

SUID-AFRIKAANSE POLISIEDIENS

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SOUTH AFRICAN POLICE SERVICE

Verwysing  
Reference  
Navrae  
Enquiries  
Telefoon  
Telephone  
Faksnommer  
Fax number

235/2010

Colonel B Padayachee  
0829371514

(031)3321058

The Section Commander  
Security Intelligence  
Crime Intelligence

KWA ZULU NATAL

2014-10-19

- A. The Acting Divisional Commissioner  
Crime Intelligence  
Head Office  
PRETORIA (Maj.Gen (Dr) BM Zulu)
- B. The National Commissioner  
S A Police Services  
Head Office  
PRETORIA (General R Phiyega)
- C. The Deputy National Commissioner  
DPCI  
Head Office  
PRETORIA (Lieut.Gen. A Dramat)
- D. The Acting Provincial Head  
Crime Intelligence  
KWA ZULU NATAL (Brig. NB Maphumulo)

OPERATION STALLION : DIRECTION 235/2010 : DEATH THREATS AGAINST DPCI  
INVESTIGATORS AND CORRUPTION SENIOR SMS POLICE OFFICERS

A+B I. My previous communiqués with above Heading OPERATION STALLION  
DIRECTION 235/2010 dated 6<sup>th</sup> October 2014 and 8<sup>th</sup> October 2014 have  
bearing.

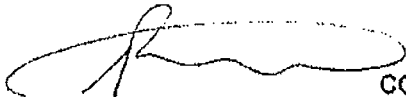
- 2. I have to date not received any response from your respective offices to the  
above communiqués.
- 3. I am deeply concerned about the silence on this serious corruption matter.
- 4. The allegations contained in my report are factual and are supported by *prima  
facie* evidence.
- 5. I have taken the initiative and compiled an affidavit for the necessary criminal  
case to be registered.
- 6. In my previous communiqués I sought your guidance and assistance with this  
investigation, but instead departmental action has been initiated against me  
in respect of this very investigation.
- 7. I have served the SA Police Service with outmost loyalty and diligence for the  
past almost 33 years and will continue to do so without fear or favour.

\*\*\*\*\*

- C1. Copy for your information.
2. Attached herewith affidavit of Colonel B Padayachee in respect of Corruption involving senior SMS officers for your immediate attention and necessary action.
3. Copies of the *prima facie* evidence and communication analysis reports will be liaised directly with the appointed prosecutor and investigating officer.
4. I trust that this investigation will receive your urgent attention to show that we as the police will not tolerate corruption within our ranks and we will investigate without fear or favour irrespective.

\*\*\*\*\*

D.1 Copy for your information.



COLONEL  
SECTION COMMANDER : SECURITY INTELLIGENCE : KZN  
B PADAYACHEE

BRIAN PADAYACHEE

States under oath,

1.

I am a Colonel in the South African Police Service stationed at Crime Intelligence, Provincial Head Office Durban and holding the post of Section Commander Security Intelligence.

2.

During November 2010 a request was received from Brigadier Lategan regarding serious death threats against the investigating officers tasked with the investigation of the 2010 Soccer World Cup corruption *vide* Durban Central CAS 781/06/2010

3.

I was tasked by the Provincial Head Crime Intelligence to investigate the death threats.

4.

At that stage one of the investigating officers had already received serious death threats and had to be relocated.

5.

The investigation confirmed that the death threats were real and the investigators were informed accordingly.

6.

The suspect responsible for the threats was the main suspect in the Soccer World Cup 2010 Fraud and Corruption Mr Thoshan Panday.

7.

Mr Panday was desperate to make the case against him "go away" and was prepared to pay any amount of money to achieve this objective, including approaching persons to assist in "taking out" investigators. Large sums of money were indeed paid out.

8.

During the course of the investigation large scale corruption was uncovered involving, *inter alia*, senior SMS and junior officers in the SAPS.



9.

The corruption clearly established an enterprise with Mr Panday at the helm of the syndicate and several police officials actively participating in the furtherance of the objectives of the corrupt enterprise and benefitting from the proceeds of the crime.

10

All the above information was disclosed to the investigators.

11.

Several dockets were opened against Mr Panday and his corrupt associates.

12.

During a meeting held with all the investigators and prosecutors it was suggested to combine all the dockets and charge all the suspects under the Prevention of Organised Crime Act as all the elements of the crime were present and it was clear that it was a criminal enterprise.

13.

A decision was taken to handle each docket separately.

14.

During the investigation the following officers were clearly identified as having a corrupt relationship with Mr Panday:

14.1. Lieut. General BM Ngobeni (Provincial Commissioner of KwaZulu Natal)

14.2. [REDACTED]

Several conversations were intercepted which indicates a corrupt relationship between him and Mr Panday.

[REDACTED] further acted as a conduit between Mr Panday and the Provincial Commissioner. Mr Panday not only paid for the party of the Provincial Commissioner's husband, but also paid for the subsequent birthday party of the Provincial Commissioner. This party was held at the luxury and exclusive Mt Edgecombe Golf Estate. Payments were facilitated by Colonel [REDACTED]. [REDACTED] also assisted Mr Panday in the withdrawing of criminal cases involving unlicensed firearms.

The direction and communication analysis therefore provided *prima facie* proof of the existence of a corrupt relationship.

14.3. [REDACTED]

The Direction intercepts and analysis indicated a corrupt relationship between [REDACTED] and Mr Panday. She received payments for

information and services rendered to Mr Panday to further his corrupt activities. She was also booked into a hotel under a false name which was paid for by Mr Panday.

According to the intercepts, [REDACTED] was the Provincial Commissioner's confidant. She revealed sensitive information about the Provincial Commissioner's fears and concerns about the pending investigation against her regarding certain cupboards that were built and installed at the Provincial Commissioner's house.

The intercepts also revealed serious corruption involving advertised posts and candidates in which [REDACTED] was a panellist ultimately implicating the Provincial Commissioner. She disclosed the scores she had allocated to a candidate to which she and Mr Panday had promised the post of a Major. The intercepts shows Mr Panday's involvement and promises of promotion to the corrupt candidate.

14.4. [REDACTED]

Colonel [REDACTED] together with Captain [REDACTED] received payments from Mr Panday to further his corrupt activities. Cash payments were made during the arrest of Mr Panday's brother to Colonel [REDACTED]

14.5 [REDACTED]

Captain [REDACTED] assisted Mr Panday to further his criminal enterprise by assisting him with "sorting out criminal dockets".

He provided Mr Panday with personal details of members from the SAP96. He accessed the system on identified investigators and furnished all their sensitive SAP 96 details to Mr Panday. The lead investigator, Colonel Van Loggenberg's SAP96 details were furnished by [REDACTED] to Mr Panday. This resulted in Colonel Van Loggenberg receiving threats that his daughter's whereabouts was known at Potchefstroom University. Personal details of Colonel Bala Naidoo was also supplied by [REDACTED] to Mr Panday in exchange for payment. Captain [REDACTED] bank details were sent by him to Mr Panday for payment.

The intercepts also revealed the conspiracy against Maj.Gen Booyesen which was orchestrated by Mr Panday. The latter supplied CAS (case number) details of dockets which he alleged that Maj.Gen Booyesen was implicated in and requested [REDACTED] to locate the dockets and bring them to his office. Captain [REDACTED] did system checks to trace the dockets.

[REDACTED] and [REDACTED] therefore acted jointly to further the corrupt activities of Mr Panday.

The intercepts further revealed exactly how Mr Panday was assisted by several police officials in obtaining and accumulating crime scene photographs to conspire against Maj.Gen Booyesen. These very photographs were subsequently leaked to the media and published in the Sunday Times which eventually led to the criminal charges and suspension of Maj.Gen Booyesen.

14.6. [REDACTED] Supply Chain Management)

The intercepts revealed a corrupt relationship between Mr Panday and [REDACTED] benefited from Mr Panday's enterprise in the form of holidays and hotel stays being paid for by Mr Panday.

The entire R2 million bribery of Maj.Gen Booyesen played itself out in the intercepts. It detailed how the money was put together and all subsequent activities including the payment and arrest. The intercepts thereafter revealed the concerted efforts of [REDACTED] and Panday to discredit Maj.General Booyesen claiming that it was his money which was clearly not the case. It also revealed persons that were approached to assist in getting rid of Maj.Generals Booyesen and Moodley who Panday targeted as the persons responsible for his downfall. The intercepts clearly reveals that he stated he will get rid of them and have them removed.

14.7 [REDACTED] Supply Chain Management)

The intercepts revealed a corrupt relationship between [REDACTED] and Mr Panday. Money and favours are clearly detailed. Mr Panday paid for gym equipment and [REDACTED] son's school fees.

14.8 [REDACTED]

The intercepts reveal a corrupt relationship between [REDACTED] and Mr Panday. The following is of significant note and is revealed in the intercepts:

- [REDACTED] harboured a grudge against Maj.General Booyesen and despised him.
- He offered to assist Mr Panday in getting rid of Maj.General Booyesen.
- [REDACTED] to "take out" Maj.General Booyesen. His exact words were "the only way you can assist me is to take Booyesen out". The words "take out" was interpreted as "to assassinate".
- [REDACTED] was in possession of an R5 rifle at the time when he was working on the 13<sup>th</sup> floor of the SAPS Servamus building, the same floor that Maj.General Booyesen occupied. This information was supplied to Brigadier Lategan who subsequently retrieved the rifle [REDACTED]. It is unknown why he was in possession of an R5 rifle.

14.9 [REDACTED]

The intercepts and communication analysis reveal a corrupt relationship between Colonel [REDACTED] and Mr Panday. Money also exchanged hands for services, to further the enterprise of Mr Panday. Colonel [REDACTED] was approached by Mr Panday to take over the investigation from Colonel Van Loggenberg. The intercepts reveal that Mr Panday requested Colonel [REDACTED] force number and details and

forwarded it to high profile individuals to assist in removing Colonel Van Loggenberg and replacing him with [REDACTED] Colonel [REDACTED] was going to "sort out" the case for Mr Panday for a price.

15.

There are several other senior officers who also assisted Mr Panday with his criminal enterprise, these include detective branch commanders who withdrew criminal dockets on Mr Panday's instruction and also took the dockets to him in return for payment. The details hereof will be revealed to the appointed investigating officer.

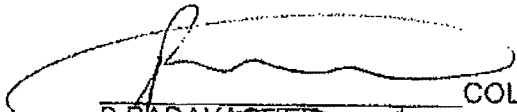
16.

The delay in activating the above information was due to an agreement between the DPCI investigators and myself to wait for the finalisation of the indictment in CAS 781/06/2010.

17.

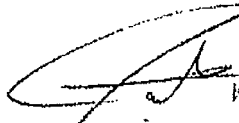
It has to be emphasised that the investigation has been fraught with intimidation, threats and interference from the outset to date. Due to the sensitive nature of the information revealed during the abovementioned investigation, several attempts have been made to bring the contents thereof to the personal attention of the National Commissioner and Divisional Commissioner: Crime Intelligence for urgent intervention and guidance.

I know and understand the contents of this statement.  
I have no objections to taking the prescribed oath.  
I consider the prescribed oath to be binding on my conscience.

  
COLONEL  
B. PADAYACHEE

I CERTIFY THAT THE DEPONENT HAS ACKNOWLEDGED THAT HE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS STATEMENT WHICH WAS SWORN TO BEFORE ME AND THE DEPONENTS SIGNATURE WAS PLACED THEREON IN MY PRESENCE AT ON 19<sup>th</sup> OCTOBER 2014 IN P.M. BULLE. 17:00

COMMISSIONER OF OATHS

  
0647328-1  
w/o K. KANAYI

SA POLICE SERVICE

S.A. POLICE SERVICE  
P.M. BULLE  
WARRANT OFFICER