


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

AFFIDAVIT OF ADVOCATE ETRICIA MATZKE

I, the undersigned, **Etricia Matzke** hereby state under oath that:

1. I am a 64-year-old female person residing at [REDACTED]
[REDACTED]
2. The facts contained in this affidavit are within my personal knowledge unless stated otherwise, both true and correct.
3. The purpose of my affidavit is to respond to the request made by the Commission of Inquiry into Allegations Regarding Efforts or Attempts to Stop the Investigations or Prosecution of Truth and Reconciliation Commission Cases ("the Commission") in its mandate under the Terms of



Handwritten signature of Etricia Matzke, consisting of a stylized cursive name and the initials 'EM' below it.

Reference. I am requested to respond to the evidence presented to the Commission by Adv N Jiba on 1 April 2026 and provide any further information relating to my involvement and knowledge in respect of the TRC cases.

4. I obtained a BA.LLB degree in 1985 and was admitted as an advocate in May 1987. I was appointed as a Judge's Clerk in the Department of Justice in 1985 where after I served as a Public Prosecutor from 1986 to 1992, mainly at the Germiston Magistrates and Regional Courts. I was appointed as a junior State Advocate at the then Attorney-Generals Office, Johannesburg in 1993 and subsequently promoted to senior State Advocate. I was transferred to the newly established NPA national office in Pretoria in 1999 and promoted to Deputy Director of Public Prosecutions in 2000. I was appointed as a Special Director of Public Prosecutions: General Prosecutions and Tax with effect from 1 April 2022.
5. I left the National Prosecuting Authority ("NPA") on 31 January 2025 after forty years' service as a Public Prosecutor.
6. My main portfolio and responsibilities at the National Prosecuting Authority was that of coordination of the Representations and Complaints Component.

7. In her evidence, Adv Jiba stated that, her Personal Assistant Ms. Pfanani Mlova sent an email to Adv Pretorius, then Acting Special Director of the Priority Crimes Litigation Unit ("PCLU") on 22 October 2018 and that I was, amongst those copied in the said email. The email read as follows:

"Dear Dr Pretorius

By direction of Adv Jiba, following the National Operations Management Meeting last week which you unfortunately could not attend, understandably so, a decision was taken that you should forward a list of cases/ matters together with the cases themselves emanating from the TRC to my office in order to see and evaluate which matters should be referred to the DPP offices.

The delay in dealing with these matters was highlighted as something which is unacceptable, seeing that the suspects are getting old, witnesses also getting old which might result in victims not getting justice at all.

The target date for the evaluation of these matters is 14 November 2018. Adv Jiba have already requested Adv Matzke and her team to run with the process.

It is therefore requested that this be submitted by Wednesday 24 October 2018 latest. You can delegate any of your prosecutors to collate the dockets."

8. This email was the first time of me being informed of the task at hand thus, I henceforth in response wrote an email to Adv Jiba on the same day at 3:45 pm requesting a meeting with her so as to understand what the referral of the matters to the Directors of Public Prosecutions entail as well as the process to be followed by the Representations and Complaints Component. I also proposed that we await the submission by the PCLU and then take it from there. The meeting never materialised.
9. I should mention that the PCLU was a separate unit from the Representations and Complaints Component where I worked and I have up until that time never dealt with TRC matters. On or about 23 October 2018 I went to the PCLU offices to discuss a list of the TRC cases. I met with Advocate S Bukau, Senior State Advocate, a member of the PCLU.
10. The deadline of two days for the PCLU to deliver a list was too short and caused me to investigate the feasibility thereof. I also learnt that time that Adv Pretorius was very ill and evidently not in a position to assist with a consolidated list.

11. It appeared that there were not only various lists kept by the respective advocates involved in TRC matters at that stage but that the numerous case files / documents were stored in various PCLU offices as well as the NPA Document Centre. I was also informed that a proper audit of all the matters was required and that it was not only to simply compile a list of the matters.

12. Adv Jiba stated that the report that she had requested was submitted to me. I however never received a comprehensive report as stated.

13. I only received copies of documents / case files in two matters from Adv Bukau and might have received summaries of a couple of matters as I endeavored to commence with some kind of a schedule as mentioned in the WhatsApp dated 25 October 2018. I confirm that on 25 October 2028 I sent a WhatsApp message to Adv Jiba asking to me meet. I further stated in the message that I wanted to brief her on the TRC cases and that I have started with a schedule. I also mentioned that I am very concerned that the NPA has failed dismally. This meeting did not take place. I never received a comprehensive consolidated list or report. I also never received police case dockets in the matters.


5
26
M
.

14. The WhatsApp message was an attempt from my side, though Adv Jiba was placed on precautionary suspension on 25 October 2018, to obtain clarification and direction from my supervisor as to the way forward. Her sudden departure left the NPS in limbo.

15. The TRC cases remained with the PCLU as the appointment of the new National Director of Public Prosecutions was awaited. Adv S Batohi was then appointed with effect 1 February 2019 and she took charge of the TRC matters. Adv C MacAdam dealt with the audit of the TRC matters and the subsequent decentralization of the TRC cases to the provinces as stated in his affidavit and testimony before the Commission.



DEPONENT

I hereby certify that the deponent declares that she knows and understands the contents of this affidavit and that it is both true and correct. This affidavit was signed and sworn to before me at Pretoria on the 02 ^{JULY} ~~JUNE~~ 2026 and that the Regulations contained  in Government Notice R1258 of 21 July 1972, as amended have been complied with.



[Handwritten signature]
C56
7259092-1
[Handwritten signature]

COMMISSIONER OF OATHS

FULL NAMES: NAPO SOPHIAH MORETJELG

[Handwritten signature]
NYS