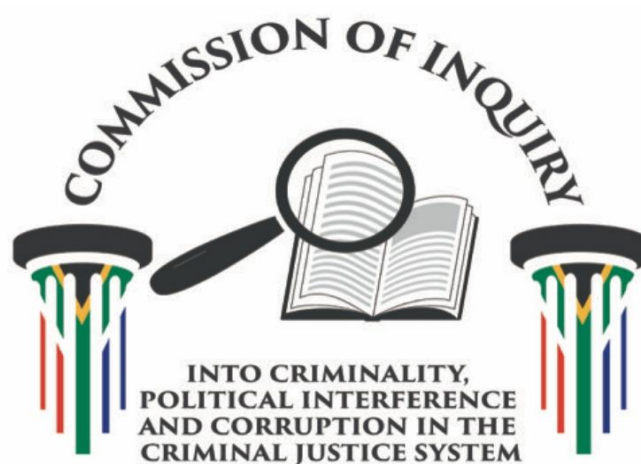


JUDICIAL COMMISSION OF ENQUIRY INTO CRIMINALITY,
POLITICAL INTERFERENCE AND CORRUPTION IN THE
CRIMINAL JUSTICE SYSTEM

HELD AT
BRIGITTE MABANDLA JUSTICE COLLEGE

13 JULY 2026

DAY 138



PROCEEDINGS ON 13 JULY 2026

CHAIRPERSON: Good morning, Ms Sello.

ADV SELLO SC: Good morning, Chair. Today we continue with the IDAC stream. But, Chair and Commissioners, perhaps it might be appropriate for the legal representatives of IDAC to place themselves on record, but before we commence, I have a request to make to the Commissioners. Thank you.

CHAIRPERSON: Good morning, Mr Bodlani.

10 **ADV BODLANI SC:** Good morning, Commissioners. I confirm I represent IDAC, together with my colleague, Mr Ramatsekisa.

CHAIRPERSON: Thank you.

ADV SELLO SC: Thank you, Chair. Before the first witness comes in, Chair, may I request a 5-minute stand-down to address some issue that has arisen. I would benefit from an opportunity to do so. It should take not an inordinate amount of time, 5 minutes should be sufficient.

CHAIRPERSON: And you are not taking us into your
20 confidence at this stage as to what it is. We will hear when we come back.

ADV SELLO SC: If I may, with your leave.

CHAIRPERSON: All right. I will not indicate a time. You will just call us in when you are ready.

ADV SELLO SC: Absolutely.

CHAIRPERSON: Mr Bodlani, is that in order?

ADV BODLANI SC: It is in order.

CHAIRPERSON: Thank you. Let us adjourn then.

ADV SELLO SC: Thank you.

ADV BODLANI SC: Thank you.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Ms Sello.

ADV SELLO SC: Thank you, Commissioners, for the
10 indulgence. We have conferred and I am ready to engage
the Commissioners. Commissioners, for the record, the
next witness for appearance today was scheduled to be
Advocate Andrea Johnson. She unfortunately will not be
available today to testify and her Counsel is ready to
address the Commission on the circumstances leading to
this state of affairs. Thank you, Chair.

CHAIRPERSON: Thank you, Ms Sello. Yes, Mr Bodlani.

ADV BODLANI SC: Thank you, Commissioners. Shortly
before my arrival on the venue this morning, the
20 representative of the client received a telephone call from
one of Advocate Johnson's protectors informing us that she
is not able to be with us, they are rushing her to hospital. I
do not know what has happened.

CHAIRPERSON: This happened this morning?

ADV BODLANI SC: This happened this morning as well on

the way to the venue. And then during the adjournment, only then were we able to get a sick note or a medical certificate from her doctor, but the client's representative were able to talk to the doctor shortly before we convened, before the adjournment we had this morning, and we were made to understand that she is with the doctor. She had some serious health-related issues that I am not able to disclose in public and that she is being attended to.

The medical certificate in our possession indicates
10 that she is not well at least between today, the 13th of July 2026, to and including the 15th of July 2026. I do accept that this affect the conduct of the affairs of the Commission because the Commission had its own agenda, its own program for the week, but the circumstances are such that, as my colleague, Ms Sello, has indicated, we are not able, the Commission would not be able to conduct its business today in circumstances where the person who was scheduled to be here is not able to be here.

CHAIRPERSON: Thank you, Mr Bodlani. I think at least
20 twice you referred to the representative of your client. Who are you talking about?

ADV BODLANI SC: That would be Mr Marga.

CHAIRPERSON: Oh, from the NPA?

ADV BODLANI SC: From the NPA, yes.

CHAIRPERSON: Oh, all right, I understand. Thank you

very much. Ms Sello?

ADV SELLO SC: Chair, for the record, we have been provided with a copy of the medical certificate and I think copies have been made for the Commissioners. I beg leave to hand them in for the record. And then, in light of the fact that the witness is unwell and is only being attended to today, I would request that the Commissioners postpone her appearance to a date to be determined. I fear that if we fix a date, a specific date, we may be back before you to seek
10 a further postponement because she is still indisposed. That is my suggestion, but we are in the Commissioners' hands.

CHAIRPERSON: Thank you. I notice that this is one of those medical certificates, the nature of which I have previously said are useless in the sense that they give no information whatsoever. It is not even a case of what Mr Bodlani said, which is confidentiality issues. It is just one of those useless so-called medical certificates.

ADV SELLO SC: Indeed, Chair.

20 **CHAIRPERSON:** But anyway, the bottom line is that Advocate Johnson is not here.

ADV SELLO SC: Indeed.

CHAIRPERSON: Well, we are forced in the circumstances to postpone the hearing of Advocate Johnson's testimony to a date to be determined.

ADV SELLO SC: Thank you, Chair.

CHAIRPERSON: Thank you. Something we discussed as Commissioners was perhaps whether there is a way in which you could explain, but of course in my own head I think I already know why not, but a way in which you could explain, perhaps for the benefit of the public because the public may be wanting to know why are they not proceeding in the same way they did with Mr Mike Van Wyk, the same way we did with General Khan.

10 **ADV SELLO SC:** Yes, Chair.

CHAIRPERSON: Why not in this instance? But as I say, I think I know why. In fact, it is not even thinking, I know why.

ADV SELLO SC: Thank you, Chair. I was going to address the Commissioners on that to say that we do appreciate that the Commission is operating under exceptionally tight timelines and we considered the possibility of “saving the day” so that the Commission sitting does not collapse entirely today.

20 We considered that as an option but ever so fleetingly, because the nature of Advocate Johnson's testimony does not lend itself to that kind of approach. The examples that the Chair has provided all relate to WhatsApp messages that are written, have been provided to the witness and on the basis of which the witness would be

asked questions and the witness would respond. So that allowed the Evidence Leaders to place that material on record without the witness reserving, of course, the witness's right to come back at a later stage and respond thereto.

CHAIRPERSON: Also, with the Evidence Leaders drawing inferences ...[intervenes].

ADV SELLO SC: Inferences.

CHAIRPERSON: As they went along ...[intervenes].

10 **ADV SELLO SC:** Yes.

CHAIRPERSON: On what they make of the chats.

ADV SELLO SC: Indeed. What I have are two statements, a statement and a supplementary statement from Advocate Johnson, both of which are narrative in nature. I do not have WhatsApp messages to engage or to share with the Commissioners and the only option would be to read her statements into record, but her statements are responding already to questions already posed.

20 So at best it would require me to go find the question and then read for you what she says where she can sit in the witness box and give the narrative as she has set it out in her papers. So I would argue, Chair, that the ...[intervenes].

CHAIRPERSON: And that would not serve much purpose ...[intervenes].

ADV SELLO SC: Indeed.

CHAIRPERSON: Because we would want to engage her or probe her on the narrative that she gives.

ADV SELLO SC: Exactly, Chair.

CHAIRPERSON: So it just would not work, ja.

ADV SELLO SC: Especially because I am sure, as I, the Commissioners have prepared on the basis of the very statements. So to have the statements read back to you that you have already applied your minds to without the
10 ability to engage, because you cannot engage me on them, I think would not serve much of a purpose.

CHAIRPERSON: Ja.

ADV SELLO SC: So my short response would be, unfortunately, the nature of the testimony of Advocate Johnson does not lend itself to that option. We do not have a filler witness that we could immediately present to you and unfortunately we find ourselves in a place where we simply will have to postpone the hearing today.

CHAIRPERSON: Thank you. So do we resume at 9:30
20 tomorrow?

ADV SELLO SC: Yes, we are ready to resume at 9:30 tomorrow.

CHAIRPERSON: With another witness.

ADV SELLO SC: Yes, Chair.

CHAIRPERSON: Let us adjourn and resume at 9:30

tomorrow. You are excused, Mr Bodlani. Thank you.

ADV BODLANI SC: Thank you.

ADV SELLO SC: Thank you, Chair.

INQUIRY POSTPONED TO 14 JULY 2026

INQUIRY ADJOURNS
