

09 December 2025

The Executive Director
Independent Police Investigative Directorate
473B Stanza Bopape Street
Benstra Building, Arcadia
PRETORIA

E-MAIL: [REDACTED]

Dear Ms JD Ntlatseng

**RE: PROGRESS REPORT REGARDING THE ALLEGED MURDER OF
EMMANUEL MBENSE BY MEMBERS OF SAPS, EMPD AND GUARDIAN
SECURITY: BRAKPAN CAS 429/04/2022: OUR REFERENCE: BR13/11/2025**

1. This letter refers to the matter mentioned above.
2. Our office has been briefed to act on behalf of the family of Mr. Emmanuel Mbense, the deceased in the Brakpan SAPS case referred to *supra*. We consulted with the family on 18 November, 2025.
3. They informed us that during April 2022, the deceased was allegedly kidnapped and murdered by members of the SAPS, EMPD and Guardian Security, whereafter his body was dumped into a dam in Ekurhuleni.
4. It's no secret that this matter was extensively covered at the Judicial Commission of Inquiry into Criminality, Political interference and Corruption in the Criminal Justice System ("the Madlanga Commission") in the testimonies of the late Witness D (Mr Marius "Vlam" Van der Merwe) and retired EMPD Deputy Chief Revo Spies who implicated the current EMPD Deputy Chief Julius Mkhwanazi as the person who gave the order to dispose the body in a dam.

June 2024

Address: 58 Union Avenue, Kloofsig, Centurion • **Tel.:** 086 10 200 30
Member Affairs – Email: ledesake@afriforum.co.za • **Directors:** Ms A. Bailey, Mr P.J.W. Buys, Dr H.K. Coetzee, Mr P.L. Dekker, Mr F.J.D. de Klerk, Mr G.R. de Vries,
Dr D.J. Hermann, Mr W.G. Human, Mr C.M. Kriel and Dr R. Pretorius. • **Company Secretary:** Mr W.A. Vogel.
Registration number: 2005/042861/08 • **NGO number:** 054 - 590

5. The allegations are serious yet uncomplicated.
6. The case is registered under Brakpan CAS 429/04/2022 and was referred to your office for investigation, with Ms Nomsa Masuku as the investigating officer.
7. Our client is concerned that, since the matter was referred to your office in April 2022, there has been no meaningful progress. To make matters worse, the investigating officer has, for over three years, promised our client that the suspects' arrests were imminent. Yet, the Deputy Chief of the EMPD, Julius Mkhwanazi and others remain free.
8. This conduct has led our client to suspect that all efforts are being made to shield members of Guardian Security, SAPS and EMPD, especially Mr Julius Mkhwanazi, from scrutiny and thereby protect them from a likely criminal prosecution.
9. We write this letter at a time when it appears that almost all law enforcement agencies' alleged levels of incompetence and criminal conduct can no longer be kept secret, as in this case, which has shown no signs of meaningful progress in three (3) years.
10. We view this as a stratagem to conceal from the public the extent of criminal activity in which members of law enforcement agencies are involved, as well as the apparent ineffectiveness, if not complicity, of the agencies established to combat criminal activity within law enforcement structures.
11. The ongoing commissions of inquiry and Parliament's Ad Hoc Committee have indubitably exposed how structures in the criminal justice system fail to conduct objective crime investigations and prosecutions, and that the only guarantee being that the suspects have found safe refuge within collapsed, inept law enforcement agencies.

12. We sincerely trust that your office will steadfastly distance itself from any such alleged activities by the now-identified rogue elements within the government's security structures.
13. We reiterate that the perception that law enforcement officers are immune from criminal investigation and prosecution may cast yet another blemish on the ever-declining exposed levels of integrity within law enforcement agencies in today's climate, in which the criminal justice system is under intense scrutiny.
14. Following the apparent assassination Van der Merwe, who had made no secret of how and who was involved in our client's heinous murder, including his own involvement, the failure to decisively deal with the investigation and bring it to a close after years of investigation is deplorable and calls for a meaningful response as to the status of the matter.
15. Deeply concerning is the evidence of Spies who testified that Van der Merwe was identified as a possible witness in terms of section 204 of the Criminal Procedure Act 51 of 1977. If correct, an explanation for the failure to arrest the suspects and enrol the matter becomes more pressing.
16. We can only speculate on the degree of criticism your office will level at the way this investigation was conducted, but we do expect prompt action.
17. Our office extends any assistance necessary to ensure justice is done and that our clients are treated with the dignity they deserve.
18. We implore you to provide us with an urgent, transparent, and meaningful update on the status of your investigations.

Yours sincerely



ADV. GERRIE NEL

HEAD: PRIVATE PROSECUTION UNIT

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