

APPENDIX 2 :SENIOR ROAD TRAFFIC INSPECTOR SUPERINTENDENT MZINDLE

1.Mbekezelwa Jackson Mzindle was employed in a senior position in the Road Traffic Inspectorate in the Lower South Coast area of KZN. He was also the Regional Secretary for that area of MKMVA (ANC military veterans).

2.In June 2012 Hibiscus Coast Speaker Wandile Mkhize was assassinated and his companion Nhlakanipho Shabane who was with him later died of his injuries. Subsequently, the then MKMVA Chairperson in the south coast region, the late Cyril Shezi, asked Mzindle to investigate the killing of Mkhize, which he did. The information he obtained pointed to the murder having been linked to tender-related corruption in the Ugu District as well as low cost housing in the KwaXolo area near Margate. The deceased Mkhize is known to have taken a strong stand against corruption. Mzindle's investigation confirmed the identity of the prime suspect, a wealthy tenderpreneur with a known close relationship to former police minister Cele (which information was also later confirmed by the investigating officer in the case, who died in accident suspected to have resulted from tampering with the vehicle he was in). Mzindle then reported the results of his inquiry to the office of the Hawks in Port Shepstone in 2016, and an Inquiry was registered. It subsequently became obvious that the information he had provided to the Hawks had been leaked to politicians with a vested interest in covering up Mkhize/'s death.

3.The persecution of Mzindle started soon after he had provided the information to the Hawks, and included a smear campaign, death threats and attempts on his life. There smear campaign included attempts to bring malicious charges against him in two 2016 murder cases, but there was no evidence. In one matter, attempts were made to get an arrested man to make a statement implicating Mzindle, and he refused to do so. Mzindle was offered bribes, including one of R2 million by a taxi association, which he refused. In his law enforcement capacity, he had many criminals providing information, and one hitman told him that had he taken it they were going to kill him and broadcast that he was a crooked policeman.

4.The current case, for which Mzindle was refused bail and has spent the past four years in prison, started in 2019 and it is being investigated and prosecuted by the Task Team. Mzindle links it to when Gcaba came to the province and worked with the Task Team. A week after he had had a confrontation with Cele, members of the task team searched his home, and charges against him followed : Fraud, theft, corruption and possession of unlicensed firearm. Since the case is finally due to be heard in court, it is sufficient to say he can defend himself against all these charges. Of particular relevance is the matter of the firearm which the police had found in the baggage which his deceased brother had left in a room in his house which had been in the legal possession of his brother. Mzindle himself is licensed to carry all types of firearms and his own are licensed. The member who arrested him has been suspended, charged with corruption. One of the investigators, when drunk (name known) allegedly told an associate of the accused that 'I am using a strategy, Mzindle is not guilty of anything, but we were told to make sure he rots in jail' The question is, who gave those instructions?

5.Mzindle places particular blame on Advocate Gcaba who has ensured that bail is denied. He points out that Gcaba should not be handling his case as there is a conflict of interest. He has a known grievance against Mzindle linked to his being related to a murder victim in one of the cases which they had, unsuccessfully, attempted to link to Mzindle. These allegations, supposedly based on an affidavit, had been used to obtain a search warrant for his home. Gcaba apparently referred to an affidavit about it to get bail denied, but no copy of the supposed affidavit has ever been produced. Mzindle has complained to the Legal Practice Council about Gcaba's conflict of interest but has not received a response.

6.Imprisonment has impacted seriously on Mzindle's health, as he has been refused medical attention for chronic ailments from the prison hospital, and even access to clean drinking water. He has written to prison authorities and JICS and received no response. He fears for his personal safety as he narrowly missed dying after poisoned food destined for him was accidentally consumed by a fellow prisoner, who died en route to hospital.

7.It must be stressed that, regardless of the information obtained by Mzindle and handed to the Hawks, the killers of Wandile Mkhize and his

companion are known by others, and they are connected with the tenderpreneur whose corruption has resulted in the collapse of services in Ugu municipality.

8. It is glaringly obvious that given that Superintendent Mzindile is a senior law enforcement officer with a clean record there is absolutely no good reason for him to have been denied bail for the crimes he has been accused of. He has sought assistance, and not received it from, among others, the Public Protector, the Human Rights Commission, and IPID. ***I am putting on record that, in terms of the attempted murders he has survived, and the power of those whose corruption he has tried to expose, his life remains in grave danger.***