



MEDIA STATEMENT:

TRC Cases Inquiry decries lack of cooperation from key government departments and agencies

Tuesday, 28 October 2025 – The Judicial Commission of Inquiry into Allegations Regarding Efforts or Attempts to Stop the Investigation or Prosecution of Truth and Reconciliation Commission Cases (TRC Cases Inquiry) decries the lack of compliance with various requests for information, including Rule 3.3- notices and Directive No.1, that it has made over the last two months.

Following the last pre-hearing engagement, held on Monday, 8 September 2025, the TRC Cases Inquiry invited all interested and affected parties to submit witness statements, memoranda, reports, and other documentary evidence. These had to be filed with the Inquiry by 10 October 2025.

Thereafter, the Inquiry has also issued several letters to current and former presidents, ministers of police, ministers of justice, national and provincial directors of public prosecutions, provincial and national police commissioners and directors of special investigations, requesting them to furnish it with an affidavit, containing their account of any discussions, decisions, or considerations during their tenure, as it relates to cases that were referred by the Truth and Reconciliation Commission's Amnesty Committee for investigations or prosecutions.

On 14 October 2025, following the lack of responses, the TRC Cases Inquiry issued Directive No.1, instructing all persons who are to furnish responses to Rule 3.3-notices, Requests for Information, and responses to correspondence sent, to respond by Friday, 24 October 2025.

Yesterday, during the second and last pre-hearing engagement, the Inquiry's Evidence Leaders reported that the South African Police Service, the Department of Justice, the Presidency, and the Parliamentary Committee on Justice and Constitutional Development are non-compliant, while almost all others, including the three former presidents and the current Minister of Justice and Constitutional Development, have applied for further extensions.

And while the lack of cooperation continues to undermine and frustrate the TRC Cases Inquiry's work, the Inquiry remains resolute that it will not delay the start of public hearings, set for 10 November 2025.

The Evidence Leaders and Inquiry's Secretariat have briefed the Commissioners on the outcomes of the pre-engagement hearing, including some of the proposals made during this meeting with the legal representatives.

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