

**TO THE COMMISSION OF ENQUIRY APPOINTED TO INQUIRE INTO THE
ALLEGATIONS OF EFFORTS OR ATTEMPTS MADE TO STOP INVESTIGATIONS
AND PROSECUTIONS OF THE TRUTH AND RECONCILIATION COMMISSION
CASES**

AFFIDAVIT

I, TERRESA NONKULULEKO SINDANE,

do hereby swear under oath that the contents of this affidavit, is to the best of my knowledge, true and correct.

1. I am an adult female with Identity Number [REDACTED] and employed in the capacity of Chief Executive Officer of Mariswe (Pty) Ltd, a civil engineering consulting company with its Head Office situated at University House, Eton Office Park West, Harrison Avenue, Bryanston, Johannesburg, 2021.
2. On the 18th of June 2026 a text message was sent to my phone by Thembekile Graham ('TG') of the Truth and Reconciliation Commission ('the Commission'). I missed this message as my phone had a virus and was in for repairs. I only connected with TG almost a week later when she called and explained the reason for her reaching out to me. TG then sent me a letter from the Chief Evidence Leader, Advocate I Semenya SC, dated 18 June 2026 but received by me on the 22nd of June 2026 with a follow-up call from TG on Wednesday the 23rd of June 2026 confirming that she had sent me a letter from the Chief Evidence Leader. I had previously informed TG of my tight schedule, as such, this affidavit is not submitted within the specified date of 26 June 2026.
3. The communication from the Commission stated that on 22 May 2025 the President of the Republic of South Africa, Mr Cyril Matamela Ramaphosa, issued Proclamation Notice 264 of 2025 establishing a Commission of Inquiry to Inquire into Allegations Regarding Efforts or Attempts Having been Made to Stop the Investigation or Prosecution of Truth and Reconciliation Commission ("TRC") Cases ("the Commission").

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4. The Terms of Reference of the Commission require that, among other things, the Commission must inquire into, make findings on and make recommendations concerning:
“...whether, why and to what extent and by whom, efforts were made to influence or pressure members of the South African Police Service or the National Prosecuting Authority to stop investigating or prosecuting TRC cases”.
5. The letter further requested that I assist the Commission and furnish it with an affidavit that addresses my knowledge of relevant events and matters. In particular, my affidavit should set out:
 - 5.1 My role and responsibilities as Director-General of the Department in relation to TRC cases;
 - 5.2. The manner in which I supported the Ministry in the day-to-day operations concerning TRC cases, including any oversight, coordination, advisory, administrative, or decision-making functions performed by me;
6. My overall involvement in, and contribution to, the management, investigation, prosecution, monitoring, or administration of TRC cases, including the steps taken by me in the execution of my responsibilities; and
7. Any additional information that may assist the Commission in understanding my role, responsibilities, and involvement in matters relating to TRC cases during my tenure.
8. In line with the above request from the Commission, I hereby respond as follows:
 - 8.1 Prior to my current position, I was previously employed by the Department of Justice and Constitutional Development (“the DoJ&CD”), in the position of Director General.
 - 8.2 I commenced employment with DoJ&CD on or about the 4th of January 2010 and completed my tenure on the 30th of March 2016.
 - 8.3 My responsibilities included operational, strategic policy development and implementation, and overall management including accountability for the overall budget of the department. My responsibilities entailed oversight over

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the management and use of the budget by the entities then reporting to the DoJ & CD, of which, the National Prosecuting Authority ("NPA") was but one.

- 8.4 The NPA reported directly to the Minister of Justice and Constitutional Development not through the Director General or the DoJ & CD.
- 8.5 The NPA 's administrative functions, specifically not the prosecutorial functions, reported to the Minister of Justice & Constitutional Development through the DoJ&CD on issues i.e. of budgeting and budget compliance, expenditure management, general compliance and related matters. This means that during budget allocation process by the Budget Office of the National Treasury, the Director General of DoJ&CD and the CEO of the NPA, a position which was also administrative in nature, would attend the budget allocation discussions led by the National Treasury as one team. The Director General of the DOJ & CD led these discussions from the side of Justice family.
- 8.6 The Director General of the DoJ&CD had no direct or indirect responsibility over the NPA's prosecutorial responsibilities. The core business of the NPA which is to prosecute criminal cases was conducted in a manner that there ought not be any influence exacted on the National Director of Public Prosecutions ("the NDPP") as the Head of the NPA and accountable for the prosecutorial outcomes of the entity. This was a clear position and was followed. Consequently, I as the then Director General never had discussions with any of the NDPP on the substantive matters relating to the cases to be prosecuted or not prosecuted. The reports I received from the CEO of the NPA provided the statistics that went into the Ministerial reports not specific cases.
- 8.7 The NPA was independent from the authority of the Director General of the DoJ&CD. This meant that the Director General could not direct or instruct the NDPP on whether to prosecute any person identified by the NPA for prosecution whether for the TRC cases or any other cases howsoever arising for that matter.
- 8.8 The independence of the NPA as an institution meant that the NDPP reported directly to the Minister of Justice and Constitutional Development. This reporting was direct and not through the Office of the Director General.

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- 8.9 Based on the above, I hereby state that I had no knowledge or influence over the decision of the NDPP or any member of the Prosecutorial team reporting to the NDPP on any prosecutorial decisions. Neither did I discuss the matters under consideration for prosecution with the NDPP or his/her deputies.
- 8.10 The NDPP or any prosecutor who required to discuss any matter/s of a prosecutorial nature, did not go through the Director General to discuss such matters with the Minister of Justice of Constitutional Development.
- 8.11 During my tenure in the DoJ&CD, there were five successive NDPPs, who were either permanently appointed or acting in the NDPP position, namely:
- 8.11.1 Adv. Menzi Simelane
 - 8.11.2 Adv. Nomgcobo Jiba (acting)
 - 8.11.3 Adv. Mxolisi Nxasana
 - 8.11.4 Adv. Silas Ramaite (acting)
 - 8.11.5 Adv. Shuan Abrahams
- 8.12 I was never in any meeting with any of the above NDPPs and acting NDPPs where a discussion was held with the Minister of Justice and Constitutional Development on specific cases considered for prosecution in general or on the prosecutions of the TRC cases. If there were discussions on the TRC matters, I am not aware of those discussions and ought not have been aware of such discussions, because I did not have a mandate over prosecutions of cases.
- 8.13 I am not aware of the discussions or meetings held by the NDPP with the Minister of Justice and Constitutional Development or the outcome of such meetings as I was not entitled to that information either from the Minister or the NDPP.
- 8.14 I therefore conclude that I am not aware of any discussions or resolutions taken at any meeting of the NDPP with the Minister of Justice and Constitutional Development on decisions on whether to prosecute TRC cases.

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8.15 I do not possess any information or knowledge that can assist the Commission further in the execution of its mandate as aforesaid.

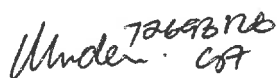
I certify that the Deponent acknowledged that she knows and understands the contents of this affidavit, which was sworn to and signed or solemnly affirmed before me on the 29th of June 2026 at The regulations contained in Government Notice No. R1258 of 21 July 1972, as amended, and Government Notice No. 1648 of 19 August 1977, as amended, having been complied with.



Deponent:

Teresa Nonkululeko Sindane

Date: 29/06/2026

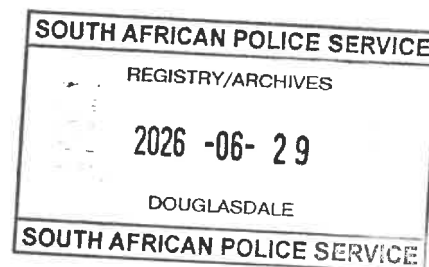


Commissioner of Oaths:

Date: 2026-06-29

Full names MASHUDU SIDERI

Designation POLICE OFFICIAL (CST)



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