

### 3. DOCUMENTS TO BE DECLASSIFIED

3.1 Below are documents that need to be declassified to enable IPID and IG to conclude the investigation.

CLAIM NUMBER/ ORDER NUMBER	CLAIM AMOUNT	MOTIVATION RECORDED ON CLAIM FORM	ALLEGATION OF ACTUAL EXPENCES AS SUPPORTED VIA AFFIDAVITS UNDER OATH
SR 3741 A00 2446 (2010 BMW 330d)	R 487, 313.00	"Vehicle will be utilized by members on operational protector, which is a specifically designed to address the threat of religious extremism and human trafficking and the application of counter terrorism techniques and methodology. The motivation is dated 21 June 2010 and submitted by V Singh.	Lieutenant General RN Mdluli traded in his personal vehicle, a 2009 BMW 730 D with registration number XWT 151 GP on a 2010 BMW 330d and a 2010 BMW 530d, in order to generate a discount to finance a shortfall on his finance contract with BMW finance, South Africa in the amount of R90 526.01. This vehicle was also never used as per the application submitted for the purchase thereof. The application is also dated after the purchase was completed. This transaction was also never declared to the SAPS and/or the Auditor General.
SR 3741 0507002025 0507002283 0507002171 0507002418 0507002902 0507002942 0507003056 0507003294		Expenses in respect of SR 3741 that relates the running cost of said vehicle (fuel, registration, toll fees)	
SR 3802 A00 2446 (2010 BMW 530d)	R 706, 150.00	"Application is hereby requested for the procurement of a BMW S series for the Divisional Commissioner's office. The vehicle will be solely used by this office for movement of the Divisional Commissioner within Gauteng Region". Document is not dated.	Lieutenant General RN Mdluli traded in his personal vehicle, a 2009 BMW 730 D with registration number XWT 151 GP on a 2010 BMW 330d and a 2010 BMW 530d, in order to generate a discount to finance a shortfall on his finance contract with BMW finance, South Africa in the amount of R90 526.01. This vehicle was delivered in

			September 2011 and in March 2012 Lieutenant General RN Mdluli stopped utilising this vehicle. This transaction was also never declared to the SAPS and/or the Auditor General.
SR 3802 0014010383 0507002797 0507002966 0507002967 0507003113 0507003384 0507010823 0507007824 0507007844 0587010923 0587007892 0587007987 0587010999 0587007987 0587011182 0587008039 0587008141 0587011412 0587008185 0587008284 0587008271 0587011567 0587008350 0587008404		Expenses in respect of SR 3802 that relates the running cost of said vehicle (fuel, registration, toll fees)	
0507000935	R 21,099.66	"Expense for Divisional Commissioner Mdluli's journey abroad Singapore. Visit was for Legend Building visiting foreign law enforcement".	The receipts attached to the claim relate to inter alia the purchase of clothing, electronic equipment, luggage, jewellery and other personal items. It is clear from the claim that none of the items mentioned was recorded in the CI asset register and is of a private nature. An additional claim, claim 11244 through the "open account" was also submitted by Lieutenant General Mdluli regarding his expenses on this trip.
0507000934	R 43,411.00	"Funds utilised to pay for air ticket for Div Comm Mdluli who travelled to China to establish links with law enforcement agency as well as contact person".	It is alleged that Lieutenant General Mdluli, together with his wife, V Mdluli, visited their daughter in China. Lieutenant General Mdluli was on leave at the time of this visit. No approval from either the National Commissioner of Police and/or Minister was found. It is also alleged that the funds to pay for the

			expenses of V Mdluli was provided by a CI service provider.
0507000936	R 10,000.00	"Funds utilised by Div Comm Mdluli for entertainment and Legend Building while visiting foreign law enforcement agency and contact persons".	It is alleged that Lieutenant General Mdluli, together with his wife, V Mdluli, visited their daughter in China. Lieutenant General Mdluli was on leave at the time of this visit. No approval from either the National Commissioner of Police and/or Minister was found. It is also alleged that the funds to pay for the expenses of V Mdluli was provided by a CI service provider. The funds were in actual fact used to buy clothing and one item of electronic equipment.
0014047758	R 69,567.00	"The above amount was used for Legend Building"	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that T Lyons, the then girlfriend of Lieutenant General Mdluli, accompanied the group as a "contact person". This was funded through the secret services account. Even though the Auditor General queried the expense the relationship between Lyons and Lieutenant General Mdluli was never disclosed. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507000978	R 22,365.60	"Funds utilised for accommodation, entertainment and gifts while undertaking official trip to Singapore to purchase electronic equipment".	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that Lt Col DG Naidoo accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001026	R 17,343.05	"Accommodation expenditure for the Stanford in relation to visit to Singapore from Friday 20/11 - Sunday 29/11. In terms	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is



		of Divisional Commissioner's request for Legend Building purposes".	alleged that Col M Venter accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001029	R 4,000.00	"Daily allowance paid for trip to Singapore that has been covered by the SSA for the purpose of Legend Building. The normal allowance is 133 Singapore dollars p.d. With the exchange rate averaging P5-65 per Singapore dollar the total amount for 9 days amounts to R6763. Considering some of the expenditure has been covered an amount of R4000 has been authorised by the CFO"	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that Col M Venter accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001045	R 4,000.00	"Daily allowance paid for trip to Singapore that has been covered by the SSA for the purpose of Legend Building. The normal allowance is 133 Singapore dollars p.d. With the exchange rate averaging P5-65 per Singapore dollar the total amount for 9 days amounts to R6763. Considering some of the expenditure has been covered an amount of R4000 has been authorised by the CFO"	Lieutenant General Mdluli and three others obtained authorization from the National Commissioner of Police and Minister to travel abroad. It is alleged that Col M Venter accompanied the group as part of legend building. Naidoo in an affidavit denies that there was a legitimate reason for Col M Venter, Lyons and himself to accompanied this group as they had no role to play.
0507001123	R 15,809.50	"For the Divisional Commissioner Mdluli's journey abroad. Visit was for Legend Building in China and Singapore"	This claim relates to two visits abroad by Lieutenant General Mdluli (Singapore and China). The claim submitted is in respect of accommodation (China), entertainment (China), meals (China) and clothing (Singapore).
SR 563692	R 19,950.00 x 12 months	"APPLICATION FOR AUTHORITY TO ENTER INTO A LEASE AGREEMENT: FACILITY MANAGEMENT: COVERT INTELLIGENCE SUPPORT Application is hereby made for new premises which will be utilised by the Divisional Commissioner, Crime Intelligence for strategic planning with the Component Heads".	It is alleged that the premises was also used by Lieutenant General Mdluli in his personal capacity in that he utilised the residence to reside in and also to accommodate his family (wife and children) from Cape Town when they visited him in Johannesburg.

SR 572047	R 9,690.00 x 36 months	"APPLICATION FOR AUTHORITY TO ENTER INTO A LEASE AGREEMENT; COVERT OPERATIONAL INTELLIGENCE EAST RAND: WESTERN CAPE The premises will be utilised by intelligence operatives in accordance with their current legend, the said premises will be utilised as an office to conduct all administrative work, i.e. writing up informant files completing of SR forms for monies, as well as the planning of all undercover operations".	Lieutenant General Mdluli is the registered owner of this property. This fact was not disclosed to the SAPS or the Auditor General. It is further alleged that the premises was never used as stated in the application. This property is part of a duplex facility and therefore not conducive to the intended purpose. The property was furthermore furnished by CI as a residence and not an office. It is further alleged that the property was in fact only used twice as accommodation.
		Copy of CI SAPS POLICY AND DELEGATIONS AS SIGNED BY COMMISSIONER J SELEBI	The document will be used to show how the accused in this matter allowed expenditure contrary to CI's own policy document and "delegations"
		Copy of Theresa Lyons Biographical data for potential agents	This application is dated after she was already appointed in the CI agent programme
		Copy of Utilization of SR vehicles	This document was compiled and distributed by Lieutenant General Mdluli and clearly set out the guidelines with respect to the use of CI vehicles by senior management. This document will be used to show that the accused in this matter did not adhere to their own guidelines as to the use of state vehicles.

3.2 In addition to the above the National Prosecuting Authority (NPA) has also instituted criminal charges relating to:

- The appointment of SA 86, PA 35, SA 90, SA 79, SA 78, SA 92 and SA 80
- The misappropriation of R30 000.00 from the secret service account to partially finance the purchase of a private residence by Lieutenant General RN Mdluli in May 2010.

3.3 The following documents are needed in this regard with respect to SA 86, PA 35, SA 90, SA 79, SA 78, SA 92 and SA 80:

- Applications to CI in terms of which the individuals were appointed if any (job

application)

- Interviews prior to appointment held with the individuals that were appointed if any
- Appointment letters
- Any other information relating to the appointment of the above mentioned individuals not mentioned
- All advances submitted by DG Naidoo during May 2010
- All advances relating to claims 0507000935, 0507000934, 0507000936, 0014047758, 0507000978, 0507001026, 0507001029, 0507001045 and 0507001123

3.4 It is understood that SA 86, PA 35, SA 90 and SA 92 are still within the agent programme but are currently not active in any project. It is further understood that SA 79, SA 78 and SA 80 is no longer within the agent programme. It would be appreciated if the documents referred to in paragraph 62 be declassified prior to the handing over of same.

3.5 The documents in question were obtained through different events and/or sources. The key attached to each document in respect of which declassification is required indicates from whom it was received, where it was obtained (if not a covert premises) and the date obtained.

3.6 The matter appeared before the Specialized Commercial Crimes Court, Pretoria on 06 July 2015 on which date this specific issue had to be addressed. This did not happen and as a result the matter was withdrawn.

Hope you find this in order.

Yours sincerely

---

MR R J MCBRIDE  
EXECUTIVE DIRECTOR

DATE: \_\_\_\_\_

*South African Police Service*

*South African Police Service*

Private Bag	X94 PRETORIA	Fax No.
Reference:		THE DEPUTY NATIONAL COMMISSIONER
Enquires:	Lieut Gen LJ Tsumane	CRIME DETECTION
Tel:	(012) 393 2674	PRETORIA
E-mail:	<a href="mailto:DNC.DetectionPA@saps.gov.za">DNC.DetectionPA@saps.gov.za</a>	0001

The National Head: Investigations  
**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**  
 Private Bag X 941  
**PRETORIA**  
 0001

**RE: REQUEST FOR INFORMATION AND ASSISTANCE IN TERMS OF SECTION 29  
 [2] OF THE IPID ACT: PRETORIA CENTRAL CAS 534/05/2017**

Your request with the above mentioned subject dated 23 January 2018 is hereby acknowledged.

Your letter was just received earlier today and this office kindly request extension for submission of feedback to Monday 05 February 2018 to prepare for documentation as per your request.

Your consideration will be highly appreciated.

Yours sincerely,



**LIEUTENANT GENERAL  
 DEPUTY NATIONAL COMMISSIONER: CRIME DETECTION: SAPS  
 LJ TSUMANE**

Date: 20/8. 01.30

ANNEXURE "C"

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

Privaatsak X 301 PRETORIA 0001  
Private Bag X 301 PRETORIA 0001

Verwysing Reference	Silverton Cas 155-07-2011
Navrae Enquiries	Lieutenant General Tsumane
Telefoon Telephone	012 393 2874
E-mail	<a href="mailto:DNC_DetectionPA@saps.gov.za">DNC_DetectionPA@saps.gov.za</a>

THE DEPUTY NATIONAL COMMISSIONER  
SOUTH AFRICAN POLICE SERVICE  
CRIME DETECTION  
PRETORIA  
0001

The Executive Director  
INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

REQUEST FOR DOCUMENTS IN TERMS OF SECTION 24(3) READ WITH SECTION 29(2)(B) AND SECTION 33(1) AND 33(3) OF THE IPID ACT NO. 1 OF 2011


1. Your letter dated the 23<sup>rd</sup> of January 2018 relating to the above matter refers.
2. Please take note that the copy of the report relating to the alleged security breach at the residence of Lieutenant General Phahlane is available and this office is still trying to locate the original file for purposes of reclassification.
3. The process to have the documents relating to Silverton Cas 155-07-2011 and Lyttelton Cas 432-11-2011 reclassified cannot commence because these documents were seized by the Directorate for Priority Crime Investigation and are currently in possession of the said Directorate.
4. As the relevant documents relating to the I-View investigation are in the possession of the Inspector-General of Intelligence, the Office of the Inspector-General of Intelligence has been requested to make available all documents relating thereto for purposes of reclassification.
5. In addition to documents in relation to Captain Tshabalala which were provided to your office yesterday, please be advised that the process of having the personal

REQUEST FOR DOCUMENTS IN TERMS OF SECTION 24(3) READ WITH SECTION 29(2)(B) AND  
SECTION 33(1) AND 33(3) OF THE IPID ACT NO. 1 OF 2011

file of Captain Tshabalala reclassified has commenced and your office will be  
engaged further in respect thereof.

6. Further information relating to these matters will be communicated to your office.

Yours Sincerely



LIEUTENANT GENERAL  
DEPUTY NATIONAL COMMISSIONER: CRIME DETECTION  
LJ, TSUMANE

Date: 20/8.01.31



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001. City Forum Building, 114 Madiba Street, PRETORIA  
Tel: (012) 399 0000. Fax: (012) 399 1440, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

The Divisional Commissioner  
Legal and Policy Services  
South African Police Services  
Pretoria  
0001

By Hand

15 February 2018

Attention: General Khan

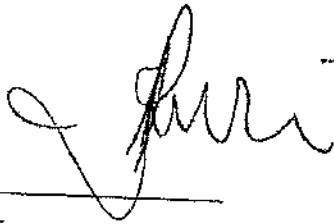
**RE: REQUEST FOR INTERVIEWS IN TERMS OF SECTION 24(3)(a) READ  
WITH SECTION 29(2) OF IPID ACT NO.1 OF 2011**

Your letter dated 14 February 2018 refers.

1. Kindly note that the request for interviews was made in respect of Generals Sitole, Vuma, Tsumane, Ngcobo and Mr Mbindwane. However your letter only refers to General Tsumane and Mr Mbindwane.
2. It is important to note that the requested interviews were for investigation purposes and the above members and Mr Mbindwane are not regarded as suspects at this stage.
3. In any event Section 24(5) of IPID Act No.1 of 2011 provides adequate safe guards against self-incrimination, therefore the issue of the request to apply for legal representation does not arise.
4. In the premise we insist that these interviews must continue immediately after the return of the above members and Mr Mbindwane from Cape Town.



Regards



MR RJ MCBRIDE

EXECUTIVE DIRECTOR

DATE: 15/02/2018

24/02/2018 10:00:00

Private  
Prints

Your file reference: 100-10000

100-10000

and Mr. M. Seseko Maj Gen ED Groenewald

Tel: 012-393 7068

24/02/2018 10:00:00

Private  
Prints

Your file reference: 100-10000

100-10000

and Mr. M. Seseko

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE  
CITY FORUM BUILDING  
114 MADIBA STREET  
PRETORIA

Attention: Mr M Seseko

**REQUEST FOR INTERVIEWS IN TERMS OF SECTION 24(3)(a) OF THE IPID ACT  
1 OF 2011 IN THE INVESTIGATION OF ALLEGED FRAUD INVOLVING I-VIEW  
INTEGRATED SYSTEMS**


1. The aforementioned matter refers as well your correspondence dated 13 February 2018 addressed to Lieutenant General J Tsumane and Mr B Mbindwane.
2. Kindly note that this office was informed that both Lieutenant General Tsumane and Mr Mbindwane are not available tomorrow and want to apply for legal representation.
3. It must be noted that the aforementioned are willing to co-operate but due to their unavailability tomorrow and the fact that their applications for legal representation must be obtained and submitted to the office of the State Attorney, it will be appreciated if the interviews can be postponed to a later date to afford them an opportunity to obtain legal representation.

REQUEST FOR INTERVIEWS IN THE INVESTIGATION OF ALLEGED FRAUD INVOLVING I-VIEW  
SYSTEMS

2

4. Your assistance herein is appreciated and await your reply on the new date.

DIVISIONAL  
A KHAN



COMMISSIONER: LEGAL AND POLICY SERVICES  
LIEUTENANT GENERAL

Date:

2018/02/14



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

Private Bag X941, PRETORIA, 0001, City Forum Building, 114 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 399 1440, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

The National Commissioner  
General Sitole  
South African Police Services  
231 Pretorius Street  
Wachthuis Building  
Pretoria  
0001

By Hand

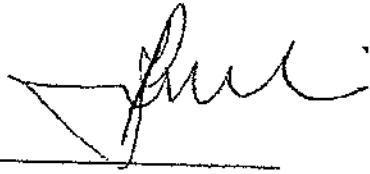
15 February 2018

**RE: NON COMPLIANCE WITH SECTION 30 OF THE IPID ACT NO.1 OF 2011**

1. The IPID referred disciplinary recommendations to the SAPS on the 09 November 2017, so that SAPS can institute disciplinary proceedings in line with Section 30 of the IPID Act No.1 of 2011, see attached recommendations marked *Annexure "A"*.
2. To date no feedback has been received from SAPS. General Makhele has already appeared in Court with regard to these allegations and the case has been postponed to 19 February 2018.
3. Your office is requested to provide IPID with the current status of this matter and what actions were taken by SAPS if any pursuant to IPID recommendations.
4. Failure to initiate disciplinary proceedings within 30 days of receiving IPID recommendations is in contravention of Section 30 of the IPID Act NO.1 of 2011.

Your feedback in this regard is awaited by no longer than 28 February 2018.

Regards



MR RJ MCBRIDE

EXECUTIVE DIRECTOR

DATE: 15/02/2018

J. Lt Col  
2017-11-09

## INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

Private Bag X941, PRETORIA, 0001 City Forum Building, 114 Madiba Street, PRETORIA  
Tel: (012) 399 0000, Fax: (012) 326 0408, Email: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

## SAPS MEMORANDUM

To: Office of the National Commissioner SAPS  
From: Independent Police Investigative Directorate  
Province  
Subject: Initiation of Disciplinary Recommendations in terms of s30 of the IPID Act  
Reference: Pretoria Central Cas 534/05/2017: Defeating the ends of justice:  
CCN 2017050274

Suspects: Lt General JK Phahlane, Lt General BB Motswenyane, Major General MA Makhele, Major General NJ Mabula, Brigadier CM Kgorane, Brigadier PD Ncube, Col SM Reddy and Lt Col I Dawood.

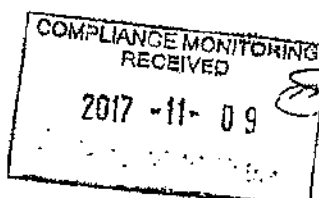
## Summary of Allegations:

During the investigation of the allegation of Corruption and Money Laundering against Lieutenant General J.K Phahlane, the former Acting National Commissioner as per CCN 2016030085, it is alleged that Lt General JK Phahlane abused his powers and in conspiracy with Lt General BB Motswenyane the Provincial Commissioner: North West, Major General MA Makhele, the former Acting Divisional Commissioner: Crime Intelligence. They established a team from North West Detective led by Major General NJ Mabula to interfere with IPID investigation against Lt General Phahlane and to interfere with witnesses under a false presence of security breach.

The North West detective team comprises of: Major General NJ Mabula, Brigadier CM Kgorane, Brigadier PD Ncube, Col SM Reddy and Lt Col I Dawood.

## Case Docket Contents:

1. In terms of section 30 of the IPID Act No. 1 of 2011 read with the SAPS Disciplinary Regulations issued on the 1 November 2016, you are hereby directed to initiate disciplinary proceedings against Lt General JK Phahlane (former acting National Commissioner), Lt General BB Motswenyane (PC North West), Major General MA Makhele (the former acting Divisional Commissioner: Crime Intelligence), Major General NJ Mabula (North West Detective), Brigadier CM Kgorane (North West Detective), Brigadier PD Ncube (North West Detective), Col SM Reddy (North West Detective) and Lt Col I Dawood (North West Detective).
2. All the necessary statements are attached in the docket for your attention.



3. Please find attached copies of the content of IPID Case Docket CCN 2017050274 containing the following information:

Reference	Case Docket Content
A1	Statement of Cedrick Nkabinde
A2	Statement of Lt General BB Motswenyane
A3	Statement of Major General MA Makhele
A4	Statement of Brigadier T Moyane
A5	Statement of Christiaan Hendrik Jooste
A6	Statement of Frederick Johannes Jacobus van der Walt
A7	Statement of Frederick Gerhardus Terblanche
A8	Statement of Captain J Coetzee
A9	Statement of Lt Col F H Kruger
A10	Statement of Lt Col J D Engelbrecht
A11	Statement of Mapula Hilda Morake
A12	Statement of Lt Col G S Masiangwako
A13	Statement of Lungile Octavia Dhlamini
A14	Statement of Mpho Perceverence Ulla
A15	Statement of Peler Tshepo Khoadi
A16	Statement of Col C Trollope
A17	Statement of Brigadier L A Lombard
A18	Statement of Captain Erika van Schalkwyk
A19	Statement of Heleen Beukes
A20	Statement of D M Pillay
A21	Statement of Captain Alwyn Petrus du Preez
A22	Statement of Lt General K J Sitole
A23	Statement of Captain R S Malope
A24	Statement of Lt General E Mawela
A25	Statement of Major General C Annandale
A26	Statement of Brigadier ME Tsiloane
A27	Additional statement of Brigadier ME Tsiloane
A28	Statement of Lt General J M Nkomo
A29	Statement of Lt General D S De Lange

#### IPID Recommendation.

4. Based on the above information contained in the case docket, the IPID recommends that disciplinary steps is taken against Lt General JK Phahlane, Lt General BB Motswenyane, Major General MA Makhele, Major General NJ Mabula, Brigadier CM Kgorane, Brigadier PD Ncube, Col SM Reddy and Lt Col I Dawood for the Defeating the ends of Justice by countering IPID investigation into Lt General Phahlane under pretext that they were investigating security breach on Lt General Phahlane.
5. IPID recommends further that, Lt General JK Phahlane, Lt General BB Motswenyane, Major General MA Makhele, Major General NJ Mabula, Brigadier CM Kgorane, Brigadier PD Ncube, Col SM Reddy and Lt Col I Dawood be placed on precautionary suspension pending the finalization of criminal and departmental investigation as there is a prima facie evidence that they are continuing with interference and the abuse of power.

6. The following provisions Regulation 5(3) of the SAPS 2016 Disciplinary Regulations have relevance in the merits of this case;

6.1. Regulation 5(3)(a): Fails to comply with, or contravenes an Act, regulation or legal obligation;

6.2. Regulation 5(3)(b)(ii): Performs any act or fails to perform any act with the intention to undermine the policy of the Service; or

6.3. Regulation 5(3)(b)(iii): Performs any act or fails to perform any act with the intention not to comply with his or her duties or responsibilities.

6.4. Regulation 5(3)(g): Prejudices the administration, discipline or efficiency of a department, office or institution of the State;

6.5. Regulation 5(3)(t): Conduct himself or herself in an improper, disgraceful and unacceptable manner;

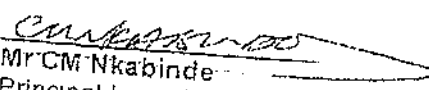
6.6. Regulation 5(3)(u): contravenes any prescribed Code of Conduct of the Service or the Public Service, whichever may be applicable to him or her; and

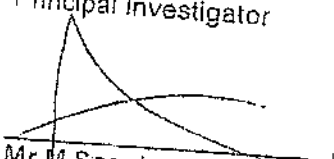
7. Regulation 5(4) of the SAPS Disciplinary Regulations is also applicable and warrants the institution of an expeditious procedure as provided for in Regulation 9

#### Conclusion

IPID awaits your report relating to when the disciplinary action will be instituted and how the matter was finalized to enable the institution to comply with the provisions of section 30(c) of the IPID Act.

Kind Regards

  
Mr CM Nkabinde  
Principal Investigator

  
Mr M Sesoko  
Chief Director  
Investigations and Information management  
IPID: National Office

2017/11/09  
Date

09/11/2017  
Date