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20 March 2026

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Our Ref: 0188/25/Z83  
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The Secretary  
Commission of Inquiry into Stopped TRC Investigations & Prosecutions  
**JOHANNESBURG**

**BY EMAIL: [secretary@trc-inquiry.org.za](mailto:secretary@trc-inquiry.org.za)**

Dear Madam.

**COMMISSION OF INQUIRY INTO STOPPED INVESTIGATION OR PROSECUTION  
OF TRUTH & RECONCILIATION COMMISSION CASES**

- 1 We refer to the above matter and advise that we address this letter on behalf of our client, the National Prosecuting Authority (“the NPA”).
- 2 The NPA, though not cited as a formal party, participates in these proceedings in circumstances where the subject-matter of the Commission’s inquiry directly implicates the functioning, decision-making processes and constitutional mandate of the prosecutorial authority.
- 3 The NPA respectfully seeks leave to lead the evidence of its witnesses scheduled to appear before the Commission on 15, 16 and 17 April 2026.

- 4 The witnesses to be called by the NPA are current and/or former senior officials within the prosecutorial authority, whose evidence is relevant to the issues under investigation.
- 5 The NPA's legal representatives have consulted extensively with these witnesses, have been involved in the preparation and settling of their statements, and have remained engaged with them throughout the progression of the Commission's proceedings. As such, the NPA's legal representatives are best placed to lead their evidence.
- 6 We believe that permitting the NPA to lead its own witnesses will assist the Commission in ensuring that the evidence is properly contextualised and that Commission is given the relevant institutional perspective.
- 7 The request is further made in the interests of procedural fairness. The issues under investigation bear directly on the NPA as an institution, and it is appropriate that it be afforded a meaningful opportunity to present its version through the witnesses it has prepared.
- 8 The granting of this application will not occasion any prejudice to any other participant in the proceedings. The witnesses have already been identified and their statements disclosed, and all parties will retain the full opportunity to cross-examine them. On the contrary, permitting the NPA's legal representatives to lead their own witnesses is likely to promote the efficient, orderly and expeditious presentation of evidence before the Commission.
- 9 We accordingly respectfully request that the Commission grant the NPA leave for its legal representatives to lead the evidence of its witnesses.
- 10 The NPA remains committed to cooperating fully with the Commission.

We trust that you find the above in order.

Yours faithfully.

*NR Baloyi*

**Mr. N.R. Baloyi  
FOR STATE ATTORNEY PRETORIA**