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**IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA**

**Case Number:**

**In the matter between:**

**THEMBISILE PHUMELELE NKADIMENG**

**Applicant**

**And**

**NATIONAL DIRECTOR OF  
PUBLIC PROSECUTIONS**

**First Respondent**

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

**Second Respondent**

**THE MINISTER OF JUSTICE**

**Third Respondent**

**THE NATIONAL MINISTER OF POLICE**

**Fourth Respondent**

**WILLEM HELM COETZEE**

**Fifth Respondent**

**ANTON PRETORIUS**

**Sixth Respondent**

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**FREDERICK BARNARD MONG**

**Seventh Respondent**

**MSEBENZI TIMOTHY RADEBE**

**Eighth Respondent**

**WILLEM SCHOON**

**Ninth Respondent**

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**SUPPORTING AFFIDAVIT**

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I, the undersigned

**SIZAKELE ERNESTINA SIMELANE**

state under oath as follows:

1. I am Sizakele Ernestina Simelane. My identity number is 401209 0309 080. I am the mother of the late Nokuthula Aurelia Simelane ("Nokuthula"). I am also the mother of the applicant in this matter, Thembisile Phumelele Nkadmeng ("Thembi").
2. Save where appears from the context, the facts contained in this affidavit are within my own personal knowledge and are to the best of my knowledge and belief both true and correct.
3. I endorse the application launched by Thembi to bring closure and finality to the case of Nokuthula. I confirm the contents of Thembi's affidavit insofar as they pertain to me and my family.

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4. Nokuthula was my first child. I gave birth to her when I was 20 years old. I am now 75 years old. Nokuthula's father and my husband, Matthew, died in 2001. He never found out what happened to our daughter. We still don't know what happened to her. We have endured daily agony since her disappearance in 1983.
5. We have not been able to bury Nokuthula's remains with the dignity and respect that she deserves. I desperately want to do this before I die. Until we can do this my family and I will have no closure.
6. We know that she was abducted and brutally tortured by the Security Branch of the former South African Police. We know that she refused to collaborate with the apartheid security forces. It is likely that she was murdered by these members. We know that it was routine practice for the Security Branch to murder their captives if they refused to collaborate and to conceal their remains in a manner that made discovery unlikely, if not impossible.
7. We have tried to find out what happened but we do not have answers. I do not know why the responsible Security Branch officers have cruelly refused to disclose the whereabouts of her last resting place. Their obstinate refusal has caused my family and I to suffer indescribable pain for more than 30 years. They should be required to face the consequences, not only for their crimes, but also for their wilful and malicious withholding of the truth.
8. We expected that with liberation a new post-apartheid government would stand with us to search for the truth and to hold the perpetrators accountable. We were wrong. Rather than standing with the victims, successive post-apartheid governments have gone out of their way to accommodate the perpetrators and shield them from justice.

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9. Our pleas since the mid- 1990s for a proper investigation have fallen on deaf ears. Our queries over the years have simply been deflected with promises of action which have never materialized.
10. When we realized by the beginning of 2013 that the authorities had no intention to seriously pursuing justice in the case of Nokuthula we sought a formal inquest. The prosecutors had the temerity to decline this request on the claim that they were still investigating. In mid-2015 they are apparently still investigating. We have no faith in the SAPS and the NPA. We do not believe that they are acting in the interests of justice in Nokuthula's case.
11. We feel betrayed. Nokuthula was betrayed by one of her own cadres. The TRC's Amnesty Committee granted the white security officers amnesty for kidnapping even though they had found that these same individuals had been untruthful about what they did to her during her captivity, and that they had made the false claim that Nokuthula was cooperating with them. The Amnesty Committee nonetheless granted amnesty to the white officers for kidnapping and in so doing violated the full disclosure principle. We regarded this as an inexplicable betrayal. We then expected the various post-apartheid governments to pursue justice in Nokuthula's case. They turned their backs on us. Prosecutors even refused to investigate those police officers who did not apply for amnesty for the kidnapping of Nokuthula. This included the Commander of Security Branch C1 Section, former Brigadier Willem Schoon, who authorised the crimes committed against Nokuthula.
12. I have suffered emotionally, psychologically and physically as a result of my daughter's disappearance. This suffering has been heightened by the duplicitous conduct of the police and prosecutors who ought to have upheld the rule of law, but, acting at the behest of politicians, deliberately blocked Nokuthula's case from going forward, as well as other cases from the past. I suffer from a chronic back ache,

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which is caused by nervous tension. The quality of my health has deteriorated immensely. I have suffered pain that is impossible to quantify.

*Sizakele Ernestinah Simelane*

**SIZAKELE ERNESTINAH SIMELANE**

I hereby certify that the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn to before me, Commissioner of Oaths, at *Bethal* on this the *9th* day of *May* 2015 the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

*M. M. M.*

**COMMISSIONER OF OATHS**

**LOYISO KICHWA - MAHLANGU**  
 Kommissaris van Ede / Commissioner of Oaths  
 Praktiserende Prokureur / Practising Attorney  
 R.S.A.  
 36 Louis Trichardt Street / Street  
 Unit 4 Ground Floor Belmont Villas Building  
 NELSPRUIT 1200

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IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA

Case Number:

In the matter between:

**THEMBISILE PHUMELELE NKADIMENG**

Applicant

And

**NATIONAL DIRECTOR OF  
PUBLIC PROSECUTIONS**

First Respondent

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

Second Respondent

**THE MINISTER OF JUSTICE AND CORRECTIONAL SERVICES**

Third Respondent

**THE NATIONAL MINISTER OF POLICE**

Fourth Respondent

**WILLEM HELM COETZEE**

Fifth Respondent

**ANTON PRETORIUS**

Sixth Respondent

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**FREDERICK BARNARD MONG**

Seventh Respondent

**MSEBENZI TIMOTHY RADEBE**

Eighth Respondent

**WILLEM SCHOON**

Ninth Respondent

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**SUPPORTING AFFIDAVIT OF ANTONIO LUNGELO SIMELANE**

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I, the undersigned

**ANTONIO LUNGELO SIMELANE**

state under oath as follows:

1. I am Antonio Lungelo Simelane. My identity number is 610915 5760 088. I am the brother of the late Nokuthula Aurelia Simelane ("Nokuthula"). I am also the brother of the applicant in this matter, Thembisile Phumelele Nkadimeng ("Thembi").
2. Save where appears from the context, the facts contained in this affidavit are within my own personal knowledge and are to the best of my knowledge and belief both true and correct.
3. I endorse the application launched by Thembi to bring closure and finality to the case of Nokuthula. I confirm the contents of Thembi's affidavit and the supporting affidavit of my mother, Sizakele Ernestina Simelane, insofar as they pertain to me and my family.

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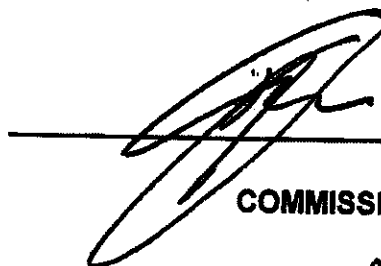
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4. I suffered mentally and emotionally as well as physically as a result of the ongoing disappearance of my sister, Nokuthula. My doctor has diagnosed me with anxiety and depression. I am now on medication for chronic depression. My doctor has also diagnosed me with high blood pressure and diabetes.
5. I am the eldest son in my family. Since my father's death in 2001, I have felt more pressure to be a leader for my family which is difficult in these circumstances. I was admitted to hospital from 30 January to 03 February 2011 for stress related reasons, which resulted largely from the vandalizing of my sister's statue in Bethal. I was admitted to the hospital again from 07 March to 11 March 2011. I am still on medication.
6. Much of my stress derives from the pain of my family.



**ANTONIO LUNGELO SIMELANE**

I hereby certify that the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn to before me, Commissioner of Oaths, at Ermelo on this the 18<sup>th</sup> day of MAY 2015 the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.



**COMMISSIONER OF OATHS**

DANIEL OLIVIER  
COMMISSIONER OF OATHS  
DEPUTY SHERIFF FOR THE  
HIGH COURT ERMELO  
6th Church and Joubert St  
R.O. Box 41, Ermelo, 2350  
Tel: 017 619 7542

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**IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA**

Case Number:

In the matter between:

**THEMBISILE PHUMELELE NKADIMENG**

Applicant

And

**NATIONAL DIRECTOR OF  
PUBLIC PROSECUTIONS**

First Respondent

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

Second Respondent

**THE MINISTER OF JUSTICE AND CORRECTIONAL SERVICES**

Third Respondent

**THE NATIONAL MINISTER OF POLICE**

Fourth Respondent

**WILLEM HELM COETZEE**

Fifth Respondent

**ANTON PRETORIUS**

Sixth Respondent

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**FREDERICK BARNARD MONG**

Seventh Respondent

**MSEBENZI TIMOTHY RADEBE**

Eighth Respondent

**WILLEM SCHOON**

Ninth Respondent

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**SUPPORTING AFFIDAVIT OF JUNIOR MZWANDILE NKOSINATHI SIMELANE**

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I, the undersigned

**JUNIOR MZWANDILE NKOSINATHI SIMELANE**

state under oath as follows:

1. I am Junior Mswandile Nkosinathi Simelane. My identity number is 700531 5323 081. I am the brother of the late Nokuthula Aurella Simelane ("Nokuthula"). I am also the brother of the applicant in this matter, Thembisile Phumelele Nkadmeng ("Thembi").
2. Save where appears from the context, the facts contained in this affidavit are within my own personal knowledge and are to the best of my knowledge and belief both true and correct.

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3. I endorse the application launched by Thembi to bring closure and finality to the case of Nokuthula. I confirm the contents of Thembi's affidavit and the supporting affidavit of my mother, Sizakele Ernestina Simelane, insofar as they pertain to me and my family.
4. I was thirteen years old when I lost my sister. I suffered a lot of pressure emotionally when we lost Nokuthula. I loved her so much. I could not accept that I was not going to see her any more. I still need answers. Life was never the same without her. It will never be the same again.



**JUNIOR MSWANDILE NKOSINATHI SIMELANE**

I hereby certify that the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn to before me, Commissioner of Oaths, at *Bethal* on this the *9th* day of *May* 2015 the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.



**COMMISSIONER OF OATHS**

**LOYISO MDITWA - MAHLANGU**  
 Kommissars van Ede / Commissioner of Oaths  
 Praktiserende Prokureur / Practising Attorney  
 R.S.A.  
 36 Louis Trichardtstraat / Street  
 Unit 4 Ground Floor Belmont Villas Building  
 NELSPRUIT 1200

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IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA

"TN 4" 114

Case Number:

In the matter between:

**THEMBISILE PHUMELELE NKADIMENG**

Applicant

And

**NATIONAL DIRECTOR OF  
PUBLIC PROSECUTIONS**

First Respondent

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

Second Respondent

**THE MINISTER OF JUSTICE**

Third Respondent

**THE NATIONAL MINISTER OF POLICE**

Fourth Respondent

**WILLEM HELM COETZEE**

Fifth Respondent

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Sixth Respondent

**FREDERICK BARNARD MONG**



Seventh Respondent

**MSEBENZI TIMOTHY RADEBE**

Eighth Respondent

**WILLEM SCHOON**

Ninth Respondent

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