

**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE HIGH COURT, CAPE TOWN)**

CASE NO:

In the matter between:

MINISTER OF POLICE

First Applicant

**NATIONAL COMMISSIONER OF THE SOUTH AFRICAN
POLICE SERVICE**

Second Applicant

**THE PROVINCIAL COMMISSIONER OF THE SOUTH
AFRICAN POLICE SERVICE FOR THE WESTERN CAPE**

Third Applicant

**THE CIVILIAN SECRETARIAT FOR THE POLICE
SERVICE**

Fourth Applicant

COLONEL M F REITZ

Fifth Applicant

BRIGADIER Z DLADLA

Sixth Applicant

COLONEL TSHATLEHO RABOLIBA

Seventh Applicant

And

THE PREMIER OF THE WESTERN CAPE

First Respondent

**THE MEMBER OF THE EXECUTIVE COUNCIL FOR
COMMUNITY SAFETY, WESTERN CAPE**

Second Respondent

THE CITY OF CAPE TOWN

Third Respondent

THE HON. JUSTICE CATHERINE O'REGAN N.O.

Fourth Respondent

ADV VUSUMZI PATRICK PIKOLI N.O.

Fifth Respondent

THE SECRETARY TO THE COMMISSION

Sixth Respondent

ADV T SIDAKI

Seventh Respondent

WOMEN'S LEGAL CENTRE

Eighth Respondent

AFFIDAVIT

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I, the undersigned,

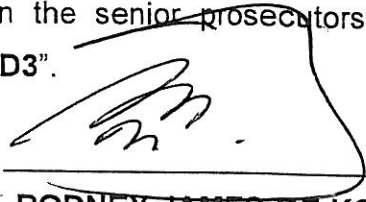
RODNEY JAMES DE KOCK

do hereby state under oath that:

1. I am the Director of Public Prosecutions, Western Cape Division of the High Court of South Africa in the National Prosecuting Authority of South Africa, appointed as such in terms of section 13 of the National Prosecuting Authority Act 32 of 1998 ("NPA Act") and situated at 115 Buitengracht Street, Cape Town. I exercise my powers in terms of section 24 of the NPA Act and in that regard am responsible for overseeing the prosecutorial services in the Western Cape.
2. The facts deposed to hereunder are, unless otherwise stated or the context indicates the contrary, within my personal knowledge and are true and correct.
3. I have been requested to place certain facts before the Honourable Court to assist in its determination of issues before the Court. I have no direct or substantial interest in the relief sought by the Applicants in the application but have been asked to confirm certain facts relating to my interaction with the Commission of Inquiry.
4. I advise and confirm that my office has been requested by the Commission to respond to certain inquiries and to submit documentation. I attach the request as "RD1". In response to the request I delegated the responsibility of collating the requested information and preparing a response to the further inquiry to my Senior Deputy Director, Advocate Bell.

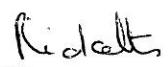
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- 5. A further inquiry was made on behalf of the Commission by Advocate Bawa, in an email dated 1 November 2012. The inquiry was a "gentle reminder" for a response from us on the requests made on 12 October 2012. I attach the email as "RD2".
- 6. My office responded, via Advocate Bell, indicating that the collation of the information was nearing completion and a draft response to the Commission's inquiry would be ready in the week beginning 5 November 2012 after which I would advise when the senior prosecutors could be interviewed. I attach our response as "RD3".



 RODNEY JAMES DE KOCK

I certify that the above signature is the true signature of the deponent who has acknowledged to me that he knows and understands the contents of this affidavit, which affidavit was signed and sworn to at Cape Town.....on this ...6th day of **NOVEMBER** 2012 in accordance with the provisions of Regulation R128 dated 21 July 1972, as amended by Regulation R1648 dated 19 August 1977, R1428 dated 11 July 1980 and GNR774 of 23 April 1982.

Acting 
 CHIEF CLERK TO THE DIRECTOR OF
 PUBLIC PROSECUTORS
 CAPE TOWN
 Rowena Ricketts
 115 Buitengracht Street
 Cape Town

DIREKTEUR VAN OPENBARE VERVOLGING
 KAAPSTAD
 - 6 NOV 2012
 CAPE TOWN
 DIRECTOR OF PUBLIC PROSECUTIONS