

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

HELD AT:

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

BEFORE:

COMMISSIONERS:

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

EVIDENCE LEADERS:

Adv Ishmael Semanya (SC)
Adv Vas Soni (SC)
Adv Fana Nalane (SC)
Adv Nompumelelo Seme
Ms Baitseng Rangata

REPRESENTATIVES

Adv Motlalepule Rantho (for SAPS)
Adv Ebenezer Propy (for SAPS)
Adv Varney (SC) – The Calata Group
Adv D Pillay – The Calata Group
Ms V Nako– The Calata Group
Ms Lize-Mari Doubell – The Calata Group
Adv Gwala- NPA representative
Adv KD Moroka (SC) – DoJ representative
Adv Tlotlego Tsagae (DoJ representative)
Adv Vivian Rikhotso (for Adv Menzi Simelane)
Adv Bridgette Nthambeleni (for Adv Jiba)
Adv Irene de Vos for President Cyril Ramaphosa

13 MAY 2026

DAY 43

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PROCEEDINGS ON 13 MAY 2026

CHAIRPERSON: Good morning. Mr Semenya.

ADV SEMENYA SC: Good morning, chair and commissioners. We have General Dramat for his evidence.

CHAIRPERSON: Thank you. Ms Rantho.

ADV RANTHO SC: Good morning, commissioners.

CHAIRPERSON: Yes.

ADV RANTHO SC: I think after the swearing in of General Dramat, I will lead his evidence, commissioners.

10 CHAIRPERSON: Thank you. Lieutenant General Dramat, good morning.

MR DRAMAT: Good morning.

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

MR DRAMAT: I will take an oath, commissioner.

CHAIRPERSON: Do you swear that the evidence you will give will be the truth, the whole truth, and nothing but the truth?

If so, raise your right hand and say: "So help me, God".

MR DRAMAT: So help me, God.

CHAIRPERSON: Thank you. Ms Rantho, your witness.

20 ADV RANTHO SC: I am indebted to you, commissioners. Good morning, General Dramat. Good morning, General. General, let me start off by confirming with you if you do understand the capacity in which you are appearing before this Commission?

MR DRAMAT: Yes, I did receive the notice, the rule 3.3 notice, indicating that I am an implicated or potentially implicated person in

the matters relating to the TRC cases, and politically having been influenced to either stop the investigations or the prosecution of TRC cases.

ADV RANTHO SC: Thank you, general. There is an affidavit, a copy of an affidavit in front of you there. Do you have it?

MR DRAMAT: Yes I do.

ADV RANTHO SC: May you confirm to the Commission if the contents are actually a product of your own personal information?

MR DRAMAT: It is, commissioner, a product of my own information
10 with the guidance of my counsel.

ADV RANTHO SC: Thank you, commissioners. You have stated in your affidavit that you were a member of the SAPS, is that not so, which means the South African Police Service, General Dramat?

MR DRAMAT: That is correct, commissioner. I was integrated into the South African Police Service in 1995, and I retired in 2014 as a lieutenant general in the police.

ADV RANTHO SC: Okay, thank you, general. Perhaps to make it easy for the commissioners, when you talk of integration, what do you mean that you integrated into the SAPS?

20 MR DRAMAT: Ja, following the 1994 elections, prior to 1995 I was part of the non-statutory forces. I was a member of the ANC and its military wing, Umkhonto weSizwe, and upon 1995 we were integrated into the South African Police Services. Remember, there was amalgamation of, I think it was 11 police services at the time. And I was part of the contingent that was referred to as the "non-statutory

forces". Those would have been forces that was part of the liberation movements, armed wings.

ADV RANTHO SC: Thank you, general. If we can then proceed to paragraph 5, where we deal with your role as the DPCI head. Maybe just briefly inform the commissioners as to when were you appointed to take responsibility over the Directorate for Priority Crime Investigations?

MR DRAMAT: Ja, commissioner, I was appointed in June 2009, sorry, my apologies, in 6 July I was appointed as the DNC, the Deputy
10 National Commissioner responsible for the Directorate for Priority Crime Investigations (DPCI), commonly known as the Hawks.

ADV RANTHO SC: In your affidavit you stated that your appointment was effective from 1 June, even though you took up, the actual taking up of the position happened in July, is that correct?

MR DRAMAT: That is correct, commissioner.

ADV RANTHO SC: And then you stated in your affidavit that one of the people that resorted under your command or supervision was General Lebeya, is that not so, is that correct?

MR DRAMAT: That is correct. Commissioner, sorry, if I may just
20 expand on my appointment as a Deputy National Commissioner. Whilst a Deputy National Commissioner responsible for DPCI, as the Deputy National Commissioner, I was also responsible for the Detective Services at the time, the Crime Intelligence, as well as the Forensic Services.

ADV RANTHO SC: Okay, this was during your appointment in the

newly established DPCI?

MR DRAMAT: Yes.

ADV RANTHO SC: When you were the Deputy National Commissioner, as you explained.

MR DRAMAT: I was appointed Deputy National Commissioner, responsible for the DPCI, but by virtue of being a Deputy National Commissioner, I was also given responsibilities for Detective Services, as well as Forensic Services and the Crime Intelligence divisions.

10 ADV RANTHO SC: Okay, and what happened afterwards, general, if you can inform the Commission, following your appointment as a Deputy National Commissioner, responsible for everything, as you said, it was DPCI, Detective Services? So after that, what then happened?

MR DRAMAT: Ja, then I was charged with the responsibility, and went about the process of putting or establishing the Directorate for Priority Crimes Investigations, which was my primary responsibility. I must also point out at this point in time, that technically, I was the only member of DPCI appointed.

20 I had no other staff, I did not have even an office to start with at the point in time. Also that it was national head, so we also had to establish capacities throughout the country in all nine provinces, so I had to establish the DPCI.

ADV RANTHO SC: Okay, so you were the only one appointed for the DPCI as at 1 June, as you explained ...(intervenes)

MR DRAMAT: That is correct.

ADV RANTHO SC: In 2009.

MR DRAMAT: That is correct.

ADV RANTHO SC: And there were no officials that were there to support you at that time, as you said.

MR DRAMAT: No, not as DPCI.

ADV RANTHO SC: Yes.

MR DRAMAT: They were not appointed DPCI. I did manage, and I was allowed to get support from my previous secretary, because
10 before I came to the DPCI appointment, I was actually the Deputy Provincial Commissioner in the Western Cape, responsible for crime detection and investigations.

ADV RANTHO SC: So meaning, when you started taking up your post, it was literally just yourself and your secretary that you brought along from the Western Cape?

MR DRAMAT: I brought my secretary along, yes.

ADV RANTHO SC: And you also testified that that was also your responsibility to ensure that there was establishment of the DPCI at provincial level as well.

20 MR DRAMAT: As well, yes.

ADV RANTHO SC: Were there people at that time at the provinces allocated to the DPCI when you were appointed?

MR DRAMAT: No, no. As I said, I was the only DPCI member appointed at that point in time.

ADV RANTHO SC: Thank you, general. And then you continued in

your affidavit to explain that, subsequent to that, you were relieved of the functions related to Detective Service, Forensic, and I think it is Crime Intelligence.

MR DRAMAT: Yes, yes that is so, commissioners, I was at one point in time, I think it was 2011 when I was actually relieved of those responsibilities, and that I could then focus full time, and dedicate my efforts to the establishment of the DPCI.

COMMISSIONER KGOMO: Yes in paragraph 8 it says on the 31 January 2011, so you are right.

10 MR DRAMAT: Ja.

ADV RANTHO SC: Yes. And then going back a little, one step back, when you were still the Deputy National Commissioner responsible for everything else, as you indicated, including the DPCI, General Lebeza resorted under your supervision at some point.

MR DRAMAT: That is correct. Perhaps I should maybe just explain that in the establishment of the DPCI, that one had to draw from, in fact, the DPCI, there was the Directorate of Special Operations that resorted under the NPA. They had investigators, they had prosecutors, and they had, I think, Intelligence officers working on
20 that.

With the disbandment or the dissolution of the DSO and the establishment of the DPCI, the DPCI could source members from the DSO. They were given opportunity to be part of the DPCI, those that had investigative experience, those that had intelligence deployments was given opportunity to move to Crime Intelligence.

Those were the prosecutors who remained within the NPA, but also we had within the SAPS the Organised Crime, Commercial Crime, as well as Serious and Violent Crimes units that was. And the DPCI legislation specifically mandated the DPCI to look at priority or national priority offences, and also organised crime, serious organised crime, serious commercial crime and serious corruption.

So I took an approach that everybody in, rather than out, because also the legislation indicated that we had to be manned by members whose integrity is beyond reproach. And we all to undergo
10 a vetting process that the legislation indicated had to be done by Crime Intelligence.

And therefore, in establishing I took an approach of everybody in, and then we begin to weed out, because there was current cases, there were cases also that was from the DSO that was transferred, right.

And there was also cases in these various units, the Organised Crimes units, the Commercial Crimes units, there was not an Anti-Corruption unit in SAPS, there was nothing there at all, so those investigations could not be left unattended to. So members that
20 was drawn from those units came with their workload, with their investigations ...(intervenes)

ADV RANTHO SC: To form part of the DPCI.

MR DRAMAT: To form part of the DPCI. General Lebeya at the time was in the Detective Service, I think he was acting for Organised Crime, component head, and therefore, he was also brought to the

DPCI, and he was under my supervision and reported to me.

ADV RANTHO SC: Thank you, general. And then you spoke of also the process of vetting that had to happen during the takeover of those members from the DSO and other units of the SAPS.

MR DRAMAT: That is correct.

ADV RANTHO SC: Yes. What did that mean when you said vetting, what did that process entail?

MR DRAMAT: Ja, we had to apply the Z204 forms, that of Crime Intelligence, in fact, of government, I think, the Z204, so that we could
10 be investigated and get a clearance, ja.

ADV RANTHO SC: Meanwhile, those members were still serving under the newly established DPCI pending the vetting.

MR DRAMAT: Yes, it was a requirement.

ADV RANTHO SC: It was a requirement?

MR DRAMAT: Ja.

ADV RANTHO SC: You testified that, as much as you did not have personnel under you or within the DPCI, or the newly formed. In paragraph 6 you also indicated that there was no approved structure for the DPCI, is that correct?

20 MR DRAMAT: That is correct.

ADV RANTHO SC: Hence, General Lebeya and others had to come from where they came from to form part of the newly established DPCI.

MR DRAMAT: That is correct.

ADV RANTHO SC: As we indicated, perhaps before we go to the

response to the rule 3.3 notice that was served on you by the Commission. Can you just perhaps give the Commission a time period within which all this had to happen? That is now your appointment, the integration and your ultimate appointment as a DPCI when you were relinquished of other functions.

In terms of what you stated, is that your appointment was in let us say July 2009, and then only January 2011 you started taking the responsibility over the DPCI. So that would have been just over a year, is that correct?

10 MR DRAMAT: That is correct, but I do not want to say there was not a period where I was never responsible for the DPCI.

ADV RANTHO SC: Yes, no, no, no, what I... Remember you stated, you explained to the Commission that there was a point when you were responsible for it as part and parcel of ...(intervenes)

MR DRAMAT: Yes, that is correct.

ADV RANTHO SC: It was over and above DPCI, Detection, and so on, until January 2011.

MR DRAMAT: That is correct.

20 ADV RANTHO SC: Yes, so meaning you started taking the responsibility solely for the DPCI from 31 January 2011.

MR DRAMAT: That is correct, commissioner.

ADV RANTHO SC: Now, let us go to paragraph 10 of your affidavit. This is where you refer to the notice that you spoke about, that you understand that you are here because of the contents of the notice served on you by the Commission. Now, in paragraph 10 you

specifically refer to the allegations that are contained in paragraphs 311 and 313 of the founding affidavit filed in the application of Calata and others in Gauteng. So you confirmed that the basis of your response was in relation to those paragraphs, as contained in the notice?

MR DRAMAT: That is correct, commissioner.

ADV RANTHO SC: And you do point out to the Commission that, more specifically, it is alleged that Adv MacAdam made a number of attempts to secure a meeting with you, and those were unsuccessful,
10 correct?

MR DRAMAT: That is correct, commissioner.

ADV RANTHO SC: And you also point out to the Commission that according to Adv MacAdam, at the time when he approached you, he alleges that he was alerting you of a matter that was about to prescribe on the 12 September 2009. Is that not so?

MR DRAMAT: That is correct, commissioner.

ADV RANTHO SC: Would I be correct that what essentially that meant was that from July, August, September, we took in a period of three months that you had to deal with these cases that
20 Adv MacAdam allegedly asked you to assist with, within a period of three months to avoid the prescription, according to him. Is that not so?

MR DRAMAT: That is correct, commissioner.

ADV RANTHO SC: Now, in paragraph 11 you state to the Commissioner that, you refer to the contents of Adv MacAdam's

affidavit, that is RCM6 to his affidavit filed in support of the Nkadimeng matter. And you do explain that on the 7 July, that is 27 July and 28 August 2009, was shortly after you resumed your duties in July 2009.

MR DRAMAT: That is correct, commissioner. As I indicated, I was appointed in June, but took up office in July. And I do take note, although I do not have any recollection of the email, but I do take note that comrade, sorry, my apologies, that Adv MacAdam made attempts to seek a meeting with me.

10 ADV RANTHO SC: So you do not dispute that he may have?

MR DRAMAT: No, I would not be in a position to dispute that.

ADV RANTHO SC: As you also said, stated again that you also cannot recall if you responded.

MR DRAMAT: No, I cannot.

ADV RANTHO SC: And in terms of the process of integration that you were talking about, getting everyone to be housed under your supervision, as you explained earlier, General Lebeya, Specialised Unit, DSO, all this happened during the period that Adv MacAdam would have attempted to secure meeting with you. Am I correct to
20 say that?

MR DRAMAT: That would be correct, I mean, it was in the process. Commissioners, at that point in time there were simple things, I did not have an office as when I was appointed, you know, I did not have staff. I brought the secretary with me, and the secretary was from Cape Town, and also had to relocate, we had to set up office. And

the email that we would have sent to him is an email that is manned by my secretary.

ADV RANTHO SC: Commissioners, if I may just refer the commissioners to correspondence. In terms of the Adv MacAdam's affidavit, it does not really have the dates, and so on, but there is, in the Calata bundle, correspondence, page, is it 303, of the Calata bundle, commissioners. If you may allow, specifically page 304 commissioner, I just want to enquire from General Dramat relating to the correspondence that he referred to. There is an email from DPCI
10 Head, and then the person that signed there is Pumla N Mpotulo. Do you know the person?

MR DRAMAT: That is my secretary.

ADV RANTHO SC: So for the record, that was on the 28 August 2009. It is addressed to Helena Zwart, and it says:

"Good day, Mr MacAdam.

We wish to acknowledge receipt of your email.

DNC Dramat is unable to meet with you presently,

but will revert back to you in due course."

As you stated earlier that you do not have a recollection.

20 MR DRAMAT: That is correct.

ADV RANTHO SC: But you cannot deny that it would have been Pumla from your office that responded to this correspondence?

MR DRAMAT: That is correct, commissioner.

ADV RANTHO SC: Now, General Lebeya testified before the Commission that his appointment took place in August 2009

...(intervenies)

COMMISSIONER KGOMO: So before you go there, I think earlier than August, if you go to page 1723 of this bundle, the earliest reference to General Dramat is at the foot of the page on the 14 July 2009. It says: "Re: TRC cases requiring investigation". And then important is what Helena Leila Rayman says, and if we can just read that:

"Dagsê, Helena.

10 *Kommissaris Dramat se kantoor het nounet
geskakel. Hy wil die vergadering uitstel na
Augustus. Hy is nie beskikbaar volgende week
nie. Ek sal die nuwe datum met jou
kommunikeer.*

Groete, Welma."

Do you understand Afrikaans?

MR DRAMAT: I do, commissioner.

COMMISSIONER KGOMO: Yes, actually there is also somewhat a translation thereof, because if we carry on the following page, 1724, then it goes on to say:

20 *"Beste Welma.*

*Aangeheg, vind asseblief 'n lys van TRC sake wat
by die vergadering bespreek gaan word. Sal jy
asseblief so vriendelik wees om dit aan te stuur
na die twee kommissarisse, aangesien ons nog
nie Kommissaris Dramat se kontakbesonderhede*

het nie."

What I want to point out here is that it would seem that this was brought to your attention. You said you are not available, you will be available only on August, according to this correspondence. You may not have an independent recollection, but this should refresh your memory. Do you recall then making this undertaking that you might be available in August of that year, 2009?

MR DRAMAT: Commissioner, unfortunately I do not have recollection, and me having seen the email and read this does not
10 assist with my memory, you know. But listening to the conversation that happens here between, it would seem, from Mr Helena Swartz and miss, I assume the person that is at the NPA office or Mr MacAdam's office, and the person that is in General or Commissioner Lella at the time's office, you know.

That they indicate that my secretary would have called them to say that I am not available. My secretary was also the person responsible to manage my diary, and therefore would have known that I would not be available at those specific times. It is possible that she would have raised it with me, but I do not have recollection,
20 unfortunately.

COMMISSIONER KGOMO: Yes, but also looking at what is stated there, it is very important, because there would have been a list of cases given, and not only cases, TRC cases *wat bespreek gaan word*, in other words, cases that would be on the agenda for discussion. So it was very important, you agree?

MR DRAMAT: Yes, all matters, my attitude would be important, ja, that was my attitude. I never discriminated anybody that wanted to discuss whatever cases, but ja.

COMMISSIONER KGOMO: I also take note, of course, and I understand that you had just taken, you know, office at the time, and you explained that you were very busy, I do understand that. Thank you, Ms Rantho.

ADV RANTHO SC: Thank you, commissioner. Maybe just as also a follow-up question to what Commissioner Kgomo asked, just to find
10 out from you, general, at a time when you took over, I just want to find out as to whether you were aware as to how many TRC cases were being handled by the SAPS, or investigated by the SAPS at the time?

MR DRAMAT: No. Ja, perhaps I must maybe just add, I think I did explain earlier, with the establishment of the DPCI, that the investigations would have been somewhere, TRC investigations, as well as corruption investigations, as well as organised crime investigations, and commercial crime investigations would have been handled somewhere.

When the DPCI was established, and it fell within the
20 mandate of the DPCI, specifically with the cases that was handled by the DSO, they were supposed to be handed over, you know. Now, I am not sure whether the TRC matters was part of that cases that was investigated by DSO, whether the DSO investigated TRC cases, I am not sure, you know, ja.

ADV RANTHO SC: Perhaps if we can just go back to

General Lebeya's responsibility at the time when he was appointed, in August 2009, and now reporting under you as the Deputy National Commissioner.

MR DRAMAT: Yes.

ADV RANTHO SC: Yes. Do you remember what his responsibilities were?

MR DRAMAT: Ja, he was responsible mainly for the Organised Crime units, but he was also, I also relied on him as taking responsibility for DPCI units and investigations.

10 ADV RANTHO SC: Meaning the TRC cases, if at all, there were those in existence, would have then be dealt with by General Lebeya upon his appointment?

MR DRAMAT: They would have, yes. And how it used to work, I cannot say from the onset, but how it worked is that my office, let me say General Lebeya was almost an extension of my office. So if matters was sent to me and correspondents that related to the DPCI, it would be it would be sent to him for his attention and actioning.

20 And I did read in in Adv MacAdams' affidavit that he did, after not securing an appointment with myself, he in fact, I think it was in November, he actually managed to talk to General Lebeya about these cases, and my understanding is that General Lebeya gave attention to the cases that was mentioned.

ADV RANTHO SC: Okay. If at all you had succeeded in securing a meeting with Adv MacAdam during August 2009, would I be correct that General Lebeya would have been present or would have taken

care of the issues that would be raised in that meeting?

MR DRAMAT: For any actioning and appointment that I have seen to any of the units, General Lebeya would have (indistinct) taking action.

ADV RANTHO SC: And even if you had (indistinct) you would still have assigned General Lebeya to take care of the issues that were raised.

MR DRAMAT: That is correct, commissioner.

ADV RANTHO SC: And then just in conclusion, the other issues are that there were, or there was political interference in the
10 investigations (indistinct) of the TRC, and with the cases. Now my question to you is whether (indistinct) or otherwise (indistinct).

MR DRAMAT: Commissioner, without any fear or contradiction, I can say that at no point in time was I influenced, you know, or did I seek to influence or instruct anybody to be not investigated in TRC matters or any other matter (indistinct).

ADV RANTHO SC: And that would have extended to anybody that worked under you, but no instruction was ever (indistinct).

MR DRAMAT: (Indistinct) that would have been illegal, that is my attitude, and I would not have given such an illegal instruction to
20 anyone under my command.

ADV RANTHO SC: Thank you, General Dramat. Commissioners (indistinct). Commissioner, I think that ends the evidence of General Dramat.

CHAIRPERSON: Thank you, Ms Rantho. Mr Gwala. Switch on your mic.

ADV GWALA: Thank you, commissioner, honourable commissioner.

We have no questions for this witness.

CHAIRPERSON: Thank you. Ms De Vos.

ADV DE VOS: Thank you, chair, we do not have questions either.

Thank you, chair.

CHAIRPERSON: Thank you. Ms Moroka.

ADV MOROKA: Chair, before I (indistinct) I have no questions, chair.

CHAIRPERSON: Thank you, Ms Moroka. Mr Varney.

10 ADV VARNEY SC: Chair, in addition to the comments, it is a bit
noisy. I just want to make sure that we can be heard.

CHAIRPERSON: Yes, you can be heard.

ADV VARNEY SC: Chair, we do have a (indistinct) number of
questions we would like to proceed with.

CHAIRPERSON: Yes, you may proceed to do so.

20 ADV VARNEY SC: Thank you, Chair. Now, general, may I firstly
thank you for coming out from Cape Town to be with us today, it is
appreciated. Lieutenant General, we do not regard you as an
implicated person in these proceedings, and as far as we are aware,
there is no basis to accuse you of (indistinct) TRC cases.

If we can just revisit your career in SAPS. You mentioned in
your evidence-in-chief that you joined SAPS in 1994, and then
became Provincial Crime Intelligence in the Western Cape in 2003,
and then in 2007 the Deputy Provincial Commissioner in (indistinct)
section and Intelligence also in the Western Cape. (Indistinct) in
SAPS based in the Western Cape, you were not involved in any of

the TRC cases.

MR DRAMAT: No, Commissioner, I have never, I was not involved in the investigation of TRC matters. Just also if I can just correct myself, I integrated in SAPS in 1995 and not 1994.

ADV VARNEY SC: Thanks for that (indistinct). So then when you took up your appointment as Deputy National Commissioner on the 6 July 2009, you mentioned that you were overseeing the Detective Services, Crime Intelligence and Forensic Services division. You also pointed out that you had to (indistinct) you had no staff, no office, you
10 had to establish offices in all the provinces. And will I be right in saying that at your level you were not dealing with individual cases (indistinct) individual TRC cases?

MR DRAMAT: No, not at all, you are correct, commissioner.

ADV VARNEY SC: And then you made mention of the fact that Major General Lebeya, he became component head of the DPCI in August 2009, and he reported directly to you, that is in paragraph 6. Then we jump to paragraph 8. You mention that on 31 January 2011 you were relieved of the responsibility over Detective Services, Crime Intelligence and Forensic Services. And did I hear you correctly, that
20 at that time you then focussed exclusively on the DPCI?

MR DRAMAT: That is correct, commissioner.

ADV VARNEY SC: And can I ask, so between 31st January 2011 and your retirement from the service, I believe that was in 2014 or 2015, 2014.

COMMISSIONER KGOMO: 2014.

ADV VARNEY SC: 2015, yes. During those years, did you have any interaction with the TRC cases?

MR DRAMAT: There was an officer that had an engagement with me. I forgot the officer's name, unfortunately, I cannot record his name, but it was specifically on the Simelane matter, he was investigating that case.

ADV VARNEY SC: The Nokuthula Simelane case?

MR DRAMAT: Excuse me?

ADV VARNEY SC: Nokuthula Simelane.

10 MR DRAMAT: That is correct, commissioner.

ADV VARNEY SC: And was it by chance Senior Superintendent Louis Bester?

MR DRAMAT: No, no, it was not. It was a black officer.

ADV VARNEY SC: I see. Although you cannot remember his name?

MR DRAMAT: I cannot, I am sorry.

ADV VARNEY SC: No, not a problem. So was that the only matter that you can recall from those years?

MR DRAMAT: Yes.

20 ADV VARNEY SC: So then let us turn to your paragraph 10, in which you give an overview of the Rule 3.3 notice, and you make reference to the paragraphs in the Calata affidavit, which in turn reflect various communications that Adv MacAdam had with your office.

We do not need to go over that in detail, your evidence-in-chief has covered it, but essentially MacAdam seems to be saying that there were these cases, 11 reduced to 10, that needed to be

investigated in was prescribing.

At that time, were you surprised to hear that these TRC cases still had not been investigated, given that they were quite old cases, but also serious cases, such as murder?

MR DRAMAT: As I testified, that I do not have recollection of it, you know, so I cannot respond to at the time, you know.

ADV VARNEY SC: Okay.

MR DRAMAT: Ja, I cannot respond to that.

ADV VARNEY SC: Right, and as we sit here today, with the benefit
10 of hindsight, the fact that the NPA was approaching the DPCI for
investigators as late as 2009, With the benefit of hindsight, would
that be surprising to you?

MR DRAMAT: Look, I am surprised, with hindsight now, that the NPA would not have had investigators. Where were they from? What was happening with those cases all this time? That would be the question. Why was nobody investigating them?

ADV VARNEY SC: Yes.

MR DRAMAT: Where were they?

ADV VARNEY SC: Well, we ...(intervenes)

20 MR DRAMAT: Before it came there, according to the email.

ADV VARNEY SC: Well, this Commission is attempting to get to the bottom of that question, amongst others.

MR DRAMAT: Okay.

ADV VARNEY SC: And if we turn to your paragraph 13, you mentioned that Adv MacAdam did, in fact, meet with General Lebeya,

and that was towards the end of 2009. And that Senior Superintendent Bester was assigned to deal with those 10 matters. And incidentally, we do not know the 10 matters, but I think we can assume that the Nokuthula Simelane matter was one of them.

Now, would you be surprised to hear that, notwithstanding the appointment of Senior Superintendent Bester, between 2009 and 2016, and I know this now surpasses your time at the SAPS, since you left in 2014, but with the benefit of hindsight, would you be surprised to hear that during that period of approximately six years,
10 there were no cases enrolled and no indictments issued, no inquests held on the TRC cases?

MR DRAMAT: Well, most probably it points to the difficulty of the investigations, I assume, most probably because of the length of time when the matters would have happened. And what available evidence there is, you know, could be factors that contribute to a lack of these cases having progress to prosecution state. I am not sure, you will have to go into those individual investigations and see what were the objective reasons for progress or lack of progress. It is difficult for me to say.

20 ADV VARNEY SC: Yes, and since you raised the Nokuthula Simelane matter, I do not know if you recall, but in 2015, Thembi Simelane, on behalf of her family, went to the High Court to compel a decision from the NPA, and in fact that did result in an indictment being issued in early 2016. So certainly in that matter it did not appear that there was a want of evidence. Do you have any

comment on that?

MR DRAMAT: Ja, look, as I say, you need to look at each investigation, you know, what is the available evidence in this specific matter.

ADV VARNEY SC: Yes. You were asked by your counsel, Ms Rantho, whether you knew how many TRC cases were being investigated by the DPCI. The DPCI did submit a report to the Justice Portfolio Committee in Parliament, and it did give an indication of the number of cases being pursued by the DPCI.

10 And it appears that in 2011 only one case, TRC case was opened, and in 2013, also only one case. In fact, the bulk of the cases, some 140, were only opened in the years 2021 and 2022. Do you have any comment as to why so few cases were opened by the DPCI in the period between 2011 and 2020, or at least during the period that you were at the DPCI?

MR DRAMAT: Well, the cases, as indicated, there were 10 matters that we know of that was sent to the DPCI, and in all likelihood, General Lebeya would have assigned it to investigating units or investigators would have been assigned. So in that sense there was
20 at least 10 cases, active cases, being investigated.

 When you say that there was only one in 2011 that was opened, are you saying that it was enrolled, or...? I just need some clarity, commissioner, because my understanding on the strength of Adv MacAdams' affidavit that 10 cases was, at least 10 was assigned and was active investigation, so it would have been opened, in police

terms.

ADV VARNEY SC: Yes, no, no, we certainly do not mean enrolled, we mean opened.

MR DRAMAT: Okay.

ADV VARNEY SC: Unfortunately, we do not have that list of 10 cases, so we do not know whether they were, in fact, opened and investigated. All we know is that there was no progress in those years, and until the Simelane family went to court in 2015.

MR DRAMAT: Oh.

10 ADV VARNEY SC: No further questions, chairperson.

CHAIRPERSON: Thank you, Mr Vanrney. Mr Semenya.

ADV SEMENYA SC: Chair, before my learned colleague Nalane puts questions, I am advised that there are two representatives virtually who are present with these proceedings for Adv Jiba and Adv Simelane.

CHAIRPERSON: Yes. Are they available virtually to put clarificatory questions?

ADV SEMENYA SC: I take it that is why the information has been forwarded to me.

20 CHAIRPERSON: Yes. Can we proceed to have Ms Nthambeleni for Adv Jiba?

ADV NTHAMBELENI: Good morning, Chair. We do not have any clarificatory questions for this witness.

CHAIRPERSON: I did not get your response.

ADV NTHAMBELENI: We do not have clarification questions for this

witness.

CHAIRPERSON: Thank you. Ms Rikhotso.

ADV RIKHOTSO: Good morning, Chair. We also do not have any clarificatory.

CHAIRPERSON: Thank you. Mr Nalane.

ADV NALANE: Commissioner, I see it is 11:06. Can we start now?

CHAIRPERSON: Yes, you may.

ADV NALANE: Or do you want to take a tea break?

CHAIRPERSON: Yes.

10 ADV NALANE: Thank you. General, good morning.

MR DRAMAT: Morning.

ADV NALANE: As I understand from your evidence, you literally were the first person to start the DPCI.

COMMISSIONER KGOMO: Mr Nalane, you are not in sync with your microphones.

ADV NALANE: Am I in sync now?

COMMISSIONER KGOMO: Yes.

ADV NALANE: Thank you, thank you very much. You appear to have single-handedly started the process of the establishment of the
20 DPCI. You were the first person to be appointed, is that correct?

MR DRAMAT: That is correct, commissioner.

ADV NALANE: And you had to marshal staff, offices, equipment, and other necessary instruments for you to enable to start the DPCI, correct?

MR DRAMAT: That is correct, commissioner.

ADV NALANE: And as I understand, one of the persons that you relied on mainly was General Lebeya.

MR DRAMAT: That is correct.

ADV NALANE: You said he was an extension of your office.

MR DRAMAT: That is correct, commissioner.

ADV NALANE: And you had been involved in some of the practicalities of dealing with the issues of the DPCI.

MR DRAMAT: That is correct, commissioner.

ADV NALANE: From what we hear from doctor, General Lebeya, is
10 that he was requested by Adv MacAdam to look into 10 cases relating to the TRC. You also mentioned that you know about that.

MR DRAMAT: I learnt of them from Adv MacAdam's affidavit.

ADV NALANE: So the DPCI was, at the very least, seized with at least 10 cases when it started its operations, TRC cases.

MR DRAMAT: That is correct.

ADV NALANE: And as we understand from General Lebeya, on whom you relied, there were at least one problem or challenge which was identified, which was lack of investigators. Do you agree?

MR DRAMAT: I am not aware of the lack of investigators.

20 ADV NALANE: When MacAdam came to the DPCI, he wanted an investigator to be assigned to at least those 10 cases that he wanted to be investigated.

MR DRAMAT: Yes.

ADV NALANE: And as we understand the structures of the operations at the time, there was a unit within the NPA called PCLU,

which was responsible, among others, for the investigation and prosecution of TRC cases. Are you aware of that?

MR DRAMAT: Yes.

ADV NALANE: And MacAdam, Adv MacAdam was working in that unit.

MR DRAMAT: Yes.

ADV NALANE: And when he came to the DPCI, it was for the DPCI to assign investigators so that the cases can progress, the TRC cases. Do you agree?

10 MR DRAMAT: Yes.

ADV NALANE: Ja, and as we understand from General Lebeya, he then put in place processes to enhance the availability of personnel in the DPCI, which was a new organisation in a sense, to beef up the capacity of the DPCI, with which you were the head. Do you agree with that?

MR DRAMAT: I was the head, yes, of the DPCI.

ADV NALANE: Yes, and as we understand it, a number of posts were advertised, at least 200 cases or so, 200 posts or so were advertised to fill the capacity of the DPCI to start with its job.

20 ADV RANTHO SC: Sorry, commissioners, apologies, commissioners. Just to assist my senior colleague, those appointments were made way after the departure of General Dramat.

CHAIRPERSON: Yes.

ADV NALANE: All right. So during your tenure in the DPCI, you were not involved with the appointment of staff, at least investigative staff?

MR DRAMAT: No, no, I was involved at the level of the provincial heads, that was my first, and the staff at the national office.

ADV NALANE: Now, during your term or tenure, what did you do personally, as the head of the DPCI, to make sure that TRC cases, at least those that were identified by MacAdam, Adv MacAdam, were able to be investigated as thoroughly as possible?

MR DRAMAT: As I testified earlier, that I was not aware of TRC cases per se, right. There was a number of cases that the DPCI inherited from the DSO, as well as those cases that was investigated
10 by the Organised Crime units, the Commercial Crime units, and the Serious and Violent Crimes units of SAPS, and together with those personnel that came from, at least from the SAPS. So I cannot, commissioner, I cannot say that I did something specific on TRC-related matters only.

ADV NALANE: You relied on General Lebeya in the main?

MR DRAMAT: That is so.

ADV NALANE: And from his evidence, it appears that he did assign investigators on these cases?

MR DRAMAT: Yes.

20 ADV NALANE: And he also testified that, of course, I am told now that it might have been after he had left, he was able, through his efforts and requests through the authorities, to make sure that investigators are increased and appointed.

CHAIRPERSON: Yes, that is pursuant to the departure of Lieutenant General Dramat.

ADV NALANE: Departure, yes, thank you. And you say during your time period you did not interfere with anybody, stop any TRC investigations, or influence anybody to stop the TRC investigations?

MR DRAMAT: No, I did not, it would have been an offence.

ADV NALANE: Commissioner, those are the questions.

CHAIRPERSON: Thank you.

COMMISSIONER KGOMO: Can I just find out from you, general, we know what Mr MacAdams says in his affidavit. And you point out in paragraph 13 that General Lebeya came on board, specifically on the
10 26 November 2009. Now, after Mr MacAdams could not get hold of you, did General Lebeya report to you about the difficulty relating to the appointment of investigators, particularly relating to the TRC matters?

MR DRAMAT: Commissioner, I do not have any recollection of such difficulty. In my understanding, most probably he would have allocated those investigations to a unit that was probably within the Organised Crimes, or what later on became the Crimes Against the State unit. He would have assigned those investigations to that unit. I do not think he would have appointed specific investigators for a
20 case, so he would have ...(intervenes)

COMMISSIONER KGOMO: But he did not...

MR DRAMAT: Excuse me.

COMMISSIONER KGOMO: But he did not share his difficulties with you?

MR DRAMAT: I do not have a recollection of him indicating any

difficulty ...[intervenes]

COMMISSIONER KGOMO: No, no, I think that... I think you have answered my question, thank you. Thank you, chair.

CHAIRPERSON: Ms Rantho.

ADV RANTHO SC: Thank you, commissioners, there will not be any re-examination of the witness.

CHAIRPERSON: Thank you. Lieutenant General Dramat, we thank you for having come to give evidence before this Commission. At this stage, there is no indication that an application for your
10 cross-examination is going to be launched. You are excused as a witness, but should such an application be made, you may be recalled as a witness. Thank you.

MR DRAMAT: Thank you, commissioner.


CHAIRPERSON: These proceedings are adjourned until tomorrow at 10 o'clock.

INQUIRY ADJOURNS UNTIL 14 MAY 2026

CERTIFICATE OF VERACITY

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

JUDICIAL COMMISSION OF INQUIRY INTO TRC

FORUM OF ORIGIN : Inquiry
CASE NUMBER : N/A
TRANSCRIBER : A van Staden
DATE COMPLETED : 2026-05-14
NUMBER OF PAGES : 32 (Including front page)
TRANSCRIBER : 

TRANSCRIBER'S NOTE:

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- *Grammar errors types verbatim.*



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