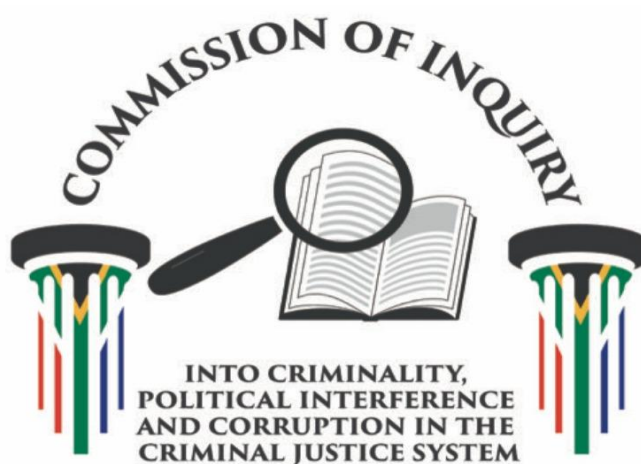


JUDICIAL COMMISSION OF INQUIRY INTO CRIMINALITY,
POLITICAL INTERFERENCE AND CORRUPTION IN THE
CRIMINAL JUSTICE SYSTEM

HELD AT
BRIGITTE MABANDLA JUSTICE COLLEGE

11 AUGUST 2026

DAY 156



PROCEEDINGS HELD ON 11 AUGUST 2026

ADV SEGEELS-NCUBE: Good morning again, Chair. Chair, we are ready to proceed with Ms Ramsamy's evidence from where we left off last week, Wednesday.

CHAIRPERSON: Good morning, Ms Ramsamy.

MS RAMSAMY: Good morning, Chair. Good morning, Commissioners. Please bear with me, I have a little bit of flu.

CHAIRPERSON: All right.

- 10 **ADV SEGEELS-NCUBE:** Chair, when we adjourned, we were about to start the topic on page 16 of the supplementary statement, which is the Medicare24 investigation, but I did indicate that the witness was going to provide additional documentation, and some of it does deal with topics that we have already covered. So we just want to address those topics and, where necessary, to refer the Commissioners to the relevant supporting documentation in support of her statements in her affidavit.

- 20 The first, Chair, is regarding an issue that Ms Ramsamy wants to clarify, which relates to the meeting of 22 January 2025 where the first meeting regarding Operation Diversion was discussed, and there were certain references to the National Commissioner not to inform the National Commissioner about the investigation, and in order for the National Commissioner to somehow be caught in a

lie, and this was linked to the Portfolio Committee on Policing. Ms Ramsamy just wants to give some clarification on what it is that she is saying regarding that aspect, and also that her evidence is not that anyone within the Parliamentary Committee was complicit in some plan to catch the National Commissioner into lying to the Portfolio Committee.

What she seeks to show the Commissioners is that this is a discussion that was held within IDAC. It was, as
10 far as she is aware, discussions that were exclusively amongst IDAC members. It may have been that some Parliamentary Committee on Policing Members were involved in that, but she does not have evidence of that. She also wants to deal with the timeline to demonstrate or to just show the Commissioners that when meetings were held regarding Mr Ian Cameron specifically, and certain information that he was going to give IDAC, the very next day his statement is filed and prepared by Mr Brian Padayachee, who commissions the affidavit as well.

20 So she just wants to put the facts before the Commissioners, and whatever conclusions are drawn from that, she does not draw conclusions. But the timing of it is significant, given that there is this discussion about catching the Commissioner in a lie, there is discussion about minutes of meetings, and then Mr Ian Cameron signs

or submits an affidavit, commissions an affidavit on the 9th of April where he refers to minutes of meetings and he refers to the National Commissioner having misled the Parliamentary Committee. That is really all that she wants to bring to the fore.

And I want to assist her with that because of the documentation that she will be referring to, and that we can deal with it methodically so that the picture can be fully put out, because I think when she was dealing with it, she was
 10 talking about it within the context of the 2022 January meeting. She did not really follow through on the thread of that specific topic, so she wants to deal with it now, Chair. Ms Ramsamy, for that, can we go to the first thing is about the meeting of 22 January 2025, and the ID initiating that meeting.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: We initially did not have the email from the ID calling on that meeting. We do now have that, Chair, and that should be at File 10, page 419. I think it is
 20 called File 10.2, page 419. Yes, File 10 Part 2, page 419. Ms Ramsamy, do you have the email?

MS RAMSAMY: Yes, I do.

ADV SEGEELS-NCUBE: And this is an email on the 16th of January 2025 at 08:51 from Advocate Johnson. She copies herself, she sends it to herself, Mr Perumal, Mr Sesoko, Mr

Raphesu, and you, and she CCs her PA, I think it is.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Inno, who you refer to as Inno.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: Now, the subject is Diversion.

When is the reference to a meeting? That is to be held on Wednesday, January 22nd from 12:00 till 14:30 at the SARS boardroom 2.2. Can you read the message?

MS RAMSAMY:

10 “Dear, colleagues. I want a full briefing.
Who did what? Who have you seen?
What are you dealing with? Kindly
prepare a presentation and make sure my
office receives it no later than Monday
the 20th.”

ADV SEGEELS-NCUBE: Okay, and so that is the meeting
that gets called on the 22nd. We know that Mr Perumal
submits a draft presentation, which we have been through.
You also work on that presentation at the prosecutorial
20 input and submit that to Advocate Johnson and Mr Sesoko
on the 19th of January in preparation for that meeting.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Now, insofar as whether Advocate
Johnson had any input on that presentation, do you know
whether she did?

MS RAMSAMY: She did. Advocate Johnson at the presentation on the 22nd had printed a version, her edited version, of the presentation with her input and her additions and subtractions and had given us hard copies, whereas Mr Perumal and myself had submitted soft copies via email.

ADV SEGEELS-NCUBE: Okay. So Advocate Johnson worked off the version that you gave her, and did she send it to the team or just presented hard copies on the day?

MS RAMSAMY: She presented hard copies on the day.

10 **ADV SEGEELS-NCUBE:** Okay. Commissioners, we have been given a copy of that, well, actually the original with Advocate Johnson's manuscript and additions made onto the version that she gave the members on the day. So she was aware of what was contained in the presentation before the presentation started on the 22nd of January.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Now, you then testified about what happened in that meeting and specifically in reference to File 11, page 5, which is a note by you about
20 the National Commissioner. File 11, page 5, which is the handwritten notes.

MS RAMSAMY: Yes, Advocate Johnson made a specific statement saying ...[intervenes].

ADV SEGEELS-NCUBE: Can we just get to it first, then?

ADV BALOYI SC: File 11, page?

ADV SEGEELS-NCUBE: Page 5, and that is the note. Your evidence was that during that meeting, Advocate Johnson then said we are not going to tell the National Commissioner about the investigation so that he can be caught in a lie should he appear before the Parliamentary Portfolio Committee on Policing.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Now, you later ...[intervenes].

10 **ADV BALOYI SC**: And this is your note? Is it her note?

MS RAMSAMY: No, I am writing down what Advocate Johnson is saying in the meeting.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: We will come back to the reference to the IGI again later, but then later in your evidence you also testified that there was a discussion between you and Mr Perumal, and you said somewhere in February or March, where he mentioned that the National Commissioner will be appearing before the Portfolio
20 Committee soon, and he will commit perjury or something to that effect.

MS RAMSAMY: Something to that effect, correct. It would have been either the 9th of February or the 28th of March. It was one of those two conversations. But in my recollection, I think it was closer towards April. So it would have been

around the 28th of March, where the conversation was he is going to lie and it is going to be a perjury charge at the Portfolio Committee, him being NASCOM.

ADV SEGEELS-NCUBE: And just to be clear, that was a discussion not with Advocate Johnson. It was with you and Mr Perumal.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Commissioners, there is a reference to that evidence that the witness gave on the 5th of August on page 119 of the transcript, which I just had a look at. And what she says is, it is in response to Advocate Baloyi's question about:

“Before you leave your note at page 5, did Advocate Johnson say why the National Commissioner should be left to lie? What was the plan? The idea behind let him go lie to Parliament, and then what?”

And then Ms Ramsamy says:

20 “Like I said in statement 1, Commissioners, it looked and obviously became evident that there was a line of march, and that line of march was to get General Khumalo and General Masemola in an accused box. And so obviously at

some point there was talk about if he lies at Portfolio Committee, and this was again well after. I think this is the February or March, and this was just between, you say Padayachee and myself and Mr Perumal, where if he lies we can at least charge him for perjury.”

So the clarification that I want from you is that Advocate Johnson did not mention anything about the Commissioner
10 being charged on perjury at the 22 January meeting. The perjury issue arose in the conversation that you had later on with Mr Perumal.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay.

MS RAMSAMY: Advocate Johnson's words were, do not tell him, let him go lying.

ADV KHUMALO SC: Morning.

MS RAMSAMY: Morning.

ADV KHUMALO SC: Can I just clarify something? For the
20 plan to work, they must have known what the National Commissioner was going to be asked, or what was going to be discussed with the National Commissioner at the Ad Hoc and they must have known that if he gives a certain answer it will be untruthful and could lead to adverse consequences. I mean, how did all that work? How did

they know that he will go there and he will be asked a certain question, and if he gives a particular answer it will be a lie? How would they have known that? Because this is January 2025. It is very early in the year.

MS RAMSAMY: Commissioner, I also had those questions, and I did earlier. I think it was in my evidence on the 29th of July, where I said that Advocate Johnson, Mr Perumal, and Mr Padayachee would speak in undertones. They would understand what the other person is saying, and the
10 rest of us were left to catch up. So when I analysed the January conversation or statement by Advocate Johnson, and then the later conversation with Mr Perumal, and then the consultation or the meeting that took place between myself, Mr Perumal, and Mr Padayachee on the 8th of April, I then could draw the link that there was communication between IDAC and the Portfolio Committee, or certain members of the Portfolio Committee. I am not saying that I have concrete proof. I am saying that it is the inference that I drew.

20 **ADV SEGEELS-NCUBE**: Now, can we go then to File 11, page 16, and perhaps if we start at page 13, because this will show us that this was the meeting at Fire and Ice, on page 13, 2025/4.8, and it is D, B, and me, which is Mr Perumal, Mr Padayachee, and you.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay, and there is various discussions about the operation, but if we can go to page 16, you will see there is another note on the – there is a page 16. It says Ian Cameron, and then it says minutes.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay, and do you recall why, what you were recording there insofar as minutes and Mr Cameron?

MS RAMSAMY: If I had been given detail, I would have
10 written it down as per the remainder from page 13. It is very clear I was writing pretty much everything down. It was a brief passing conversation that said they were seeing Ian Cameron to get the minutes, and this was on the 8th of April. If anything more was said, I would have noted it down, but that was basically what was said.

ADV SEGEELS-NCUBE: And those minutes, would those have been minutes of the Portfolio Committee meeting?

MS RAMSAMY: I later found out that it was the minutes of the Portfolio Committee as per Mr Cameron's statement on
20 the 9th of April.

ADV SEGEELS-NCUBE: And they did not say why they got the minutes of that meeting from, or they would be getting the minutes of those meetings.

MS RAMSAMY: At this point, Commissioners and Chair, I was distrusted. I was not kept in the loop, and I explained

that at this point, they only gave me – there is a saying, you keep a mushroom in the dark and feed it. So, it is basically, they were using me to enrol the Lushaba matter, and that was the purpose. I read the WhatsApps on last week, where on the 5th of April Mr Piramal called me to say that this is an urgent meeting, it has to take place, and that is why I drove to Fire and Ice to have the meeting with him. So, it is a possibility that they did not even want me to know about this. It just happened, and it came out.

10 **ADV SEGEELS-NCUBE**: And when you were asked about the meeting, to attend the meeting on the 5th of April, the Portfolio Committee meeting had taken place on the 2nd of April.

MS RAMSAMY: I did Google last week after testifying, yes, it did take place on the 2nd of April.

ADV SEGEELS-NCUBE: If we can go to File 7, which is Mr Cameron's statement at 2820?

ADV KHUMALO SC: Page?

MS RAMSAMY: Page 2820. And while we are getting to
20 that statement, do you know why Mr Cameron prepared the statement as the A6?

MS RAMSAMY: No, I do not. I also found it unnecessary and irrelevant.

ADV SEGEELS-NCUBE: Do you know for which matter it was, for which case?

MS RAMSAMY: If memory serves, it was for the purposes of the Mokwele matter and for the arrest of what they called the Khumalo/Masemola matter.

ADV SEGEELS-NCUBE: So ...[intervenes].

MS RAMSAMY: And also the Khumalo/Madondo matter, so yes, the appointments.

ADV SEGEELS-NCUBE: Relating to Crime Intelligence appointments?

MS RAMSAMY: Correct, and the vetting of those persons
10 appointed.

ADV BALOYI SC: Can I just ask? Do you know from those minutes whether the Mokwele, the vetting issues were discussed in that Portfolio Committee meeting ...[intervenes].

MS RAMSAMY: As the ...[intervenes].

ADV BALOYI SC: Because when you look at paragraph 10, he ventures that he believes they have lied, or that maybe they have lied. Do you know if there was such a discussion?

20 **MS RAMSAMY:** To date, the prosecutors have not received those minutes.

ADV BALOYI SC: Okay.

MS RAMSAMY: Yes ...[intervenes].

ADV SEGEELS-NCUBE: If I can refer you to paragraph 5 of the statement at 2820? That is where he mentions that:

“As Chairperson, I convened a Portfolio Committee meeting on Wednesday, 2025-04-02...”

Which would be 2 April 2025:

“...online with members of the committee, senior managers from the Office of the Minister of Police and senior management of the SAPS, led by General SF Masemola.”

10 And then on the next page, 2821, paragraph 6:

“For ease of reference, I attach hereto the audio recording, video recording and minutes of the said meeting, which includes replies to questions posed by committee members and the replies there to by SAPS senior management.”

So he does say that he is attaching the video recording and minutes, but you say you have not seen those minutes and you have not seen a recording.

20 **MS RAMSAMY**: The investigators, Mr Padayachee and Mr Perumal, have not provided it to us.

ADV SEGEELS-NCUBE: Okay. And you do not know if he did in fact provide it? I mean, it is referenced in his statement, but we do not know if he actually did provide it.

MS RAMSAMY: No, I cannot confirm that he provided it.

ADV SEGEELS-NCUBE: We know Mr Padayachee took the statement in Cape Town on the 9th, so he would have presumably given it to him if he did, if it was provided or it would be annexed to the statement.

MS RAMSAMY: It should have been where it says paragraph 6, I annex hereto. It should have been marked as an annexure too, and generally it would have been either in a sealed envelope or in an exhibit bag for it to be annexed to a statement.

10 **ADV SEGEELS-NCUBE**: And ...[intervenes].

ADV BALOYI SC: Can I just ask a process issue? When IDAC receives documents such as a statement and annexures and any other document, is there not a system of recording what has been received and from whom?

MS RAMSAMY: In all other projects, yes, there is a system in place. In all the other projects I have worked on, except for these two that I am discussing, there is a system in place.

ADV BALOYI SC: Thank you.

20 **ADV SEGEELS-NCUBE**: And then at paragraph 7, Mr Cameron says:

“There have been several media press releases and on social digital platforms where allegations of corruption within the Crime Intelligence Division have

surfaced. The committee was therefore focused on addressing some of these allegations, as will be evident from the minutes.”

So again, there is a reference to the minutes. We know in your note on the 8th of April, there is a discussion about minutes from Mr Ian Cameron.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: But we do not know whether
10 those minutes were actually provided by him, but we do know that on the 8th, before the statement is made or commissioned, Mr Perumal is referring to Ian Cameron and minutes.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Now, at paragraph 8, he says:

“Some committee members were not satisfied with the SAPS management responses. However, in the absence of
20 factual evidence, I intervened and closed the agenda point and moved to the next item on the agenda.”

And at paragraph 10, he says:

“I suspect the senior management of the SAPS, led by General Masemola, misled

the Portfolio Committee in answer to several questions posed to them. To confirm exactly where the committee was misled, it will be prudent for the committee's recording of the meeting to be compared with the evidence available in the relevant Crime Intelligence files.”

Do you know what Crime Intelligence files he is referring to?

10 **MS RAMSAMY**: My understanding of that would be the dockets that IDAC was in position of investigating.

ADV SEGEELS-NCUBE: But when you say dockets, are you referring to Mr Adams' dockets or are you referring to the contents in the dockets that contain Crime Intelligence files?

MS RAMSAMY: The contents.

ADV SEGEELS-NCUBE: Okay, but ...[intervenes].

CHAIRPERSON: But why only dockets? I would imagine Crime Intelligence should have a whole lot of documents on
20 a variety of issues. Issues that might have been relevant to what was being raised by the Portfolio Committee, but not only or necessarily dockets.

MS RAMSAMY: It is open to interpretation and I think the deponent would be best suited to explain, but with regards to evidence available in relevant Crime Intelligence files.

CHAIRPERSON: Do you accept the wider possibility that I am positing to you?

MS RAMSAMY: I do.

CHAIRPERSON: Thank you.

ADV SEGEELS-NCUBE: Okay ...[intervenes].

ADV KHUMALO SC: Ms Ncube, does this not refer to vetting? Are these not vetting files that are not being referred to?

ADV SEGEELS-NCUBE: We do not know, Commissioner
10 Khumalo. He speaks about appointments, I think it is, but we do not know what it ...[intervenes].

ADV KHUMALO SC: That is why I am asking the question. Because if it talks about Crime Intelligence files, then it cannot relate to the dockets that Mr Adams opened.

ADV SEGEELS-NCUBE: Yes, I mean the witness does not know. She was just, I guess, offering, but you do not know.

MS RAMSAMY: No, I cannot confirm.

ADV SEGEELS-NCUBE: Do you know whether Mr
Cameron gave Mr Perumal or Mr Padayachee any Crime
20 Intelligence files?

MS RAMSAMY: No, I do not.

ADV SEGEELS-NCUBE: And ...[intervenes].

MS RAMSAMY: Except for this affidavit, we did not even receive the minutes.

ADV SEGEELS-NCUBE: You did not see the minutes in

the docket where this statement is supposed to be? Because this statement is labelled A6, which means it is part of a docket.

MS RAMSAMY: My understanding is that this is A6 in the Mokwele matter docket.

ADV SEGEELS-NCUBE: Okay. So it is A6 in the Mokwele docket. So, therefore, if there were any documents that emanated from the statement or were included with the statement, it would have been in that docket.

10 **MS RAMSAMY**: Correct.

ADV SEGEELS-NCUBE: And you did not see any Crime Intelligence files in the docket?

MS RAMSAMY: No. I had explained previously that we were working off digital copies of the docket and when I was perusing the docket in June to make an evidential assessment, the minutes were not there.

ADV SEGEELS-NCUBE: Okay, and the recording as well not in there?

MS RAMSAMY: No, there was nothing.

20 **ADV SEGEELS-NCUBE**: Okay.

ADV BALOYI SC: Can I just ask? Still, again, in a way it is a process issue. At this point, are you the prosecutor in charge of the matter?

MS RAMSAMY: At this point, it is now myself and Advocate Hlatshwayo.

ADV BALOYI SC: Okay. And as the prosecutor, when you receive, and my question assumes that you received this affidavit at the time, around the period that it was taken. It is not something that you see now, today, is your testimony?

MS RAMSAMY: On the 19th of June I received it, yes.

ADV BALOYI SC: Okay. Do you not ask where are the annexures? Because I assume you read the affidavit when you get it. You say it is part of a docket that you are going
10 to receive, I mean that you are going to be discovering. On the face of it, clearly without the annexures it is incomplete, and so you are going to be discovering an incomplete set of documents if this is all you are discovering. Do you not, as a prosecutor, say where are the annexures? We have to see them, but more importantly we need to disclose them. What happened here?

MS RAMSAMY: Ordinarily we would. If I may just digress as to what happened around that period when I received the docket? Ordinarily we would, but on the 19th of June 2025,
20 I had received the electronic copy. I had read the docket, and I found that there was no merit for enrolment. I found that there was no *prima facie* case. So I had started preparing a memo, because irrespective of this statement, the other statements held no element of an offence or spoke to no offence that could be taken to court, so no *prima facie*

case.

So I had started drafting a memo, which the Commissioners will see shortly, where you go statement by statement, problem by problem, and then submissions, and you would recommend that there is no *prima facie* case. Unfortunately, I came down with bronchitis, severe bronchitis. I was actually going for physio to loosen the phlegm in my chest and I did not finish the memo. While I was on sick leave, I received a call from someone in the
 10 office, and then a WhatsApp saying, hey, are you not dealing with the Crime Intelligence matters? Your matter is in court. And when I put the TV on, I see that the Mokwele arrest has taken place. So it was a matter of, I was in the process of doing the memo, and had I not been sick, I would have completed and submitted the memo.

ADV BALOYI SC: You would have asked about ...[intervenes].

MS RAMSAMY: I would have made reference to the fact that these things are not in the copy of the docket that we
 20 received.

ADV BALOYI SC: Thank you. Thank you, Ms Segeels-Ncube.

ADV KHUMALO SC: Ms Ncube, the reason why I thought this has to do with the vetting issue, and specifically the Madondo issue, because the statement is A6, but if you go

to A1 and A2, A3, A4, A5, 2611 is the A1, followed by Adams' affidavit relating to the lateral transfer of General Madondo, and then they follow in that sequence. So even the affidavit before Mr Cameron's is the affidavit of General Khan, which also talks to the – so it is not the Mokwele issue, it is the vetting issue and the Madondo issue, the way it looks to me. And I could be wrong, but the sequence of documents suggests that it relates to that transfer of General Madondo, and the Cameron statement, Mr
 10 Cameron's statement, in that paragraph that we were looking at, where he talks about relevant Crime Intelligence files, it must be referring to that subject.

ADV SEGEELS-NCUBE: Do you want to comment?

MS RAMSAMY: It is a possibility. However, I do remember seeing Ian Cameron's statement in the Mokwele docket. I stand to be corrected, but memory serves that it was in fact in that docket.

ADV SEGEELS-NCUBE: And when you had the discussion with Mr Perumal at Fire and Ice, when you had that
 20 meeting, did – if you go to page 13, you were discussing all the matters, basically. It was not just the vetting matter.

MS RAMSAMY: You are talking about the 8th of April?

ADV SEGEELS-NCUBE: Yes, on page 13.

MS RAMSAMY: If you look at the notes, it is predominantly the housebreaking matter. It is Lushaba's

matter, predominantly, until such point as you reach page 16, where Ian Cameron pops up.

ADV SEGEELS-NCUBE: And was it, I mean, you were not really involved in that. One of your complaints was that you were not being included or being informed when consultations were being held with witnesses or any person related to these cases that you were involved in.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And so when you get told that Mr
10 Cameron is going to provide minutes, or there is a reference to minutes, what is it? Do you say anything to them? Is there a discussion about it? Are they mentioning that they are busy getting a statement from him?

MS RAMSAMY: No, I did not ask any questions because I could see that they were uncomfortable that the name was mentioned, and it stopped there.

ADV SEGEELS-NCUBE: Okay, and then we know that on the 9th, when the statement is then prepared, there is the WhatsApp conversation where there is an indication that Mr
20 Cameron had submitted his affidavit, was busy with his affidavit.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And that was from – it is a conversation between Mr Perumal and Advocate Johnson, which he sends to you.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Is there anything else you want to address on that issue related to Mr Cameron's affidavit?

MS RAMSAMY: It is safe to say that I did not say that he was part of the narrative or he had included himself in the narrative. My statement was very clear. The inference I drew from all the events that transpired leading to his affidavit and me being informed about his affidavit, as well
10 as the fact that there is a message between Mr Perumal and Advocate Johnson indicating that he is on board. So the inference I drew was what I stated.

ADV SEGEELS-NCUBE: Okay. Then can we move on to the next topic where we just have to close out? It is the section 28(1) authorisation on the Mokwele matter, which is where we finished off your evidence last week where you indicated that you did not prepare that authorisation.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Following on that evidence, I had
20 asked you to go and look at your emails to see if you had ever sent Advocate Johnson any section 28(1) authorisation in May. I think I asked you to look for that specific, whether in May you had sent a 28(1). We know that you sent the Matlala, the Medicare24 section 28(1) application, but I asked you specifically to go and look for the Mokwele or

any Crime Intelligence matters and you were not able to find any emails.

MS RAMSAMY: From me, no.

ADV SEGEELS-NCUBE: Okay. We then tried to establish where the date of the 30th of May could have come from given that you had only sent what you referred to as the umbrella section 28(1) application on the 3rd of June.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Commissioners, the witness had
10 previously sent us the trail of emails between her and the project manager where he mentions the section 28(1) authorisations, but she sent us the last email in the chain which would not have an attachment. So we have asked her to send each email individually and when she sent the first email, there were attachments and we would like to deal with that now, and that is in File 10. If we can go to page 548?

ADV KHUMALO SC: Part 2 or the old 10? Part 2.

ADV SEGEELS-NCUBE: Part 2.

20 **ADV KHUMALO SC:** Part 2.

MS RAMSAMY: 5?

ADV SEGEELS-NCUBE: Ja, 548, Part 2.

MS RAMSAMY: Thank you.

ADV SEGEELS-NCUBE: File 10, Part 2. So at 548, at the bottom of 548, there is an email from Mr Tlale to you and to

Advocate Hlatshwayo on the 16th of July 2025 with the subject section 28 authorisations and he says:

“Hi, ladies. These are the softcopies of your authorisations.”

And if we go to 549, we see that there were six attachments.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: For three documents for Leg 1 and three documents for Leg 2. Do you recall why he sent
10 you these soft copy authorisations in July 2025?

MS RAMSAMY: No, I was actually confused and I did reply to this email.

ADV SEGEELS-NCUBE: Yes, we will get to your reply, but can we then go to page 550, which is one of the attachments to that email? And, Commissioners, what you will see there is Advocate Johnson, it is a document from Advocate Ramsamy to Advocate Johnson dated 30 May 2025 and you will see that the subject relates to the authorisation of Diversion Leg 1 housebreaking burglary.
20 This is now where we see the date of 30 May 2025.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: But you had sent an umbrella section 28 on the 3rd of June and what you get back in July 2025 is a split section 28(1) application.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Did you prepare this document?

MS RAMSAMY: No.

ADV SEGEELS-NCUBE: Okay, and if we go to 563
...[intervenes].

ADV BALOYI SC: Which document did you not prepare,
the one at 550?

MS RAMSAMY: 550 was not prepared by me.

ADV SEGEELS-NCUBE: At 563 there is another document
also with the same 30 May 2025 date, which is then an
10 application for 28(1) for Leg 2, which is the appointment
which is the Mokwele matter.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay, and this was one of the
attachments from Mr Tlale?

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Did you prepare this document?

MS RAMSAMY: No. This was not prepared by me.

CHAIRPERSON: Who prepared the one at 550 and this
one, the one at 558? Who prepared them?

20 **MS RAMSAMY**: The emails confirmed that the project
manager, Mr Tlale, prepared them.

CHAIRPERSON: All right.

ADV SEGEELS-NCUBE: Okay. Can we go to page 570
...[intervenes].

ADV BALOYI SC: Was it unusual that the project manager

would prepare a document for you such as this and send it to you? Because he prepares it and then he sends it to you, I suppose, for you to approve or not to approve. Was it a regular occurrence?

MS RAMSAMY: No.

ADV BALOYI SC: Or is there anything unusual ...[intervenes].

MS RAMSAMY: It is very unusual ...[intervenes].

ADV BALOYI SC: In that he is done it this way?

10 **MS RAMSAMY:** Commissioner Baloyi, if we go back to how I was explaining how the process works, I even spoke about the formatting, if you are good with formatting. It is usually prosecuted to DD, to project manager, to submit to Advocate Johnson, or if you are not good with formatting, then you would send it to the project manager, as I did on the 3rd of June, for him to format, send back to me, and then it will be submitted, but these documents are not supposed to be done by the project manager.

ADV SEGEELS-NCUBE: And that is what you did on the
20 3rd of June when you sent him your draft with the umbrella section 28(1). You sent it to him and said, please work your magic.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And you explained to us that he had to do the formatting.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: You did not expect to get a month later two 28(1)s that referred to Leg 1 and Leg 2.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And in fact, Advocate Johnson's email on the 3rd of June was saying that she is still working on the section 28 that you had sent her.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: Okay, and that one had a date of
10 2 June 2025. It was not the ...[indistinct].

MS RAMSAMY: My apologies. Yes, correct.

ADV SEGEELS-NCUBE: You then responded to the email from Mr Tlale, and that we find on page 579.

MS RAMSAMY: My apologies. 579?

ADV SEGEELS-NCUBE: Yes, we will have to read it from the bottom to the top. So at the bottom of the page, we have Mr Tlale's email where he says:

“Hi, ladies. These are the soft copies of
your authorisations.”

20 And then the email above that, it is from you to him, section 28 authorisations. You say:

“Hi. Are these signed? Who did them?”

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Because what you get sent is unsigned 28(1)s. All the documents are unsigned.

MS RAMSAMY: Yes, which I did not compile, nor did Advocate Hlatshwayo compile.

ADV SEGEELS-NCUBE: And so you are asking him who did them.

MS RAMSAMY: Correct. I wanted to know are these signed and who did them.

ADV SEGEELS-NCUBE: And his response then to you is the email above that. He says:

10 “Only Leg 1 is signed, which means only
 housebreaking is signed.”

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE:

 “I compiled all using your prosecution
 memos. I need to fix Leg 2 as per ID.”

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And Leg 2 is the Mokwele matter.

MS RAMSAMY: Correct.

20 **ADV SEGEELS-NCUBE**: And so as of 16 July 2025, he is
 saying that he still needs to fix the 28(1) in respect of the
 Mokwele matter as per the ID.

MS RAMSAMY: Which then confirms that as of 16 July 2025, there was no 28(1) authorisation for the Mokwele matter.

ADV SEGEELS-NCUBE: Did you have a discussion with him about it?

MS RAMSAMY: I did, and I asked him. I went to his office and I asked him, why is Mokwele in my name? Why is it being submitted in my name? I was on sick leave, and are you submitting a document in my name where I am not the prosecutor anymore and another prosecutor enrolled it, and he just did...

ADV KHUMALO SC: Do you know why the prosecutor, Ms Hlatshwayo, is copied on these emails?

MS RAMSAMY: Because she is the prosecutor that
10 enrolled Mokwele.

ADV KHUMALO SC: And this is almost a month after the arrest.

MS RAMSAMY: Correct.

CHAIRPERSON: Ms Segeels-Ncube, Ms Ramsamy said when she asked why this document was submitted in her name, he just did this. Do you want to describe it and place it on record?

MS RAMSAMY: He shrugged.

ADV SEGEELS-NCUBE: You shrugged?

20 **MS RAMSAMY:** He shrugged.

ADV SEGEELS-NCUBE: He shrugged, ja.

CHAIRPERSON: He lifted his hands in a manner that was indicative of shrugging.

MS RAMSAMY: Correct.

CHAIRPERSON: All right, okay.

ADV SEGEELS-NCUBE: Okay. And have you, apart from what was plighted at the Commission, which was the 30 May 2025 application and authorisation signed by Advocate Johnson with a date 30 May 2025, have you ever seen a section 28(1) authorisation for the Mokwele matter other than the one that was displayed here?

MS RAMSAMY: No. There was no signed 28(1) for the Lushaba matter or the Mokwele matter that has been provided to myself or Advocate Hlatshwayo.

10 **ADV SEGEELS-NCUBE**: What was provided by Mr Tlale sometime in November 2025 was the signed section 28(2)(A) authorisations.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: For both matters.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And those are dated?

MS RAMSAMY: 8 August 2025 And the section 28(2) is in terms of the Act. It is sort of like a certificate that Advocate Johnson would sign to allow us to prosecute on behalf of
20 the ID. So even that should have been signed prior to.

ADV SEGEELS-NCUBE: Can you just explain ...[intervenes].

CHAIRPERSON: Prior to the arrest, you mean?

MS RAMSAMY: Prior to the 13th of June and the 25th, 26th of June.

ADV SEGEELS-NCUBE: Can you just explain where does the 28(2)(A) fall in the process and who prepares that document? Because I have not seen any draft from it. Is it just something that Advocate Johnson sends?

MS RAMSAMY: With the 27 referral from 2023, I drafted the 28(2) and submitted it for authorisation after my Deputy Director approved the drafting and the contents. So it should have come from the prosecutors.

ADV SEGEELS-NCUBE: And that document, is it part of
10 the legislation that there must be a 28(2)(A), or is it something that is a practice or procedure in the SOP? Where does it come from, and why do you need it?

MS RAMSAMY: Sometimes Advocate Johnson would ask for it, sometimes not, but with the 27 referral, she would. In terms of the Act, Advocate Johnson needs to delegate authority to prosecutors, either Deputy Directors, Senior State Advocates, State Advocates, to prosecute on behalf of the Investigating Director, and that is the purpose of a 28(2), to provide us with a certificate to authorise us. It is
20 the same thing as a delegation. So if I was a District Court prosecutor and they gave me an acting stint in the Regional Court, the DDPP of that jurisdiction would issue a certificate of delegation to allow me to prosecute in the Regional Court. So it is a delegation for us to have permission to, or authorisation to prosecute.

ADV SEGEELS-NCUBE: We are going to include it in the ...[intervenes].

CHAIRPERSON: Within IDAC, is this done once off, or is it done per matter?

MS RAMSAMY: Like I said, Advocate Johnson, because of the two 27 referrals, the first one I knew that I was requested to do one. So it was the Deputy Director and I were trying to figure out how to format it and how it was supposed to be worded because we did not have an
10 example, but it became a standard procedure later on. But like I said, standard procedures were deviated very often according to what Advocate Johnson wanted at the time.

CHAIRPERSON: What I am trying to understand is the delegation to prosecute. Would that not be done once off? Because for there to be a delegation each time a matter comes up, it sounds quite cumbersome. So would it be a once-off delegation?

MS RAMSAMY: We are issued with a delegation. I think we have been issued with three different ones now. With
20 Advocate Johnson, it is a certificate that we generally carry with us just in case either a Judge or a Magistrate wants to see. But that is done, if memory serves, it is done in terms of section 24 of the NPA Act, not in terms of section 28.

CHAIRPERSON: Okay.

ADV BALOYI SC: Can I just clarify? And it may be a

difference of practice and what the law prescribes. A quick look at 28(2) is authority to investigate, not to prosecute. Were you using it differently?

MS RAMSAMY: I am trying to find my NPA Act. All right. In our exhibit file, do we have the 28(2)?

ADV SEGEELS-NCUBE: It was there at some point. I am not sure. NPA Act?

CHAIRPERSON: Have you found it? I see you are paging. Have you found the Act?

10 **MS RAMSAMY**: No.

ADV SEGEELS-NCUBE: Can we display it in front of you? You should be able to see it on the screen.

MS RAMSAMY: Thank you.

CHAIRPERSON: And whilst you are looking, in any event with regard to a delegation to prosecute, as I understand it, you and other prosecutors are part of the NPA anyway. So it would not make much sense for there to be a new delegation to prosecute, as it were, if you already have a delegation to prosecute, but please respond directly to the
20 question by Commissioner Baloyi.

MS RAMSAMY: Correct. It is to investigate.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: Okay. We will include the email chain regarding the 28(2)(A)s in the bundle. For now, we will just display it. It is an email from Ms Hlatshwayo on the

12th of November 2025 to Mr Tlale copying you, where she is responding to his July email where he says these are the soft copies for your authorisations. She sends an email to him saying:

“Good morning, Tshepo. I have just realised that ...[indistinct] is not designated in these matters, more especially Leg 2, and currently is the one who is appearing in court. May you kindly add him?”

And his response is above that, he says:

“He is. Please receive attached.”

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: And what he attaches, if you look at the third page, is the section 28(2)(A) designations, 8 August. You will see the date is 8 August 2025.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And we do have the attachments. The first one, you will see once it comes up, it again refers to in the first line:

“Whereas I, Andrea Johnson, the Investigating Director, on 30 May 2025 have decided to conduct an investigation in terms of section 28(1)(A).”

So, again, there is reference to the authorisation, which you

know nothing of, for 30 May 2025.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And was November 2025 the first time that you saw this 28(2)(A)?

MS RAMSAMY: Yes, it was the first time that it was emailed to us.

ADV SEGEELS-NCUBE: If you look at the third page, it has got the signature date of Advocate Johnson. It is 8 August 2025.

10 **MS RAMSAMY**: Correct.

ADV SEGEELS-NCUBE: Okay, and insofar as the 28(1)(A) authorisation, so we have spoken about the application for authorisation, have you seen this signed other than the 30 May 2025 that is part of the bundle that was displayed during Advocate Johnson's evidence, have you seen an authorisation for the Mokwele matter other than the 30 May 2025 one?

MS RAMSAMY: I saw the one that I sent that was not signed on the 3rd of June and then these, but a signed one
20 from Advocate Johnson was never submitted to us.

ADV SEGEELS-NCUBE: 28(1)?

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: Okay. Only the 30 May 2025 one that was displayed here at the Commission?

MS RAMSAMY: [No audible response].

ADV SEGEELS-NCUBE: Now, then if we can move on to another topic, insofar as the Mokwele matter is concerned, and this relates to the evidence of Advocate Serunye regarding the bail amendment and bail application, bail appeal proceedings from September 2025.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Now, his evidence insofar as, we know that you were involved somewhat in that process, but you were no longer the prosecutor on the Mokwele matter,
10 or were you still with Ms Hlatshwayo?

MS RAMSAMY: No. On the 8th of August, ja, Advocate Johnson had separated us completely on the matters. However, with regards to the bail application, I was asked by Advocate Serunye to assist.

ADV SEGEELS-NCUBE: Okay, and just to recap that Advocate Serunye gets involved in August.

MS RAMSAMY: Correct, on the 8th of August.

ADV SEGEELS-NCUBE: Well, he was at the first appearance in June, but then his real involvement starts in
20 August 2025. He then sends his trial preparation memo, where he raises pertinent questions regarding the case, and your evidence was that when he got involved, there was a voice that you could now speak to somebody that would hear the complaints about what your assessment, you and Ms Hlatshwayo, your assessment of the matters are

concerned.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And he seemed to hold the same views.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: We know that Mr Perumal responded to his email, but you did not respond to his email where he had raised all those questions, and you were copied in that email, you and Ms Hlatshwayo.

10 **MS RAMSAMY**: Correct.

ADV SEGEELS-NCUBE: Can you tell us why you did not respond?

MS RAMSAMY: If the Commissioner and Chair would note the times of Mr Advocate Serunye's emails, it was generally towards the latter part of the afternoon or evening. During the day, Advocate Hlatshwayo and myself would sit with Advocate Serunye in his office and we would dissect all of these things, and we would voice our concerns, and he even testified to the effect that they were not listening, the
20 investigators were not listening to Advocate Hlatshwayo and I.

So that is why when I testified on the 29th of July, I said when Advocate Serunye started listening to us and taking these things up in writing and asking for answers, it gave us a sense of relief. With regards to the bail question,

I was assisting due to Advocate Serunye's health, so we needed all hands on deck, but there are messages with regards to how that transpired.

ADV SEGEELS-NCUBE: Yes, we will get to those messages. I think the first event in that sequence is a meeting that was held on 1 September 2025, which were filed in File in 11, page 74. Chair, perhaps before we continue with this topic, it is maybe best to take the tea adjournment, and we will continue when we get back.

10 **CHAIRPERSON**: Let us resume at 11:30. Let us adjourn.

HEARING ADJOURNS

HEARING RESUMES

ADV SEGEELS-NCUBE: Thank you, Chair.

CHAIRPERSON: Yes, Ms Ncube.

ADV SEGEELS-NCUBE: Just before the adjournment, we were at page 74 of file 11, which were dealt, these are your notes of a meeting held on the 1st of September 2025, and I had asked you what was the purpose for this meeting.

ADV RAMSAMY: Advocate Johnson was unhappy with
20 Advocate Serunye's questions and his emails and his questioning of whether these matters fell within IDAC's mandate. She was upset about the constant request for the 27 referral. So, Advocate Johnson chaired the meeting while Mr Perumal and Mr Padayachee joined on Teams. Advocate Johnson seemed to be upset with Advocate

Hlatswayo and myself as well in indicating that we had not explained to Advocate Serunye the overarching purpose of the Crime Intelligence matters.

CHAIRPERSON: Which she said was what?

ADV RAMSAMY: Racketeering and state capture.

ADV SEGEELS-NCUBE: And did she explain the state capture aspect?

ADV RAMSAMY: Well, she addressed Advocate Serunye trying to explain that the Mokwele arrest was similar to that
10 of the Selebi judgment and that of the Zuma/Sheikh judgment. There was disagreement about that because in those judgments, it was clear what the quid pro quo would be, even though there was not a specific agreement. And yes, the gratification or the quid pro quo would come in effect later on, but it was evident from the relationship what would be expected versus the Mokwele matter where it is just a mere statement of in the future.

In the future to do what? So that was the to-and-fros that were happening. However, Advocate Johnson then
20 got agitated and took over and would not allow us to speak and laid down the law that these matters are going to proceed and that the investigating officers are going to explain to the prosecutors what the evidence is and how we should interpret it and understand it and prosecute it.

ADV SEGEELS-NCUBE: So it was in effect to persuade

Advocate Serunye that there was a case on the Mokwele matter and, or were there other matters discussed?

ADV RAMSAMY: There were two other matters discussed. In my statement, I later deal with the Modondo/Khumalo and the Masemola/Khumalo arrest, which are two separate issues. Advocate Johnson in that meeting indicated that irrespective of what Advocate Hlatshwayo and I had presented to her in July already, those matters will be enrolled.

- 10 **ADV SEGEELS-NCUBE**: And we see there you have three bullet points. The second bullet point on your note says:

“CI IDAC = is this state capture.”

And then the next bullet:

“Circumvented an arrow in anticipation of.”

What was she discussing there?

ADV RAMSAMY: Advocate Johnson was telling Advocate Serunye, Advocate Hlatshwayo and myself that the Crime Intelligence investigation done by IDAC is actually state capture and that is the reason IDAC was created, formed?

- 20 And that these matters, these specific matters were state capture. And she kept repeating state capture. With regards to circumvented, she is speaking about the promotions and the ads being withdrawn with regards to the Mokwele matter and then re-advertised externally. So circumvented meaning that. And it was in anticipation of.

And then there was an explanation that Brigadier Mokwele's father works for the Hawks and that he was charged for trying to bribe another official.

ADV BALOYI SC: What was said to be the relevance of her father's employment in the Hawks and being charged?

ADV RAMSAMY: What they were trying to explain here was that the quid pro quo would then be equated to the fact that General Khumalo was giving gratification to Brigadier Mokwele's father by appointing her.

10 **ADV SEGEELS-NCUBE:** And there is a reference to, it says there is a docket that relates to her father and then it says uncle and Libiya. What is the reference to Libiya? That General Libiya?

ADV RAMSAMY: Yes, there is a docket that relates to her uncle, it is supposed to be a slash, or father and the docket is with General Libiya. Or they are going to obtain the docket through General Libiya.

ADV SEGEELS-NCUBE: And if we then go to page 77.

20 **ADV BALOYI SC:** Just before you leave that page, the entry at page 74 still, the entry right at the top, what is that about? What does it say?

ADV RAMSAMY: The first entry with the dot under the names, we need to finalise the charge sheet Khumalo matter.

ADV BALOYI SC: And that is a different matter to the

Mokwele matter?

ADV RAMSAMY: It is the same matter. It was referred to as the Khumalo matter, or we referred to it as the Khumalo matter, being myself, Advocate Hlatshwayo and Advocate Serunye.

ADV BALOYI SC: And this is on the 1st of September?

ADV RAMSAMY: Correct.

ADV BALOYI SC: So at this point there was no finalised charge sheet yet, and yet they have been arrested. Can
10 you just explain what happened?

ADV RAMSAMY: After Advocate Serunye came on board and he was listening to us and we were explaining that there is no crime of corruption, he also picked it up when he read it. And that is how the second charge sheet, it was at this point that the second charge sheet of section 21, conspiracy, was drafted.

ADV BALOYI SC: What Advocate Serunye referred to as the amended charge sheet?

20 **ADV RAMSAMY**: Correct.

ADV BALOYI SC: Is that what you are referring to?

ADV RAMSAMY: Correct.

ADV BALOYI SC: I see. Thank you.

ADV SEGEELS-NCUBE: And on page 77 there is another entry in reference to the charge sheet. So at the bottom of

the page, just before the arrow that says Mokwele's Docket, it says, I cannot see the first word, it says:

“Just have to beef up charge sheet in =
corruption.”

77?

ADV KHUMALO SC: You just have to.

ADV SEGEELS-NCUBE: Do you see it?

ADV RAMSAMY: Yes.

“Beef up charge sheet = corruption
Mokwele's Docket.”

ADV SEGEELS-NCUBE:

So part of the discussion here was to beef up the Mokwele charge sheet to the corruption charge in the Mokwele charge sheet.

ADV RAMSAMY: With regards to this conversation, it was more the investigators telling the prosecutors what evidence is there to beef up the charge sheets, to prove corruption.

ADV SEGEELS-NCUBE: Okay. And then, because we have dealt with this aspect quite extensively on these discussions, I want to go to a different aspect that was discussed at that meeting on page 80.

ADV RAMSAMY: Yes.

ADV SEGEELS-NCUBE: Sort of towards the end of the page, there is a reference to IGI, page 45 to 75, part 2 report.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: What is that?

ADV RAMSAMY: Commissioner Baloyi asked me a question last week about IGI, whether an IGI meeting took place. So in order for us to understand this paragraph, I need to explain the first meeting and then this. So in January, Mr Sesoko arranged for a meeting at IGI. We had a meeting with Advocate J Govender and another member of the IGI legal Team where they indicated, yes, they were
10 tasked to do an investigation, but they cannot share their findings with us because of their mandate and the fact that they are regulated by a different Act and their reporting lines are very different.

So in essence, there was some words exchanged. So Advocate Govender was addressing me through the meeting. We were discussing, I asked her how many different Crime Intelligence matters, et cetera. So she did indicate that they are in the process, they are consulting with witnesses based on certain complaints. She was
20 unable to give me any witness names. And she explained safety as well as different mandates.

So Mr Perumal got agitated to a point where Advocate Govender even said to him, your cowboy tactics is not going to work on these cases. We left that meeting. I did say it was a fruitless meeting because we could not

assist them and they could not assist us and...

ADV BALOYI SC: Sorry, you could not and they could not assist you. What was the purpose of the meeting when you went there?

ADV RAMSAMY: With IGI, like with other investigations that had been completed previously during the Zondo Commission period, they are able to assist because the report has been completed. But because this was still in the process of investigation, they were not able to assist
10 and sharing of information could not take place. So Commissioner and Chair, we left that meeting and Mr Perumal then wanted to arrest Advocate Govender for section 34 for not willing to assist us. And there was this whole thing where I had to pull out the IGI Act and explain to him that they have their own, but that is just on a side note. But it was just to give you an explanation of how things were being done.

ADV SEGEELS-NCUBE: Can I just interject this? So this is the meeting that Mr Sesoko also testified about that he
20 attended.

ADV RAMSAMY: Correct, in January 2025 [?].

ADV SEGEELS-NCUBE: And did you obtain any documents at that stage?

ADV RAMSAMY: No, nothing was shared with us.

ADV SEGEELS-NCUBE: And the discussion was about

Crime Intelligence investigations, current investigations that the IGI was investigating?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay.

ADV RAMSAMY: Based on complaints that they had received.

ADV SEGEELS-NCUBE: Okay. So you leave that meeting and you did report back to Advocate Johnson saying it was a fruitless meeting and she says she is not surprised.

10 **ADV RAMSAMY**: Yes, correct.

ADV SEGEELS-NCUBE: And then we now in September.

ADV RAMSAMY: So we are in September and Mr Perumal is explaining various things about how Advocate Hlatshwayo, Advocates Serunye and myself are not understanding the evidence of the Mokwele docket. He then tells us that the Minister, being Minister Mcunu, arranged for someone to fly to Eastern Cape to him and provide the IGI reports.

ADV SEGEELS-NCUBE: And this is the IGI report that was
20 prepared in respect of the Crime Intelligence investigations undertaken by the IGI.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Which you were told at the time in January they were still busy with investigations.

ADV RAMSAMY: Correct. And my understanding of those

reports is someone very high up has to approve that we share that information.

ADV SEGEELS-NCUBE: Okay, so what Mr Perumal communicated in that meeting was that Minister Mcunu arranged for someone to fly that report, a hard copy of that report, to Mr Perumal in the Eastern Cape.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And the IGI had given that report to the Minister?

10 **ADV RAMSAMY**: Correct.

ADV SEGEELS-NCUBE: And in terms of what legislation or powers did the IGI give that report to the Minister? Was there an explanation as to was it commissioned by the Minister, a report commissioned or investigation commissioned by the Minister?

ADV RAMSAMY: It is unclear. I just know that that report was not supposed to come to us in that way.

ADV SEGEELS-NCUBE: Do you know it was not supposed to come to IDAC via the Minister?

20 **ADV RAMSAMY**: Correct.

ADV SEGEELS-NCUBE: And why do you say that?

ADV RAMSAMY: Because the IGI had read the Act prior to going to have the meeting with Advocate Govender.

ADV SEGEELS-NCUBE: In January?

ADV RAMSAMY: In January. There are certain procedures

and processes that must be followed in order for that information sharing. I had also spoken to Advocate Louw, the deputy director who is retired now. He was dealing with a matter that IGI and him or that Team were sharing information. There were channels that had to be followed in order for that information to be shared.

ADV SEGEELS-NCUBE: And did Mr Perumal say whether Advocate Johnson was aware that he had gotten the report from the Minister?

10 **ADV RAMSAMY:** Yes, in my notes, there is one of the notes. There is a note, just a note down that says Dylan must call IG. But in this meeting, Mr Perumal indicated very clearly that the ID is aware that the Minister has arranged for this report to be flown to me.

ADV SEGEELS-NCUBE: I will ask you to find that reference during the lunch adjournment. But for now, so that is what he tells you about how he got the report?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And does he say anything else
20 about the report in that meeting? Because you have a reference that says page 45 to 75. I would assume that is page 45 to 75 of the report.

ADV RAMSAMY: Correct. It is even part, he is even telling us which part of the report is relevant. Mr Perumal then WhatsApps me the IGI reports.

ADV SEGEELS-NCUBE: If we can go to page 600 first and you tell us what, why you took a photograph of this. File 10 part 2. This is a photograph of a letter dated 2 April 2025 addressed to the Minister.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And it is on the letterhead of the Office of the Inspector General of Intelligence. Before you read the letter, can you tell us why you took a photo of this letter?

10 **ADV RAMSAMY:** I sent it to the evidence leaders to show that we are in possession of an IGI report and all the correspondence or the correspondence that is attached to it.

ADV SEGEELS-NCUBE: Okay. Can you read the letter into the record and then I will ask, then we can go to the WhatsApp where you received the report.

ADV RAMSAMY: It is addressed to:

“Minister ES Mcunu MP, Honourable
Minister of Police.

20 Dear Minister Mcunu, investigations on
matter of Crime Intelligence in terms of
section 7, subsection 7(c) of the
Intelligence Services Oversight Act 1994,
Act 40 of 1994 Oversight Act. Our
correspondence dated 24 March 2024

regarding the above subject matter first.”

ADV SEGEELS-NCUBE: Just to, I think it should be 2025, yes. But it is not, you are not the author.

ADV RAMSAMY: I am not the author.

ADV SEGEELS-NCUBE: To make sense that it would be 2025. Continue.

ADV RAMSAMY:

10 “In said correspondence, we appraised the
Minister on the progress made in respect
of the investigation and the outstanding
interviews with specific officials from
Crime Intelligence Division of the South
African Police Services, SAPSCI. We
were advised on the 27th of March 2025
from the Chief Financial Officer, CFO of
SAPSCI, would not be available for an
interview on the scheduled date due to
prior planned leave and would be
available on the 8th of April 2025. Based
20 on the foregoing, we are unable to meet
our envisaged date of 4 April 2025 to
conclude this investigation without the
critical contribution of the above
mentioned official.”

ADV SEGEELS-NCUBE: And who was the official, the CFO

that was being referred to?

ADV RAMSAMY: It would be Mr Lushaba.

CHAIRPERSON: Where is the rest of the letter?

ADV RAMSAMY: I have brought the documents.

ADV SEGEELS-NCUBE: Chair, the witness brought the document this morning with the report. We still need to discuss with the NPA releasing the, allowing us to use the report. It is the first time anyone has had sight of the report and she brought hard copies. She did not send an
10 electronic version. She had received it via WhatsApp as well. This was just the photograph that she had taken initially to show us that she does have it. But she is brought it this morning with her. We will then deal with the remainder, I think there is a page 2 which has the signature and short note. So we will deal with it then during the lunch adjournment.

CHAIRPERSON: So the report is the letter?

ADV SEGEELS-NCUBE: We have the, this is the covering letter and there is a 75, 77 page report.

20 **CHAIRPERSON:** I am asking about the letter. The letter is incomplete.

ADV SEGEELS-NCUBE: Yes, there is a second page. So she just took a photo of the first page. But she has brought the covering letter with both pages and the report itself.

CHAIRPERSON: Okay, okay.

ADV SEGEELS-NCUBE: Yes. We can go to page 601, which is then the WhatsApp where you receive it. And this would have been, let me just get the correct page. It is not 601. It is 612. Just bear with me. 609. And Chair...

ADV BALOYI SC: Ms Ncube, you will guide, because you are dealing with a report, you will guide whether this question can be answered or is subject to you getting approval. My question is, you have looked at the report. What was the complaint that the IGI was investigating? And
10 I am happy for you not to answer if it falls under you need to get consent from the NPA. Is it one of those?

ADV RAMSAMY: I think I would rather, once I get consent, then I would be able to explain. But at this point, because the report, and I do not have the authorisation from the NDPP, if I may resolve that.

ADV BALOYI SC: All right. That is fine, thank you.

ADV SEGEELS-NCUBE: Thank you, Commissioner Baloyi. We will sort that out during the lunch adjournment. The second page of the letter reads paragraph 5:

20 “In this regard, it would be appreciated if
 we could present our report containing
 findings and recommendations on
 Thursday, 10 April 2025.”

Six:

 “Thank you for your attention and

consideration of our request. Yours
sincerely.”

It is signed by Mr I Fazel, Inspector General of Intelligence.

And then it says:

“Investigations on matters of Crime
Intelligence. Investigation of alleged
irregularities pertaining to procurement of
buildings, validity of recruitment process,
and security clearance of senior member
10 of South African Police Service, Crime
Intelligence, SAPSCI.”

That was the investigation, Chair. But the report has not
yet been perused until we have dealt with the issues with
the NPA. So if we can then go to page 609, this is where
you receive, this is after the meeting of 1 September where
Mr Perumal tells you how he got the report. And at we can
see 2 September, this is from him to you at 14.51, IGI
report PDF, 77 pages. We can confirm that the covering
letter is two pages and the report is 75 pages.

20 **ADV RAMSAMY**: Correct.

ADV SEGEELS-NCUBE: Okay. Now back to that meeting.
And he references page 45 to 75. And he must have then
had a discussion with you as to what 75 to, 45 to 75
contains, what it deals with.

ADV RAMSAMY: It dealt with the appointments and vetting

aspects, ja.

ADV SEGEELS-NCUBE: In respect of the matters that IDAC was also investigating.

ADV RAMSAMY: Portions, yes.

ADV SEGEELS-NCUBE: Portions, so more than what IDAC was investigating, or was IDAC investigating more than what the IGI was investigating?

ADV RAMSAMY: [No answer]

ADV SEGEELS-NCUBE: Or were they identical?

10 **ADV RAMSAMY:** I cannot, I cannot pinpoint exactly how, but I do remember that Advocate Serunye, myself, and Advocate Hlatshwayo read the report, and Advocate Serunye also sent an email based on it saying, I read the IGI report and it takes us no further.

ADV SEGEELS-NCUBE: And insofar as the IGI report is concerned, we know now that Mr Perumal gets it through the Office of the Minister.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And you say that you know that
20 IDAC is not supposed to get it that way. How were you going to use the report, if it was beneficial or if it was corroborative of IDAC's investigation? Was there discussion about that?

ADV RAMSAMY: It is the same thing as the email that is subject heading Secret. Where somehow, someday, Mr

Perumal got, I think it is General Particular's Disciplinary Assessment Report on all the, so it is the Mokwele and the six others. So when he emailed it to us, the subject was Secret. And so the discussion stemmed that it was going to be used for intelligence purposes, but prosecutors do not use things for intelligence purposes. And I think that is also what stemmed Advocate Serunye's email saying, it takes this case no further.

ADV SEGEELS-NCUBE: But when he was discussing the
10 report, because you had not seen it at that stage, but he was discussing it, was he saying, was Mr Perumal saying that it is supportive of IDAC's investigation and the charges that you were pursuing against the Crime Intelligence officials?

ADV RAMSAMY: His words were, it is golden.

ADV SEGEELS-NCUBE: Okay.

ADV RAMSAMY: So, ja.

ADV SEGEELS-NCUBE: It was.

ADV RAMSAMY: It was in support of.

20 **ADV SEGEELS-NCUBE:** Do you know if Advocate Serunye also got the IG report?

ADV RAMSAMY: Ja. What happened was when, because Advocate Serunye does not like WhatsApp. So it was WhatsApp'd to me and then printed. So we printed three copies for the three Advocates to work off.

ADV SEGEELS-NCUBE: Okay. And so after he then perused that, he said, it does not take the matter any further.

ADV RAMSAMY: It takes the case no further, yes.

ADV SEGEELS-NCUBE: Okay. Then I would like to move on to ...[intervenes]

ADV BALOYI SC: Maybe before you move off this, you say in the past you have had cooperation with the IGI office in other matters.

10 **ADV RAMSAMY:** Correct.

ADV BALOYI SC: Ordinarily, what is the process for you to get that cooperation and to get their reports?

ADV RAMSAMY: It must be finalised.

ADV BALOYI SC: How does it work?

ADV RAMSAMY: The report must be finalised.

ADV BALOYI SC: Yes.

ADV RAMSAMY: And then it must be given to the authority that controls the IGI or requested me, the President, the Minister's office or whatever. But that report is only
20 supposed to be released once it is finalised. And then there is mutual legal assistance that we would then sit and discuss, okay, portions of this case, we are going to have to redact, you cannot use it, we cannot disclose it to you. Portions we can disclose in terms of just for you to guide where you might possibly want to go for your investigations.

But it would never be the full report and it would only be the finalised report.

ADV BALOYI SC: So just to make sure that I understand, in the normal course, this report that you end up getting by WhatsApp, you say in normal proper course, it would have come from the IGI to whoever is the authority that the IGI reports to, be it the President or the Minister responsible for the IGI. And then it would go to either directly or to the Minister of Justice, Minister of Police? I just want to
10 understand how Minister Mcunu would, if things were done properly, how he would end up with this report. To your knowledge, from your experience.

ADV RAMSAMY: From the way, because the only other matter that is getting assistance from IGI is under Advocate Louw. So when I was going, because I was walking in blindly. I had not dealt with the IGI previously. So when I asked for assistance on how it works, it is a confidential document or a top secret document. It also has to be declassified before it comes to us. So this document was
20 not declassified. It is still in its raw confidential or top secret form.

ADV BALOYI SC: And you say that is contrary to how it is normally done in the normal course.

ADV RAMSAMY: Correct.

ADV BALOYI SC: It would have had to be declassified for

you to look at it, to be able to work with it.

ADV RAMSAMY: Correct. And there needs to be, so like I was explaining in the mutual legal assist, you would then agree. Paragraph four, guys, you are redacting. Paragraph five, you may use for those purposes. I am not disclosing these witnesses.

ADV BALOYI SC: Thank you.

ADV KHUMALO SC: Just explain this in your discussion with Mr Perumal. What did he say you must do with this
10 report? Because he is sharing it with you on WhatsApp. Did he say you must read it and then what? Assist you in your prosecution of the ongoing matters?

ADV RAMSAMY: Commissioner, the way it was explained to Advocates Serunye, Advocates Hlatshwayo and myself, it was after we read it, the Advocates will have a better understanding of what we are supposed to prosecute in the Mokwele docket.

ADV KHUMALO SC: I see. But you say this was a draft. It was not final. Or it had not been sent to the relevant
20 people who were supposed to get it. Whether they are a Minister or a relevant body.

ADV RAMSAMY: All I know is that the Minister sent the report that IGI refused to give us to Mr Perumal. And in terms of the Act and the mutual legal assistance that we usually give them, it is not proper procedure.

ADV KHUMALO SC: Thank you.

ADV RAMSAMY: And it is being shared on WhatsApp.

ADV BALOYI SC: Did I hear you to say the Minister gave it to somebody who went and delivered it to Mr Perumal?

ADV RAMSAMY: Mr Perumal's words during the meeting on the 1st and then repeated on the 2nd was that the Minister made arrangements for someone to fly with the report to meet him in Eastern Cape or East London to hand the report to him.

10 **ADV BALOYI SC:** Thank you.

ADV SEGEELS-NCUBE: Thank you. I now want to deal with the bail amendment and the application, the bail appeal on the Mokwele matter.

ADV RAMSAMY: Section 63.

ADV SEGEELS-NCUBE: Yes. So when Advocate Serunye gave evidence, he explained that he was involved in that process. You were also involved in that process. What we want to understand was what was Advocate Johnson's involvement in that process and the decision making by
20 Advocate Johnson during that process. Now, we know that there was an application by the accused to amend the bail conditions insofar as, particularly the one that we are interested in, is the bail condition that they were not to enter into any Crime Intelligence offices throughout the country.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: That formed part of a bail application in terms of section 63.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And you had a discussion with Advocate Johnson about that application?

ADV RAMSAMY: So Advocate Johnson was on the phone or a Teams comms with Mr Bellochun, Mr Padayachee, and Mr Perumal and I was contacted by Advocate Johnson's PA
10 that I must come in urgently. They were also looking for Advocate Hlatshwayo, but it was lunchtime and I think I was the only one in the office at the time of the three of us. So when I got there, I stood at the door of Advocate Johnson's office and she instructed that we must oppose the section 63 and that we must start drafting. Then a few minutes, I think maybe half an hour later, she sent a WhatsApp to me saying ...[intervenes]

ADV SEGEELS-NCUBE: Can we go to that WhatsApp page 610, 610 of file 10 part 2?

20 **ADV RAMSAMY:** Thank you.

“Brief Peter and tell him what I have requested ...[intervenes]”

ADV SEGEELS-NCUBE: Just wait for us.

ADV RAMSAMY: Sorry.

ADV SEGEELS-NCUBE: 610, 9 September 2025, the

message from Advocate Johnson at 1.11.

ADV RAMSAMY: So this is after I was called into the office and told. And then Advocate Johnson WhatsApps me:

“Brief Peter and tell him what I have requested. Does he agree?”

I reply:

“I will. He has stepped out for lunch, as soon as he is back.”

ADV SEGEELS-NCUBE: Sorry, it is not your fault this
10 time, but could you just move closer and raise your voice because there is sound from above. I will. He has stepped out for lunch as soon as he is back.

ADV RAMSAMY: To which she replied at 13.12:

“Okay.”

After a conversation with, it was about a two hour, maybe an hour and a half, conversation between Advocate Hlatshwayo, Advocate Serunye and myself, we even pulled out the CPA commentaries and we were researching this instruction. And so I sent Advocate – so after this
20 discussion, I asked Advocate Serunye whether I must inform Advocate Johnson and he said yes. And then I sent a message saying:

“Advocate Johnson, we have discussed the section 63. We do not have legal grounds to justify the application. We

have done reading on CPA and
commentary based on the current
circumstances.”

Her reply is:

“Noted.”

ADV SEGEELS-NCUBE: When you say we do not have
legal grounds to justify the application, do you mean your
opposition to the application?

ADV RAMSAMY: Correct.

10 **ADV SEGEELS-NCUBE:** Okay. So she says noted and
then what happens thereafter?

ADV RAMSAMY: On the 11th of September, because
Advocate Johnson, because Advocate Serunye does not
have WhatsApp, on the 11th of September, Advocate
Johnson sends me a message at 19.18, evening:

“I want to see you, Peter, and Joy in my
office tomorrow at 8.30am. Peter does not
have WhatsApp, so I cannot message
him.”

20 I reply:

“Evening, Advocate Johnson. Noted. I
will call him and advise him.”

She says:

“Thanks.”

ADV SEGEELS-NCUBE: Then page 611 deals with a

different aspect where you are telling her about the Lushaba bail conditions, right? And she is telling you that Advocate Mshololo must go through Peter and all of that.

ADV RAMSAMY: Correct, yes.

ADV SEGEELS-NCUBE: At the bottom of that page 611, she says:

“Why is she asking you? She must ask a client.”

And then she says:

10 “But we will discuss in the morning.”

This is in the morning because she has asked to meet with you ...[intervenes]

ADV RAMSAMY: At 8.30.

ADV SEGEELS-NCUBE: ...Mr Serunye and Advocate Hlatshwayo in the morning.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Then at 612, you can continue there. This is still the evening of the 12th at the top.

ADV RAMSAMY:

20 “Noted, thank you. I have spoken to Advocate Serunye and informed him.”

ADV SEGEELS-NCUBE: And this is in reference to Advocate Mshololo that you say, I have spoken to Advocate Serunye and informed him.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. So then on the 13th.

ADV RAMSAMY: On the 13th at 16.48, Advocate Johnson sends me a message.

10 “I have read the supplementary prepared
by Brian. It is very good. I expect all
prosecutors to meet tomorrow and make
sure everything is sorted and that
arguments are ready. Kindly inform Peter
and Joy. I know it is Sunday and I will
give each of you time off for putting in
time tomorrow. I will also try and come to
the office to see how things are going.”

I reply.

“Afternoon, Advocate Johnson. I will
inform both and request that I join either
via Teams or WhatsApp. I had my mom
for the weekend.”

ADV SEGEELS-NCUBE: Okay. Then you say, she says:

20 “Sorry to hear, let them do a Teams
meeting because all three need to be on
the same page, please. Thank you.”

ADV RAMSAMY: Correct.

ADV BALOYI SC: Is this still about the bail or this is
Lushaba now, at 6.12?

ADV RAMSAMY: So the messages that Advocate Johnson

was sending were about the section 63, oppose us opposing the section 63. But in that time, Advocate Mshololo had contacted me and asked for Mr Lushaba's bail conditions for the second matter, the Mokwele matter. So because Advocate Johnson does not allow us to speak to the attorneys on these matters without informing her, I had screened grabbed and sent it to her.

ADV SEGEELS-NCUBE: But the meeting that she called for was for the bail amendment application that she wanted
10 to meet with you, the three of you.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And you had expressed the view that there was no legal grounds in respect to the application. She then wanted to meet anyway. And at that, she wanted, based on the affidavit of Mr Padayachee, she wanted the prosecution Team to oppose the application.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. And then did you meet on the 14th, Sunday, the 14th of September?

20 **ADV RAMSAMY:** I joined on Teams, so did Mr Perumal, Mr Padayachee, Mr Serunye, Advocate Serunye and Advocate Hlatshwayo met at the boardroom in VGMO head office.

ADV SEGEELS-NCUBE: And Advocate Johnson was part of that meeting?

ADV RAMSAMY: She did not attend.

ADV SEGEELS-NCUBE: Okay. So she wanted the three of you to prepare the application or to prepare the opposition to the amendment application.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. And you had to do that based on Mr Padayachee's supplementary.

ADV RAMSAMY: If I may just explain what was happening at that time. If the Commissioners will remember, Chair, the bail application for Mr Lushaba was postponed to the
10 following week because the Magistrate indicated it was a Schedule 6 and because the affidavit said Schedule 5, there was basically no application before him. So the following week, Advocate Hlatshwayo and myself attended to the bail application of Mr Lushaba. It was before another Magistrate.

When Advocate Hlatshwayo read into records all the bail conditions that were imposed on the other six, the Magistrate had said specifically, I am not going to jump onto that boat. In essence, what that Magistrate did was
20 suspend the six accused prior to the employee even being involved. And so he refused to grant that. And when it was reported to Advocate Johnson and Mr Perumal and Mr Padayachee, Advocate Hlatshwayo and I were hauled over the coals because, according to them, we should have insisted it was.

So it was at that point that I spoke up saying that the Magistrate is right. And later on, even with the discussions, I did indicate earlier I was voted off the Team because I bared the view that we cannot go and oppose this application. My argument was that the Magistrate made the ruling. The state can say that they are leaving it in the hands of the Court.

ADV KHUMALO SC: Are you saying for the Lushaba bail matter, the second Magistrate refused to put the same
10 condition that applied to the other accused the previous week, that they cannot go to the Crime Intelligence offices?

ADV RAMSAMY: Correct, correct. And if I may just elaborate on that. When Mr Lushaba did, in fact, go back to his office, there was great panic amongst Mr Perumal, Advocate Johnson and Mr Padayachee to a point where they even wanted me to do a section 63 application against Mr Lushaba in the housebreaking matter and I refused. I said, on what basis? It is a Villieria docket. There is no witnesses from there. So on what basis are you supposed
20 to do a section 63 to prevent him from going to the office?

ADV KHUMALO SC: I think then the question Advocate Baloyi was asking, this section 63 that you were referring to was a section 63 that IDAC wanted to bring. It was not the section 63 relating to the parties in the earlier Mokwele bail.

ADV RAMSAMY: With regards to the messages?

ADV KHUMALO SC: Yes.

ADV RAMSAMY: No, at that point, Advocate Serunye, Advocate Hlatshwayo and I were not going to oppose the application in terms of section 63 to relax the bail conditions in terms of Ms Mokwele, Ms Ncube, Mr Khumalo and Mr Lekalakala. One other, I cannot remember who. And Advocate Johnson had instructed that it must happen. So in that conversation, she wanted me to take the instructions to and discuss it with Advocate Serunye. We
10 said there is no basis. Two days later, we are getting an instruction based on Mr Padayachee's affidavit, which is very good, we are opposing.

ADV BALOYI SC: What Commissioner Khumalo wants to clarify is the Lushaba matter. Now you are in Lushaba. And this Lushaba that you are talking about, it still relates to the Mokwele matter because his bail was not heard.

ADV RAMSAMY: Correct.

ADV BALOYI SC: So you go back another week for now, just Lushaba. And that Magistrate said, I am not imposing
20 those conditions.

ADV RAMSAMY: Correct.

ADV BALOYI SC: That were imposed on the other five.

ADV RAMSAMY: Correct. He, in essence, said that it is a violation of the employee's rights to deal with a disciplinary the way they see fit.

ADV BALOYI SC: And then you go on to say that following that Lushaba appearance and refusal of the Magistrate, General Lushaba went back to the office and there was panic on your people's side. And now you get an instruction to now bring a section 63 in the laptop matter, in the standalone matter.

ADV RAMSAMY: Yes.

ADV BALOYI SC: And that is what you refuse to do.

ADV RAMSAMY: Correct.

10 **ADV BALOYI SC:** I think that is what Commissioner Khumalo wanted to clarify.

ADV KHUMALO SC: And if you look at 610, that is where you say, we do not have legal grounds to justify the application. So it seems like you are not talking about opposition here. You are talking about IDAC bringing the application, and you are saying you do not have legal grounds to bring the application.

ADV RAMSAMY: It is a possibility that that was the conversation there, it is, I am sorry, I am trying to juggle
20 three years of activities into comprehensive meetings. But I agree with Commissioner that it looks like that on the 9th, the instruction to bring the application on the standalone against Lushaba was the instruction at that point. And we said there was no legal grounds. Correct.

ADV KHUMALO SC: Yes, thank you.

ADV SEGEELS-NCUBE: So that is why I am asking the supplementary affidavit prepared by Mr Padayachee. What was that referring to? At page 612.

ADV RAMSAMY: That was in regards to the CI7, the Mokwele, Ncube, Khumalo, Lekalakala.

ADV SEGEELS-NCUBE: Okay, go to 612.

ADV RAMSAMY: Mmm-mmm.

ADV SEGEELS-NCUBE: So on 612, and Advocate Johnson says:

10 “I have read the supplementary prepared
by Brian, it is very good. I expect all the
prosecutors to meet tomorrow and make
sure everything is sorted and that the
arguments are ready.”

What was this for?

Was this for the amendment on the Lushaba matter? Or was it to oppose the CI7 application to amend their bail conditions?

ADV RAMSAMY: This is to oppose.

20 **ADV SEGEELS-NCUBE:** Was it happening at the same time?

ADV RAMSAMY: Yes, because Mr Lushaba went back to work or to the office around that time. So they were trying to use one case and bail conditions in the one case to fix what they considered was an error by the Magistrate in the

second case.

ADV SEGEELS-NCUBE: Okay. Yes, it seems that you are correct. Advocate Poee says to me that that was in line with Advocate Serunye's evidence as well. So Advocate Johnson's instruction to you, that message was to bring the 63 application in respect of the Lushaba matter. But when she says you must on the 13th, that she is read the supplementary that relates to the CI7.

ADV RAMSAMY: Correct.

- 10 **ADV SEGEELS-NCUBE**: Okay. And so you meet and prepare which application then. So what are you preparing on the 14th of September?

ADV RAMSAMY: On the 14th of September, while the Teams was happening, Advocate Serunye was going through Mr Padayachee's affidavit and asking Mr Padayachee and Mr Perumal to explain each paragraph of the affidavit, so that he could understand how it was going to be argued. And so that is how three hours went by. And then I excused myself at 5.00.

- 20 **ADV SEGEELS-NCUBE**: Okay. Then on page 613, if we can just deal with that on the 14th. And so there on the 14th, now this was the day of the meeting, the Teams meeting and can you just read this message and tell us what is going on here? We know that it was a Teams meeting.

ADV RAMSAMY: The last portion?

ADV SEGEELS-NCUBE: It has been redacted, yes.

ADV RAMSAMY: It has been redacted?

ADV SEGEELS-NCUBE: Yes.

ADV RAMSAMY: Thank you. Okay, so on the 14th,
Advocate Johnson sends me a message at 14.55:

10 “Drew, sorry to be a pain in the butt.
Parliament has summoned the NDPP and
madam expects me to go with. I need the
bail conditions in writing of both matters.
Can I please get copies of both charge
sheets with bail conditions before close of
business tomorrow? Can you email or
WhatsApp to me, whichever is convenient?
I hope mummy is doing a bit better.”

I reply:

20 “Afternoon, Advocate Johnson. It is never
a problem. I will forward leg one now and
ask Joy to send leg two immediately. We
are on Teams.”

ADV SEGEELS-NCUBE: So you were still in that meeting.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And so:

“We will speak. I am sitting and preparing
the prep EXCO tomorrow on what we have

to respond to.”

Now, this is while you are having the meeting and you are discussing the various applications in opposition to the applications and what was Advocate Johnson requiring the bail conditions for purposes of the NDPP's appearance at Parliament? This was, I assume, at the Ad Hoc Committee.

ADV RAMSAMY: Looking at the date, yes, that is correct.

My understanding is that there were questions in relation to the Mokwele matter at the Ad Hoc. That they wanted both
10 charge sheets and bail conditions.

ADV SEGEELS-NCUBE: Okay. So and she was just being asked by the NDPP to assist with that.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Was she not aware of what the bail conditions were? Or was she looking for a document that had it? Was that the only thing?

ADV RAMSAMY: No, Advocate Johnson was well aware of bail conditions on both. That is why she says, can I get copies of both charge sheets with bail conditions before
20 close of business tomorrow? So it would have been the J15, the annexes to the charges and the appearance sheets and the notes of the Magistrates that she was looking for.

ADV SEGEELS-NCUBE: Okay. Then just one last issue before we get to the Medicare 24 is there is a, you will recall that when you gave evidence the first time and you

dealt with the missing section 27 and the email that you sent on the 9th of October 2025 setting out what had happened that Advocate Johnson had given you the affidavit, you brought it back to her office. And you said that Advocate Johnson responded to your email via WhatsApp. And if she disagreed with your account of what happened, she would have said so. At the time, we did not have that WhatsApp. We now do have it. And just for it to be placed on record at page 614, if you can read that into
 10 the record, just remembering that this is in response to your email of 9 October 2025.

ADV RAMSAMY: Thank you. At 15.04, Advocate Johnson sends me a WhatsApp saying:

“Drew, I saw your email and I will look in my office tomorrow. I might have made a mistake and told her that Chief called you today. When I spoke to the Chief, he was referring to you having the section 27 initially and that Tsepo spoke to you
 20 today. It was my mistake. Chief did not say so.”

I reply:

“Noted Advocate Johnson. Thank you.”

ADV SEGEELS-NCUBE: Thank you. And did Advocate Johnson get back to you as to whether she found the

section 27 in her office?

ADV RAMSAMY: No, never.

ADV BALOYI SC: And at this point, you are discussing which section 27? Is it the one that was presented before us or the one that references the PKTT complaints and others?

ADV RAMSAMY: In the email and in this, there was, as I stated, my interpretation of why the Commissioners, the Chair, ended up with this is that they were trying to make
10 sure that the original, there was no copies of the original to show that there was PKTT. So they were alleging that I said I had misplaced it, which is why I responded in email in that manner. And Advocate Johnson replies in WhatsApp. And then when I see the 27 referral flighted here, in my head, I put two and two together as to why they were trying to scapegoat me with the 27 missing.

ADV BALOYI SC: So the 27 referred to in this WhatsApp message, where she says, I made a mistake, she is referring to the one that you saw and had to give back to
20 her.

ADV SEGEELS-NCUBE: Correct.

ADV BALOYI SC: Okay, thank you.

ADV SEGEELS-NCUBE: Thank you, Commissioner Baloyi. And it really is the last topic on this aspect. In your notes on file 11, page 59, because we are dealing with the topics

and not going chronologically, I do not want to miss out on this point because it does fall under the Mokwele matter, even though the timeline is June 2025, and we deal mainly in June 2025 with the Medicare 24 issue. This is your notes regarding a meeting on the 10th of June 2025, where you say the ID was present, Joy Sesoko, Charles, Pat, Brian, Dylan, and you. And you were discussing the project operation or Project Diversion. There is, in the corner, in a block on the right-hand side, a reference to somebody's
 10 name. You will tell us who that person is and in charge of vetting. I just want you to address the Commissioners on that note.

ADV RAMSAMY: This is a meeting that is called by the ID to discuss the takedown. Before I get to that block, can I just... The reason I want to just discuss this portion is it will also explain how this block happened. So Advocate Johnson, who is the head of office, who is not on the ground doing investigations, is now informing the prosecutors and the investigators where accused number 3,
 20 Mr Hudson, must be picked up from. Meaning when the team goes to arrest him, they must arrest him from his home because he works at a safe house. These are now the instructions from Advocate Johnson.

ADV SEGEELS-NCUBE: This is where you say... What is that word where you say something for Thursday?

ADV RAMSAMY: Aim for Thursday.

ADV SEGEELS-NCUBE: Aim for Thursday. So you are aiming for J50 Thursday?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And she is telling you – she is now setting out what is to happen to the accused when the arrests are executed.

ADV RAMSAMY: Correct. Because at that point, all the arrests that I had been involved in IDAC, we would phone
10 the suspect or the accused person and we would ask either for the legal representative's number or we would speak directly to them, being the lead investigator would do that. It is called call a friend. That is what we call it.

ADV BALOYI SC: It is called?

ADV RAMSAMY: Call a friend. So we would say call a friend. We would call them and inform them, listen please hand yourself over at the police station at six o'clock on Friday morning so that you are processed and taken to court. We are not opposing bail, please ensure that you
20 have your legal representation present so that the bail can proceed. That is how in my experience in the past four years, almost four years, that is how it has been done with the investigators. Here, they are arresting on the Thursday.

ADV BALOYI SC: Sorry, and ordinarily, has the ID been involved in that call a friend decision? When you get to that

point, does she give instructions, now you must go arrest and call them, call a friend and tell them to present?

ADV RAMSAMY: If I may just give an example. So the ID chooses which project she gets involved in when it comes down to take down. So in the 2023 27 referral, when everything was complete and we were ready now to enrol the matter, like I said, I had a very strong deputy director. But even he could not stand up to Advocate Johnson. And there was plans to go and arrest the suspect and drive the
10 suspect for six hours so that they can appear in Pretoria.

And I am saying to them that this person is an elderly person with comorbidities. It can never happen that way. You cannot put them in the back of the car to drive them. Especially for something that happened in 2014. So eventually the deputy director and I got very frustrated and we, because they wanted to make a spectacle of the arrests. They wanted flash and lights of cameras and so eventually the deputy director and myself went to Mr Sesoko and we said please go and speak to Advocate
20 Johnson on our behalf because this arrest cannot take place this way.

So here there was no, I think from the evidence the Commission has heard thus far, no matter what was said during this project, what Advocate Johnson and what Mr Perumal wanted, was done. So there was no reasoning. So

they were planning to arrest on Thursday to appear on the Friday. Advocate Johnson was asking where Lushaba was going to be picked up from. Then Advocate Johnson was advising that Hudson must be picked up and taken to the station for processing from his home because he works at a safe house.

And that they had to figure out where Eugene was because he is travelling a lot and he is medically boarded off or something so he is not permanently within Crime
10 Intelligence anymore.

ADV BALOYI SC: This list is the Lushaba matter?

ADV RAMSAMY: Correct.

ADV BALOYI SC: Okay.

ADV RAMSAMY: Now going to the block that I had explained to Advocate Ncube. So we are in Advocate Johnson's office and we are sitting at the boardroom table and we are discussing, Advocate Johnson is now giving instructions about what must happen in the third week because remember every second week she wanted arrests.
20 Advocate Johnson looks at me and she says, Drew, you will be embarrassed to be Indian. So I was taken aback because I was busy taking notes and I did not know that they were talking about the person who is acting as in Mr Khan's place. It is a Ms Krishnadutt.

ADV SEGEELS-NCUBE: General Khan's position, yes.

ADV RAMSAMY: Correct, it is a Ms Krishnadutt.

ADV SEGEELS-NCUBE: Brigadier Krishnadutt.

ADV RAMSAMY: Thank you. So Advocate Johnson says, Drew, you will be embarrassed to be Indian. The way she walks around talking to the staff, you will be embarrassed. And then I am told that I must, when I am getting to the point of enrolling or looking at the evidence for the vetting, because Brigadier Krishnadutt is acting as the head of the vetting department at the moment, I must look if there is
10 evidence to charge Krishnadutt.

ADV SEGEELS-NCUBE: As part of CI7 in the Mokwele matter?

ADV RAMSAMY: Either CI7 or the other two.

ADV SEGEELS-NCUBE: Okay, so one of the vetting matters.

ADV RAMSAMY: That is why it is there in that block the way it is.

ADV SEGEELS-NCUBE: And who is Brigadier Krishnadutt?

ADV RAMSAMY: So from that conversation in Advocate
20 Johnson's office, Advocate Johnson then said, when she was explaining how Brigadier Krishnadutt speaks to the staff and why I would be embarrassed and all of that, she indicated Junaid is reporting to her. So at that time, I already knew that Junaid is a Mr Johnson, Advocate Johnson's husband.

ADV SEGEELS-NCUBE: And the issue with Brigadier Krishnadutt is that she was promoted to Brigadier before Brigadier Johnson.

ADV RAMSAMY: I came to learn that after, when I was enquiring as to what exactly is up with, because it is the first time I am hearing the name. We are now already almost six months into the investigation. It is not on the 28(13), and I am being told to look for. But the manner in which it was explained in the office about being
10 embarrassed and the way the Brigadier speaks to her staff and the screaming, et cetera.

ADV SEGEELS-NCUBE: And Brigadier Krishnadutt had not come up in any of the previous meetings, any documentation regarding any of the matters at that stage?

ADV RAMSAMY: No. In fact, Mr Perumal called me later that evening after this meeting, or maybe later that week, but after this meeting. And he said to me, hey, I looked, I looked, but I cannot find any evidence against Krishnadutt.

ADV SEGEELS-NCUBE: And did Advocate Johnson give
20 an indication as to where she was getting this information? Was it pillow talk, or was it coming from General Khan?

ADV RAMSAMY: I cannot, I cannot answer that. I had my own ideas because of, or my own assumptions because of the way the investigation was being done. And the fact that in every single meeting, Advocate Johnson would refer to

Mr Khan. Either Mr Khan messaged or...

ADV SEGEELS-NCUBE: General Khan.

ADV RAMSAMY: General Khan. Or that Mr Perumal had spoken to General Khan.

ADV SEGEELS-NCUBE: Okay. Thank you for indulging me on those matters, yes.

ADV BALOYI SC: Are you going to be coming back to this page 59?

ADV SEGEELS-NCUBE: No, Commissioner Baloyi, I have
10 strict instructions to move on to the next topic, so you may go ahead.

ADV BALOYI SC: Okay. Still at that page 59, just to complete and make sure that I do not draw my own conclusions what it means. So you have, in the next subheading, you have third week off, and you have names, you have Ntsia might come in after Ncube, Ntsia, Madondo Mokwele. Was this the next set of people you were required to arrest?

ADV RAMSAMY: Commissioner Baloyi, in this paragraph, I
20 am told that there is a member of Crime Intelligence called Ntsia, who might be willing to talk.

ADV BALOYI SC: I see.

ADV RAMSAMY: And this is coming from Advocate Johnson.

ADV BALOYI SC: And then the next one, that is really

what I am interested in, which you have, you have an asterisk next to it. You have J50, tell somebody that I cannot read, equals message NDPP, reply, and then go. What is this note about?

ADV RAMSAMY: Okay, Advocate Johnson had indicated that this is how she expected the arrests to happen. Once the J50s were authorised, I was to inform her. From there, she would then message the NDPP that there is a takedown from IDAC happening. And then once the NDPP replied, all
10 the teams that were set to do the arrests were then to go. And so that is how the...

ADV BALOYI SC: Okay. And NDPP being Advocate Shamila Batohi at this stage?

ADV RAMSAMY: Correct, Advocate Batohi.

ADV BALOYI SC: And was that kind of report notifying the NDPP, was that standard practice? Is that how it worked? When you do takedowns, did you forewarn the National Director of Public Prosecutions?

ADV RAMSAMY: I only know of two instances. I know of
20 two instances, of the 2023 27 and this one.

ADV BALOYI SC: In the others, I mean, you know more than three matters since you have been there. Are you saying in other matters there is never been a reporting to the NDPP?

ADV RAMSAMY: Not to my knowledge.

ADV BALOYI SC: Okay. Thank you. Thanks, Ms Ncube.

ADV SEGEELS-NCUBE: And just in so far as the arrests, the execution of the arrests were concerned, what was Mr Sesoko's role meant to be in that process?

ADV RAMSAMY: There was an email the week before with regards to Advocate Johnson instructing Mr Sesoko with regards to how to control the arrests and when and how. So when I ...[intervenes]

ADV SEGEELS-NCUBE: Is that page 410? Can we just
10 maybe, if you can give your evidence with reference to page 410, which is file 10, part 2? Part 1.

ADV RAMSAMY: 410.

ADV SEGEELS-NCUBE: Yes. Just let me know once you have it.

ADV RAMSAMY: Yes, that is correct. On the 4th of June.

ADV SEGEELS-NCUBE: Okay, so this is before this meeting of 10 June.

ADV RAMSAMY: Correct, yes.

ADV SEGEELS-NCUBE: Okay. And it says, it is from
20 Advocate Johnson:

“Sesoko, I asked Dylan to let me know when they will arrest as I need to inform the NDPP. He indicated that the main accused is on leave, et cetera and they might push for this afternoon. I let him

know that I do not agree. I cannot tell the NDPP today that we are arresting today. What will our urgency be based on? In addition, the DPP is not a rubber stamp and should be given an opportunity to read the papers.

I suggest we wait for two weeks when the main accused is back at work and then proceed. I am also aware that accused 4
10 is not in Gauteng. The team must use the next two weeks to determine exactly where all the accused are. When we do arrest, we should be able to pick them up at one go.”

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay.

ADV RAMSAMY: So, on the day that, on the 12th of June, when the arrests of two accused were effected and the other two handed themselves over on the morning of the
20 13th, when I left the boardroom, Mr Sesoko was in the boardroom with, if I am not mistaken, there were four teams of four investigators that were set to go and arrest. So, when I left the boardroom, it was the team, Mr Perumal, Mr Padayachee, and Mr Sesoko.

ADV BALOYI SC: We have heard Mr Sesoko, who largely

portrayed his position or participation in these matters as passive because he was side-lined and he did not really become involved and he kept his head down. That is some of his evidence. In the end, documents were produced, email exchanges that show him addressed. How would you describe his involvement with these matters? I mean, to state the obvious, at 410, it suggests that he was involved, that is why he is getting this kind of report from the ID. But I would like to hear, in your own words, how you would
10 describe his involvement in these matters against Crime Intelligence.

ADV RAMSAMY: Advocate Johnson would involve Mr Sesoko when she felt like it, and then in those meetings, he would be, she would say he is the go-to person for this, as I will illustrate a bit later. But in essence, he was not party. He was... can I say, one foot in, one foot out? So he was involved, but not in the decision-making. He was involved in a lot of the meetings. He was involved in a lot of the complaints and fights.

20 And with regards to just putting his head down and turning the other way, just to give you an example, Mr Sesoko spoke about a meeting where he facilitated coercion amongst myself and Mr Perumal. In that meeting, Mr Padayachee leaned over the boardroom table, screaming at me with his finger in my face. And I mean literally. If I

moved, he probably would have hit me, or if he could get any closer, he would have hit me that day. And no one said anything and Mr Sesoko was chairing the meeting.

I was called in later by Mr Sesoko to say, the way he speaks to you, Drew, I am going to call him and speak to him, but why did not you say anything when he was doing it? And then I find out later on that that incident is not even reported to Advocate Johnson by Mr Sesoko, who was supposed to take a full report. And it is reported that we
10 have now found common ground to work together.

But we had not, because Advocate Serunye told the Commissioners and Chair that I was not even talking to Mr Padayachee after that.

ADV BALOYI SC: May I ask it differently. Mr Sesoko is head of investigations. Maybe let me say that in my engagement with him, I characterised the quality of investigations as poor, as you complain that you looked at what was being brought to you and the question to him was, where was the head of investigations when you look at
20 these documents from your people, these reports?

So my question is to try and understand whether in meetings where you were present, did he engage about the quality of information that is being put to the prosecutors on the basis of which you are making recommendations and decisions, on the basis of which the investigating director is

making decisions or required to make decisions. What was his participation as head of investigations in that?

ADV RAMSAMY: So I will give you an example of what happened on the 12th of May. Mr Sesoko said, because there is this dispute now between the prosecutor saying there is no case and the investigators saying that the prosecutor does not understand the case, both sides should do a report, as I have explained with the links and how it would link to the offences, et cetera. It was agreed that
10 that would be done.

And the very next day, Mr Perumal is saying, I am not going to do it because those things come out in, well, it would have been used in this Commission, those things come out as material later. And Mr Sesoko was not able to enforce it because Advocate Johnson had sided with Mr Perumal.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: Okay. Can I just take you to the topic of General Khan's statement in the Lushaba matter,
20 the A28, and what happened there and the issue that you raised? For that, can we go to page 586 of 10, part 2, file 10, part 2? And we will start at the bottom of the page, where Mr Padayachee, on the 28th of January 2026, sends an email to you and Mr Perumal with the subject:

“A28 affidavit, Major General F Khan.

Hi, Drew, please find copy of A28 affidavit
of Major General Khan.”

Why was he sending you this email, the affidavit?

ADV RAMSAMY: There was a meeting. So because the investigators were not gelling with the prosecutors, Advocate Johnson instructed that we were supposed to meet once a week. Even though the matters were already in court, we were supposed to meet once a week and discuss. So on that particular day, it was, I think it was, so
10 we were supposed to be in court that Thursday or Friday for the Leg 1 Lushaba matter.

And in that meeting, I discovered that there is a statement that is commissioned in of September 2025. I have not been provided. The defence has not been provided with the statement. And I have already replied to requests for further particulars on three of the four accused. So I was highly irate.

ADV SEGEELS-NCUBE: Sorry, I just wanted to know, he was sending you the affidavit following a meeting that was
20 held?

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Where they said that there was the statement.

ADV RAMSAMY: Correct. Because we were going through the annex or the As. And I said, but where does A28 come

from? Because, I am sorry, I do not have an A28. And that is how it came about.

ADV SEGEELS-NCUBE: Okay. So he sends it to you and then you respond on the top of page 586. And if you can perhaps just read to us what your response is. Because I think it is important to place in context that this is now the affidavit of Major General Khan, which has not been disclosed to the accused.

ADV RAMSAMY: Correct.

10 **ADV SEGEELS-NCUBE**: After you had made discovery.

ADV RAMSAMY: Correct.

“Good day, Advocate Serunye, Mr Sesoko and Team. I have discussed this with DDPP Serunye. It is distressing that we are being made aware of and receiving an affidavit that was commissioned in September 2025, only today and it creates problems at court. If the prosecutors were made aware of it, we could have disclosed it in October 2025’s court appearance or even in December 2025 when we replied to the request for further particulars.

We are now going to give disclosure on the day we receive representations made to NDPP. This in itself is going to be a

20

problem, as they are now going to say we withheld a statement, did not make a full disclosure and they need to consult and possibly redraft the representations. In as much as this is a prosecution led environment, we need to work as a team ...[intervenes]”

ADV SEGEELS-NCUBE: Can you just move closer to the microphone again?

10 **ADV RAMSAMY:**

“...we need to work as a team and that means prosecutors must be made aware of these developments. I am now faced with explaining why an affidavit commissioned in September 2025 is being disclosed in January 2026 at court tomorrow and thus, we will be blamed for delaying the matter in court tomorrow.”

ADV SEGEELS-NCUBE: Then there is a response from Mr
20 Padayachee on page 585, at the top of page 585, where he says:

“It is for this very reason that I have requested meetings regularly.”

And he says:

“I was under the impression that this

affidavit was handed to Advocate Drew and will verify with team members whether this was done. There are many issues with regards to this matter from the bail applications and short notices. We were in the boardroom when this affidavit was discussed. Why is it now being ventilated in this manner? I am under the impression that we work as a team. Chief,
10 may we have a meeting tomorrow after court?"

I am interested more in the response that comes from Mr Perumal on 584, at the bottom of 584.

ADV RAMSAMY: If I may just have... thank you.

ADV SEGEELS-NCUBE: Mr Perumal then responds also on the same day. And he says:

"Good afternoon, Advocate Serunye and all..."

Can you just read that?

20 **ADV RAMSAMY:**

"I am in PMB at DPP, Advocate Harris's office. I will be back tonight. I am also very tired of hearing about prosecution-led investigations when we are not following PLI to the latter ...[intervenes]"

ADV SEGEELS-NCUBE: He probably means to the letter. You are not following prosecution-led investigations to the letter.

ADV RAMSAMY: Correct.

10 “I am also confused that since September 2025, Advocate Drew has not seen the affidavit. How did this happen? I recall that Charles went to get it from him after a full discussion by the team that such should be obtained. Let us get together tomorrow after court, please. Pat and Charles are in Kimberley. Pat, please ask Brig Tate to arrange for a quiet spot at the provincial office so that the two of you can link up with us for the meeting. Tsepo, kindly confirm...”

I think it is coordination;

20 “...with them on the time so that they plan and make time to join us. Regards, Chief Perumal.”

ADV SEGEELS-NCUBE: And then you respond to that at the top to say that Charles provided you with two handwritten un-commissioned statements of A5 and his crew. You were not furnished with the A28.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. So at that stage, none of the prosecutors had seen the A28.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Was this the only affidavit, only General Khan's affidavit, that had not been disclosed to the defence? Do you know?

ADV RAMSAMY: Not long after I sent this, what was called a very snappy email, I was removed.

ADV SEGEELS-NCUBE: Yes, there is another email that I
10 just want to deal with regarding the representations to the
NDPP from Advocate Johnson on the Lushaba matter. And I
just want to understand why there was a change in view
because there was a, it seems to me Advocate Johnson is
saying that because there is a new NDPP coming in, she
does not want to confuse matters about where
representations must go to by accused persons. But I just
want you to deal with it.

It is at page 588 of the same bundle. And you will
just have to explain this email from Advocate Johnson. It is
20 a response to you regarding what happened at court and
then you say to Advocate Johnson that you have told the
accused's representative in the Lushaba matter they intend
making representations and you said to them they will make
the representations to the NDPP. Right? Advocate
Johnson is upset by that.

ADV RAMSAMY: So there was a conversation between myself and Mr Lushaba and Mr Mogashwa's advocate. He indicated that he intended on making representations about the matter to the NDPP. And that he did indicate that part of it was a complaint against Advocate Johnson. We then agreed that we will postpone the matter for outcomes of representations to the NDPP. This did not sit well with Advocate Johnson, Mr Perumal, and Mr Padayachee, but also it became clearer later on that this became a bigger
10 issue than it needed to be because they needed to find a way to remove me. But Advocate Johnson indicates that:

“Representations come to IDAC, to my office, and gets a copy immediately. You and the team draft a response for the ID within two weeks of receipt. Submit that to the ID's office for perusal and engagement from the team. Response must be sent to defence no later than the last day of February 2026.”

20 I then informed, despite the fact that I had communicated with the advocate previously, I foresaw where this was going. I then ...[intervenes]

ADV SEGEELS-NCUBE: Well, can you just say, can I just ask you about the line above the red writing where Advocate Johnson says:

“Correct this today as we have a new NDPP starting on Monday and I do not want confusion on what is going there like we do not know what we are doing.”

Is your understanding that representations by accused persons are made to IDAC or to the NDPP?

ADV RAMSAMY: Sometimes representations come to IDAC, sometimes they go to the NDPP, but in the normal course, so if you have to look at the Regional Court
10 structure, representations would go to the SPP. And if the accused or his defence is unhappy with the reply from the SPP, it would go to the chief prosecutor. And then if there is a problem then or a disagreement, it would go to the DPP of that jurisdiction.

Here we have the ID who is making the decisions and authorising the investigations and the prosecution. So my understanding would be that it would in line of that, in terms of the policy, it should go to the NDPP. But more specifically so because the advocate had clearly informed
20 me that his clients had instructed that they were questioning Advocate Johnson's involvement.

ADV SEGEELS-NCUBE: Page 592 of the bundle. This is you send a letter then to an email to General Lushaba's legal representative saying:

“After having spoken to my senior,

representations must go to Advocate Johnson.”

That is on page 593.

ADV RAMSAMY: Correct.

ADV SEGEELS-NCUBE: You say:

10 “Good day, sir. We note that you intend to make representations to the NDPP. However, upon consultation with my senior, please note the processes of representations. It must be sent to IDAC Head Advocate Johnson. Should it be refused or your client be unhappy with the outcome, representations may then be made to the NDPP. Trust you find in order.”

They respond and say, you can start from ‘firstly’.

ADV RAMSAMY:

20 “Firstly, IDAC is not party to the court proceedings. The matter is between our client and the National Prosecuting Authority, which has prosecuted charges against our clients and not IDAC. It is therefore the National Prosecuting Authority that must decide on the future of the court matters.

Secondly, the head of IDAC has commented on the evidence that the National Prosecuting Authority intends to present against our clients during trial proceedings and in the process contradicted some pieces of evidence that was disclosed to the defence. This is also a point of contention in our representations.

10 It is for this reason that in our understanding of conflict of interest, even if the process directed that representations be addressed to the Head of IDAC, that such would not be an appropriate action.”

ADV SEGEELS-NCUBE: The cut-off:

“We hope that you will find the above in good order.”

And what comments were these by Advocate Johnson?

20 Because they are referring to this is January 2026. Do you know what, was it the Ad Hoc Committee?

ADV RAMSAMY: It was evidence of the Ad Hoc Committee. I am unsure of what the averments were. I do remember reading them in the representations, but I, and I also am not allowed to make those available.

ADV SEGEELS-NCUBE: Okay. Chair, that concludes this topic, unless the Commissioners have anything for the witness on the Mokwele matter. I want to move on to Medicare 24 after lunch. But there may be aspects of the Mokwele matter that may arise during the Medicare 24 matter anyway, because of the timeline, there is an overlap. So Commissioner Baloyi does not have to stress that I am prohibiting her from dealing with the Mokwele matter. There will be in the notes reference to it, but my main focus
10 is going to be on Medicare 24.

CHAIRPERSON: Let us adjourn and resume at 2 p.m.

INQUIRY ADJOURNS

INQUIRY RESUMES

ADV SEGEELS-NCUBE: Aspect I promised before we go to Medicare24 that I need to cover with you and it is on page 422 of file 10, part 2. Now you will recall when you gave evidence you spoke about a device or memory stick with a whole lot of information regarding, amongst others, Operation Diversion, which is information that was in the
20 possession of Mr Padayachee.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And some of the documents that you have provided the Commission is really, was on that stick, which you understood to be a stick that was Mr Padayachee's information.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: His information. One of the documents that you found on there was an unsigned affidavit or a document that appears to be what was, would have been an affidavit by Mr Perumal regarding the Nkabinde issue.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: And I recall your evidence being that you had seen this affidavit at some stage and it
10 contradicted, although it is not signed, it contradicted Advocate Johnson's version regarding the call with Mr Nkabinde where Advocate Johnson told you that she had received a call from Mr Nkabinde but the draft affidavit of Mr Perumal indicate, showed that Advocate Johnson was the one that called Mr Nkabinde.

MS RAMSAMY: And put him on speaker, correct.

ADV SEGEELS-NCUBE: And put it on speaker.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: I just want to deal with that
20 affidavit and again just prefacing it by saying that it is an unsigned document which you found on this and when we look at the document properties, which will be provided, it shows that the author is Mr Dylan Perumal.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And if we could just deal with a

few paragraphs of that statement. The first is paragraph 20, paragraph 2 on page 422 where he says:

“On 22nd January 2025 at about 12 o'clock a confidential meeting was convened by the Investigating Director, Advocate Johnson. The meeting was attended by Mr Sesoko, Advocate Ramsamy, senior investigators Padayachee, Raphesu and I.”

10 This is now that meeting that we have dealt with right?

MS RAMSAMY: The first meeting with the presentation, correct.

ADV SEGEELS-NCUBE: Yes. He then says:

“During the ensuing meeting Mr Sesoko informed the ID that criminal investigations were conducted against Mr Cedric Nkabinde while he and SI Raphesu ...”

20 Senior Investigator Raphesu.

“... were based in the IPID. Mr Sesoko also advised the ID that SI Raphesu has evidence in that regard, adding that Mr Nkabinde was declared to be an untruthful witness in a court proceeding.”

If we just pause there. What I noticed is that he does not deal with how it came about that Mr Nkabinde was discussed, became a topic of discussion. You say that it was the ID, Advocate Johnson who initiated that discussion because of an encounter that she had a day or two prior with Mr Nkabinde while she was waiting for the Minister at his residence for a meeting.

MS RAMSAMY: Correct. As per my 1st April 2025 affidavit I set out that in this, or in, after the presentation Advocate
10 Johnson had indicated that she had had a meeting with the Minister at his residence the evening before and that she was left alone with Mr Nkabinde for an extended period of time and he gave her the heebie-jeebies and that is how the conversation about Mr Nkabinde and the investigation started.

ADV SEGEELS-NCUBE: Yes.

MS RAMSAMY: With regards to this paragraph, the investigation relating to Mr Nkabinde, those two dockets are not held by Mr Raphesu, nor is he part of that investigation.
20 The one docket was, is in court for trial in Palm Ridge. He is an investigator formerly of IPID, Mr Temani Binang and the other investigation is one of Mr Bellochun which is in the High Court.

ADV SEGEELS-NCUBE: Yes.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: Yes, and so there is no explanation, like I said, as to how the topic came about and also how Mr Sesoko and Mr Raphesu actually then volunteered this information that they had on Mr Nkabinde.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Importantly, at 2.2 it stated:

10 “The ID then directed that SI Padayachee should conduct an investigation in relation to the allegations made involving Mr Nkabinde.”

Now you put it a bit softer than that. You said it was more just gathering facts and, that the ID was doing at that stage but he seems to already say that at that stage or would it have been in a separate meeting that the ID then directed Mr Padayachee to conduct an investigation.

20 **MS RAMSAMY:** As per the WhatsApp’s that was previously displayed as well as the affidavit, my affidavit from the 1st of April, it was when Advocate Johnson had required or sent me a message saying that she had just seen the Minister and that we need to move ASAP on the Nkabinde thing. It was at that point that Advocate Johnson, so in that meeting it was only myself, Advocate Johnson, Mr Perumal and Mr Sesoko.

ADV SEGEELS-NCUBE: This is now not the meeting of 22 January, this is another meeting. It is 23 January.

MS RAMSAMY: It is 23 January.

ADV SEGEELS-NCUBE: Yes.

MS RAMSAMY: Ja, 23 January according to the WhatsApp's. In that meeting Mr Perumal indicated that Mr Bellochun can continue with the investigation on Mr Nkabinde. And then the other investigation was with Mr Binang at the time. So it was a discussion about that and Mr Sesoko said that he does not think that anyone from IPID or Mr Perumal's team must actually continue with the
10 investigation, that a neutral IDAC investigator must deal with the investigation into Mr Nkabinde. And it was at that point that Advocate Johnson said Mr Padayachee will do the investigation.

ADV SEGEELS-NCUBE: Then at 423, paragraph 3, it is stated:

“On the morning of 30 January 2025, SI Padayachee and I held a meeting with the ID with regard to another investigation. The ID during this meeting
20 informed us that Mr Nkabinde had tried to contact her the previous evening while she was at religious prayers and she was not in a position at the time to take his calls. She explained that she had sent him text messages in that regard. Mr

Nkabinde had also tried calling on the morning of the 30th of January 2025.”

Now were you aware of this?

MS RAMSAMY: So the version that was given to me by Advocate Johnson is that Mr Nkabinde did try to call her the night before. She could not answer because she was at the temple. However, by chance Mr Nkabinde called while Mr Perumal and Mr Padayachee were in her office and so she answered and she put him on speaker. And in fact in that
10 meeting she said, you know me Dru, you know I do not even take calls and I do not even put it on loudspeaker, but by chance on that day, by God's grace, I put it on speaker. And so that is how she explained it to me on that, on the 30th.

ADV SEGEELS-NCUBE: Okay, and at 3.1 he says:

“I then informed the ID that Mr Nkabinde contacted me the previous evening to enquire on how investigations were progressing regarding SAPS, Crime
20 Intelligence matters. I advised him that we were making steady progress and our conversation ended there. Mr Nkabinde had been assisting in the investigation purely from an intelligence and information perspective in a bid to

address the alleged criminality within the
Crime Intelligence Division of the SAPS.”

Were you aware that Mr Nkabinde was a source of
intelligence for Mr Perumal regarding the investigations,
Crime Intelligence investigation?

MS RAMSAMY: No, until I saw this paragraph 3.1 a couple
of weeks ago I did not know Mr Nkabinde – also, when I
read it I was trying to figure out how a Chief of Staff would
be a source of information, because that is an informant.

10 **ADV SEGEELS-NCUBE:** At this stage you were however
aware that from the forklift witness that the office of the
Minister had arranged for the witness to go to the Eastern
Cape, right?

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Yes.

MS RAMSAMY: And in that consultation that took place on
the 20th in the evening with that witness, where the day
after Mr Perumal said he did not want the name of Nkabinde
mentioned in front of Mr Raphesu, that witness said that the
20 arrangements were made by Mr Nkabinde.

ADV SEGEELS-NCUBE: By the office of the
...[intervenes].

MS RAMSAMY: By the minister, yes.

ADV SEGEELS-NCUBE: Yes. But you did not know that
Mr Nkabinde was offering intelligence information?

MS RAMSAMY: No.

ADV SEGEELS-NCUBE: Or what that entailed?

MS RAMSAMY: No.

ADV SEGEELS-NCUBE: Okay.

MS RAMSAMY: Not at all.

ADV SEGEELS-NCUBE: At 3.2 he says:

10 “The ID then contacted Mr Nkabinde and placed a cellular phone on speaker so that SI Padayachee and I could listen to the conversation. Mr Nkabinde informed the ID that he was informed by one of your guys that an investigation had been initiated within the IDAC, instigated and initiated by Mr Sesoko and others against him and the person leading the investigation was a Brian Padayachee. He indicated that he was also informed that his banking records were going to be scrutinized from around 2018.”

20 And then on the next page:

 “The ID enquired from him as to who gave him this information, to which he replied that he was informed of this by Mantsha Raphesu. Now, according to you, Mr Raphesu was not aware of an investigation,

MS RAMSAMY: He was not, except for the meeting on the

22nd of January and where he was asked, so his involvement in this whole Nkabinde thing ended on the 22nd of January, where he forwarded the transcripts of the court proceedings of Mr Nkabinde to myself and to the remainder of the team. After that, all other meetings, as per my affidavit, Mr Raphesu was not involved.

ADV SEGEELS-NCUBE: Okay, you will just let me know if you need a break.

MS RAMSAMY: I will, thank you so much.

10 **ADV SEGEELS-NCUBE**: And then, so that is just to place in context the evidence that you gave last week about a draft affidavit that you found that had that, that contradicted, where Mr Perumal contradicted what Advocate Johnson had told you about the call with Mr Nkabinde.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. And then if we can go to page 426 of the same bundle, and this is just on the housebreaking docket.

MS RAMSAMY: It is an email I sent on the 28th of March.

20 **ADV SEGEELS-NCUBE**: Well, it is, the email is on the 2nd of April, but you want to explain what happened on the 28th of March.

MS RAMSAMY: On the 28th of March 2025, Mr Perumal contacted me saying that, I am not allowed to swear, saying that Raphesu did nothing on the housebreaking, and they

now have to start from scratch, and ID's plan to put the Lushaba matter on the roll first cannot happen now because Raphesu did nothing, et cetera, et cetera. And so I said, no, but that does not make sense, because I was even taking photos of the affidavits that Raphesu obtained and sending them to Advocate Johnson. So on the, in between the, should I just read the email now?

ADV SEGEELS-NCUBE: Well, I just want to clarify. So you referred to, in that email, to the investigator's report,
10 which you attached, which is Mr Raphesu's report on the housebreaking matter.

MS RAMSAMY: On all the work that he had done, what he had discovered, who he had spoken to.

ADV SEGEELS-NCUBE: Which you gave evidence on the last time.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: And then the telecoms with the Chief on Friday, the 28th of March 2025. Earlier on, you said this could have been the conversation where he
20 mentioned the issue about perjury and the National Commissioner.

MS RAMSAMY: That is why I am convinced, because the conversation was quite lengthy, that it would have been around the 28th of March. And prior to that, the communication was very strained and sporadic, so that is

why I indicated earlier, it most probably was the 28th of March 2025, where the perjury issue was discussed again with me.

ADV SEGEELS-NCUBE: Okay. Then if you can then just read what you say from, “I was concerned”.

MS RAMSAMY: -:

10 “I was concerned when Chief informed me that he did not receive the file containing the statements obtained and the diary entries made by Mantsha on the housebreaking docket as I had previously produced same and had taken pictures of one of the statements and sent them to ID via WhatsApp and indicated that I was so pleased as I required two more statements before I could draft a presentation for enrolment on the matter. On Monday, 31st March 2025, I went to Mr Sesoko's office and made enquiries.

20 Zandile, being Mr Sesoko's PA, was asked to open the locked cabinet. In the third drawer, Zandile found the two files and in those files were the original affidavits and the cellphone records as listed in the report attached. The files

are still in Mr Sesoko's office. Kind
regards.”

ADV SEGEELS-NCUBE: Now, just tell us about these
files, why were they locked up?

MS RAMSAMY: On the 10th of February, when Mr Raphesu
was given his letter, he was asked to hand everything, his
laptop, his whatever was IDAC issued and any files,
dockets. In fact, he was asked to hand over everything,
even the dockets for other related or other matters that are
10 not related to the Crime Intelligence. So my understanding
is that he had just given everything to Mr Sesoko and it was
locked in Mr Sesoko's cabinet in his office.

ADV SEGEELS-NCUBE: Okay. And so you found it?

MS RAMSAMY: Yes, it was found. It had an index. It had
his full diary entries of everything that he had done, all the
meetings, et cetera. It had the cellphone records that were
obtained from the Detective Commander on the 38, Villieria
38 CAS docket. So I did this so that they can go and
collect it.

20 **ADV SEGEELS-NCUBE:** What was your understanding of
why the Chief was now saying that Mr Raphesu had not
done anything on this matter?

MS RAMSAMY: It was twofold. The first is that Mr
Perumal wanted to enrol the Masemola/Khumalo matter
first. And then the second one is that he was in the process

of painting a very bad picture of Mr Raphesu throughout the office.

ADV SEGEELS-NCUBE: Okay, thank you. Now we can ...[intervenes].

ADV BALOYI SC: Before you do that, the Masemola/Khumalo matter, was any work done? I mean, you are at a point now you are speaking about enrolment. What preceded that before you get to this point where Mr Perumal wants to enrol the matter or is disappointed that he
10 is unable to enrol it? Has any investigation, any work been done about it?

MS RAMSAMY: Commissioner Baloyi, I am getting there. It is on page 21 of my ...[intervenes].

CHAIRPERSON: You are going to get there. All right, we will park it. And then an unrelated question. This is about representations to the NDPP and now you have the ID saying representations in this case, in the, I think the Lushaba matter must come to her. What is in place? This is, I have had a quick look at the legislation. I do not see
20 anything. I may have missed it, which speaks to representations and who has the power to make those decisions and the process for it. Is this contained in a policy and what is the prevailing position? What is the position in fact?

MS RAMSAMY: The policy, the prosecution directives

policy manual does not specifically deal with IDAC. IDAC has not yet been included in those directives. So that is why I was explaining from a Regional Court perspective and when the Advocate indicated that there were concerns about Advocate Johnson, I had agreed that the representations would go to the NDPP and we would postpone for the NDPP's decision. Advocate Johnson had a problem with that in the sense that she felt that on the arrival of the new NDPP it cannot be representations on this

10 matter in the first month.

ADV BALOYI SC: So what she directed, what she was upset about and directing should happen here is not what is contained in whatever policy you have. As matters stand, representations go to prosecutors. You have said SPP, the DPP and then ultimately the NDPP. There is no provision for IDAC.

MS RAMSAMY: It has not been done yet.

CHAIRPERSON: Ja, so when she says they must come to her, it is outside of the applicable policy because there is

20 nothing that empowers her to take that kind of position.

MS RAMSAMY: Correct.

ADV BALOYI SC: Okay, thank you.

ADV KHUMALO SC: Before you go to the Medicare24 issue, can you please go to 539 of this file? I am just trying to get up to speed as regards what is leg 1, leg 2, leg 3, leg

4 of Project Diversion.

MS RAMSAMY: I am getting to that. That is on page 21.

ADV KHUMALO SC: Yes, it is still coming?

MS RAMSAMY: It is still coming.

ADV KHUMALO SC: So just up to here, which one is leg 1, which one is leg 2, which one is leg 3? Then the one you are coming to, you can deal with it as part of your evidence.

MS RAMSAMY: If, so I am going to, just, 539 is leg 4.

ADV KHUMALO SC: Oh, it is not leg 3, it is leg 4?

10 **MS RAMSAMY**: It is leg 4. The second memo of this very nature dated the 2nd of July 2025 ...[intervenes].

ADV KHUMALO SC: Ja.

MS RAMSAMY: Is leg 3. So this one is the Madondo/Khumalo.

ADV KHUMALO SC: Okay. So can you then ...[intervenes].

ADV SEGEELS-NCUBE: No, it is the other way around.

MS RAMSAMY: Is it the other around?

ADV SEGEELS-NCUBE: Ja.

20 **ADV KHUMALO SC**: Can you then do this for us without detail, just in that order, which one was leg 1, which one was leg 2, which one was leg 3, and then I think you can pause there because Advocate Ncube is moving to leg 4 next, or is it leg 3?

ADV SEGEELS-NCUBE: No, so Medicare was not part of

Operation Diversion.

ADV KHUMALO SC: Was not part of Diversion.

ADV SEGEELS-NCUBE: Yes, but in the sequence of events, that is why I said there will still be stuff about Crime Intelligence, not necessarily the Mokwele matter, but other aspects of Crime Intelligence and these are the two related to General Masemola and General Khumalo.

ADV KHUMALO SC: Let me tell you what I have on my list and it could be mixed up. I have the properties case, I have
10 the Mokwele case, I have the vetting case, and then I have the Lushaba matter. Those were all part of Project Diversion.

MS RAMSAMY: Correct.

ADV KHUMALO SC: Yes, and Medicare24 is not part of that.

MS RAMSAMY: No.

ADV KHUMALO SC: Okay, I got you. Thank you.

ADV SEGEELS-NCUBE: Thank you. Okay, so can we then go to page 16 of your supplementary statement.

20 **MS RAMSAMY:** -:

“Medicare24 investigation.”

ADV SEGEELS-NCUBE: You have to wait for us.

MS RAMSAMY: Oh, I am sorry.

ADV SEGEELS-NCUBE: And Commissioners, we will be doing some file hopping. It is unavoidable because of the

extent of the corroborating documentation that I need to take you to. So we will be dealing with file 11, which is the notes, both file 10, 10(1) and 10(2), and there will be file 9, file 9, yes. Okay, so we are on page 16 at the foot of the page, “Medicare24 investigation, attempts to link General Masemola and further attempts to arrest General Khumalo”. And then the subheading is “The irregular section 28(1) authorization”.

MS RAMSAMY: Thank you. Paragraph 35:

10 “As previously stated, the Medicare24
 matter was referred to by Advocate
 Johnson as the SAPS contract / Tembisa
 contract. I do not know why. I only
 became aware on the 13th of May 2025
 that the SAPS contract / Tembisa
 contract was in fact the Medicare24
 matter when I was asked to assist with
 checking the application for a 28(1)
 authorization prepared by another
 20 prosecutor. As stated earlier, Advocate
 Johnson had mentioned the SAPS
 contract / Tembisa contract from 22
 January 2025 after her meeting with
 Minister Mchunu.”

Paragraph 36:

“In any event, at the meeting of the 25th
of April ...” [intervenes].

ADV SEGEELS-NCUBE: It is 16 April.

MS RAMSAMY: It is 16 April.

ADV SEGEELS-NCUBE: So 24 must change to 16. You
may continue.

MS RAMSAMY: -:

10 “Mr Perumal had informed Advocate
Johnson that Advocate Chabalala had
already drafted a section 28(1)
authorization application for the
Medicare24 matter, which was with a
DPP in charge of supervising Advocate
Chabalala. Advocate Johnson was very
agitated and told Mr Perumal that he had
no idea what he had just done and that it
should never have been done that way.
She said that she did not even give
Advocate Chabalala that matter, which I
20 also later reflect in an email exchange of
13 to 16 May 2025. At the time, I did not
understand Advocate Johnson's agitation
because I had not been involved in the
matter. However, when Advocate
Johnson instructed me on the 13th of May

2025 to assist in finalizing the application for section 28(1) authorization, I immediately appreciated the gravity of the situation. There was no section 27 referral affidavit in existence at the time. Mr Perumal had instructed Advocate Chabalala to prepare the application without a referral.”

ADV SEGEELS-NCUBE: Okay, now we are going to have
10 to go to a few documents in support of what you say there. The first is file 11, page 20. Do you have it?

MS RAMSAMY: Almost. Okay.

ADV SEGEELS-NCUBE: Okay, so this is the meeting of the 16th of April 2025. We already dealt with it insofar as Diversion is concerned.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: We now want to deal with it insofar as the Medicare24 matter is concerned and for that, can I ask you to go to page 28.

20 **MS RAMSAMY:** Okay. There is a line ...[intervenes].

ADV SEGEELS-NCUBE: So this is your notes from that meeting.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: And what we see is there is a line in the middle, and then we see a name. Just bear with us

while we first just display and then you may continue. So on page 28. So yes, you can go.

MS RAMSAMY: I must just explain that when I was noting these things down, it was a conversation that was happening between Mr Perumal and Advocate Johnson in that meeting, and I was just noting what was being said. So there is a mention of Charity Matlou, which is a General that we all know. Then there is an indication that there is a forensic report, a procurement process prepared, and that
10 Advocate Chabalala has done an authorization.

ADV SEGEELS-NCUBE: Okay, so here, this is what you were saying is that this was when Mr Perumal was communicating to Advocate Johnson that Advocate Chabalala had already done an authorization in respect of this matter.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay.

MS RAMSAMY: And submitted it to the DDPP.

ADV SEGEELS-NCUBE: Okay, then we have S27.

20 **MS RAMSAMY**: So section 27 will be Matlou, and that consultation with SIU will take place and there is a specific person at SIU that will provide or give it to us.

ADV SEGEELS-NCUBE: Okay, now can we just deal with your note that says section 27 equals Matlou. You said section 27 will be Matlou. So this is now on the 16th of

April 2025, and you are being told that General Matlou will be the section 27 referral. She will depose to the affidavit.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay, in order for it to be referred to IDAC for investigation.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: But you are having this discussion even before there is a referral.

MS RAMSAMY: This discussion is before a referral, and a
10 28(1) application has already been submitted.

ADV SEGEELS-NCUBE: This is the draft by Advocate Chabalala?

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Well, but when you say submitted, not to Advocate Johnson, it is submitted to the DDPP to, in order for the DDPP to submit it to Advocate Johnson.

MS RAMSAMY: Advocate Johnson, yes.

ADV SEGEELS-NCUBE: Okay. Now ...[intervenes].

20 **ADV BALOYI SC:** Sorry. And the section 28(1), did you see it? Is it in this meeting? Do you know that it does exist for sure at this point?

MS RAMSAMY: The section 28(1)?

ADV BALOYI SC: Yes.

ADV SEGEELS-NCUBE: The application.

ADV BALOYI SC: The application.

MS RAMSAMY: On the 16th of - in this meeting, I have not seen it as yet. I get an email on the 13th of May 2025, and then there is a whole chain of it, and then eventually I do get hold of it, yes.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: Okay, so then if we can go to, so that is the discussion regarding General Matlou will be there, and then on the next page, page 29.

10 **MS RAMSAMY:** So there is talk about General Matlou being the 27 referral, and that it is sent to Paul being Advocate Law, the Deputy Director.

ADV SEGEELS-NCUBE: Okay, and that is what you were referring to. But you say sent to Paul. It is with him already, the draft.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: For consideration.

MS RAMSAMY: Yes.

20 **ADV BALOYI SC:** Do you get to know what preceded which, the section 28(1) application and the referral that we now, in that same meeting, you record that it has been sent to Paul Louw?

MS RAMSAMY: Commissioner Baloyi, at that point, I did not know anything about what was happening. I do later find out that there is not a 27. There is something, there is

not a referral affidavit. There is something else that is sent that is considered a referral, but it is not in fact a referral.

ADV BALOYI SC: And in terms of dates, where does it sit, that document that you refer to, in terms of dates, where does it sit viz-a-viz this 28(1A) application?

ADV SEGEELS-NCUBE: Commissioner Baloyi, can we get to that in the chronology?

ADV BALOYI SC: Okay, it is all right.

ADV SEGEELS-NCUBE: So then you will see what
10 happens on the 13th of May.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: So you are then told in that meeting that the section 27 referral has been sent to Paul.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. And Paul Louw is the DDPP?

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Now if we go back to your statement at paragraph 37, and there is a correction to be
20 made there as well. You may proceed.

MS RAMSAMY: -:

“When I enquired about the section 27
referral affidavit in finalizing the draft ...”

ADV SEGEELS-NCUBE: So the correction is that in finalizing the draft, section 28(1) application must be

deleted because your enquiry is in that meeting of 16 April
...[intervenes].

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: As you say.

MS RAMSAMY: Correct, yes.

ADV SEGEELS-NCUBE: So when I enquired about the
section 27 referral affidavit in the meeting.

MS RAMSAMY: -:

10 “I was told by Advocate Johnson that
referral was a preliminary audit report
itself together with an email from General
Matlou. I was never shown this email. I
did not have the preliminary report either.
I requested the report from Advocate
Chabalala, and he sent it to me via
WhatsApp. Apparently he had received it
via WhatsApp from Mr Perumal.”

It must also, here there is a correction, either Mr
Perumal or Mr Bellochun.

20 **ADV SEGEELS-NCUBE:** Okay.

MS RAMSAMY: -:

“Who had received it from General
Matlou. The file name of the report had a
date of 30 January 2025, but I do not
know when it was given to IDAC by

General Matlou.”

ADV SEGEELS-NCUBE: Okay, let us then go to the correspondence regarding that. So we are now on the 13th of May 2025. Can we go to page 285 of file 10, and we will start at the bottom of file, of that page, of 285. It is an email from Advocate Johnson on the 13th of May 2025 to you, Mr Perumal, and she cc’s Mr Sesoko, the PA, and she says “SAPS / Tembisa Hospital Tender”. You can read it.

MS RAMSAMY: -:

10 “Dru, you guys sent me a section 28 application for this matter that Tilas drew up. I need you to look at it urgently and then submit. General Matlou contacted me, and I want to authorize by Thursday. Check the designations, et cetera, and send a hard copy to Inno. Kindly remove Tilas, Paul, et cetera, from the designation. Add Santos as the advocate as well as he will oversee when I am

20 unable to attend to things. Dru, I also need another advocate to help you. I was thinking of Joy. If you agree, then add her, and I will speak to her. She will get it to me where I am tomorrow.”

Meaning the hard copy.

ADV SEGEELS-NCUBE: And then you respond at the top of that page at 12:35.

MS RAMSAMY: -:

“Morning, Advocate Johnson. I will obtain the same from Tilas. I have not had sight of the documents Tilus submitted. Once I have, I will attend to the necessary and submit. I have not worked or interacted much with Joy. A
10 second prosecutor would be much appreciated due to the volume. Thank you.”

ADV SEGEELS-NCUBE: Okay, then if we can go to file 10(2), page 602. Just let me know when you are there.

MS RAMSAMY: I am there.

ADV SEGEELS-NCUBE: This is the communication between you and Advocate Chabalala on the 13th of May 2025 and we are looking at the voice call at 12:35.

MS RAMSAMY: Correct.

20 **ADV SEGEELS-NCUBE:** That is where you now contact him to get information regarding the 28.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay, and he is not answering your call. He calls you back, and then you send a message to him.

MS RAMSAMY: Ja, he called back to say that he is in court, so I sent him a message.

“Hi, Chabz, what documents did you base your 28 application on, or rather, where did you get the information on suspects or information from?”

He then calls back. He says to me that he had gotten it from either Suneel or, Mr Bellochun or Mr Perumal, and he then forwards me the SAPS Preliminary Audit
10 Report, 94TP, 30 Jan 2025.

ADV SEGEELS-NCUBE: Okay. And then in between you calling him and him returning your call and forwarding the report, you try to get the report from somebody else and that we find on 263 of file 10(1). So, at the bottom of that page, 263, can you just explain?

MS RAMSAMY: Ja, because I could not get the 28(1) documents, draft documents that he had submitted, I contacted the Project Manager that is allocated to Advocate Louw’s team, Ms Modiba, and I asked her for the
20 authorization, the new authorization sent by Tilas, and then she sent it to me.

ADV SEGEELS-NCUBE: Okay, and her, the subject there is:

“Tembisa new authorization. Good day.
For your attention.”

If we go to 264, you will see the attachments. It is an application in terms of section 28(1), a section 28 authorization, Vusimuzi Matlala, and a section 28 designation, Vusimuzi Matlala.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. And you, at the top of that page, you send it to Advocate Johnson.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: At 2:05.

10 **MS RAMSAMY**: -:

“Good afternoon, Advocate Johnson.

Attached is the application drafted by

Advocate Chabalala. Kind regards.”

ADV SEGEELS-NCUBE: Then if we go to page 281, because there was quite a bit of activity on the 13th of May, at the bottom of 281, you had not yet sent the application to Advocate Johnson. You sent it at around 2 o'clock.

MS RAMSAMY: Correct.

20 **ADV SEGEELS-NCUBE**: But you had said to her that you will try and get the information from Tilas. She responds to your 12:35 email, and she says to you at 1:44, if you can just read that.

MS RAMSAMY: -:

“Subject: Re: SAPS Tembisa hospital

tender. Dru, ask Chief to give it to you.

I do not want Tilas wondering why we are now taking the matter. I never assigned him in the first place.”

ADV SEGEELS-NCUBE: And this is in reference to the fact that at the meeting of the 16th of April, she was agitated that Mr Perumal had gone ahead with the 28(1) with, and gone to Advocate Louw without her involvement.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. And she says, I never
10 assigned him in the first place.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Then she tells you to go to the Chief, but you had already approached the Chief before she told you to go to Chief. That we will find on 604, which is in part 2 of 10.

MS RAMSAMY: Correct. There is a voice call between Mr Perumal and myself. Then at 13:08:

“Hi D, what docs did you give to Chabz to draft the 28 for the hospital? Need to confirm the submissions. He
20 is currently busy and is not responding. Please send to me. I know you are in consultation, so when you are able to. Thanks.”

He replies:

“Hi, do not know what he would have used to compile it.

Okay, we will wait for him to reply.”

Meaning I will wait for Advocate Chabalala to reply.

ADV SEGEELS-NCUBE: So Mr Perumal is saying he does not know what Advocate Chabalala had used to compile the 28(1) application for authorization, yet he was the one that asked Advocate Chabalala to do the authorization.

MS RAMSAMY: Correct. And when I had this conversation with Advocate Chabalala, he said he had all the proof to show that who sent it and whatever, but Mr Perumal is
10 denying it.

ADV SEGEELS-NCUBE: Okay, if we then go to page 281 of 10(1), this is now at 13:50.

MS RAMSAMY: -:

“Advocate Johnson, I have asked Dylan for the documents that Tilas used as a basis for the application. He indicated he does not know what Tilas used as a basis for identifying suspects as listed, as well as the information on the
20 committees contained in the 28. I obtained the 28 from Mabusha as Tilas was unable to take my call. I need that information to confirm the averments/allegations to be authorized.”

ADV SEGEELS-NCUBE: And then on page 280, Advocate

Johnson responds to your email.

MS RAMSAMY: -:

“Colleagues, this is what happens when we involve people without the ID. I heard from this team that he had drawn up an application and here is my remarks about why and on whose instruction. Please send me what he drafted and then ask him via email to send you the basis for his application.”

ADV SEGEELS-NCUBE: And so Advocate Johnson is now saying this is now what happens when you guys do not involve the ID, again with reference to what happened in the meeting of 16 April, her not being involved in that process.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: We know then that you say to her that you did get the document, the report, and you ask her for the code. So if you can go to page 452, you can just explain to us, 452, which is part 2 of 10. This is still on the 13th at 14:25 from you to Dylan, cc’ing Advocate Johnson, Mr Sesoko, and PA. “Documents from Dru.”

MS RAMSAMY: 14:25?

ADV SEGEELS-NCUBE: Yes.

MS RAMSAMY: -:

“Afternoon, Dylan. I received General

Matlou's report via WhatsApp from Tilas.
It is encrypted and he cannot remember
the password. He indicated if memory
serves, he got the documents from
Suneel."

ADV SEGEELS-NCUBE: And that is Mr Bellochun?

MS RAMSAMY: Correct.

10 "Please assist with the password so that I
can urgently peruse the report and
submit timeously to the ID. Your
assistance is appreciated. Thank you."

ADV SEGEELS-NCUBE: Then if we go to 454, we will see
the encrypted document there:

"File details. SAPS Preliminary Audit
Report 94TP 30 Jan 2025 encrypted
22H12 final.pdf."

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. And then on page 455,
Advocate Johnson responds to your email.

20 **MS RAMSAMY**: -:

"The password is."

ADV SEGEELS-NCUBE: Yes, and then she says?

MS RAMSAMY: -:

"I also want a copy of this report with the
application."

ADV SEGEELS-NCUBE: Okay, so you then now have the draft applications and you have the report.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: You still do not have a section 27 affidavit?

MS RAMSAMY: No.

ADV SEGEELS-NCUBE: What did, what does the report reveal, and what is the report? So it says preliminary report 30 January 2025. That is the, what, how it is saved
10 as.

MS RAMSAMY: It is, so from the mandate, which is the first page, it indicates that it is an ...[intervenes].

ADV KHUMALO SC: Can we go to it? Is it not easier to go to it on file 10, page 301. Is that not the one?

ADV SEGEELS-NCUBE: Page?

ADV KHUMALO SC: File 10, page 301. So if you look at the date on 306 ...[intervenes].

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Yes, that is the one.

20 **ADV KHUMALO SC:** It should be the one.

MS RAMSAMY: Yes, correct.

“A request to conduct an audit by internal audit and risk management was submitted by the Minister of Police to the National Commissioner on the 9th of

January 2025. The internal audit and risk management performed a joint audit in respect of the bid.”

It does relate to quite a few irregularities and persons of interest.

ADV SEGEELS-NCUBE: Yes.

MS RAMSAMY: I do not feel comfortable ...[intervenes].

ADV SEGEELS-NCUBE: No, that is fine.

MS RAMSAMY: Going into the details of the report.

10 **ADV SEGEELS-NCUBE**: No, that is fine. I do not want you to deal with the details. That is why I just wanted to ask you from memory what you recalled about it. But if you go to page 306, there are signatures there and General Matlou is one of the signatories.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. So you have the report now and you have got the applications. You finalized the application.

20 **MS RAMSAMY**: I did not amend anything. I read through the report. I read through the application that was drafted by Advocate Chabalala. It was fairly comprehensive. I followed the instructions of the ID and changed the names of the persons to be designated on the matter. I also sent her a WhatsApp to confirm that the designated people need to be the same as Project Diversion. She confirmed and

she indicated I must add Mr Mbalo and Mr Bellochun.

ADV SEGEELS-NCUBE: Okay. Now, did you email the application to her?

MS RAMSAMY: If we take note of the first email she sends to me, she says that a hard copy must be delivered to Inno, and Inno would get it to her wherever she is. So I did deliver the hard copy to Inno and I think on the 16th of May, Inno sends the, scans the signed copy of the 28(1) and sends it back to the team.

10 **ADV SEGEELS-NCUBE**: Okay.

ADV KHUMALO SC: Is that the one on 287?

MS RAMSAMY: Sorry?

ADV KHUMALO SC: 287, is that the one?

ADV SEGEELS-NCUBE: Yes, that is the one, ja. But I just wanted to confirm, you did not actually email the application to her. It was delivered to Inno.

MS RAMSAMY: Correct, it was hand delivered to Inno.

20 **ADV SEGEELS-NCUBE**: And Inno then sends that on page 287. And if we go to the document, so 288 shows the attachment and then on page 289, now, can I just ask you why was this a 28(1) and not a 28(13)?

MS RAMSAMY: Like I said, I did not change anything. I submitted it as Advocate Chabalala had drafted it. I only amended the designation. So I only made changes to page 6 of 7.

ADV SEGEELS-NCUBE: Page 6 of 7, okay. Before we get to page 6 of 7, in the correspondence there was a reference to, I do not know, where did he get the name of the suspects? Was that in the report or already in the application?

MS RAMSAMY: Yes, correct. The report did link the names as mentioned here.

ADV SEGEELS-NCUBE: So the suspects mentioned in the document was reflected in the report.

10 **MS RAMSAMY**: Correct.

ADV SEGEELS-NCUBE: Now, importantly ...[intervenes].

ADV BALOYI SC: Sorry, about this, maybe it is important for accuracy, even if you do not read out the names, to mention the context in which they appear. So, for example, you have people listed under the Bid Evaluation Committee and their names appear there. Some of them are amongst the ones charged. And I think if the report does not make any specific allegations of criminality against them or of irregularity against specific individuals, I think it is in
20 fairness to those individuals that you should say in what context they appear in the report.

ADV SEGEELS-NCUBE: Okay, can I deal with it when we get to the end of the report, because what I want to deal with first is the designated individuals and I want to highlight one name in particular, and that is on page 294 at

paragraph 30.

“It is submitted that the following persons
be designated to conduct the
investigation.”

And at number 11, you see Major General Matlou.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Now, Major General Matlou, in
the meeting of 16 April, you are told she is the section 27
referral.

10 **MS RAMSAMY**: Correct.

ADV SEGEELS-NCUBE: And General Matlou is not part of
IDAC.

MS RAMSAMY: No.

ADV SEGEELS-NCUBE: She is part of SAPS.

MS RAMSAMY: Correct, Risk Management.

ADV SEGEELS-NCUBE: Why was General Matlou included
as being part of the investigation, do you know?

MS RAMSAMY: I did make queries about this with the
investigators at one of the meetings because I wanted to
20 know how do we ...[intervenes].

ADV SEGEELS-NCUBE: We cannot hear you.

MS RAMSAMY: Sorry. How do we designate the
complainant in an investigation, because obviously she is
going to be the A1, and now she is part and parcel of the
investigation as well. And the other issue that I had was

where is the documents for duty reassignment? If we are designating a member of another unit, you still have to have correspondence between their supervisors. So it would have been either Mr Sesoko or Advocate Johnson and I think it is NASCA that risk management reports directly to. So there would have been an agreement and formal communication of duty reassignment, even if it was just for that aspect, because we have had it before. In fact, we still have it at the moment. I am dealing with one of those

10 matters where we have communication of duty reassignment. So one of my questions was, why is General Matlou, the complainant, part of the investigation and where's the documentation of duty reassignment, and I was told that the ID authorized it, but it was not so politely put to me.

ADV SEGEELS-NCUBE: Now, at this stage, so ...[intervenes].

ADV BALOYI SC: So it is an irregularity, you are saying, that you would have, well, there is the obvious point about

20 you would have a complainant being part of the investigating team. But more importantly, you are speaking to an irregularity about the duty assignment authorizations.

MS RAMSAMY: Correct.

ADV BALOYI SC: There was not a record of that.

MS RAMSAMY: Correct. If I can give you just a small

example. So there is an investigation that I am working on with another DD at the moment and even though the, so the A1 is in fact the investigating officer, because he had started the investigation based on the Zonda Commission recommendations. So he is the A1, he is the complainant, so to speak. But he is from DPCI, and in the docket itself, we have got in the B clip his duty reassignment documents.

ADV SEGEELS-NCUBE: And you say on this one, you have not seen that duty reassignment, you have not seen
10 anything other than the 28?

MS RAMSAMY: Correct. I have only seen the 28(1), and I have seen the preliminary reports, the encrypted reports.

ADV SEGEELS-NCUBE: Okay, then we can go to page 292, and I will just ask Commissioner Baloyi for guidance here on this aspect, insofar as the suspects are concerned, the issue you raised.

ADV BALOYI SC: So what I wanted to be careful about is that we do not create the impression that the report has fingered specific people, linking them to specific
20 misconduct. So if you look at, let me go to that page. If you go to a page that lists committees, 311. Yes, thank you. So if you go to that page in the report at 311, it lists different committees and tells you who is in the committee, who are those people in the committees. And insofar as it does not allege, there is no misconduct, irregularity,

criminal conduct alleged against a person, but the only link we can make from the report is that they sit in a committee. I would rather you point that out.

ADV SEGEELS-NCUBE: Yes, I was not going to deal with the suspects. It was not part of the 28(1).

ADV BALOYI SC: Okay.

ADV SEGEELS-NCUBE: My focus was on the designation of the investigators, what was being, why was the complainant included as being part of the investigation, and
10 whether there was any authorization for that, what did we need in order for that to be ...[intervenes].

ADV BALOYI SC: That is your focus?

ADV SEGEELS-NCUBE: Yes, I did not deal with the report either.

ADV BALOYI SC: Okay.

ADV SEGEELS-NCUBE: The issue of the report was just that it was sent to you when you, and you were told that the report is the 27, it was part of the 27 referral.

MS RAMSAMY: Correct.

20 **ADV SEGEELS-NCUBE**: Okay.

ADV BALOYI SC: No, I am happy with that. I was just concerned when she said I am uncomfortable to list people's names. Okay.

ADV KHUMALO SC: But just to, the report says the bid was not properly evaluated, so to the extent that there are

issues with the bid evaluation committee, all the report says is that the bid was not properly evaluated, and it does not allege criminality.

ADV SEGEELS-NCUBE: Yes, that is what I wanted to establish, the extent of this witness's involvement with that, and as I understood her to say, she did not change anything on the authorizations. She was not really involved in that, in assessing the merits of the application. You were just finalizing it for submission.

10 **MS RAMSAMY:** Correct.

ADV SEGEELS-NCUBE: Okay, because the names were there, you did not check whether the names should be there or should not be there. That is why you asked, where did you get the names.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay. Now, at this stage, you still have not seen a 27, a section 27 affidavit.

MS RAMSAMY: No.

ADV SEGEELS-NCUBE: Okay.

20 **MS RAMSAMY:** Not at all.

ADV SEGEELS-NCUBE: If we can go to page 544, which is file 3, do you have it? It is the transcript of Advocate Johnson's evidence before the *Ad Hoc* committee.

MS RAMSAMY: I have.

ADV SEGEELS-NCUBE: And at 544, it starts at the top by

Advocate Arendse:

“Do you want to comment on the subheading, IDAC investigations into Mr Vusimuzi Cat Matlala?”

Advocate Johnson says:

10 “IDAC received a section 27 referral from SAPS Risk Audit Division, and this is not the first time we would have received referrals or work with the Risk Audit Division. There are many matters currently in IDAC where one is looking at corruption, the PFMA contraventions, and fraud related to the supply chain.”

And then if you skip the next two paragraphs, it is

Advocate Johnson again.

20 “The first and only time that we are looking into allegations against Mr Matlala relates to the R360 million tender that was awarded and then subsequently cancelled sometime this year. So there have not been criminal investigations into him as a service provider. We have criminal investigations against SAPS members and other service providers where the supply chain management

processes are circumvented and corruption or fraud or PFMA contraventions took place. In February of this year ...”

This would have been 2025 because she gave evidence in 2025.

10 “... is the first time that we got a referral that relates to Mr Matlala as a potential suspect, either in fraud, corruption, or together with other SAPS officials, contraventions of the PFMA. We received the referral on the 16th of February 2025, and then through the media, as we paid attention, we found out that Mr Matlala had been arrested and his phones were seized.”

Now, do you know of a 16 February 2025 referral?

MS RAMSAMY: No.

20 **ADV SEGEELS-NCUBE:** And then at page 546, Advocate Arendse asks:

“Now this referral on the 16th of February this year, where did this referral come from within SAPS?”

Advocate Johnson:

“The Head of their Risk Audit referred the

matter to IDAC in terms of section 27 referral, deposed to an affidavit, attached supporting documents, and the matter came over to IDAC.”

And then he says:

“When would you first become involved in this referral, if at all?”

And Advocate Johnson then says:

10 “When matters are referred, they almost invariably come through one of the chief criminal investigators, more so through the Head of Investigations and Operations, Mr Matthews Sesoko. They would receive the matters and go through the matter at a cursory perusal to see whether or not it is a matter that IDAC can take. They then compile an application, which we call a section 28 application, for the ID to consider
20 whether or not to authorize an investigation. That is the first time I become involved in applying my mind to the matter. Here the matter was then authorized. When it is authorized, investigators and prosecutors are

designated to conduct the investigation of these matters as it is a prosecution-led methodology. But the investigators and the prosecuting team go through determining what task activities, line of investigation should be followed. It is not for the ID.”

Then he says:

“So there would first ...”

10

Advocate Arendse:

“So there would first be what sounds like a preliminary investigation that you would authorize.”

And she then says:

“There are two types of investigations. Usually we get the section 27 referrals.”

Now Advocate Johnson seems to say here that on the 16th, because it is directly in response to Advocate Arendse asking her about the 16 February 2025 referral at 546, she says, the Head of their Risk Audit referred the matter to IDAC in terms of section 27 referral, deposed to an affidavit, attached supporting documents, and the matter came over to IDAC. And this is in response to a direct question about, now this referral on the 16th of February this year, where did this referral come from within SAPS.

20

Was Advocate Johnson, have you seen a 16 February 2025 referral?

MS RAMSAMY: No, and even on the 13th of May, there was no 27 referral. There was just the report that was bouncing between IDAC employees via WhatsApp. And if we take note of the email of Advocate Johnson on the 13th of May, it says, I was contacted by General Matlou, and I want to authorize.

ADV SEGEELS-NCUBE: And then if you can go to page
10 3519 of file 9, where there is an affidavit by General Matlou. It is file 9.

MS RAMSAMY: 3?

ADV SEGEELS-NCUBE: 3519.

MS RAMSAMY: I am there.

ADV SEGEELS-NCUBE: And this is an affidavit at 3519 by General Matlou. And if we go to page 3521, it is signed, commissioned on the 6th of June 2025 at Pretoria. Do you see that?

MS RAMSAMY: I do.

20 **ADV SEGEELS-NCUBE**: And this was referred to as the section 27 referral during Advocate Johnson's evidence.

MS RAMSAMY: How can it be a 27 referral if the authorization is done on the 16th, or signed on the 16th of May? The Act says 27 referral and then authorization. So if they are saying the 6th of June is the referral, then they

were working backwards.

ADV SEGEELS-NCUBE: And if you look at the affidavit, the contents of the affidavit, at paragraph 3.

MS RAMSAMY: I have got it in front of me. Yes, paragraph 3.

ADV SEGEELS-NCUBE: -:

10 “I hereby submit this affidavit to the Investigating Directorate Against Corruption in support of initiating a criminal investigation into the alleged unlawful awarding of a tender to Medicare24 Tshwane District (Pty) Ltd to provide medical health care services to the SAPS for a period of 3 years. The monetary value of the tender was approximately R360 million.”

So this is the affidavit where she says we are initiating, she wants the investigation to be initiated.

20 **MS RAMSAMY:** Correct. If we just go a little bit further down, it says something about a final report will be provided. I just, a comprehensive internal audit report is currently being complied.

ADV SEGEELS-NCUBE: What paragraph?

MS RAMSAMY: Paragraph 5, which will shed further light on the alleged criminal misconduct. This is where the fight

between myself and the investigators started, because way before this, in May already, I am asking how can we be investigating something where a report has been requested, an internal report has been requested by the NASCOM and the final report is not submitted. So how are we authorizing an investigation where we do not have a final report? It did not make sense to me and that was the start of a lot of problems.

ADV SEGEELS-NCUBE: And when was the first time you
10 saw this affidavit?

MS RAMSAMY: When it was flighted at the Commission.

ADV SEGEELS-NCUBE: During Advocate Johnson's testimony.

MS RAMSAMY: Johnson's testimony, correct.

ADV SEGEELS-NCUBE: Okay.

ADV KHUMALO SC: Is it not odd that according to Advocate Johnson, the referral was made in February, but the section 28's were only being done on the 15th of May? So that is three months later. Now, if you follow the
20 sequence according to her evidence, it first goes to Mr Sesoko and then there is an application to her and then she authorizes in terms of section 28. So how does one explain that three-year gap from the date when she says, three months, three months gap from when she says the referral was made to the 15th of May when you are discussing with

Advocate Chabalala the section 28?

MS RAMSAMY: Commissioner Khumalo, I am going to say it again, although I got into trouble for saying it last week. When there is cover-ups happening, timelines and rational decisions cannot be explained, so, because from the timeline here, how do you explain anything? It is basically them trying to cover up, but very poorly so. It is just my observation from dealing with these things for so long.

ADV SEGEELS-NCUBE: And then there is another
10 affidavit by General Matlou that I would like to refer you to at page 3534.

ADV BALOYI SC: Before that, even if it is just for the record. So at least from what we have seen in the *Ad Hoc* committee transcript and this affidavit now and the WhatsApp exchanges and email exchanges, we can say that Advocate Johnson did not tell the truth in Parliament to the *Ad Hoc* committee when she said she received, you received the section 27 referral on the 16th of February 2025. That was an outright lie, looking at these documents.

20 **MS RAMSAMY**: Correct.

ADV BALOYI SC: Thank you.

MS RAMSAMY: Sorry, which page, Advocate?

ADV SEGEELS-NCUBE: It was 3519, I think I said.

MS RAMSAMY: 3519.

ADV SEGEELS-NCUBE: 3534, sorry.

MS RAMSAMY: Yes.

ADV SEGEELS-NCUBE: This is an A2 statement, and I am not clear on when this was done because if you look at 3536, where do you see ...[indistinct].

ADV KHUMALO SC: [Indistinct]... [microphone off] 284 page affidavit, so the last page ...[intervenes].

ADV SEGEELS-NCUBE: Ja, at the last page.

ADV KHUMALO SC: [Indistinct]... 17.

ADV SEGEELS-NCUBE: Because what happens is she
10 verbatim quotes it from a report, so we will get to that. But
in this affidavit on page 3534, at paragraph 3, General
Matlou says:

“On 9 January 2025, Internal Audit, Risk,
and Integrity Management received a
request from Minister of Police to
investigate the alleged procurement
irregularities on appointment of the
service provider to render health risk
management services for SAPS at the
20 division Supply Chain Management.”

And then it says:

“Appendix 1, copy of email request for
investigation from the Chief of Staff on
mandate. I led the investigation team to
conduct an investigation into these

allegations.”

So that is in 9 January 2025. Were you aware when General Matlou's name was mentioned or regarding the Medicare24 that the investigation that she undertook was at the request of the Minister in January 2025?

MS RAMSAMY: No, my understanding was that it was NASCOM that asked for the investigation.

ADV SEGEELS-NCUBE: You understand it was the National Commissioner ...[intervenes].

10 **MS RAMSAMY**: Correct.

ADV SEGEELS-NCUBE: That had asked for the investigation, not the Minister.

MS RAMSAMY: No, not the Minister.

ADV SEGEELS-NCUBE: Okay.

MS RAMSAMY: I understood it from the meeting that we will discuss now, I understood it to be that the Minister spoke to National Commissioner Masemola, and Masemola then requested the report.

20 **ADV SEGEELS-NCUBE**: Ja, that is what you were told, okay.

ADV KHUMALO SC: And that is what the interim report says.

ADV SEGEELS-NCUBE: Yes. So, insofar as, but never in the discussions about Medicare24, either with General Matlou or Advocate Johnson, was it mentioned that the

preliminary report or the investigation comes from a request of the Minister.

MS RAMSAMY: No.

ADV SEGEELS-NCUBE: Okay. Now, can we then go to what transpires at the meeting of the, I think it is the 27th of May, before we get to the meeting of the 2nd of June. So that would be on page, it starts on page 49, and then we will go back to your report.

MS RAMSAMY: Okay.

10 **ADV SEGEELS-NCUBE:** Do you have it?

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: Okay, so ...[intervenes].

ADV BALOYI SC: [Indistinct]... [microphone off].

ADV SEGEELS-NCUBE: Oh, file 11, page 49. And there were discussions about Project Diversion, ID authorised section 204, but I am interested in your recordal on page 51, which is a meeting where Mr Padayachee, Perumal, Tlale, Pat is Mlambo?

MS RAMSAMY: Correct.

20 **ADV SEGEELS-NCUBE:** Charles is?

MS RAMSAMY: Els.

ADV SEGEELS-NCUBE: Els, and the ID and you were present.

MS RAMSAMY: Correct. This took place at the Fire and Ice.

ADV SEGEELS-NCUBE: Okay.

ADV BALOYI SC: Is it the same meeting that starts at page 49?

MS RAMSAMY: Correct, it was a two-part meeting. So this meeting, the ID was discussing the [witness coughing].

CHAIRPERSON: Should we take a short break?

ADV SEGEELS-NCUBE: I was going to, yes, Chair.

CHAIRPERSON: Indicate when we should start. Let us adjourn.

10 **INQUIRY ADJOURNS**

INQUIRY RESUMES

ADV SEGEELS-NCUBE: Thank you. Okay, so we were on the meeting that starts on page 49 on the 27th of May, and I was referring you to page 51 where there is a reference to Tembisa. Can you just tell us what you were recording here?

MS RAMSAMY: Correct. The ID had wanted a, she still continued to call Medicare24 Tembisa, so she wanted feedback with regards to what was happening, and then she
20 indicated what was going to happen about the cyber search and asking DPCI for the phones, more specifically Colonel Khumalo. I have to explain this because it is not a detailed note. I think I stopped last week when I was explaining the phone issue.

The investigating team led by Mr Perumal and Mr

Bellochun wanted to actually physically remove the phones from the initial seizures. They wanted to go and collect the actual phones, and I said that legally it cannot be done that way, because you are now breaking the chain of custody in that docket. You would then need to serve a warrant on Mr Matlala. It is section 29A, (1A), Cyber Search Warrant of the Cyber Crimes Act, and also serve it on the current holders of the phone. You would have to go with a digital expert, a service provider, and mirror image the phones and
10 work off the mirror imaging. You cannot take the original. You are breaking chain of custody in different matters. So that was an argument that transpired, and then somehow rationality prevailed, and they proceeded in the manner that I explained it had to be done.

They then further on page 52, Advocate Johnson and Mr Perumal indicated that they had to do a J51, and then I was to do an extension on the designation to include the forensic investigation that was to be outsourced, and that they wanted to do the search warrant at the house,
20 being the J51, and the cyber on the same day, and they were supposed to provide feedback to Advocate Johnson on all of this between the 10th and 15th of June.

ADV SEGEELS-NCUBE: Okay.

CHAIRPERSON: Did anybody ever ask Advocate Johnson why she referred to this as the Tembisa contract?

MS RAMSAMY: Chair, I think Advocate Johnson was as confused as I was in the beginning, or maybe she just was using it as Tembisa because on the 16th of May, I even sent articles about the Tembisa, saying that other units are involved, there has already been search and seizure and that she then sends a message to me, it is not the same matter. So that is what I am saying, I am not sure if she did not know or if she knew but she did refer to it as the Tembisa.

10 **CHAIRPERSON:** Thank you.

MS RAMSAMY: On page 53 ...[intervenes].

ADV SEGEELS-NCUBE: Yes, is reference to Matlou's report.

MS RAMSAMY: Correct.

ADV SEGEELS-NCUBE: What report is that?

MS RAMSAMY: That is the preliminary report. And the question Advocate Johnson asked was, has Minister received reports? And what usually happens after reports like this, requests are completed, forensic investigation, who, how, when, will it be finalized? So these questions
20 were in Advocate Johnson's questions relating to Matlou's report, and that Mr Perumal and Mr Bellochun were to get the information from her. And then Advocate Johnson referred me to the National Health Act that I must read up on it when dealing with this matter. I was then instructed

that a memo must be done for cyber services, and the service provider to be extended onto the memo.

ADV SEGEELS-NCUBE: Chair, I know that Ms Ramsamy wants to continue because she wants to finish her evidence, but I think we should adjourn.

CHAIRPERSON: I think she is struggling.

ADV SEGEELS-NCUBE: Ja. And unfortunately we will have to finish it tomorrow. Or I will have to discuss logistics because I know there are other witnesses.

10 **CHAIRPERSON:** Ja.

ADV SEGEELS-NCUBE: If we maybe can just take a short adjournment so I can get hold of Advocate Chaskalson just to find out what the arrangement is for tomorrow, because I am not sure if we can even continue with her tomorrow if there are other witnesses scheduled for tomorrow already.

CHAIRPERSON: We did hear from your Counsel, Ms Ramsamy, Mr Ramatsekisa, that you would like to finish today, but observing you from where we are, you are struggling. You are struggling.

20 **MS RAMSAMY:** I am, but I am strong enough to push through for as long as possible. I think we can push until at least 4.

ADV SEGEELS-NCUBE: I do not think we are going to achieve much until 4. Ja, I think, Chair, we should just adjourn. We are not going to achieve much in 30 minutes.

CHAIRPERSON: Let us adjourn then. You will call us in when you are ready.

ADV SEGEELS-NCUBE: Thank you, Chair.

INQUIRY ADJOURNS

INQUIRY RESUMES

ADV SEGEELS-NCUBE: Thank you, Chair.

CHAIRPERSON: Yes.

ADV SEGEELS-NCUBE: Chair, we have arranged for Ms Ramsamy's evidence to then be stood down until Friday, the
10 14th of August at 9:30.

CHAIRPERSON: Contrary to your wishes, that is what must happen, unfortunately. We will resume with the hearing of your testimony this Friday.

MS RAMSAMY: Thank you, Chair.

CHAIRPERSON: We will resume at 9:30 tomorrow morning?

ADV SEGEELS-NCUBE: Yes, Chair.

CHAIRPERSON: Let us adjourn.

INQUIRY POSTPONED TO 12 AUGUST 2026

20 **INQUIRY ADJOURNS**
