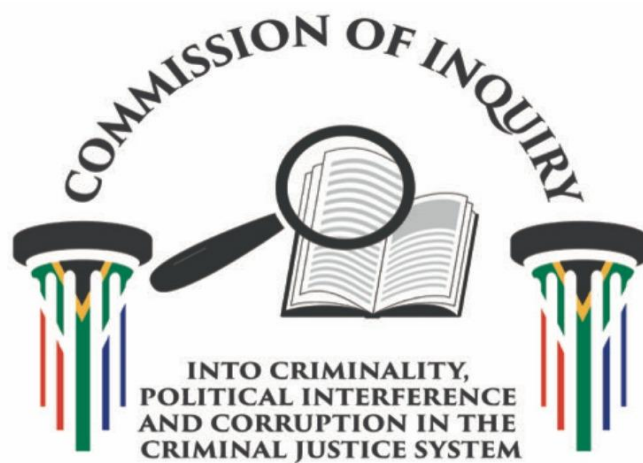


JUDICIAL COMMISSION OF INQUIRY INTO CRIMINALITY,
POLITICAL INTERFERENCE AND CORRUPTION IN THE
CRIMINAL JUSTICE SYSTEM

HELD AT
BRIGITTE MABANDLA JUSTICE COLLEGE

20 AUGUST 2026

DAY 163



PROCEEDINGS ON 20 AUGUST 2026

CHAIRPERSON: Good morning, Ms Segeels-Ncube.

ADV SEGEELS-NCUBE: Good morning, Chair.

CHAIRPERSON: I must greet you as a senior. Good morning, Ms Sello.

ADV SELLO SC: Morning, Chair. Morning, Commissioners.

CHAIRPERSON: Good morning, Sir.

ADV POOE: Good morning, Chair.

CHAIRPERSON: I am not using your name because I am
10 surprised that we do not have Mr Adams there.

ADV POOE: Chair, today we had subpoenaed JMPD officer, Mr Johannes Mogatle and we have not received a statement, and Mr Adams is of course still giving testimony, and so by agreement with his legal representatives, who have apologized because they are running late, we have agreed that he should be postponed to a time to be communicated with him later in the next week or so. And we then request that his testimony be postponed accordingly, and for a directive that his statement be filed
20 by tomorrow.

CHAIRPERSON: You are directed to file your statement latest tomorrow?

MR MOGATLE: Yes, Commissioner, I will do so.

CHAIRPERSON: Yes, and the hearing of your testimony is postponed to a date to be determined. Oh, I am being told

tomorrow. So you must be here tomorrow.

ADV POOE: My apologies, Chair.

CHAIRPERSON: Now you are confusing me.

ADV POOE: My apologies, Chair, to a date to be communicated.

CHAIRPERSON: So I was right, to a date to be determined.

ADV POOE: Yes, and the statement should be filed by tomorrow, midday.

10 **CHAIRPERSON:** If I say tomorrow, I mean, must it be by midday if you do not even have a date? Why can you not say tomorrow, by tomorrow? So there was nothing wrong in what I said. Your statement to be filed by tomorrow, please. I am not stating a time. Thank you, you are excused.

ADV POOE: Thank you, Chair. Chair, I blame Commissioner Khumalo.

CHAIRPERSON: No, I blame both my co-Commissioners. They caused the confusion. Ms Segeels-Ncube.

20 **ADV SEGEELS-NCUBE:** Thank you, Chair. We are continuing with the evidence of Mr Adams. Good morning, Mr Adams.

MR ADAMS MP: Good morning, Advocate. Good morning, Commissioners.

CHAIRPERSON: Good morning, Mr Adams.

MR ADAMS MP: Commissioner, Mr Chairperson, before we proceed this morning, if I may address the Commissioner, the Chairperson in particular. Morning, Chair. Chairperson ...[intervenes].

CHAIRPERSON: Good morning, Mr Adams.

MR ADAMS MP: As you already reprimanded me on two occasions yesterday for referring to you as Chief, I just want to firstly apologize if there was any slight, no harm was intended. In my view, and in the manner I speak to
10 you, it was meant as a term of respect, but I do understand that the term of respect required at this stage is Commissioner, not Chief, and I profusely apologize I have actually made a note to not call Commissioner Madlanga Chief.

CHAIRPERSON: From where I am sitting, we are past it. You apologized yesterday, and that is, for me that is the end of it. Thank you very much.

MR ADAMS MP: Thank you, sir.

CHAIRPERSON: Thank you.

20 **ADV SEGEELS-NCUBE:** Thank you. Chair, before we continue with Mr Adams' evidence, there is a matter about the recording that Ms Ramsamy recorded, the interview of Mr Adams on the 6th of January 2025, where she had indicated during her testimony that she had recorded that consultation. The consultation is being made available to

the Commission and to Mr Adams on the basis that we are both entitled to listen to the recording, and to the extent that there is any aspect that we would want to utilize, on condition that it relates to the matters before the Commission only, we would be able to extract those clippings and play those clippings before the Commission.

We had extended that offer to Mr Adams yesterday after the proceedings. He indicated he was not in a position then to listen to the full recording, because it
10 cannot be given to him. He must listen to it in the presence of somebody, a representative from the Commission, highlight where he, identify where he, what clippings he wants to play. If those clippings form part of a subject matter before the Commission, then we will trim that clipping and play it for the Commission to corroborate whatever proposition he puts forward to the Commission.

He indicated that he would be in a position to do that today, so we have made arrangements for him to start listening to the recording at tea time and then at lunch, and
20 if there is anything he wants to use, we will then address it at 2 o'clock when we reconvene. But in the meantime, the Commission has undergone that exercise for the portions that it wants to use, the Evidence Leaders, that it wants to use, and we will be playing some of those clippings during Mr Adams' testimony.

But just to place it on record that that is the arrangement, so that it cannot be said by anyone, in particular Mr Adams, that we have cherry-picked the portions that we want to rely on. The entire recording will be made available to him. He can tell us what it is that he wants to, the Commissioners to hear.

If it falls outside of matters before the Commission, then the arrangement is that the Commissioners will hear that recording, and hear what Mr Adams says the recording
 10 says, or what import he wants to attach to it, and the Commissioners can then publicly say whether they agree with what he says or not. That is to maintain the sensitivity of matters that were discussed that had nothing to do with matters before the Commission, because there were matters about ongoing investigations that was discussed in that meeting, Chair.

CHAIRPERSON: Since this, I think the length is two hours, is it?

ADV SEGEELS-NCUBE: Two and a half hours.

20 **CHAIRPERSON:** Two and a half. Now you referred to him listening over the tea and lunch adjournments. That is one and a half.

ADV SEGEELS-NCUBE: Yes, Chair, we have listened to the recording. There is about a 45-minute break where there is no audio, because they have either gone to have

coffee or gone for a smoke break. So we think that he should be able to get through it in the full one and a half hours.

CHAIRPERSON: Okay, all right. Thank you.

ADV SEGEELS-NCUBE: Mr Adams, I just want you to confirm that that is the arrangement that we discussed yesterday.

MR ADAMS MP: Yes, yes, yes, it is, Advocate.

CHAIRPERSON: Thank you. Thank you, Chair. Mr
10 Adams, before we continue with the sequence of events, I just want to refer you to, I think it is file 9, page 3499.

MR ADAMS MP: 3499?

ADV SEGEELS-NCUBE: Yes.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Now, the document just before that is a supplementary affidavit by you on page 3497, and it references at paragraph 3, documentation in this regard is attached here to his Annexure FA1, and it relates to allegations about the procurement of a forklift.

20 **MR ADAMS MP:** Yes, ma'am.

ADV SEGEELS-NCUBE: Okay. I just want you to confirm whether the documents at 3499 to 3512 are the documents that you say you found on your office floor.

MR ADAMS MP: Yes, this appears to be the documents, yes.

ADV SEGEELS-NCUBE: So it is 3499 to 3512?

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Okay. But this is just ...[intervenes].

CHAIRPERSON: Sorry, is that the sum total? Is that all the documents you received under your door?

MR ADAMS MP: I am trying to go through it as quickly as I can, Commissioner.

ADV SEGEELS-NCUBE: No, take your time, and remember
10 this is only in relation to the forklift, so it would only be
forklift related. As I understand it, you say there was a
polygraph test in respect of General Madondo and some
personal information as well. So that would not be
...[intervenes].

CHAIRPERSON: I withdraw my question then about these
being the sum total. I withdraw that question.

ADV SEGEELS-NCUBE: Thank you, Chair.

MR ADAMS MP: Thank you, Chair. It was 3499 until
3512?

20 **ADV SEGEELS-NCUBE:** 3512.

MR ADAMS MP: These are the documents. I am actually
questioning if it was this many documents, but this would
appear to be what I handed over, yes.

ADV SEGEELS-NCUBE: Okay. If you go to 3501, you
know what, because that seems to, it is a page with

manuscript with an address on there.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Was that also in the file, or ...[intervenes].

MR ADAMS MP: No, ma'am, this was not in the file.

ADV SEGEELS-NCUBE: Do you know that address?

MR ADAMS MP: That is my home address, my former home address.

ADV SEGEELS-NCUBE: Okay, so this document would not
10 have been part of that bundle.

MR ADAMS MP: No, ma'am, this, but this is definitely my scribble.

ADV SEGEELS-NCUBE: That is your handwriting?

MR ADAMS MP: That is my handwriting.

ADV SEGEELS-NCUBE: Okay. And it seems that it would have formed part of this FA1 that is referenced on page 3497.

MR ADAMS MP: 3497.

ADV SEGEELS-NCUBE: Which is your affidavit,
20 supplementary affidavit.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: So but for that page, everything else was what was contained in the envelope, not everything, but all of those documents formed part of what was in the envelope.

MR ADAMS MP: Ma'am, this, if I must tell you the honest truth, this seems a little bit more paperwork here than what I handed over, but it is in line with the paperwork that I handed over. And this, again, this is one of the reasons why I laid a criminal case against IDAC, because there are things in this document, in this case, that bother me. And if this investigation is ongoing, then I personally suggest, and the Commission must guide me, that I do not talk about this if it is under investigation, but I can tell you now I handed
10 over documents. The first one, 3511, yes. I cannot tell you exactly, but this appears, and I may even be wrong, but this appears to be more documents than I gave them.

ADV SEGEELS-NCUBE: Okay, let us just go through it. 3499 is an application for procurement of goods.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Do you recall that document?

MR ADAMS MP: This is the one I recall.

ADV SEGEELS-NCUBE: And that will be 3499 and 3500, 3499 and 3500.

20 **MR ADAMS MP:** Yes, ma'am.

ADV SEGEELS-NCUBE: And then we skip 3501 and go to 3502. You did speak about bank confirmations. That seems to be a bank confirmation.

MR ADAMS MP: Yes, ma'am, that definitely was in there.

ADV SEGEELS-NCUBE: 3502, 03.

MR ADAMS MP: I do not, I could be wrong, I do not recall this.

ADV SEGEELS-NCUBE: You do not recall the purchase order?

MR ADAMS MP: I do not, no, no, I do not recall this, ma'am, and I may be wrong, but 3504, definitely.

ADV SEGEELS-NCUBE: 3504 is the statement. You do recall that?

MR ADAMS MP: That I do recall. I cannot say with
10 certainty about the others. And I am going to say, and I know this might not really help you, I am unsure.

ADV SEGEELS-NCUBE: Okay. And then 3505, which was the application for approval in the information note, confidential, marked confidential.

MR ADAMS MP: I do not recall this. No, no, no, and when I see the confidential mark there, I do recall that.

ADV SEGEELS-NCUBE: So the information note did not form part of what was contained.

MR ADAMS MP: What was that, ma'am?

20 **ADV SEGEELS-NCUBE:** The information note that I am referring you to, that starts on page 3505 ...[intervenes].

MR ADAMS MP: That, yes, with a confidential mark on it.

ADV SEGEELS-NCUBE: That was not contained in the envelope?

MR ADAMS MP: No, that was.

ADV SEGEELS-NCUBE: Okay, so it was.

MR ADAMS MP: It was. When I see the confidential mark, it just strikes something in me.

CHAIRPERSON: When you say that was, what do you mean? Do you mean it was contained?

MR ADAMS MP: No, I do remember this one. I do remember that just because of the confidential. The rest of it, like reading through it, but the confidential note there, I do remember that.

10 **ADV SEGEELS-NCUBE:** Okay, so that would be 3505 to 3510.

MR ADAMS MP: I do not remember. I do not remember, for example, 3508, and I am not saying it was not there. I do not remember that.

ADV SEGEELS-NCUBE: Well, it is part of that document. If you look ...[intervenes].

CHAIRPERSON: It is one document. It is one continuous document.

MR ADAMS MP: Yes, yes, yes, I understand that, Justice
20 Madlanga, Commissioner Madlanga. What I am saying is in the sequence that it is, if you are asking me about, let us say the first page, 3505, the confidential note, I remember that. I remember the stamp clearly. What I am saying is if you are asking me was 3506 there, I do not remember reading it, and I may have.

CHAIRPERSON: But the probability is that it was there.

MR ADAMS MP: The probability is that it was there.

CHAIRPERSON: It must have been there.

ADV SEGEELS-NCUBE: Yes. And 3510 has General Lushaba's title, his name, and signature, that you would have recalled.

MR ADAMS MP: 3510?

ADV SEGEELS-NCUBE: Yes.

MR ADAMS MP: Yes, I believe I did.

10 **ADV SEGEELS-NCUBE:** Okay, and then ...[intervenes].

MR ADAMS MP: I remember seeing this one.

ADV SEGEELS-NCUBE: And 3511, which is the invoice?

MR ADAMS MP: I am going to say yes.

ADV SEGEELS-NCUBE: Okay. And then proof of payment on 3512?

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Okay. And then we know in addition to that it was the stuff related to General Madondo.

MR ADAMS MP: Yes, ma'am.

20 **ADV SEGEELS-NCUBE:** But there was nothing in the envelope that you received that related to General Lushaba's housebreaking incident?

MR ADAMS MP: No, ma'am.

ADV SEGEELS-NCUBE: Okay. That came, you became aware of that information when?

MR ADAMS MP: I would not be able to give you an exact date, but if I check what day I laid the charges, it would have been around about that time because I acted on that like quickly.

ADV SEGEELS-NCUBE: Yes, that is what I want to explore with you. So your evidence is that you acted on the confidential information in that envelope that you found in your office, but it did not contain anything regarding General Lushaba's housebreaking matter.

10 **MR ADAMS MP:** When you put, yes, I am actually confused. No, I was wrong, and if I can correct myself, if the Commission allows me to correct myself, I think I was wrong. I do not think that was in the envelope.

ADV SEGEELS-NCUBE: Are you ...[intervenes].

MR ADAMS MP: I do not think, I do not, I do not think it was in the envelope.

ADV SEGEELS-NCUBE: What do you not think was in the envelope?

MR ADAMS MP: The General Lushaba issue. I do not
20 think so, now that you put it to me.

ADV SEGEELS-NCUBE: Okay.

MR ADAMS MP: I do not think so. And did you know about the General Lushaba housebreaking incident before you received these documents under your door?

MR ADAMS MP: There had always been rumours about the

break-in. I did not even know that General Lushaba was the CFO of Crime Intelligence when I first heard about it. And if I remember correctly, it would have been either, and I really hope that they do not hate me for this, it would have been either Patricia Mashale or Professor De Haas, or Mary De Haas that mentioned it, but it was just a passing conversation as we spoke about corruption within Police and Crime Intelligence. I had heard about it. I had heard about it.

10 **ADV SEGEELS-NCUBE:** Okay, and so you would have known about that at the time that you went to go and lay the charges?

MR ADAMS MP: Ja, I think I would have.

ADV SEGEELS-NCUBE: And when you met with, you did your section 27 affidavit for IDAC and when you met with IDAC.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Okay. Now, the issues about General Khumalo and the vetting and the allegations about
20 General Masemola and General Khumalo regarding General Khumalo's appointment as the Head of CI, where did you get that information from?

MR ADAMS MP: I got, I will tell you on this issue, 90% of what I got, I got from General Andre Lincoln.

ADV SEGEELS-NCUBE: You got from?

MR ADAMS MP: General Andre Lincoln. When I am talking about the things that were thrown at me, for example, General Khumalo did not have a security clearance when he was given the job at Crime Intelligence, that was information I got from General Lincoln. When he said to me that his first clearance was cooked, it was fraudulent, that is something that I could not confirm until I spoke to Brigadier Tiyani Hlungwani. Therefore, I did not make a big issue out of it because I did not have proof of it.

10 But generally, not even generally, when General Lincoln said something, he was normally spot on.

ADV SEGEELS-NCUBE: Okay. So he was your source for those, for ...[intervenes].

MR ADAMS MP: In these cases, ma'am, and in others, but this was the man. He was my go-to. If I may Commissioners, I, no, I had rather not going to. It is fine. I had a conversation with someone this morning. I had rather not. It is fine.

ADV SEGEELS-NCUBE: Okay. Now, let us then move on
20 to, just to recap yesterday. I understood you to say that, we dealt with what happened with General Lincoln and the missing docket issue. Is it fair to say that you did not mention General Lincoln to anyone before you appeared before *Ad Hoc*?

MR ADAMS MP: No, ma'am, General Lincoln's friendship

with me it was never a secret.

ADV SEGEELS-NCUBE: No, no, not your friendship. That he was the source of the information that your dockets had gone missing.

MR ADAMS MP: I have never, if you look at the cases that I mentioned yesterday, the fraud and corruption within the City, in Fleet Management, in Housing, I have never mentioned my source to anyone.

ADV SEGEELS-NCUBE: No, no, no, I understand that. My
10 question is more specific, so just answer the question that I am asking. When you engaged with General Patekile, and we know you did not tell him that General Lincoln was your source. When you engaged with the IGI, you do not tell them that General Lincoln is your source as to the missing dockets, correct?

MR ADAMS MP: Hundred percent.

ADV SEGEELS-NCUBE: And when you complain to the Minister on the 1st of November, you also do not mention General Lincoln.

20 **MR ADAMS MP**: No, ma'am.

ADV SEGEELS-NCUBE: And when you complain to, when your matter is then dealt with by IDAC, and you meet with IDAC in your section 27, you do not mention that, and you do not mention it when you meet with them on the 6th of January 2025.

MR ADAMS MP: No, ma'am.

ADV SEGEELS-NCUBE: Okay. And General Lincoln dies in May 2025. And then, after he dies, you appear before *Ad Hoc*, and then you have revealed that General Lincoln was your source.

MR ADAMS MP: When General Lincoln died suddenly, very suddenly, and he himself has said that when it is necessary, he will come forward. The fact that I do not mention him to the Minister, to the IGI, to the IDAC, that is
10 why he is called a confidential source. And also, General Lincoln was in the process of fighting to have his pension paid out. It would not have helped him in that. I think Advocate Sello and I have the same cough this morning. I think that it would not have helped him if the people that control the SAPS knew that he was fighting them so I had no reason to mention the man.

ADV SEGEELS-NCUBE: But the bottom line is you only revealed him as your source after he dies.

MR ADAMS MP: I would not have mentioned him if he was
20 alive.

ADV SEGEELS-NCUBE: Okay. Now, regarding Mr Cameron, when you appeared before *Ad Hoc*, the *Ad Hoc* Committee, you did not mention to the *Ad Hoc* Committee that you had mentioned the receipt of the confidential documents to *Ad Hoc*, to Mr Cameron.

MR ADAMS MP: I did not.

ADV SEGEELS-NCUBE: Why did you not?

MR ADAMS MP: I did not mention it. I should have. The question was never asked. And to be honest, I was actually a bit upset at Mr Cameron also at the time come to think of it, because he moved heaven and earth, (a), not to have me on the *Ad Hoc* Committee, and (2), not to have me there as a witness, and in hindsight, I should have. I cannot even call something that stupid an oversight, but I should have.

10 **ADV SEGEELS-NCUBE:** And you did not mention it in your affidavit before this Commission either?

MR ADAMS MP: No, ma'am. There is a lot of things I do not mention in my affidavit because I could be here for a year. I have given in my affidavit, the evidence. Remember, I was under extreme pressure with the timeframes given to get this thing done. And even then, I did not succeed. There was a lot of things that I would have liked to have added. And even, was it yesterday or the day before, I was still sending late supplementaries. It
20 was all about time. In this case, before this Commission, it was all about time. I had days to get this thing done. And if you look at the volume of my annexures, I had to go and find them. I had to go and search for them. I had to go and ask people for things. It was not an easy task.

ADV SEGEELS-NCUBE: Okay. Putting Mr Cameron aside,

did you raise the issue with the Portfolio Committee before you went to go and lay the criminal charges after receipt of the documents?

MR ADAMS MP: I did raise it with the Portfolio Committee. I would lie to you now if I told you it was before or after, but I did raise these issues.

ADV SEGEELS-NCUBE: Okay, you did raise it with them. Okay ...[intervenes].

MR ADAMS MP: I am just trying to think. The Portfolio
10 meets on a Wednesday once a week. I think I laid these charges on a Thursday, so it would have been after. And please do not, if I am wrong, but I think it would have been after.

ADV SEGEELS-NCUBE: You see, I find it curious that you are before the *Ad Hoc* Committee. Mr Cameron is in that *Ad Hoc* Committee and you do not mention, remember, Ian, I had actually told you about this before I laid the criminal charges and I raised this with the Portfolio Committee as well. You do not mention that in your evidence.

20

MR ADAMS MP: I did not. And you know what is even stranger than that, that on the day that I am testifying, Honourable Cameron absence himself from it. If he was there, I can guarantee you I would have raised it. He was not there. When the cross-questioning happened, and the

cross-questioning was brutal, my biggest critic was not in the room.

ADV SEGEELS-NCUBE: Can I take you to the transcript of your *Ad Hoc* testimony. That is on 4049.

MR ADAMS MP: Oh, it is in here.

ADV SEGEELS-NCUBE: It is 9B.

MR ADAMS MP: 9B. I have got 9B, same file. 40?

ADV SEGEELS-NCUBE: 4049.

MR ADAMS MP: I think it is this one.

10 **ADV SEGEELS-NCUBE**: The paragraphs are unnumbered, so you will just have to count them. It is the fifth paragraph on that page.

MR ADAMS MP: Fifth paragraph?

ADV SEGEELS-NCUBE: Yes, it starts with, Mr Adams, just before you go, and I am sorry to interrupt. You are being questioned, do you see that?

MR ADAMS MP: Must I read the paragraph?

ADV SEGEELS-NCUBE: No, no, no, I just want to make sure you have it. The last sentence in that paragraph says:

20 “So you are quite familiar that
information must be treated a certain
way. You mentioned a mistake in your
statement. I do not think your answer
that you are not an investigator ...”
[intervenes].

MR ADAMS MP: Excuse me, Advocate, excuse me. I am at the fifth page of 4049.

ADV SEGEELS-NCUBE: Yes.

MR ADAMS MP: You are telling me the last sentence?

ADV SEGEELS-NCUBE: No, count five paragraphs.

MR ADAMS MP: Ja.

ADV SEGEELS-NCUBE: One, two, three ...[intervenes].

MR ADAMS MP: I am on five.

ADV SEGEELS-NCUBE: Yes, and ...[intervenes].

10 **MR ADAMS MP:** Advocate Mokhaoetsi.

ADV SEGEELS-NCUBE: Yes.

MR ADAMS MP: Okay.

ADV SEGEELS-NCUBE: And then there is the last sentence of that paragraph.

MR ADAMS MP: So the last sentence in my one, two, three, five says “You mentioned a mistake in your statement”.

ADV SEGEELS-NCUBE: Yes.

MR ADAMS MP: Okay.

20 **ADV SEGEELS-NCUBE:** -:

“I do not think your answer that you are not an investigator is sufficient.”

Do you see, are you with me?

MR ADAMS MP: Yes, yes. I am with you.

ADV SEGEELS-NCUBE: -:

“Because you know better as a Portfolio Committee member.”

Then you answer:

10 “I actually do agree with you, Advocate. So on the issue of the validation of the documentation, I had no means to do that and I did not want to bring it to the Police Committee, because you can ask Honourable Skosana, you can ask Honourable James and Matias the fights that we have within that committee with regards to classification. You can also ask Honourable Shongwe, because it is my understanding that the classification of crime is a crime. And I am backed up in that with the Vuma v IPID case and the misconduct, because we have brought criminality to the Police Portfolio where the Generals hide behind classification.

20 Now our founding document, the Constitution, makes no provision for the classification of crime and therefore I was only going to do this one way, whatever the result.”

So here it seems to suggest that you actually did

not bring it to the Portfolio Committee.

MR ADAMS MP: No ma'am. You can check on YouTube, it was online. I remember the fights about these things. I did. I did.

ADV SEGEELS-NCUBE: Yes, but my question is before you go and lay the charges.

MR ADAMS MP: Oh, did I bring it to the Portfolio before I lay the charges? That is why I said to you, I was unsure if it was before or after, but I did bring it to the Portfolio
10 Committee.

ADV SEGEELS-NCUBE: Yes, her questioning is also in line with before the charges, because she is saying to you:

“You received the documents, you know
how to handle them, why do you not
report it to the Portfolio Committee?”

MR ADAMS MP: I am confused as to the handling of the documents. I received the documents, that is a fact. That is something that I have stated many times. Handing it to the Portfolio Committee would not have done anything, but I
20 did mention it to the Portfolio Committee. I was never going to take it to the Portfolio Committee, because the Portfolio Committee is not an investigative body, it is an oversight body. So my understanding, and I am looking at all of this, and it is a lot of reading. This is one of the things that I did not read last night, one of the things that was sent to me

because it was too voluminous and the time was not there. So, what I am saying is that I did not hand it to the Portfolio Committee. Remember, there is a classified stamp on the one thing. I cannot hand it to the, it is confidential, so I cannot, and this is why even when I laid the charges, I did not hand it to the police. I said, when the investigator gets to me I will give it to him. I could not hand it, if we are on the same page here.

ADV SEGEELS-NCUBE: No, I understand what you are
 10 saying. My question is, before you go and lay the charge, are we *ad idem* now that you did not mention it or bring it to the attention of the Portfolio Committee before you went to go and lay the charges at Grand Central?

MR ADAMS MP: No, ma'am.

ADV SEGEELS-NCUBE: What you say is you mentioned it to Mr Cameron.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: And you say that only when I asked you yesterday whether you did so, correct.

20 **MR ADAMS MP:** Yes, ma'am.

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

MR ADAMS MP: If I may.

ADV SEGEELS-NCUBE: Yes.

MR ADAMS MP: If I may also, if I may also. You know as, there is 400 members of Parliament and we talk a lot, I did

not ever sit down with Honourable Cameron about this issue. It was just, this is what I got, I think it is severe, I think I must move on it. It was one of those conversations and I am not going to tell you how many of those conversations, but we do have those conversations amongst each other.

ADV SEGEELS-NCUBE: Okay. Now, when you then go and you open the cases in Orlando, when you, how do you know to go there? I mean, I know why you are going to
 10 another province. You are going to Gauteng because General Lincoln says to you, do not do it in Cape Town, you must do it in another province, so you decide to go to Gauteng. How do you end up choosing Orlando?

MR ADAMS MP: I went to Orlando because it is one of the police stations I know, because whenever we drive past that side, that stands out. I am not from Johannesburg. For instance, if you were to come to Cape Town, you would probably have heard of Grand Central Police Station. You might have heard about police, Mannenberg Police Station.
 20 No, there is not a Mannenberg Police Station, sorry, Mitchell's Plain Police Station. But chances are you would not have heard of Steenburg Police Station, Oceanview Police Station. So it is a question of, I would not say familiarity, but maybe it is a beacon.

ADV SEGEELS-NCUBE: Okay. So you fly to Gauteng, you

go to Orlando, and you are going on your own there?

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Okay. And when you get there, what happens?

MR ADAMS MP: Now, this is the part that, and I think I am going to irritate you with this, we are worried about our dockets disappearing again. I am sent a contact by Andre Lincoln. The contact's name is Elvis. He says to me, when you are close to the police station, call, he will assist you. I
10 get to the police station. I was not close, I was actually in the police station when I called Elvis. I almost imagine he happened to be outside. I almost imagine. Maybe the cameras can confirm. And he let me inside and I am thinking, did he take my statement or did he, oh, this is going back 2 years. Did he take my statement, or did he take me to a Constable? I am not sure. I am not sure, but I am sure we can check in the docket.

ADV SEGEELS-NCUBE: And who is Elvis, is he a police officer?

20 **MR ADAMS MP:** I saw him that once. He is a Colonel. They addressed him as Colonel. I saw him that once. I never saw him again.

ADV SEGEELS-NCUBE: Okay.

ADV KHUMALO SC: Did you know him before?

MR ADAMS MP: No.

ADV KHUMALO SC: Before that day.

MR ADAMS MP: No, no. I received his contact on the morning, because I was just going to go to the police station. On the morning, General Lincoln sends me that and he says, speak to this guy when you get there. First, he asked me, are you still going to Orlando? I said, ja. He said, speak to this guy.

ADV SEGEELS-NCUBE: Okay, so General Lincoln knew you were going to go to Orlando specifically. Okay, go to
10 page ...[intervenes].

ADV BALOYI SC: Is he the one that said you must go to Orlando? How do you pick Orlando?

MR ADAMS MP: I said I was going to, you know, that is one of the police stations that I would know in Johannesburg. I would not know many others.

ADV BALOYI SC: So you had been to this police station before?

MR ADAMS MP: I had met someone there before.

ADV BALOYI SC: You had been ...[intervenes].

20 **MR ADAMS MP:** I had met someone there before. I have some family members in Johannesburg, and I was lost one day, and I was told, meet me at Orlando Police Station. It was that kind of situation.

ADV KHUMALO SC: Ms Ncube, maybe this is a good time to ask my question. Mr Adams, there was a lot of activity in

December 2024, and a lot of it involved Mr Brown Mogotsi assisting people with opening cases in Soweto. Did you by any chance speak to Mr Brown Mogotsi around November, December 2024?

MR ADAMS MP: General Lincoln was in contact with Mr Brown Mogotsi, who he told me was someone that was close to the Minister, something that I now know to be a lie, not from General Lincoln's side. I had met Mr Mogotsi, not met, spoken to Mr Mogotsi, sorry, on the phone once.

10 **ADV KHUMALO SC:** Take it slow. When did you speak to Mr Mogotsi on the phone?

MR ADAMS MP: I could not tell you if it was November of 2024 or December of 2024 or January of, but I had spoken to him on the phone once.

ADV KHUMALO SC: Because almost every case that is opened in Soweto relating to our terms of reference somehow has Mr Mogotsi's fingerprints. So listening to you, I suspected that you end up in Orlando because that was Mr Mogotsi's idea, and I could be completely wrong, that is why
20 I needed you to ask the question so that you can assist us. What was Mr Brown Mogotsi's involvement in you ending up opening these cases and opening them in Soweto? What was his communication with you and Mr Lincoln?

MR ADAMS MP: From my side, there was no communication with Mr Mogotsi, not on that issue. My

communication with Mr Mogotsi happened on the phone with Andre Lincoln regarding ...[intervenes].

ADV KHUMALO SC: It was a three-way call?

MR ADAMS MP: No, no, I was at his house on the day. He was speaking to him.

ADV KHUMALO SC: You were at Mr Lincoln's house?

MR ADAMS MP: I was at Mr Lincoln's house.

ADV KHUMALO SC: And it was in November 2024.

MR ADAMS MP: I could not tell you that.

10 **ADV KHUMALO SC:** But it was before you opened these cases.

MR ADAMS MP: I cannot, I cannot, I did not write down the date, if you understand what I am saying. It was just a phone call.

ADV KHUMALO SC: I do not need the exact date. I need to know was it before you opened the cases.

MR ADAMS MP: I think it was after, but I do not want to lie to you, Commissioner, so it is hard for me to say. It was just a phone call. It was just, I was sitting at the General's
20 house, this gentleman phoned. He said to me, say hello to the Minister's friend, Brown.

ADV KHUMALO SC: And you were discussing Crime Intelligence issues?

MR ADAMS MP: No, no.

ADV KHUMALO SC: You were not.

MR ADAMS MP: Andre Lincoln, as I explained to the Advocate earlier, had not been paid his pension.

ADV KHUMALO SC: Okay.

MR ADAMS MP: And he was complaining to Mr Mogotsi that the Minister was doing nothing about it and it was unfair. And my involvement in that conversation was, Mr ...[indistinct] Mr Mogotsi, I said, Brown, this is a good man. He served this country. This is not right. That was the conversation.

10 **ADV KHUMALO SC:** And that is where it ended?

MR ADAMS MP: That is where it ended.

ADV KHUMALO SC: And then did Mr Lincoln say anything to you about Brown Mogotsi assisting to open the cases?

MR ADAMS MP: No, sir.

ADV KHUMALO SC: Thank you.

ADV SEGEELS-NCUBE: Okay, go to page 3912 of 9(B).

MR ADAMS MP: Same file?

ADV SEGEELS-NCUBE: Yes.

MR ADAMS MP: I have it.

20 **ADV SEGEELS-NCUBE:** 3912 in file 9(B).

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: This is the witness statement of a witness that we refer to as Witness G, who has been identified as so-called Mr Brown Mogotsi, so-called handler. He is in Crime Intelligence.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: And he is a Colonel. And if you go to page 3918, this is part of his statement where he was asked about his relationship with Mr Fadiel Adams and he says:

“I have known Mr Fadiel Adams while he was an activist prior to him being a Member of Parliament associated with the National Coloured Congress.”

10 And he was asked your involvement in assisting Mr Fadiel Adams to register a case in Orlando Police Station, including the type of allegations and or charges thereof. He says:

20 “Mr Adams contacted me telephonically requesting assistance to open a case. I informed him that I would be in the vicinity of the Orlando precinct policing area the following day and that he could meet with me at the Orlando Police Station in the afternoon. The following day, when Mr Adams arrived at the Orlando Police Station, I referred him to a detective and informed the detective to attend to Mr Adams by taking his statement and opening the case. I did

not ask Mr Adams the details or nature of
the case he was opening.”

Now, do you know Witness G?

MR ADAMS MP: This is the man that I described as Elvis.

ADV SEGEELS-NCUBE: Okay, and did he assist you in
opening this case?

MR ADAMS MP: I called him. I did call him, but I think he
has got his details wrong, the sequence of events. I called
him and I told him that I would be coming to the Orlando
10 Police Station, not, I see he is saying that he would be in
the vicinity. Maybe he was in the vicinity, but I told him I
would be coming there. I see on the previous page that he
is, I do not know if that is, let me just check. Where is it? I
saw it now. Sorry, sorry about this. He says, oh no, but
he does not say that he is, no, I thought he said
...[indistinct] sorry. But as I say, I contacted him when I
was at the police station. I was at the police station. I
thought he worked at the station.

ADV SEGEELS-NCUBE: Well, he says you contacted him
20 before, so the day before.

MR ADAMS MP: No, ma'am.

ADV SEGEELS-NCUBE: Because he says the following
day when you arrived at the Orlando Police Station, he
referred you to a detective. So you had the discussion the
day before.

MR ADAMS MP: No, ma'am, I called him on the day. I received his details at the airport, literally as I was getting into the Uber.

ADV SEGEELS-NCUBE: But he says that he has known you as an activist prior to you being a Member of Parliament.

MR ADAMS MP: Many people know me, ma'am, because of my activism. I have been on TV many, many times because Gatvol Capetonian, and the National Coloured
10 Congress. I do not know this man. I have seen him once at the police station on the day. If he is inferring that we know each other, as in we know each, we do not know each other.

ADV SEGEELS-NCUBE: So it was him that chose the Orlando Police Station, not you.

MR ADAMS MP: No, ma'am, it was me.

ADV SEGEELS-NCUBE: So he is lying.

MR ADAMS MP: I would not call him a liar because I do not know him well enough. I think he has got his details
20 mixed up. It was a long time ago. I called him and I told him I am at the Orlando Police Station. I should have called you earlier. He said no, it is fine, I am here.

ADV SEGEELS-NCUBE: And you say he called you or you called him because you got his details from General Lincoln.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Okay.

MR ADAMS MP: I thought, the way I see it, he and General Lincoln knew each other. General Lincoln said to him, listen here, we have got a serious case, the dockets are disappearing, can you assist? I do not know if General Lincoln told him I am coming to Orlando. I do not know any of that. I was going to Orlando. I called him when I was there. He was there. And now that you have mentioned it
10 or now that he is said it, I am still unsure myself if it was he that took the statement or if he assigned me to someone, but he says that he assigned me to a detective and we can check in the docket.

ADV SEGEELS-NCUBE: And did you know that, so are you saying that you only spoke to him that one time?

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Okay, and never again?

MR ADAMS MP: Never again.

ADV SEGEELS-NCUBE: And never before?

20 **MR ADAMS MP:** No, ma'am.

ADV SEGEELS-NCUBE: Okay. So you would not be aware that he has a longstanding relationship with General Khan?

MR ADAMS MP: No, ma'am.

ADV SEGEELS-NCUBE: Okay. And you would not know

that him and General Khan are friends?

MR ADAMS MP: I did not ask any of that, ma'am.

ADV SEGEELS-NCUBE: And did you know at the time when you spoke to him that he was Mr Mogotsi's handler?

MR ADAMS MP: I suspected that I saw something like that, that is why I am looking for it. I did not know. Remember, at that time, the country did not know that Brown Mogotsi was, I do not know if he is a CI, but the country did not know it. I had been introduced on the phone
10 to this man and afterwards, well, before, sorry, I was told this man is close to the Minister. I am assuming he is a person of influence. I did not know he is a CI.

ADV SEGEELS-NCUBE: And when you met with the IDAC officials and they asked you about this, what did you tell them when you were asked by Ms Ramsamy about going to Orlando, why did you pick the Orlando Police Station, and whether you had any contacts there?

MR ADAMS MP: I would need to listen to the recording to confirm that. It was a long time ago.

20 **ADV SEGEELS-NCUBE:** Okay. She did ask you that question specifically. Would you have told her about the person that you referred to as Elvis?

MR ADAMS MP: I need to listen to the recording first.

ADV SEGEELS-NCUBE: Okay, we will listen to the recording. But can, so what you are saying is that it is

coincidence that the person who assisted you with opening these dockets in Orlando is also a person who is from Crime Intelligence, a friend of General Khan, the handler of Mr Brown Mogotsi who has an association with Minister Mchunu, who you complained to the very next day about your missing dockets.

MR ADAMS MP: I am low-key surprised by some of it, not that much surprises me about the SAPS these days. I have no association with General Khan. I have seen him at the
10 dinner that was organized for ...[indistinct] Suleiman. I do not know where I fit into all of that. My relationship with Elvis is based on a WhatsApp contact that I was sent by my person. Whether they knew each other, whether General Lincoln knew General Khan on a personal level, I do not know. He spoke of General Khan on and off. I have got nothing to do with any of that.

ADV SEGEELS-NCUBE: So if I understand it, General Lincoln, who was a retired General at the time, had so much knowledge about what was happening within Crime
20 Intelligence that he was feeding you this information.

MR ADAMS MP: I would say yes.

ADV SEGEELS-NCUBE: Okay. And do you know where he got the information from?

MR ADAMS MP: Ma'am, if only, Jesus, that man knew so much about SAPS, about the underworld. I mean, it was his

job. He was the head of the AGU. There was literally nothing you could ask him that he could not answer you on in these terms. If you mentioned a policeman to Andre Lincoln, he would tell you that is a good guy. No, do not bother with that one. He was, in terms of SAPS, he was a walking encyclopaedia. That is why when he told me the doctors had been intercepted and it should not have happened, I believed him without questioning him.

ADV BALOYI SC: You said something earlier that he
10 introduced you to Mr Mogotsi on the phone when you were at his place.

MR ADAMS MP: Yes, ma'am.

ADV BALOYI SC: And he introduced Mr Mogotsi as someone who is close to the Minister. And as you were sitting there now, you said now you know it was a lie that Mr Mogotsi is a friend of the Minister.

MR ADAMS MP: Yes, ma'am.

ADV BALOYI SC: Okay, which means when General Lincoln told you that Mr Mogotsi is a friend of the Minister,
20 that was not correct. What General Lincoln told you was in fact not a fact ...[intervenes].

MR ADAMS MP: I understand ...[intervenes].

ADV BALOYI SC: [Indistinct]... [cross-talking] to you.

MR ADAMS MP: Sorry. I understand that was wrong.

ADV BALOYI SC: Okay.

MR ADAMS MP: And, if I may, I do not think that General Lincoln lied. I think Brown Mogotsi misrepresented ...[intervenes].

ADV BALOYI SC: Ja, no, no, let us not go there. General Lincoln is not here to tell us about that telephone conversation and I do not want us to speculate about Mogotsi. That is not the point of what I want to raise with you. Yesterday we went through the investigation diary and it was shown to you that if you were told that your docket
10 has been removed and is not being worked on, that is not correct, because on the very day that you laid your charge there are notes that shows that someone was working on the docket and I think you fairly accepted that that is what that docket indicated.

Here is my proposition to you for your comment, that therefore when General Lincoln, and if he did say to you your docket has disappeared on that day already when you laid the charge, that could not have been correct. He was mistaken about it because we saw from the diary. At
20 best he was mistaken.

Two, he was misinforming you because on the face of the diary we do see entries that indicate that on the very day and the 31st in fact work was happening on that docket, on that docket. Would you be prepared to accept that? He may have been mistaken. He is not here to explain himself.

CHAIRPERSON: Or three, you are not telling us the truth about him having told you this at all.

MR ADAMS MP: Which, where do I start?

ADV BALOYI SC: Answer all of them.

MR ADAMS MP: I am going to grudgingly accept that my friend may have been wrong and even as I say that in the back of my head I am wondering if he was wrong, but before this Commission and before what is placed in front of me, I have to accept your point. And to you, Chairperson, I am
10 not lying.

CHAIRPERSON: You see, the great problem, and I am sure that is what Ms Segeels-Ncube is leading up to, the problem is there appears to have been unseemly haste about all of this. You have just laid a charge, immediately rushed off to Johannesburg to lay the same charges. There was just unseemly haste as if there was something behind all of this, but you may comment if you want.

MR ADAMS MP: Yes, Chair, I will. On the issues of policing and the safety of my community there is never
20 enough haste. There is never enough haste, that is why I respond immediately.

CHAIRPERSON: Your community being the South African populace, or what are you talking about when you say your community?

MR ADAMS MP: I am talking about the Cape Flats where I

reside, sir, where, the warzone. There is never enough haste. Last night, I have not checked the figures, I can tell you now last night, 7 to 12 people died on the Cape Flats. There is never enough haste. So I understand your point and I concede your point that it might seem like it was in a hurry but I try to get things done immediately. So I do concede, I consider what you are saying and if I was sitting there talking to you I might hold the same view, but if you see the view from where I am standing there is never
10 enough haste. If I could have left on the same day I would have. I would have.

CHAIRPERSON: Earlier you mentioned the airport in response to one of the questions by Ms Segeels-Ncube. Did I hear you correctly? I think you did mention the airport.

MR ADAMS MP: I mentioned receiving the contact at the airport, ja.

CHAIRPERSON: Airport. Was that the same day you went to Orlando Police Station?

20 **MR ADAMS MP:** Yes. Yes, Chairperson.

CHAIRPERSON: Did you go to Orlando Police Station right from the airport or did you first go somewhere else?

MR ADAMS MP: I think I might have stopped for a coffee because it was an early flight.

CHAIRPERSON: But you were bound, you were Orlando

bound.

MR ADAMS MP: Yes, sir.

CHAIRPERSON: After landing, then your next stop, except for the coffee, was Orlando Police Station.

MR ADAMS MP: Yes, Chairperson.

CHAIRPERSON: Kempton Park, I am sure it does have a police station and the airport is right next door to Kempton Park.

MR ADAMS MP: I have never been to Kempton Park,
10 Chairperson.

CHAIRPERSON: No, no, but do you agree that it is right next door to ...[incomplete].

MR ADAMS MP: Well, now that you tell me, I am a Capetonian voyager, Chairperson.

CHAIRPERSON: Yes.

MR ADAMS MP: I can tell you now the areas I know in Johannesburg, the areas I know and I could not find it myself right now, is ...[intervenes].

CHAIRPERSON: No, no, no ...[intervenes].

20 **MR ADAMS MP:** [Indistinct]... [cross-talking].

CHAIRPERSON: Let us not lengthen it, please. Let us not. You accept that OR Tambo International, is that where you landed, OR Tambo International?

MR ADAMS MP: Yes, sir.

CHAIRPERSON: Yes. Do you accept that Kempton Park is

right next door to Kempton Park?

MR ADAMS MP: I cannot argue with that, Chairperson.

CHAIRPERSON: It is. It is a fact. It is a fact. And there is a police station in Kempton Park right next door to OR Tambo and it would have been a matter of relative ease for you to establish if for whatever reason you felt like leaving Cape Town and coming all the way to Johannesburg, more than 2 hours, or about 2 hours on a flight to come lay your charges in Johannesburg, it would have been a matter of
10 relative ease for you to just do some homework. Once I have landed, where is the nearest police station I can go to instead of just saying oh, by the way, I happen to know that there is a police station somewhere that I once went to, regardless of how far it is from the airport. It would have been a matter of relative ease for you to establish what is the nearest police station from the airport, was it not?

MR ADAMS MP: Yes, Chairperson.

CHAIRPERSON: It was.

MR ADAMS MP: Yes.

20 **CHAIRPERSON:** You never engaged in that exercise.

MR ADAMS MP: Excuse ...[indistinct].

CHAIRPERSON: You never engaged in that exercise. You just chose to go all the way to the southern part of Johannesburg, which Soweto is, which Orlando, which is in Soweto, is. Southern part, it is, I will not say it is the

furthest part of Johannesburg but it is close to being one of the furthest parts of Johannesburg, that is your choice, instead of going to a police station right next door to OR Tambo International. That is what you chose.

MR ADAMS MP: Yes, Chairperson.

CHAIRPERSON: Instead of the relatively easy thing of finding out where is the nearest police station. Thank you.

MR ADAMS MP: Thank you, Chair.

ADV SEGEELS-NCUBE: Thank you, Chair. Mr Adams, I
10 am now going to play two recordings from that meeting of the consultation of 6 January 2025. The first is the introduction. It is a short clip. And the second is where there is a detailed discussion about you laying the charges. And once we have done playing the introduction part, I will explain to you why there are two reasons for the, that I am playing the introduction.

RECORDING PLAYED BACK

[Indistinct]...

CHAIRPERSON: Can you please pause it. I think it is
20 today that we need those headphones which you gave us rather unexpectedly.

ADV SEGEELS-NCUBE: I did say that it should be ready, Chair. I am not sure if they do have them.

CHAIRPERSON: Which caused us to become a meme.

ADV SEGEELS-NCUBE: Chair, Mr Michael said we will

need to take a short stand down to, for them to just arrange it.

ADV KHUMALO SC: Do you want maybe us to ask a few questions before, so that we do not come back and ask them later, just to save time.

ADV SEGEELS-NCUBE: Yes.

ADV KHUMALO SC: Mr Adams, I am still in October, November 2024. Did you know Mr Nkabinde at this point?

MR ADAMS MP: Chairperson, I met, or heard of Mr
10 Nkabinde after I had laid the charges and complained to the Minister, so I, to answer you categorically, my first conversation with him was when he called me maybe a week after his office had made the IDAC referral. No, no, it was less than a week, to ask me if the IDAC had contacted me yet.

ADV KHUMALO SC: So you did not know him before you laid the charges at some point.

MR ADAMS MP: No. No, sir. No, sir.

ADV KHUMALO SC: Okay.

20 **ADV BALOYI SC:** Just find out, you went to Orlando to lay the charges and then you also went to Langlaagte. Was it all done on the same day?

MR ADAMS MP: No, Chairperson, no, Commissioner. Sorry, I am getting the titles mixed.

ADV BALOYI SC: Can you just explain which was done

when and why you decided to split them into Orlando and Langlaagte?

MR ADAMS MP: What happened in that case was I had laid the first batch of charges at Orlando if my memory is serving me correctly.

ADV BALOYI SC: And this were what, which cases are those?

MR ADAMS MP: Those were the same cases where the dockets were intercepted against General Madondo,
10 Lushaba, and Khumalo.

ADV BALOYI SC: Okay.

MR ADAMS MP: And just on that case, Commissioner, just to give you some clarity on that topic, if the inference is that I knew that the man I know as Elvis was involved with General Khan, I would have, surely have given him the information I had. I did not. I opened the dockets and I left. I would hand it over when the investigators come. The second matter, and I am actually trying to think if it was the Mokwele matter that I went to Orlando because we laid
20 quite a few charges, is that information came to me later and because I no longer had trust in Western Cape SAPS and as you say it might have been misplaced, I decided to go to Johannesburg again because we were seemingly getting results here.

ADV BALOYI SC: So, the Langlaagte case was laid on a

different day after you had gone back to Cape Town and you came back up here for that?

MR ADAMS MP: Yes ma'am.

ADV BALOYI SC: Okay. And Langlaagte is what, is it just the Lushaba matter?

MR ADAMS MP: I am trying to think which case it was.

ADV BALOYI SC: [Indistinct]... of them.

MR ADAMS MP: Excuse me?

ADV BALOYI SC: I say is it just the Lushaba matter?

10 **MR ADAMS MP:** It was the Lushaba matter.

ADV BALOYI SC: Just the Lushaba matter.

MR ADAMS MP: Yes ma'am.

ADV BALOYI SC: The same one that you had laid in Orlando and Cape Town?

MR ADAMS MP: No, no, I am just a little bit confused. I might need to look into the dockets. I think it was the Mokwele matter if I remember correctly. I need to look at the docket.

ADV BALOYI SC: Langlaagte is Mokwele?

20 **MR ADAMS MP:** Yes ma'am.

ADV BALOYI SC: Okay, thank you.

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

ADV KHUMALO SC: How did you know how to split the charges? Sorry, Ms Segeels-Ncube. How did you know how to split the charges? So when you first opened the

cases in Cape Town, you opened three or four. How did you know how to split each of them?

MR ADAMS MP: May I answer?

ADV KHUMALO SC: Yes.

MR ADAMS MP: I was trying to make it hard for whoever was trying to collect the dockets, if you understand what I am saying.

ADV KHUMALO SC: So it was a deliberate decision to separate them?

10 **MR ADAMS MP:** Yes.

ADV KHUMALO SC: To separate dockets.

MR ADAMS MP: Yes, but also more information came from ...[incomplete].

ADV KHUMALO SC: Because you did it on the same day, so I am curious to know, you said you wanted to open three separate cases or four separate cases when you got there. What did you do exactly when you got there?

MR ADAMS MP: So, was it on the same day? If it was on the same day the reasoning is like I say, I did not want to
20 trust the dockets with just one person. That is what, if I, and this is something that I had discussed with people that maybe we should just spread it around and make it harder for them to collect. That was the thinking. I mean, it might sound a little bit far-fetched to you, but we were desperate to get these things.

ADV KHUMALO SC: And nobody advised you to do that.
It was your decision.

MR ADAMS MP: No, that was consultation with General Lincoln and a Captain on the phone whose name I do not remember. We were on the phone and he said just move it around a bit if you can.

ADV KHUMALO SC: And no politician influenced you?
You did not speak to any politician about the cases you wanted to open?

10 **MR ADAMS MP:** Other than Ian Cameron, I did not speak to anyone else.

ADV BALOYI SC: Ms Ncube, you wanted to correct something about Langlaagte?

ADV SEGEELS-NCUBE: Yes, Commissioner Baloyi, Langlaagte is the forklift matter. And just on Chair's point, there is a police station at the airport, at OR Tambo Airport. You are aware of that?

MR ADAMS MP: There is a police station at every airport, but my understanding, just like Parliament's, police, they
20 also have limited, they have got a very narrow scope. Like for instance, I do not think Parliamentary police can do investigations. Their job is to secure Parliament, look after the VIP's, that type of thing. And I am almost 100% sure that the airport has its own scope, that they must secure the national key points. I do not think they have time or

resources for investigation. I do take the Chair's point that Kempton Park is right next door.

ADV SEGEELS-NCUBE: But you did not go.

MR ADAMS MP: I am, when I think about it now, it would have made sense, but for me in my head there are a few police stations I know, I just, ag, I complicated things with that, but thank you, Chairperson.

ADV BALOYI SC: Maybe, and I am, sorry, Ms Ncube, that we are jumping in, maybe tell us who are the people that
10 you discussed this with, the laying of the charges, because you have just said something very important. You say that when we discussed it, we said let us lay many cases or something, I paraphrase, so that none, you know, if one takes the other, the others remain. Who did you discuss other, you spoke to General Lincoln and you tell us that. Who else did you discuss your intention or your plan to go and lay criminal charges arising from whatever information you have?

MR ADAMS MP: If I have ...[intervenes].

20 **ADV BALOYI SC:** It is certainly ...[indistinct] more than General Lincoln, because you do say that when we discussed it.

MR ADAMS MP: If I ...[intervenes].

ADV BALOYI SC: [Indistinct]... [cross-talking].

MR ADAMS MP: If I have to mention people,

Commissioner, if you will, ag, I might as well mention the names. The one is Honourable Sakina Frenchman who is a fellow MP. I did not show ...[intervenes].

ADV BALOYI SC: Who is that?

MR ADAMS MP: Sakina Frenchman. I can spell the name for you later, it is a little bit, I can write it out for you.

ADV BALOYI SC: No, we have seen it in your email.

MR ADAMS MP: That is the one.

ADV BALOYI SC: You do not need to do that.

10 **MR ADAMS MP:** The other one is a colleague of mine within NCC. He is Councillor Nasmie Jacobs. And the other one was the Captain. I cannot remember this Captain's name, but I know he was in Firearms Control. General Lincoln had him on the phone one day while we were talking about this.

ADV BALOYI SC: So the decision or the idea to lay charges is a matter that was discussed and planned by a group of people. You have given us three names, General Lincoln and now you. So all five of you, you agreed and
20 planned to lay charges and how you were going to go about it so that the dockets do not disappear.

MR ADAMS MP: Commissioner, to put it like this, laying the charges was something that I had discussed with General Lincoln and I told Honourable Sakina Frenchman I am going to lay charges. When those dockets end up in

Pretoria, we sit down and we discuss how to prevent the dockets disappearing again, how to make it harder and that is what we did. There was no plan to go and lay initial charges and if my information that the dockets had disappeared, if that does not happen, then I never come to Johannesburg to lay charges.

ADV BALOYI SC: So, I think you say Honourable Sakina, that is a member of Parliament?

MR ADAMS MP: She is a member of Parliament.

10 **ADV BALOYI SC:** So there was the involvement of a politician. Other than you there is a politician that was involved in the decision to lay charges and how you are going to do it ...[intervenes].

MR ADAMS MP: I ...[intervenes].

ADV BALOYI SC: Because you do, on your own words, let me finish, and if you have any doubt about what you said the record will reflect that on your own words you say we discussed this and how we are going to do it, let us lay many charges, open many dockets so that when they take
20 one, the others survive so there is a discussion with people. What I am clarifying now with you was certainly from your testimony now we know there is another politician that is involved in the discussion plan and the how about to do it decision to lay charges.

MR ADAMS MP: Yes, Commissioner ...[intervenes].

ADV BALOYI SC: It is a fair summary.

MR ADAMS MP: I had mentioned that yesterday in that I had spoken to her about it and so when I mentioned Ian Cameron, sorry, again my mix-up, I had mentioned speaking to her yesterday and I had mentioned speaking to Ian Cameron. Sorry, sorry if I ...[incomplete].

ADV BALOYI SC: I may have missed it ...[intervenes].

MR ADAMS MP: [Indistinct]... [cross-talking].

ADV BALOYI SC: [Indistinct]...

10 **MR ADAMS MP:** No, that is actually my fault, not yours, sorry, Commissioner.

ADV BALOYI SC: Thank you.

ADV SEGEELS-NCUBE: Thank you.

CHAIRPERSON: If you have something else to continue with until the tea break, perhaps that is what we should do and ...[intervenes].

ADV SEGEELS-NCUBE: We can do that, Chair.

CHAIRPERSON: Yes, yes.

20 **ADV SEGEELS-NCUBE:** Can we then just deal with what happens after you lay the charges at Orlando. So that is on the 31st of October.

MR ADAMS MP: Okay, which page do you want me to go?

ADV SEGEELS-NCUBE: I am asking the timeline. So, on the 31st of October you lay those charges and you get the case number immediately, the CAS numbers, right?

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: And then we know that the very next morning you write an email to the Minister. Why did you do that?

MR ADAMS MP: Because, are we on the first lot of cases of the second because my ...[intervenes].

ADV SEGEELS-NCUBE: So the 1st of November. Let us go to the ...[intervenes].

MR ADAMS MP: I am asking if it is the Cape Town cases
10 or the Johannesburg cases.

ADV SEGEELS-NCUBE: It is the Johannesburg cases. Cape Town, I know it is such a short period, that is why you can get confused, 29th is the Cape Town. Yu fly to Johannesburg and on the 31st you open the Orlando cases and on the 1st of November you, the morning of the 1st of November you send an email to the Minister via Ms Frenchman. So that is on page 3977 of Bundle 9(B), 3977. It is a duplicate of your documents, but it is a clearer copy.

MR ADAMS MP: Yes, ma'am, I see it.

20 **ADV SEGEELS-NCUBE:** And so at the, it starts at the bottom of 3977, Sakina Frenchman to Edward Senzo Mchunu on the 1st of November at 8:21 a.m. Charges laid by NCC. NCC would be your party.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: If you look at the next page, 3978

you will see that she, although it is from her email address, it says regards, Honourable Fadiel Adams.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: And if we then go back to 3977, it says:

“To Minister of Police.

1. I have opened cases in the Western Cape on a number of senior SAPS personnel as per the following case dockets as per Grand Central ...”

And then it names, gives the case numbers.

“2. I was told that the dockets were intercepted.”

Now let us just pause there. Which, so these are now the Cape Town dockets that you were told was intercepted.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: -:

“3. In my quest for justice I travelled to Gauteng and opened the following dockets as per Orlando SAPS ...”

And you give them the name, the numbers.

“4. However, I have also been notified that the Gauteng Police Department has followed the same *modus operandi* as the

Western Cape PC and is interfering in
the investigative process.”

Let us pause there. You laid the charges the day
before. At 8 o'clock the next morning you know that
Gauteng police is adopting the same *modus operandi* based
on what?

MR ADAMS MP: Again, the man with insight into these
type of things.

ADV SEGEELS-NCUBE: No, Mr Adams. You have the
10 CAS numbers now. You cannot rely on a dead man every
time.

MR ADAMS MP: Ma'am.

ADV SEGEELS-NCUBE: It is unacceptable.

MR ADAMS MP: I understand your frustration. Let me
explain mine to you, if you will, please, please. Just give
me one second. I will explain it to you. So what we all
know, all of us, is that the South African Police Service
covers for each other. I have been told these dockets are
about to disappear. I am going to give you an example and
20 please write this ...[intervenes].

ADV SEGEELS-NCUBE: No, no, before you ...[intervenes].

MR ADAMS MP: [Indistinct]... [cross-talking].

ADV SEGEELS-NCUBE: Before you give me those
examples, this is the man that says to you go to Orlando, so
he must trust Orlando. He also arranges for somebody from

Orlando, because he does not want the same thing, if we believe you, which I highly doubt that anyone does, but if we believe you that the Cape Town dockets were intercepted, you have now covered every base to make sure the Johannesburg dockets do not get intercepted but the very next day you say to the Minister the same thing has happened. How is that possible? Then it must be General Lincoln and Witness G that has intercepted those dockets.

MR ADAMS MP: General Lincoln is in Cape Town without
10 legs, he cannot intercept the docket.

ADV SEGEELS-NCUBE: And yet he knows that the dockets have been intercepted.

MR ADAMS MP: This is what this man has told me. Now if you will allow me, I will explain to you. There is ...[intervenes].

CHAIRPERSON: Let us get this first. Let us get this first. What time did you lay your charges in Orlando?

MR ADAMS MP: It was in the, was it in the morning? It was, I think it was late morning, Chief. I think it was late
20 morning. I caught the early flight to Johannesburg.

ADV SEGEELS-NCUBE: Mr Adams, you have again said Chief.

MR ADAMS MP: I am, Commissioner, Commissioner, Commissioner, I apologize. It just slips out. Commissioner, Chairperson, sorry, I think it was late morning. Please,

please ...[intervenes].

ADV SEGEELS-NCUBE: What time did you leave? You may be referring perhaps to the time you got there. What time did you leave Orlando Police Station?

MR ADAMS MP: I was not there very long. I was not, maybe an hour, maybe less. I was not there very long.

CHAIRPERSON: And when you say late morning, do you mean approaching midday?

MR ADAMS MP: It would have been before midday if I am,
10 if my memory serves me.

CHAIRPERSON: All right, please continue. I just wanted to understand the timing, so late ...[intervenes].

ADV SEGEELS-NCUBE: Thank you, Chair.

CHAIRPERSON: Late morning and then 8 a.m., Mr Adams is writing the email. No, please continue with your questions.

ADV SEGEELS-NCUBE: Thank you, Chair.

CHAIRPERSON: Yes.

ADV SEGEELS-NCUBE: So, so you say that by 8 o'clock
20 the next morning you are in a position to say to the Minister of Police that your dockets in Johannesburg have also been intercepted.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Okay. What information are you given to make that as a conclusion?

MR ADAMS MP: If I can put it into context for you. I have laid three charges against three senior members of SAPS. I am told the dockets are gone. I come to Johannesburg to lay the same charges. I am told that, he did not say that it is being taken, he said they are going to try and take it again. In panic I write to the Minister in the morning, Minister, please assist.

ADV SEGEELS-NCUBE: But that is not what you say to the Minister.

10 **ADV KHUMALO SC:** Ms Ncube, sorry to do this to you. If we go back to Witness G's affidavit, what he said in paragraph 91, was that they were going to meet the following day in the afternoon. So it could not have been in the morning if what he says in his affidavit is correct.

MR ADAMS MP: I think it was in the morning and I can also tell you, I did not speak to Witness G the day before.

ADV KHUMALO SC: No, no, he says when you contacted him requesting assistance, he informed you that he would be in the Orlando precinct area the following day and that
20 you could meet with him at Orlando Police Station in the afternoon.

MR ADAMS MP: Can you just show me the page, please man, so that I can just read it for myself.

ADV KHUMALO SC: It is the same file, 3918.

MR ADAMS MP: 3918.

ADV KHUMALO SC: Paragraph 91.

MR ADAMS MP: No, sir, I did not contact him the day before.

ADV KHUMALO SC: But the issue is not when you contacted him, the issue is when you met with him at the Orlando Police Station.

MR ADAMS MP: I still think it was the morning, but that is why I say we can refer to the docket.

ADV KHUMALO SC: Are you sure or you think you are
10 sure?

MR ADAMS MP: We are talking about events that happened 19 months ago. It is hard for me to say it was the morning. In my head, I think it was before midday, Commissioner.

ADV KHUMALO SC: But it is possible that it could have been afternoon?

MR ADAMS MP: I would not say it is impossible, but I still think it was in the morning.

ADV KHUMALO SC: Sorry, Ms Ncube, you may continue.

20 **ADV SEGEELS-NCUBE:** Can you go to page 3895.

MR ADAMS MP: 38?

ADV SEGEELS-NCUBE: 95. In fact, if we can go to 3899 nine first and just to show you what document we are dealing with. My apologies, 3897 is the start of the document.

MR ADAMS MP: 3897.

ADV SEGEELS-NCUBE: And you will see that is one of the dockets, 403, 389 ...[intervenes].

MR ADAMS MP: I have 3897.

ADV SEGEELS-NCUBE: 3897. You see that is the front cover of the docket.

MR ADAMS MP: Yes, I do.

ADV SEGEELS-NCUBE: And then if we go to 3898, that is your A1.

10 **MR ADAMS MP:** Yes, ma'am.

ADV SEGEELS-NCUBE: If you go to 3899, you see the Commissioner's stamp.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Do you see the time?

MR ADAMS MP: It is half past one half past 1.

ADV SEGEELS-NCUBE: Half past 1.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Okay, so work off that timeline.

20 **MR ADAMS MP:** So if I got to the police station round about midday, I would have spent about an hour there. I think that I am not far off. I am not far off.

ADV SEGEELS-NCUBE: Okay, so it is half past 1. So what happens between half past 1 and 8 o'clock the next morning?

MR ADAMS MP: I am told by General Lincoln they are

trying the same stunt again That is exactly what
...[intervenes].

ADV BALOYI SC: You are told?

CHAIRPERSON: Oh, please repeat that?

MR ADAMS MP: I am told by General Lincoln that they are
trying to intercept the dockets again. Now, Commissioner,
if I can just put it into context for you. I Just want to show
you something. I actually was not going to mention this, but
if you will allow me, sorry. There is a case of Kuils River
10 CAS. It is 771/10/2010. This is a rape case against a
senior General. It has never been investigated. The docket
has been shelved.

ADV BALOYI SC: Maybe that has happened
...[intervenes].

MR ADAMS MP: No, no, I just ...[intervenes].

ADV BALOYI SC: No, let me say, because we do have
limited time so and I think you do have a lot of things that
you would like to share, but let us come back to the
question. Maybe what you are about to start now has
20 happened, but that is not what we are discussing. You are
being asked a specific question by the Chair, what did
General Lincoln, what were you saying General Lincoln said
to you?

MR ADAMS MP: General Lincoln told me, ag, and I would
not be able to tell you the time but on the same day and if I

want to quote him he said something along these buggers just will not stop, they are about to do it again. Those were the words and that prompted me to mail the Minister. Now, I, in my, in my, as I sit here, if indeed they were planning to confiscate the dockets, the Minister would be the right office to, just to email. It would be the right place to call. That is why the Minister is there.

ADV BALOYI SC: But that is not what you say in paragraph 4.

10 **MR ADAMS MP:** Paragraph 4 of?

ADV BALOYI SC: Of the letter to the Minister.

MR ADAMS MP: Can I see ...[intervenes].

ADV SEGEELS-NCUBE: 3978.

ADV BALOYI SC: 3978. You are not saying they are about to do the same thing they did in the Western Cape. You say they have done the same thing, they are interfering in the investigation, in the investigative process and this is less than 24 hours after you laid the complaint and you represent to the Minister that that your dockets have been
20 intercepted in Gauteng. That cannot be, because your explanation now is General Lincoln said to you they are about to do that. So, you were misleading the Minister in paragraph 4 if you tell him that they have Intercepted your Gauteng dockets, because your explanation now is General Lincoln said to you they are about to do that. Why do you

say to the Minister less than 24 hours after you laid the charge, why do you say to the Minister what happened in the Western Cape has now happened in Gauteng when that is false?

MR ADAMS MP: I think I pre-empted that to be honest with you, Commissioner. I am saying I have also been notified that Gauteng Police Department has followed the same *modus operandi*, which means they are taking the dockets or have taken the dockets, which I think is out of context on
10 my side. It is not a deliberate attempt to mislead the Minister. It is me saying to the Minister, please act. That is what I am saying, please act.

ADV BALOYI SC: So you accept that General Lincoln, if he is the one that spoke to you, you accept that General Lincoln did not say to you the Gauteng police have intercepted your dockets. You accept that?

MR ADAMS MP: No – ag, yes, he did not say they have taken, sorry, not no to you, he did not say they have taken the dockets.

20 **ADV BALOYI SC:** Yes, and so what is in paragraph 4 is in fact false if you say to the Minister, it may not have been your intention, you are explaining it now, but we are now looking at the text of what you said to the Minister and I just want to simply clarify beyond doubt that paragraph 4, to the extent that in its terms it says the police in Gauteng are

doing exactly what happened with your dockets in Cape Town, was in fact false.

MR ADAMS MP: I will concede that I could have worded it better, Commissioner.

ADV BALOYI SC: Okay.

MR ADAMS MP: I could have and maybe I should stop being in such a rush with everything. I could have worded this better.

ADV BALOYI SC: All right, thank you.

10 **ADV SEGEELS-NCUBE:** But you are a member of Parliament and you do not give this process any chance. You draw conclusions based on what somebody who has no involvement in this investigation, he has absolutely no involvement. In fact, he is the one that says to you go to Orlando and I have got a guy that is going to help you. So you should be able to trust that process. Now he comes to you and he says to you in the same breath, they are trying to do the same thing. Why do you not say to him but what are you basing this on? You are the one that said to me go
20 to Orlando.

MR ADAMS MP: I did not ask him that but my thought process is that a General is a lot more powerful than a Colonel. It was a Colonel that helped us and from where we are standing it is people right at the top that are taking the dockets. That is that is my understanding.

ADV SEGEELS-NCUBE: But you do not know that right? You do not know it as a fact. And my point is that you stand in a position of trust. You are a member of Parliament. Surely you understand what comes with that role. You have access to the Minister. You are actually abusing your position as a member of Parliament to report this matter to the Minister where there are legitimate cases, and I do not disagree with you there, of dockets going missing, where exhibits, important exhibits like firearms and
 10 projectiles and all of that gets, goes missing with the docket.

Your docket has no evidence. It is just an A1 statement. You do not even provide documentary evidence to substantiate your allegations and yet you go to the Minister, using your position as a member of Parliament to have him do what? Intervene. The very thing that you want to prevent in your cases, you want the Minister to do that. You want him to intervene in an investigation that you are not giving a chance. Can you see what the problem is?

20 **MR ADAMS MP:** I can half agree with what you are saying, but I have sent the Minister's office two, maybe three emails going on 3 years. I have access to the Minister. I do not abuse it. This in my view was serious. This in my view is people trying to stop us holding people accountable. This in my view was necessary and you may hold a different

view, but I did not abuse the Minister, and I certainly did not ask the Minister to get involved in the investigative process. I asked the Minister, and if you read paragraph 5, to intervene and ensure the integrity of the investigative process. That is all I am asking. Now, was the investigative process, was it being allowed? In my view, no. In the view of the Commissioners, yes. And it is up to them to make that determination, but I feel that as a member of Parliament I have every right to send that email
10 as I have every responsibility to lay that case. I hear you, Advocate, when you say that my docket only holds an A1 statement. I am being told that I mishandle the information. If I put it in the docket for anyone to see, I would have been guilty of mishandling the information. I kept the information, intending to give it to the investigating officer.

ADV SEGEELS-NCUBE: Mr Adams, but the investigative process has not even started yet and you are already telling the Minister that there is, that it is being Interfered with. It has not started. There has not even been an investigating
20 officer assigned to this.

MR ADAMS MP: Advocate, if I may, I explained yesterday I am surrounded by people whose murder dockets and rape dockets have disappeared. This is a reality to me. I understand you may not understand that but I am asking you to indulge me that stolen dockets are what we deal

with.

ADV SEGEELS-NCUBE: If your docket was stolen, your three dockets, you could easily just go and do three more dockets, because it had nothing in it. It was A1 statements That is all it was.

MR ADAMS MP: The question that I would like to ask is, well, I cannot ask the Commission questions. I am going to state that it is not necessary for anyone to open three cases on the same issue. It should not ...[indistinct].

10 **ADV SEGEELS-NCUBE:** I agree with you, and you should not have done it. I agree with you. You should not have. You should have allowed the Cape Town process to run its course. You had no basis to even go to Orlando. And then when you get to Orlando you do not even give that process, it has hardly been registered on the system and already you are sending an email to the Minister and that is why General Mkhwanazi says at the crack of dawn you are sending an email to the Minister. You have just lodged the charges the day before.

20 **MR ADAMS MP:** What General Mkhwanazi does not say is that the dockets ended up in a safe in Pretoria.

ADV SEGEELS-NCUBE: And we will get to that process, and you know very well why it ended up there. It was part of the process that you initiated because you complained to the Minister.

MR ADAMS MP: You will explain that when we get there.

ADV SEGEELS-NCUBE: Yes.

ADV BALOYI SC: Mr Adams, the problem is the appearances of all of this, that, and going back, you start with documents that come in under your door. You do not know who gave you the documents. You act on the documents and I am not questioning it for purpose of what I am saying now that you, I am not saying you should not have acted. You act on the documents. You go and lay a
10 charge and the very next day you are already saying I have been told that the dockets have been intercepted by someone who is not in a position to speak for themselves because they are not here and you say I then go to Orlando.

That person makes arrangements for you that you should go and meet, so you get special treatment basically which is someone is going to hold your hand that is trusted, take you into a police station, hand you over to obviously someone that they trust. You lay the complaint again with them on all three dockets and the very next day, in fact to
20 say the very next day to be generous, in less than 24 hours of you laying that charge you are now writing to the Minister. We do, Ms Ncube will take us there. We then see even the Minister's office acting on the very same day, escalating it.

All of it looks unseemly, It looks like a scheme that

was generated to culminate the way you did, which is at IDAC who have, who Ms Johnson has accepted they have no business to get involved with this, but it looks like a well-orchestrated scheme because your conduct does not make sense.

And even allowing for the possibility that you may have been fed wrong information by General Lincoln, because we now know that there was no basis for you to say the dockets have been intercepted, they have been, 10 even Gauteng, even allowing for that he may have misled you maybe because he also was part of a scheme, I do not know, but allowing for that you are a member of Parliament, you are a thinking member of Parliament and when you are told dockets have been intercepted, you are expected to ask the necessary questions, including about Gauteng.

If General Lincoln says to you your dockets have been intercepted, as a responsible member of Parliament and a thinking member of Parliament, it is unthinkable that you would not ask basic questions like hey, how do you 20 know this? Let me phone the gentleman, the person that I reported to yesterday and ask them where my dockets in the scheme before you escalate things to the Minister. There is just something wrong about this whole process. For lack of a better word, it stinks of machinations. Do you want to comment?

MR ADAMS MP: Yes, please, Commissioner.

Commissioner, I acted only because I wanted these cases investigated. I had no other motive. I emailed the Minister twice, the Minister's office responded twice. I am actually appreciative of the response because other Ministers do not respond. I understand exactly what you are saying but I can tell you as I sit here today, this thing was done because we needed to get this investigation going. And also we do not have, I do not think this Commission will allow me the
10 time to explain why, why provincial SAPS had no business fetching those dockets. They had no business. That was against the chain of custody and that is what triggered my response.

But I accept what you are saying. What you are saying, you know when you connect dots, which is not a lawful process, but when you connect dots, it does stink, I will concede to that. But my motivation here was I am not letting you get away with this. That was it, and that is my stubborn speak, my stubbornly speaking, but it is what it is.

20 **ADV BALOYI SC:** Maybe lastly from me, I mean you speak of the serious cases that you have to deal with on a daily basis, the killings, the rapes, which no one will argue with you against. What, and with all of that what was so urgent about the cases of a forklift, the case of Madondo's, General Madondo's vetting, General Khumalo's vetting, and

General Masemola. What was so urgent that things had to happen within hours, because that is that is what you did with the Western Cape, that is what you do with Gauteng, and your correspondence to the Minister and the Minister's Chief of Staff on the same day writes to the SAPS, but I want to hear from your perspective what was so urgent that it had to happen within 24 hours.

MR ADAMS MP: If I may, Commissioner.

ADV BALOYI SC: Yes, you may.

10 **MR ADAMS MP:** Thank you. What was important to me about this is that on the basis of what I have seen, and these are only allegations, like I say I wanted it followed up by an investigation is that there is a possibility that at the very top of Crime Intelligence people are (a) stealing; (b) promoting people with criminal records to top positions and like you said, it just seemed to stink and I wanted it clean. They do not know where the drug dealers are in Cape Town. They do not know where the guns are in Cape Town. One police officer can sell 2,700 guns to the gangs in Cape
20 Town and Crime Intelligence does not know.

So for me this was important. If we cannot detect crime, we cannot fight crime and if we have incompetent and compromised people at Crime Intelligence we might as well close the place.

ADV BALOYI SC: Ja, but ...[intervenes].

MR ADAMS MP: That was important to me.

ADV BALOYI SC: Ja, no, you have not answered my question about why was it urgent in this case. We had, why was it urgent and the urgent of 24 hours, I am not talking agent generally, I am talking urgent of 24 hours that your complaint about General Madondo and her vetting and a polygraph should be investigated and be finished within 24 hours. The same with General Khumalo. It is that, my question is that direct, why in this case was it the urgency
10 of within 24 hours you needed to have, you have not given them documents by the way, you have just done in an A1 statement. You are not answering my question, what made this so urgent that within 24 hours you are escalating things to the Minister.

MR ADAMS MP: If I may. Is this the Gauteng one? The first case that I laid, the first batch of cases I laid in Cape Town I sent the Minister an email. Then I lay the cases again, and I am triggered ...[intervenes].

ADV BALOYI SC: [Indistinct]... understand that. So when
20 you first laid a case in Cape Town you send an email to the Minister?

MR ADAMS MP: That it is alleged that my documents have gone missing, I send that email. Then ...[intervenes].

ADV BALOYI SC: Before the 1st ...[intervenes].

MR ADAMS MP: For the first time.

ADV BALOYI SC: Before the 1st of November?

MR ADAMS MP: There was a 10 day gap between the emails if I remember correctly, if I can check. Will you allow me to check?

ADV BALOYI SC: Ja, it is your answer, please.

MR ADAMS MP: Yes, let me just get this right. Let me just get this right. I do not want to get this wrong, just, if the Commission will just allow me ...[indistinct].

ADV BALOYI SC: It is pointed out to me. Mr Adams, that
10 it is time for the tea break. You can look, we can take the break now and then you can look it up.

CHAIRPERSON: Let us adjourn and resume at 11:30.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Mr Adams, Commissioner Baloyi asked you about an email and you are looking for it.

MR ADAMS MP: Yes, yes, yes, Commissioner. Thank you, Commissioner Baloyi. I am not sure if this is going to assist, but I sent an email on November 1st to the Minister.
20 That is the first email I sent to him. There were, we were copied in, into the response from the Minister to General Sebola. I do not know if we sent that to you, I do not know if I thought it was necessary at the time, where they ask, the ministry asked SAPS to respond and to furnish his office with a report with regards to this complaint. That is it.

Then the second email I sent to the Minister is on the 10th of November. That is a 10-day gap. And then, I am just looking for it, on Sunday, 10 November, I write to the Minister asking for an independent investigator.

ADV BALOYI SC: Sorry, is the Sunday, is that the third one or the second one?

MR ADAMS MP: I am just checking, sorry. Excuse me, excuse my tardiness, it is the second one.

ADV BALOYI SC: Okay.

10 **MR ADAMS MP:** So, when I sit here and I must hear that I am abusing my access to the Minister, I have sent him two emails for the 10-day gap in two and a half years. So, I do not know what the Advocate is implying.

ADV BALOYI SC: No, I think the point that I understood the evidence leader to be making, was that within 24 hours, you are using your proximity or your accessibility to the Minister to follow up, when in fact it is too early to be making any follow-ups. I think that is all that she was saying.

20 **MR ADAMS MP:** The point is conceded, but if I may give some clarity, in 24 hours we are likely to lose 10 children on the Cape Flats. It is my urgency.

ADV BALOYI SC: Okay, thank you.

MR ADAMS MP: Thank you for understanding, Commissioner. Commissioner, I also just wanted to protest.

I was supposed to receive a recording to listen to during the tea break. It never came. I am being sent into the dock. I am going to listen to edits now. I do not want to listen to edits until I have listened to the entire recording. I think it is only fair, because anything can be done to an edit.

I do not want South Africa listening to snippets, and I cannot defend myself in terms of the context, because it is a two-and-a-half-hour recording. I just feel that is going to prejudice me. Also, I just want to Commission. Oh, sorry.

10 **CHAIRPERSON**: May I say this? I think your insinuation that what is meant to be played here, something may have been done to it, is unfortunate, because Ms Segeels-Ncube could not have been as open as she was if anything is intended to be done or was intended to be done to that recording. She said the idea is to give you everything, for you to listen to everything. So please, please do not make that insinuation. Yes?

MR ADAMS MP: Not, that is not the insinuation I was making, Commissioner.

20 **CHAIRPERSON**: Yes.

MR ADAMS MP: I meant that I would need to have listened to the recording and the context of what is about to be played, because various things were said. Like, for example, we could have been talking about Commissioner Madlanga and then moved on to Commissioner Khumalo and

come back to Commissioner.

CHAIRPERSON: Is that what you mean by anything can be done?

MR ADAMS MP: Yes. Well, I should have said anything can be assumed, rather.

CHAIRPERSON: You said anything can be done to a recording.

MR ADAMS MP: A poor choice of words. I mean, assumed. I am not known. I would never accuse an
10 Advocate of tampering.

CHAIRPERSON: Okay.

MR ADAMS MP: So what I am saying is I think this puts me in a little bit of a situation.

CHAIRPERSON: I am sorry then. It seems I misunderstood.

MR ADAMS MP: No, I actually spoke wrong. You did not misunderstand. And also, Commissioners, as a lot of the questions that have been asked of me have come from my Ad Hoc statement, which is a lengthy statement, and that is
20 the one part that I did not have time to go through last night, because, like I said, I had to do this all on my own in a hotel room.

I had to call people in Cape Town and tell them to look for that page, and it takes 15 minutes for them to get back to me. So it was very uncomfortable. So if there are

any questions pertaining to what was sent to me
...[intervenes]

CHAIRPERSON: Thank you very much. You have explained the issue I had a problem with. Ms Segeels-Ncube, do you want to respond to the point that Mr Adams should not be questioned before he has listened to the recording? Do you wish to respond to that?

ADV SEGEELS-NCUBE: Chair, can I just say that we had made the offer to Mr Adams to listen to the recording this
10 morning. He told me that he would not have time because he had an engagement that he could not get out of. The arrangement was for him to come at 8.00 to listen to it. We then said that we would try and play it for him during the tea adjournment and lunch. We were having difficulty securing headphones for him to listen to it at tea. I will not play anything until after lunch then. We can continue with the questioning. But if he does not finish the recording by lunch, whatever portions he has finished, I will play from that section of the recording.

20 **CHAIRPERSON:** Thank you. That is a practical way of dealing with it.

MR ADAMS MP: There we go, Chairperson.

CHAIRPERSON: Thank you.

ADV SEGEELS-NCUBE: Thank you. Mr Adams, I think that when you refer to the criticism that General Mkhwanazi

made about within an hour, in less than an hour, the Minister responds to your email, so you wake up at the crack of dawn and then the Minister responds. It is not the email of 1 and 10 November. It is the immediacy of you send the email on the 1st of November at 8.21 and then shortly thereafter the Minister's Chief of Staff, Mr Nkabinde, responds to it. That is what he was referring to. You do have a 10-day gap or a 9-day gap, as you say, but that 9-day gap has context, which we will get to. So if we can just
10 continue with the emails that we were dealing with at 3977, which is 9B.

MR ADAMS MP: I have it.

ADV SEGEELS-NCUBE: You will recall that the email from Ms Frenchman on your behalf is at 8.21.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: You see at the bottom?

MR ADAMS MP: I do.

ADV SEGEELS-NCUBE: And then just above that email, so your email comes at 8.21. Above that email is another
20 email from Ms Frenchman to Mr Nkabinde. Do you see that?

MR ADAMS MP: Above the email from Ms Frenchman on November 1st, 8.21, I see an email from Mr Nkabinde.

ADV SEGEELS-NCUBE: No, no, no. Let us just start from the bottom.

MR ADAMS MP: Yes?

ADV SEGEELS-NCUBE: There is the first email, which is at 8.21, from Ms Frenchman to you. It is from Ms Frenchman to the Minister that says Charges Laid by NCC, right? And then we had gone to 3978. Ja, and it is also on the screen in front of you.

MR ADAMS MP: Oh, ja. I cannot see that. That is why I am focused here.

ADV SEGEELS-NCUBE: Yes. So on 3978, you will see
10 that it was on your behalf, right? We dealt with that one.

MR ADAMS MP: It was not on my behalf. That is me typing this.

ADV SEGEELS-NCUBE: Oh, from her email address.

MR ADAMS MP: My laptop.

ADV SEGEELS-NCUBE: Okay. And then just above that email, there is another email from her, or from her email address. So now we know that you are the one that actually sent the first email.

MR ADAMS MP: And the second email.

20 **ADV SEGEELS-NCUBE:** Okay. So the second email is what I am interested in. It is from Sakiena Frenchman at 8.25, so four minutes after the first email, to Mr Nkabinde. And it is forwarding the email of 8.21. Do you see that?

MR ADAMS MP: I see that.

ADV SEGEELS-NCUBE: Why did you have to forward this

email to Mr Nkabinde after you had already sent it to the Minister at 8.21?

MR ADAMS MP: After I sent my first email, this is the first email, I received a call from Mr Nkabinde like almost immediately. And he asked me in future, copy me in or send to me.

ADV SEGEELS-NCUBE: Oh, did he say that the Minister got the email and asked you or did he say he has access to the Minister's emails?

10 **MR ADAMS MP:** Oh, we never had that conversation. I knew he is the Chief of Staff of the Minister. He is the Minister's right hand. He said to me, do me a favour, copy me in or send the emails to me.

ADV SEGEELS-NCUBE: Okay. So you then forward the email to him.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: And that is at 8.25.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: And then at 9.04, he responds to
20 the email.

MR ADAMS MP: Page?

ADV SEGEELS-NCUBE: The same page, just above that email from Mr Nkabinde. And you see he is forwarding the email, your email.

MR ADAMS MP: Yes, I see it now.

ADV SEGEELS-NCUBE: Okay. You would not have had access to that. You would not have seen that he had forwarded your email to Major General Sebola.

MR ADAMS MP: I can check for you. I think he may have.

ADV SEGEELS-NCUBE: Or he would have later forwarded it to you to say that it is being attended to.

MR ADAMS MP: Something like that. I believe we had some type of correspondence like that.

ADV SEGEELS-NCUBE: Okay. But on the 1st of November
10 at 9.04, so your complaint comes in at 8.21. At 9.04, he is responding, and he is giving an instruction to Major General Sebola to look into your complaint and that it says:

“In order for the ministry to respond accordingly, please furnish this office with a report in responding to this complaint and the details of the investigating officer who was assigned to investigating these cases. Your report is expected on Monday, 4 November 2024 at 3 o'clock.”

20 So that is when he is expecting a report from Major General Sebola on your complaint.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: And you say he would have communicated to you that it is being attended to.

MR ADAMS MP: I think he may have forwarded this e-mail

to me. I seem to be familiar with the contents of this e-mail.

ADV SEGEELS-NCUBE: Okay. Then the e-mail above that, which is on page, it starts on page 3976, at the bottom of 3976.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: The e-mails are being then forwarded to, and can you see who it is, CC'd? CC'd Divisional Commissioner Inspectorate?

10 **MR ADAMS MP:** I see that.

ADV SEGEELS-NCUBE: Okay. We do not know who the recipient is because we all have, I think, redacted versions of this e-mail, unless the Commissioners have an unredacted one. But this is how we had received it.

CHAIRPERSON: But was that not Divisional Commissioner General Jacobs?

ADV SEGEELS-NCUBE: That is correct, Chair. But we do not know if he was, if it is somebody in his office that had received it because there is a response which is also from
20 somebody from the Divisional Commissioner's office. But we know it goes to the Divisional Commissioner, which is General Jacobs. Chair, it seems that the unredacted version is at MK15. If I can just try and find that.

ADV KHUMALO SC: Which specific one are you looking at?

ADV SEGEELS-NCUBE: The e-mail of the 1st of November from, that is CCing the Divisional Commissioner. If you have your original MK15, then it should have it. You can stay on the page that I referred you to. There is not a recipient. I think it says Div, it is an e-mail address that does not have the name of a recipient. But it does go to the Divisional Commissioner Inspectorate. Okay? And we know that the Divisional Commissioner is General Jacobs at that stage.

10 **MR ADAMS MP**: Yes, it is.

ADV SEGEELS-NCUBE: You know that, right?

MR ADAMS MP: Yes, it is.

ADV SEGEELS-NCUBE: And if we then go to the e-mail above that, on the same page 3976, there is a National Inspectorate Bopela to Mark Hankel, Major General, and it is forwarding the same e-mail, CCing the Divisional Commissioner, and says:

20 “Good day, General. Please find an e-mail for Lieutenant Colonel Setati for urgent attention as directed by the National Commissioner. After receiving the e-mail, it was followed by a call to humbly request for feedback to be submitted on or before 12 o'clock on Monday, 4th of November 2024.”

And then if we go to 3975, still all on the same day, at 1313, Mark Hankel, Major General Mark Hankel then sends an e-mail to Colonel van Rooyen and a whole lot of other recipients, and it says, and you can see the National Inspectorate is also copied in there:

10 “Good afternoon, Colonel van Rooyen.
Please ensure that this is urgently
registered in terms of National Instruction
6 of 2017, Version 2. Please copy also to
Colonel Maluleke for immediate
intervention with GP and the Western
Cape if necessary.”

20 “Good afternoon, Colonel Maluleke.
Please take note and deal with this
immediately and gauge the province
directly, please. Please also send screen
prints of the 8.1.1.1s to me today still.
Also note the deadline set for Monday, 4
November 2024.”

Then what follows is a report that comes from Colonel Phillips, who is in General Jacobs’ office at the Divisional Commissioner Inspectorate. And you will find the report, so you will have to go a few pages back, at page 3967. It is an information note to the National Commissioner.

MR ADAMS MP: I have it, thank you.

ADV SEGEELS-NCUBE: Okay. Now, if we go to 3974, I just want you to look at who it is from, signed by. And there is an earlier one as well that I want to refer you to. If you will just bear with me. I want to take you to the earlier version. Can I ask you to instead go to 3846 for me?

MR ADAMS MP: 3846?

ADV SEGEELS-NCUBE: Yes, in the sequence file 9B.

MR ADAMS MP: Is it 9B?

10 **ADV SEGEELS-NCUBE:** Yes. 3846.

MR ADAMS MP: I just need to put spaces in there. Just give me a second, please.

ADV SEGEELS-NCUBE: 9B. 3846.

MR ADAMS MP: 3846. I was on 3486. I got it, I got it. Thank you, thank you.

ADV SEGEELS-NCUBE: Do you have it?

MR ADAMS MP: I do. Thank you. Sorry about that.

ADV SEGEELS-NCUBE: No, that is fine. So it is an information...

20 **ADV BALOYI SC:** You said 3846.

ADV SEGEELS-NCUBE: 3846. It is an information note to the Divisional Commissioner Legal Services. Do you see that?

MR ADAMS MP: I do.

ADV SEGEELS-NCUBE: It says:

“The purpose of this information note is to obtain the approval of the Divisional Commissioner for a response to the Divisional Commissioner Inspectorate on whether the required elements of a crime are contained in the dockets that were opened by Mr Adams.”

And then what it refers to on the background is:

10 “...the request from the Divisional Commissioner dated 20 November 2024 bears reference.”

It says, 2.2 Annexure A:

“The six dockets in question and a statement from Colonel Phillip, who is responsible for investigating service complaints received at the Inspectorate were submitted to the Division Legal Services.”

20 And so I do not want to focus on that report. I want to focus on what Colonel Phillips reports. And for that, I just need you to go to page 3852. This is now General Jacobs' report to the Divisional Commissioner that had been referred to Legal Services. And the purpose of the information note is to:

“Provide information on a concern levelled

in the email received with Fact Adams MP, hereinafter referred to as the complainant, and for your office to provide a legal opinion of criminal dockets opened by the complainant.”

And he says, background 2.1:

“The complainant sent an email to the office of the Minister of Police wherein the complainant alleged the following...”

10 And it sets out what you had alleged. And on page 3854, he says:

“If your office is in support of the request, please find the dockets for perusal.”

And it is dated the 20th of November 2024. Do you see that?

MR ADAMS MP: I do. Sorry, sorry, Advocate.

ADV SEGEELS-NCUBE: Yes. Now go to page 3855. This is now Colonel Phillips’ report. Colonel Phillips is in the Division Inspectorate and he is appointed as the Section
20 Commander Complaints Coalition. He says in paragraph 2:

“As part of my duties, I also assist in investigations of service complaints received at Division Inspectorate. I was tasked to assist in...”

And he mentions the case numbers;

“...a service complaint levelled by Fadiel Adams, wherein he alleged that the SAPS provincial offices that interfered in the investigation of criminal dockets opened at Cape Town Central SAPS and Orlando SAPS. The allegations contained in the criminal dockets are directed at senior officers attached to the Division Crime Intelligence.”

10 Then he says:

“As part of the service complaint investigation, six criminal dockets were obtained with the following allegations...”

Now he lists the Cape Town, you will see he lists them, Orlando 403, Cape Town, and he has got them on there as well. Can you see?

MR ADAMS MP: I can see that.

ADV SEGEELS-NCUBE: So he is in General Jacobs' office. You know that, right? So when he is talking about
20 the dockets, as part of the service complaint investigation, six criminal dockets were obtained. This explains why General Jacobs had the dockets. Do you see that? Because his office was tasked with investigating your complaint that you initiated by complaining to the Minister, and it was then escalated to them. Do you see that?

MR ADAMS MP: I do.

ADV SEGEELS-NCUBE: Okay. So for you to say the dockets were found in General Jacobs' safe, why do you think that there would be anything sinister about that, when you know that you complained to the Minister and that it had been investigated, and you said that Mr Nkabinde had told you that your complaint was being investigated? So why would you find it sinister that General Jacobs, who is investigating a service complaint made by you to the
10 Minister, would have those dockets?

MR ADAMS MP: If I may? The complaint to the Minister is not service delivery related. I am telling the Minister my dockets have been intercepted. That, in my view, is criminal. Now, if you look at the emails from Mr Nkabinde, I am not copying any one of them, so I do not know if a service delivery investigation is going on until Colonel Phillips calls me.

So what I am saying is, yes, there was an investigation, but as per the SAPS protocol, the
20 complainant comes in a laser charge. That docket is sent to the head of detectives. He assigns investigators. You hear from that investigator. Providence cannot take a document before it gets to the Head of Detectives. And even so, they did not notify me of this. Now, when you say that the dockets are with General Jacobs, I can read it here.

Yes. But how are the dockets to be investigated if it is in Pretoria?

I would also question, and I am not an expert in this policy, and again, I am missing Andre right now, if there is any rule in the SAPS rulebook that allows you to transfer a docket out of Cape Town to where or across provinces, because they are so strict on chain of custody, or supposed to be strict. This is confusing to me. Now, I understand, Advocate, exactly what you are saying. And
10 you are showing it to me on paper, and there is dates, signatures, everything. That is perfect.

But please understand my concern. I know for a fact where the docket is supposed to go from here to there to there. Now, when the provincial office gets involved without notifying me, then this is a concern. Now, again, I am not saying anyone is guilty of anything. I am saying I was concerned, and therefore I acted.

ADV SEGEELS-NCUBE: Which province are you referring to? Because you have got dockets in both provinces.

20 **MR ADAMS MP:** I am talking about the Cape Town dockets ending up in Pretoria.

ADV SEGEELS-NCUBE: Yes, but you have told the Minister that your dockets have been intercepted. You are asking for the Minister to intervene to ensure that the integrity of the investigations is maintained, right?

MR ADAMS MP: Yes.

ADV SEGEELS-NCUBE: So that then gets activated. The Minister's office engages with the Inspectorate, and they take it further. So they request your dockets in order to look at the dockets, to make an assessment, to see whether there has been interception. And then they make an assessment of the merits of the docket. What is the problem there?

MR ADAMS MP: The problem, again, is we have got a fully
10 functional SAPS in the Western Cape. Fully functional. I am sure that the Inspectorate has branches right there in the Western Cape. I am saying to you that in my view, and I am a layman at this, those dockets should never have ended up in Pretoria. And maybe we must get an expert to advise us on this. I am just confused.

ADV BALOYI SC: No, but how can you say they should not have ended up in Pretoria? You have escalated the matter to Pretoria. You have taken it out of Cape Town to Orlando and Langlaagte, and then you escalated to the Minister.
20 How can you then say they should not have ended up? Otherwise, how does National investigate your complaint to the Minister? So you have got a complaint to the Minister. What did you expect to happen when you tell the Minister my dockets have been intercepted both in Cape Town and in Gauteng?

MR ADAMS MP: May I?

ADV BALOYI SC: Yes.

MR ADAMS MP: I expected the Minister to take some type of action, and I am not describing the action to him. What upsets me about, not upsets, what confuses me about all of this is I am asking for an investigation. I am alleging that my dockets have disappeared or been confiscated. Nobody notifies me of this, I mean, but let us leave it at that, I am not that important. However, when those dockets are
10 transferred to Pretoria, how much investigation can be done? So when they come back and they say to me that the information is scarce, it is because I am sitting with the information that needs to be attached. Now, again, Commissioner, there is no communication.

ADV BALOYI SC: I am discussing, sorry, allow me to interrupt you. I am discussing a different point with you. There is a thread in how you deal with that the dockets ended up with General Jacobs in a safe, and it is clear what you have been suggesting about it, something sinister about
20 that, and I am engaging you on that, that you have escalated a complaint to the Minister. What is sinister about the fact that now your complaint about dockets disappearing is being dealt with at National? Of course they have to get the dockets from Cape Town. They have to get the dockets from Orlando to look at what you are

complaining about. Why do you suggest that something is sinister about that?

MR ADAMS MP: If I may?

ADV BALOYI SC: Yes.

MR ADAMS MP: So where I am at, Commissioner, and if this makes any sense to you, I am not aware that Pieter Jacobs' office is looking at this. The Colonel who called me never told me he works in that office. He said I am from the Inspectorate. I thought it was Western Cape, and this is
10 why I never took the meeting with him, because this investigation is going to get going. In my head, I do not care who is trying to sabotage it.

So when I see this now, and I see there is an admission in the paper that we have the docket, I was not aware of any of this. Now, what could have avoided all of this confusion is I have always had a very cordial and respectful relationship with General Patekile. He is always had my number. I have always had his. He could have called me and said, hey, *boet*, you are on the wrong track
20 here. That call never happened. There was no communication.

ADV BALOYI SC: Yesterday you said you do not trust him.

MR ADAMS MP: No.

ADV BALOYI SC: We are past that. Yesterday your evidence was you did not trust him. When you were, when

Ms Ncube said to you, how do you take the word of a retired General who is not in the police over that of a Provincial Commissioner that he is investigating, he will investigate your matter, you said, well, I was suspicious of him, I did not trust him. So I think let us get past your relationship and your views about General Patekile.

The issue now, and I thought we are getting to closing it, that now that you know, maybe you did not know at the time, now that you know that your complaint to the
10 Minister was escalated to a point where now General Jacobs, the Inspectorate, who is at National, is looking into the matter because now you have got the records in front of you, are you prepared to accept that this is perhaps another case where you acted and formed views, actually, too quickly without the facts?

You are blaming it on communication. Maybe they should have told you, and they did not, but now that you see that, in fact, there was an investigation following your escalation, that the suggestion that there was something
20 sinister about these dockets being with General Jacobs is, in fact, incorrect or even unfair to him. You may comment.

MR ADAMS MP: I just first want to say that Commissioner Khumalo is smiling at me, which makes me worried, and then I want to say that I see it on paper. Cannot dispute it. I say it again, Commissioner, an e-mail or a telephone call,

and also I will not dispute the fact that I said I did not trust General Patekile, but if he had sent me an e-mail saying this thing is being investigated by the Office of X, Y, and Z, I would have had proof of something, tangible proof, and I would not have moved, but none of that happened, and that just made me more suspicious of anything.

ADV BALOYI SC: Thank you.

MR ADAMS MP: So thank you very much for bringing that up.

10 **CHAIRPERSON:** Just to be sure, so you say the relationship between you and General Patekile was cordial?

MR ADAMS MP: It was.

CHAIRPERSON: It was. Will you be going to the section 27 referral affidavit that we have?

ADV SEGEELS-NCUBE: Yes, Chair.

CHAIRPERSON: All right, all right. Thank you.

ADV KHUMALO SC: I just want, Mr Adams, I think Ms Ncube will take you through this affidavit of Colonel Phillips, but you will see as you go through it, they were
20 trying to call you to explain why they want to speak to you about the dockets. So if you go through the affidavit, you will see that there were attempts to call you and explain all of these things.

But the long and short of this is that there was no interception of dockets, one. The only reason the dockets

ended up in Pretoria is because there was an investigation, an investigation of a complaint that you had laid with the Minister's office, and there were people who then needed to report to the Minister at 48 hours' notice. So they get an email on Friday.

They are instructed that by Monday they must give the Minister a comprehensive report dealing with your complaint, and for that purpose the dockets had to be called so that they could be investigated and a report could be
10 provided to the Minister. That is why those dockets ended up where they ended up, not for the reason that you initially advanced, that they were intercepted for sinister reasons.

Dockets had to be called to investigate your complaint. That is really what happened. Or at least that is what this document and this affidavit show. Are you now prepared to accept that, having seen these documents?

MR ADAMS MP: I accepted that a few minutes ago, my Commissioner, and also I will not deny that Colonel Phillips attempted to call me on about four occasions, like I said, I
20 did not really trust that, and but however, and there is my disclaimer, after the investigation is completed, the dockets are not returned to Cape Town, but that will be my last point on that. We will walk away from that. Thank you.

ADV KHUMALO SC: Thank you, Ms Ncube.

ADV SEGEELS-NCUBE: So let us just go then to what

Colonel Phillips says he, the exercise he undertook to engage you.

MR ADAMS MP: 3858?

ADV SEGEELS-NCUBE: 3856.

MR ADAMS MP: 56.

ADV SEGEELS-NCUBE: Do you have it?

MR ADAMS MP: Yes, yes, 3856, sorry. Yes, yes, I do.

ADV SEGEELS-NCUBE: He says:

10 “The affidavits contained in the dockets
did not have the elements of the alleged
crimes, as the affidavits were superficial
and contained basic information, which is
believed to be hearsay.”

You agree with that? It was hearsay?

MR ADAMS MP: And the affidavit is only my one. It is
nothing else.

ADV SEGEELS-NCUBE: Yes.

20 “The affidavits indicated that he was in
possession of the evidence to support his
allegations. Based on this, a decision
was taken to conduct an interview with Mr
Adams to verify that he had in fact the
evidence alluded to, to ensure a way
forward with the criminal allegations. The
following was conducted to secure an

interview with Mr Phillips.”

So from the 2nd of November at 2.15, they get the instruction on the 1st of November, you will recall, and from the 2nd of November:

“Outgoing call to Mr Adams, introduction, purpose of call, and request for interview appointment set for 3 November 2024.”

So did you speak to him and agree to meet him on 3 November 2024?

10 **MR ADAMS MP:** Yes, I did, ma'am.

ADV SEGEELS-NCUBE: Okay. Then on 3 November, at the morning of, outgoing call to you, no answer. You did not speak to him on the 3rd of November?

MR ADAMS MP: No, I cannot answer to a missed call, but if he says he called me, then he called me.

ADV SEGEELS-NCUBE: Then it says:

20 “An incoming call from you on 3 November, conversation could not be conducted as Colonel Phillips was in a noisy area.”

Then he says at an outgoing call a minute later, he calls you:

“Arrangements to meet later that day, no venue or time confirmed, Mr Adams was engaged with other official business out

of Cape Town.”

Do you recall saying that to him?

MR ADAMS MP: I recall mentioning that to him. Look, that is actually a very common response when people call. I am not in Cape Town at the moment, but I will get back to you. So that probably did happen.

ADV SEGEELS-NCUBE: Importantly, on the 3rd of November, remember they are working towards a deadline of 4 November. That is why there is so much activity on the
10 3rd.

“WhatsApp messages between Mr Adams and Colonel Phillips. Arrangement made to meet at 8.30, either at Kuilsrivier SAPS or Vida Cafe Kuilsrivier. No confirmation as Mr Adams was running late. Request from Mr Adams for letter from Minister to SAPS. Image of email received sent to Mr Adams.”

So did you request him to send you the email from the
20 Minister's office where the Minister's asking for your complaint to be investigated?

MR ADAMS MP: I think I did. I did, no, I did.

ADV SEGEELS-NCUBE: And he says that he sent it to you.

MR ADAMS MP: I can tell you I never, he might have sent

the email, I never received it. Or let us just say I am not aware of the email, but he might have sent the email. Advocate, to save some time and effort, I will not deny any of what is in front of me here, if that helps you.

ADV SEGEELS-NCUBE: Yes, because he said he sent you an image, which means it would have been a photo. And remember you said that you recall seeing the correspondence about Major General Sebola that your matter was being attended to. And I asked you would it
10 have been because Mr Nkabinde would have forwarded to you or told you about it. Is it possible that it was actually Colonel Phillips that had sent you a screenshot of it so that you could see that the instruction came from the Minister for them to investigate the matter?

MR ADAMS MP: It may well be possible. I would not discount it.

ADV SEGEELS-NCUBE: Okay. Then at 9.23 on the 3rd:

“Arrangements to meet at Lengtegeur

SAPS at 8.30.”

20 You see his desperation? It is in the evening. Because they have to report back on the 4th.

MR ADAMS MP: Yes, I do.

ADV SEGEELS-NCUBE: Okay. Then still on the 3rd, you call him. You cancel the appointment due to challenges at your residence. Indicated that you will travel to Pretoria on

Monday, 4 November to conduct the interview. Do you see that?

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Do you recall that as well?

MR ADAMS MP: Look, I do not recall some of it and some of it I do, but I will not dispute any of it if that helps you.

ADV SEGEELS-NCUBE: Okay. So we can accept that all his attempts here to contact you and if I take, for example, on the next page, 3857 on the 9th of November.

10 “Outgoing call to Mr Adams. Mr Adams indicated that he has eventually addressed the challenges at his residence and will call Colonel Phillips by the end of the week to confirm when he, Mr Adams, will be coming to GP.”

MR ADAMS MP: I do remember that call.

ADV SEGEELS-NCUBE: Okay. So you have this urgency on the 1st of November. It gets addressed with urgency by the Minister and then when they try to engage you for that
20 very investigation because you are worried about interference, you do not seem to be interested in cooperating with them.

MR ADAMS MP: I had shared this yesterday that I had indeed brushed off Colonel Phillips. I had brushed him off because I did not trust this thing and I was going, I think I

might have spoken to the IGI by this time. I think I might have. I must just check. But in my mind is I am not leaving this thing with SAPS. And if you read my email to the Minister, I am asking him for an independent body to look at this thing. So I will not deny the fact that I gave Colonel Phillips the run-around. That I said yesterday. I am sure it is in the recordings. So, yes, I did not meet with him because I essentially did not wish to meet with him.

ADV SEGEELS-NCUBE: But then why give him the run-around? Why not just say to him at the outset, listen, I am
10 not going to cooperate, I want this to be investigated by an independent entity?

MR ADAMS MP: You can call Colonel Phillips or you can bring him here. And I said to him in the beginning, I do not trust this. And he said, no, Mr Adams, we are the good guys, we will do this. But you know what? The advice that I had at the time, and I am not going to say the man was wrong, he said do not meet with this guy.

ADV SEGEELS-NCUBE: Is that General Lincoln again?

20 **MR ADAMS MP:** Yes, ma'am. But do not meet with this guy.

CHAIRPERSON: What independent entity did you have in mind?

MR ADAMS MP: It could have been anyone, Commissioner. It could have been the Public Protector. It

could have been the IPID. It could have been the Minister could have assigned someone. I did not suggest anyone. I said an independent body.

CHAIRPERSON: Why would it have been the Minister who goes to the Public Protector on your behalf? If you felt that you had a complaint to lay with the Public Protector, why did you not go to the Public Protector yourself?

MR ADAMS MP: That is actually a valid question and I suppose if I did not get any joy out of the Minister, that
10 would have been my next step.

ADV SEGEELS-NCUBE: Actually, it was not, because you then sent your email on the 10th of November to the Minister saying you are not happy with the process. Right?

MR ADAMS MP: Let me just check that.

ADV SEGEELS-NCUBE: We will get to it on page 57 of your bundle, your annexures, file 2.

MR ADAMS MP: File 2. Page?

ADV SEGEELS-NCUBE: Page 58.

MR ADAMS MP: 58. File 2. Thank you.

20 **ADV SEGEELS-NCUBE:** Do you have it? Page 58.

CHAIRPERSON: Sorry, just a follow-up on what I asked you. So if, as you approach the Minister, what you have in mind is some independent entity, and you have specific ones in your mind, what did you expect the Minister to do? Did you expect the Minister to go to the Public Protector on

your behalf or to go to IPID on your behalf? Because you say right from the onset what you had in mind was something independent. So did you expect the Minister to go to those independent entities on your behalf, and if that is so, why should the Minister have done that on your behalf? What mandate does he have to do that on your behalf? Yes, please.

MR ADAMS MP: Thank you. The way you frame it now actually makes me consider my response, Commissioner.

10 **CHAIRPERSON:** But I was pleading for help here from the highest authority in the country within the SAPS.

CHAIRPERSON: But you already knew, from what you say, you already knew that you did not want SAPS to do this, and that what you had in mind was an independent entity. So why must the Minister do that for you? What mandate did the Minister have to do this on your behalf?

MR ADAMS MP: He did not have one, Commissioner.

CHAIRPERSON: He did not have one.

MR ADAMS MP: I do concede your point.

20 **CHAIRPERSON:** So why did you go to the Minister?

MR ADAMS MP: It was the most obvious door to knock on.

CHAIRPERSON: It is not so obvious. It is not so obvious. Based on the responses you give now, it was not obvious at all.

MR ADAMS MP: To me, it was the logical thing to do,

complain with the Minister.

CHAIRPERSON: But what did you want him to do? Because you say in so many ways that what you had in mind was something independent. What did you expect the Minister to do?

MR ADAMS MP: I actually did expect the Minister to approach like he did with the IDAC or the Public Protector or whichever Commission there was. And I do concede what you are saying.

10 **CHAIRPERSON:** But if you already have those independent entities in your own mind, you ought to have gone to them yourself. Why must the Minister be the one who intercedes on your behalf? It does not make sense.

MR ADAMS MP: That point is accepted, is conceded, Commissioner. I will not argue.

CHAIRPERSON: Let me tell you what I think. I think you are not being truthful when you say you expected the Minister to go outside of SAPS. I think you are not being truthful. You expected the Minister to sort this out for you
20 within SAPS. It is just that now you have difficulties answering the questions put to you by Commissioner Baloyi. That is why you now tell us about expecting some independent entity. Yes?

MR ADAMS MP: Commissioner, just to make it easy because it is seeming disrespectful when I speak over you.

When you are done, if you can just put the light off then I know I can speak. Sorry, *man*, because you pause and I think you are done and then I want to jump and then you start. Commissioner, in my first email, I do not mention an independent entity. I am actually off expecting the Minister to use his powers, whatever they may be, to see to it that this stops.

But then as in the course of those 10 days, I just get this illusion with all of SAPS. And I say, can we have
10 an independent entity look at this? Now, I understand the way you are framing it right now. It makes me question my own action. But I did not jump to the Minister off the bat and say, get some. No, I did not do that. I asked the Minister, we have a problem here.

And then as it appeared to me, my latest line, as it appeared to me that the problem was bigger than I thought it was getting, I said, Minister, can we just have an independent person or officer? I must check the wording. But I did not ask for, let us say, Saldanha SAPS to
20 investigate or the IDAC. I said, can we have an independent body? I think body is the term I use, but I can check the email.

But I do consider and concede what you are saying, that I could have been, let me say, more measured in what I did. I will concede to that.

CHAIRPERSON: The distinct impression it creates to my mind is that at the time you approached the Minister, you never had any idea about either the Minister himself or just the possibility of an outside entity being approached. You did not have that in your mind. That is the distinct impression I have. But rather, the problem you are facing now is that you are not able to give an explanation as to your conduct. That is the difficulty you have. And that is why you now give us the answers that you have been
10 giving. I will leave it at that.

ADV SEGEELS-NCUBE: Thank you, Chair. So let us just go back to your bundle to page 58.

MR ADAMS MP: I am on 58, thank you.

ADV SEGEELS-NCUBE: So this is the email you sent to the Minister on the 10th of November. And you say:

“Dear Minister ...[intervenes]”

ADV BALOYI SC: [Indistinct]

ADV SEGEELS-NCUBE: To Mr Nkabinde, thank you, Commissioner Baloyi. Do you see that?

20 **MR ADAMS MP:** Yes.

ADV SEGEELS-NCUBE: Okay. And it is on Sunday, the 10th of November at 19.22:

“Investigation into cases. Dear Sir, in the matter of the below cases...”

And you list that, these are the Villieria and Langlaagte

cases. Orlando and Langlaagte.

“Please note that I, Fadiel Adams, request an independent investigator or body to investigate the cases I have laid. I make this request as your National Commissioner has claimed all is above board in the case of the allegations made against Major General Khumalo. We are reliably told that this is false and have the
10 statements to back it up. If indeed the Commissioner's position is compromised in this regard, please view our concerns with concern. Regards, Honourable Fadiel Adams.”

Now, this comes on ...[intervenes]

CHAIRPERSON: Sorry, sorry. And please do not take this to assist you with regard to my engagement with you. What I was talking about was as at the time you write to the Minister for the first time, the very first time, so that nine
20 days later on the 10th, you now make a request for something independent to be done. It does not assist you in the engagement I had with you earlier, which related to the 1st of November. Now we are on the 10th of November. I just thought I should clarify that. You should not think that, oh, there I am. I am now vindicated. That is just a

comment. If you want to comment, you may.

MR ADAMS MP: In the light of this, I need to comment, I have moved on from that just now.

CHAIRPERSON: Thank you.

MR ADAMS MP: Thank you, Commissioner.

CHAIRPERSON: Thank you.

MR ADAMS MP: I have moved on from that.

CHAIRPERSON: Thank you. Sorry, sorry for that, Ms Ncube.

10 **MR ADAMS MP:** Commissioner, if I may, just ask Advocate, is there any file I can put away or move along because it is getting a bit cluttered?

ADV SEGEELS-NCUBE: You can put 9A away. You can put 9 away.

MR ADAMS MP: File 2, can I put 9 away?

ADV SEGEELS-NCUBE: 9, ja.

MR ADAMS MP: 9A?

ADV SEGEELS-NCUBE: But not 9B. You can keep...

MR ADAMS MP: Thank you.

20 **ADV SEGEELS-NCUBE:** So keep file 2 and 9B with you.

MR ADAMS MP: So I can put 9 away and keep 9B. Thank you.

CHAIRPERSON: And the one labelled Lieutenant General Mkhwanazi Annexures, put that away as well.

ADV SEGEELS-NCUBE: You can put that away as well for

now, Chair, yes.

MR ADAMS MP: Thank you.

ADV SEGEELS-NCUBE: Now, your email to Mr Nkabinde comes on the 10th of November, and you say that, in your email you say:

“I make this request as your National Commissioner has claimed all is above board in the case of the allegations made against Major General Khumalo.”

10 Where does that come from?

MR ADAMS MP: These are, this is because I have raised some of these allegations in the Police Portfolio, and I am told by the National Commissioner all is above board.

ADV SEGEELS-NCUBE: And when was this?

MR ADAMS MP: I cannot tell you the date, but it would have been just before the 10th.

ADV SEGEELS-NCUBE: So at this stage the Minister's Office has not yet reported back to you on the findings in the investigation initiated by your complaint. There has not
20 been an outcome yet.

MR ADAMS MP: In the complaint that you refer to about General Jacobs?

ADV SEGEELS-NCUBE: Your 1 November complaint.

MR ADAMS MP: I am not understanding.

ADV SEGEELS-NCUBE: Remember on the 1st of

November you asked the Minister to intervene.

MR ADAMS MP: Yes, I did.

ADV SEGEELS-NCUBE: And then a process is initiated where the Inspectorate is investigating, and the Inspectorate must report back to the Minister. But we can see from the timelines that by the 10th there is no report back that we can see. It comes after the 10th of November.

MR ADAMS MP: I am not copied in on those emails to the Inspectorate. So what would have happened is I would
10 have raised some of these issues, and I do not think all of them in the Portfolio. I was asking questions, and the National Commissioner gave us the assurance that all was above board. I think one of the questions we asked about was the security clearance of General Madondo, and this is why I am writing this email.

ADV SEGEELS-NCUBE: Okay, but so your email on the 10th of November has nothing to do with your complaint about your dockets being intercepted?

MR ADAMS MP: I am not really referring to it. I am
20 mentioning it, but it is not Minister there, if you understand what I am saying. More than anything else, I am complaining about the National Commissioner telling us that, amongst other things, General Madondo's position at Crime Intelligence, all is above board.

ADV SEGEELS-NCUBE: Well, you do not say that you said

the allegations made against Major General Khumalo. I think you mean Lieutenant General Khumalo. Major General Khumalo is Mbuso Khumalo.

MR ADAMS MP: Yes, I am wrong there, sorry.

ADV SEGEELS-NCUBE: Okay.

MR ADAMS MP: And I think also one of the allegations, one of the things that I am thinking, was about his first security clearance, which Brigadier Hlungweni says is a fraudulent thing. I think I raised that in that, I know I raised
10 it in Portfolio, and I think it was that meeting. So I am sorry, I did get this. This is supposed to be Lieutenant General as well. Sorry about that.

ADV SEGEELS-NCUBE: Okay. So there is two processes now that you want the Minister to undertake. The one is about your dockets being intercepted, and then the second one is I do not want my dockets to be investigated by SAPS, it must be investigated by an independent body.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: So your criminal cases must go
20 outside of SAPS. On what basis?

MR ADAMS MP: I am, at that stage, believe that my documents are being taken.

ADV SEGEELS-NCUBE: But you have not given documents yet.

MR ADAMS MP: No, the dockets, the case dockets.

ADV SEGEELS-NCUBE: Okay, the dockets.

MR ADAMS MP: Sorry, not documents, sorry.

ADV SEGEELS-NCUBE: Okay. So you believe your dockets have been taken at that stage.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: But you have complained to the Minister and he is busy with an investigation. He has not come back to you yet and told you the outcome of that investigation.

10 **MR ADAMS MP:** But at that stage I am not aware of an investigation.

ADV SEGEELS-NCUBE: No.

ADV BALOYI SC: But you must be aware because on the exchange with Ms Ncube, you see there are calls between you and Colonel Phillips. So you are talking and you are making appointments which you do not honour. So between the 1st and the 10th of November, you do become aware that an investigation is happening or at least an attempt is being made to sit down with you about those dockets.

20 **MR ADAMS MP:** Just to clarify, Colonel Phillips never told me that he was from the National Office. He never told me that he was coming from the Office of Lieutenant General Jacobs. And maybe it is not, maybe he did not need to. I am under the impression that he is with Western Cape SAPS. I am also under the impression that Western Cape

SAPS are the people that came to confiscate my dockets. This is why I am saying I am not aware of the investigation from National.

ADV BALOYI SC: Ja, you may not have been aware that it is National that is doing the investigation, but you are aware an investigation is happening. You suspect that Colonel Phillips is from the Western Cape. That is not the point. The point is you do become aware after the 1st of November, or from the 1st of November, you do become
10 aware that there is an investigation because you have referred to the matter for investigation.

And yet on the 10th, in fact in that intervening period, you are the reason that no meeting happens because you are unavailable. You say, I am unavailable, I will come back to you. So you are the one that is causing that there is a delay in a sit-down with you. And yet on the 10th, you now want an independent body or investigator to investigate, when you know there is an investigation.

MR ADAMS MP: Commissioner, thank you. Commissioner,
20 I understand that I am the one that muddied the water. I have got the paperwork in front of me. I understand and I accept that I am the one that muddied the water. But when Colonel Phillips calls me, I am under the impression this is part of a cover-up and this is why I do not speak to him. This is why I brush him off. I do not deny it. I do not. And

my faith in the process was if I email the Minister, or if I put enough pressure on, and I was going to take this to Parliament itself, then things will happen. But I promise you now as I sit here, I had no idea that the National Office of the Directorate was investigating. I thought it was a Western Cape thing. I thought that the Western Cape office had taken, the provincial office had taken my dockets. I thought this was just going to be part of the cover-up.

ADV BALOYI SC: Thank you, Ms Ncube.

- 10 **CHAIRPERSON:** No, no, no. That cannot be. It simply cannot be. You complained to the Minister on the 1st of November. The very following day you were called by Colonel Phillips. Surely in your mind it must trigger the idea that I complained yesterday. There is immediate movement. Look at the first entry under the comments. Colonel Phillips has written there that he did an introduction and explained the purpose of the call. No, you are not being truthful, Mr Adams. You are not. Bear in mind that the very previous day you have complained to the Minister.
- 20 Why is it that you cannot think, oh, there is immediate movement? The Minister is moving on this. No, you are not being truthful. No, no, no.

MR ADAMS MP: If I may respond, Chairperson. Colonel Phillips introduced himself to me as Lieutenant Colonel Phillips from what is the department?

ADV SEGEELS-NCUBE: Inspectorate.

CHAIRPERSON: Inspectorate.

MR ADAMS MP: Which my understanding is service delivery related. Now, my issue was I did not know that the Minister had involved them because I am thinking to myself, and I have said it, I have said it loud in Parliament, I have said it in the Portfolio, I did not lay a service delivery complaint. This is why I was not expecting this. And I thought this was just a way to butter me up. And I
10 understand today that my perception was hundred percent wrong. But I did not lay, I did not know that the Minister had laid a service delivery complaint.

I was not aware of that. And there was no communication from the Minister's office to me to say that we have laid a complaint with the Inspectorate, perhaps you should take the call. Well, not perhaps you should take the call. They did not inform me of this. So I was just giving this man the brush off, thinking that we will get to the bottom of this.

20 **CHAIRPERSON:** But he says he explained the purpose of the call. He would either be lying or would have told you a wrong purpose of the call. He says he explained the purpose of the call. Look at that entry. So what other purpose could he have stated, other than the purpose which related exactly to what you had raised with the Minister?

What other purpose could he have raised? It is on that basis that I am saying you are not being truthful, Mr Adams.

MR ADAMS MP: Chairperson, I understand what you are saying. Please understand when I tell you I was fearful of a cover-up and I did not want to meet with this man. That is all.

CHAIRPERSON: Did he or did he not explain the purpose of the call?

MR ADAMS MP: He called me.

10 **CHAIRPERSON:** Did he or did he not? Look at that entry.

MR ADAMS MP: Which page is that?

CHAIRPERSON: 3856.

MR ADAMS MP: I cannot see, the light...

CHAIRPERSON: 3856.

MR ADAMS MP: Thank you. Same file?

CHAIRPERSON: It is a file...

ADV SEGEELS-NCUBE: 9B.

MR ADAMS MP: Was it 9B?

ADV SEGEELS-NCUBE: 9B.

20 **MR ADAMS MP:** Can I move this thing forward? Thank you because I cannot see. There was an introduction.

CHAIRPERSON: And then purpose of call and request for interview. Did he or did he not explain the purpose of the call?

MR ADAMS MP: Chairperson, he called me. He

introduced himself. He told me that he was going to investigate the dockets. I, and I tell you this, I thought he was from Western Cape SAPS and he requested the interview and I thought to myself, well, I did not even think to myself again. I consulted my friend, we spoke, he told me I would suggest you do not. I felt I should not. I am not even going to lay that ...[intervenes]

CHAIRPERSON: No, no, no, please. Can you please? We do not have all the time in the world. When I ask you a
10 question, please answer the question directly. Did he or did he not explain ...[intervenes]

MR ADAMS MP: He did.

CHAIRPERSON: ...the purpose of the call?

MR ADAMS MP: He did.

CHAIRPERSON: He did.

MR ADAMS MP: He did.

CHAIRPERSON: What purpose did he tell you the call was about? What purpose?

MR ADAMS MP: He said he was calling...

20 **CHAIRPERSON:** Briefly, please do not stray off onto anything else.

MR ADAMS MP: He said he was calling to investigate the docket complaint that I made.

CHAIRPERSON: The docket what?

MR ADAMS MP: The dockets that were removed. He was

calling to investigate that.

CHAIRPERSON: So to you he spoke about dockets that had been removed?

MR ADAMS MP: Yes.

CHAIRPERSON: Removed from where?

MR ADAMS MP: From Grand Central SAPS. That was the purpose of the call.

CHAIRPERSON: Dockets that had been removed? That sounds very strange in the context of what was happening
10 for him to have said that. I find it difficult to follow what you mean by that.

MR ADAMS MP: I cannot quote him verbatim. Oh, your light is on, sir.

CHAIRPERSON: Sorry?

MR ADAMS MP: Your light is on, sir. I am assuming you are still talking.

CHAIRPERSON: We always keep the lights on. Please, we are not about to change that. Okay, I am done now. Please speak. I am not going to switch off my light. I am
20 done now. Please speak.

MR ADAMS MP: No, I am not asking that you switch off.

I am just saying that I keep interrupting you.

CHAIRPERSON: Okay. All right. Please go on.

MR ADAMS MP: I cannot quote you verbatim what he said, but he told me that he was here to investigate the dockets

that I had alleged had gone missing. That was the conversation. It was not a long conversation, but that was the conversation. I just felt that I should not touch it.

CHAIRPERSON: And why did you not relate that to the Minister? Because you now say, he said, the dockets that you had complained had been removed. Why did you not relate that to the very complaint, underlying complaint, which you yourself referred to? Why did you not relate that to the complaint that you had laid only the previous day with
10 the Minister?

MR ADAMS MP: I do not have a reason, Chairperson. I did not. I should have. I did not and I should have.

CHAIRPERSON: That takes us back to the point made by Commissioner Baloyi about you not taking up an offer of assistance.

MR ADAMS MP: [No answer]

CHAIRPERSON: Yes, Ms Segeels-Ncube?

ADV SEGEELS-NCUBE: And, in fact, Mr Adams, we dealt with it. On the 3rd of November, in that same schedule, the
20 fifth block, at 17.11 to 19.21, WhatsApp messages between Mr Adams and Colonel Philip. The second paragraph:

“Request from Mr Adams for letter from
Minister to SAPS, image of email received
sent to Mr Adams.”

So there was an engagement as to you were either

questioning why he is investigating it, which would have been a legitimate request, or he was telling you, I have been asked to investigate this, it is a request that comes from the Minister, and you requested that letter that the Minister had sent to SAPS. And according to him, he sent it to you, he sent an image of it, and you told us that you do not dispute anything in the schedule.

MR ADAMS MP: I did confirm that, did one of the Commissioners speak? I did confirm that I asked him for a
10 letter.

ADV SEGEELS-NCUBE: And you did get it, an image.

MR ADAMS MP: When you say that this might have been, I need to check, he probably would have sent it. So ja, I am going to concede that, I am not going to dispute that. And I said earlier, I said earlier just going through my memory bank, that some of these things just pop up, yes it happened, yes it happened, some of the things I do not think I am familiar with, however, I am not going to call this man a liar because of what I cannot remember.

20 **ADV SEGEELS-NCUBE:** Because he is not lying. He sent it to you, we could understand if you were concerned about why he is investigating, but now by the 3rd, that is resolved. He is even sent you, the Minister, the Office of the Minister's request to SAPS to investigate it. So let us not go back to that. Now the question is, on the 10th of

November, you say to the Minister, I want my dockets to be investigated by an independent body.

I asked you, at that stage you did not yet know the outcome of the process that you initiated on the 1st of November. So now you are asking the Minister for something else when you do not even know what is the outcome of the first investigation. Or did you already know what the outcome of the first investigation was?

MR ADAMS MP: I had no idea about that, it was not
10 related to me.

ADV SEGEELS-NCUBE: Okay. So when you are asking the Minister now for this investigation, you say it is because of the answers that were given by General Masemola at the Portfolio Committee.

MR ADAMS MP: Yes ma'am.

ADV SEGEELS-NCUBE: About General Madondo.

MR ADAMS MP: I think it was General Madondo and General Khumalo.

ADV SEGEELS-NCUBE: So you want your dockets now to
20 be investigated not by SAPS. You are asking the Minister of Police not to have your criminal cases investigated by SAPS. You want it investigated, he must have it investigated by someone else.

MR ADAMS MP: I am asking for help, yes.

ADV SEGEELS-NCUBE: But on what basis do you ask him

for such a request? You are a complainant, you have already used your proximity to the Minister to get this investigation about your unfounded allegations of missing dockets, that is being investigated. And now you are saying, in fact, I do not even want my actual criminal cases investigated by SAPS, somebody else must investigate it. And you as the Minister must facilitate that.

MR ADAMS MP: I would not say I said that, but what I am asking, I am asking if this thing can be taken outside of the
10 SAPS. And even as I sit here, knowing what I know now, my actions may not have been justified. I am not here to deny that. I am looking at everything that is before me. Understand, the outcome of this investigation was not relayed to me. It was not relayed to me. So when I am emailing the Minister right here, I do not know about it. I do not know that General Jacobs' office is involved in this. I do not know these things.

ADV SEGEELS-NCUBE: Were you ever informed of the outcome of your complaint?

20 **MR ADAMS MP:** It was brought up in the Police Portfolio much later, I will not say much later, but a little bit later.

ADV SEGEELS-NCUBE: Still in November?

MR ADAMS MP: Can I not commit on a date? I am going to lie to you.

ADV SEGEELS-NCUBE: Okay. Was it before or after you

went to IDAC?

MR ADAMS MP: It might well have been before. I cannot tell you. I cannot tell you.

ADV SEGEELS-NCUBE: I suspect that it was before.

MR ADAMS MP: It might well have been, yes.

ADV SEGEELS-NCUBE: Because that is why you go to IDAC, because you are not happy with the outcome of an investigation that you initially asked the Minister to initiate into your allegations, where the Inspectorate now says that
10 actually, according to their assessment of your cases, there is no merit to these cases, right? You are not happy with that, that is on the 20th of November. The report is on the 20th of November. You are not happy with that, so on the 21st of November, there is a section 27 affidavit with IDAC, referral with IDAC.

MR ADAMS MP: So I have asked the Minister for assistance. The Minister has referred the matter to IDAC. That is how I end up there. It is not that I was not happy with the issue. If the Minister was unhappy with the
20 outcome of the report, he only needed to say to me. He did not. There was no communication between myself and the Minister about that. So for me, I am understanding what you are saying, and I am looking at the confusion, and I am saying to myself, this is a headache.

ADV KHUMALO SC: What I would like Mr Adams to do, is

to tell us how he ends up communicating with IDAC, as opposed to it being put to him that he went on a certain date, because it is still not clear to me how he ends up communicating with IDAC.

ADV SEGEELS-NCUBE: Correct.

ADV KHUMALO SC: And I would like to hear from him.

ADV SEGEELS-NCUBE: Yes.

MR ADAMS MP: The Minister's office, I think it was Mr Nkabinde again, sent us an e-mail or copied us in on an e-mail where they are referring this issue to the IDAC.

ADV KHUMALO SC: You got to know from Mr Nkabinde that the Minister's office is referring the matter to IDAC.

MR ADAMS MP: I think it was Mr Nkabinde that sent the e-mail, but we are copying it on the e-mail. And that is how my conversation with IDAC begins.

ADV KHUMALO SC: And can you flag that letter? We saw it in MK15. I think it is 10, MK16. Page 310. It is a letter dated 11 November 2024. It is written of the MK. Ja.

ADV SEGEELS-NCUBE: It is 4004 of your bundle 9B.

20 **MR ADAMS MP**: 9B.

ADV KHUMALO SC: Ms Ncube, can you run with it from here?

MR ADAMS MP: 4004.

ADV SEGEELS-NCUBE: Yes. Do you have it?

MR ADAMS MP: I have it. Thank you.

ADV SEGEELS-NCUBE: That is the referral request.

“Attached hereto please find for ease of reference a copy of written correspondence addressed to the Minister by a Member of Parliament, Honourable Fadiel Adams. The allegations contained therein implicate very serious senior members of SAPS and are viewed in a serious light in case dockets were
10 registered for the following...”

And then it gives your Langlaagte and Orlando dockets.

And then it says:

“Due to the nature of the allegations made by the Honourable Fadiel Adams, which is deemed to be quite sensitive and which contains allegations of criminal misconduct, this office requests the Investigating Director to consider investigating the same. Honourable
20 Fadiel Adams was advised by this office to await your decision in this regard.”

And it is signed by Mr Nkabinde, 11-11-2024. Is that the letter that you say you received?

MR ADAMS MP: This is the letter that I received.

ADV SEGEELS-NCUBE: Okay. So you say the Minister is

the one that, the Minister's office...

MR ADAMS MP: The Minister's office referred me to IDAC.

ADV SEGEELS-NCUBE: And then what was your involvement? When did you get involved?

MR ADAMS MP: I could not even tell you if it was the same day or the next day. I googled IDAC. I called their office and I said the Minister's referred a complaint and the person I spoke to said to me, no, if the Minister has referred, you can be assured that we will call you back. But
10 I do not have a reference. You have not given me a reference number or nothing. So I do not know how to act. But rest assured, sir, that if indeed the Minister has referred this, we will get back to you. And they duly did.

ADV BALOYI SC: Can I just check, looking at the dates, your letter of the 10th and Mr Nkabinde's letter of the 11th, he must have acknowledged and told you that he is referring to IDAC and he is referred to IDAC and you must now wait for their decision. He must have told you that.

MR ADAMS MP: I do not...

20 **ADV BALOYI SC:** He responded to you.

MR ADAMS MP: I do not recall him telling me he is referring to IDAC. I know I received this. I can check.

ADV BALOYI SC: No, I am talking even before you received this letter. Because in that page 4005, he says:

“Honourable Adams was advised by this

office to await your decision in this regard.”

And so I am saying that line means that after he received your complaint, he told you that we are referring to IDAC and you must wait for their response. Otherwise, that line...

MR ADAMS MP: I actually do not... Sorry, sorry, Commissioner. I do not recall receiving such correspondence, Commissioner. I cannot recall, unless he is advising me in this email by copying me in on it, but I do
10 not recall an email from him saying we are referring the matter to the IDAC. I do not recall that.

ADV BALOYI SC: You do not discount it. What do you mean when you say I do not recall? Are you saying he is incorrect to say that, that you were advised to await the decision of IDAC?

MR ADAMS MP: I would not say it is incorrect. I am saying that he may have sent such an email, but I do not think so. I may be wrong.

ADV BALOYI SC: Okay.

20 **ADV KHUMALO SC:** I thought you said this letter was an attachment to an email sent to you.

MR ADAMS MP: No, I am copied in on this email.

ADV KHUMALO SC: No, no, this is a letter. Where is the email that you say you are copied in on?

MR ADAMS MP: I can provide it to the Commission.

ADV KHUMALO SC: Yes.

MR ADAMS MP: I can.

ADV KHUMALO SC: But the point is this, that this letter that we are looking at was an attachment. You got it by way of an email.

MR ADAMS MP: Yes.

ADV KHUMALO SC: And there was an email where Mr Nkabinde would have said something to you.

MR ADAMS MP: I am trying to think. Like I told
10 Commissioner Baloyi now, I actually do not remember such correspondence. All of this was printed by my office, my back office, but I can call him lunchtime and ask him, guys, is there anything like that?

ADV KHUMALO SC: But it is safe to assume that if somebody is attaching a letter to an email, then the body of the email would refer to the contents of the letter.

MR ADAMS MP: That is correct.

ADV KHUMALO SC: Yes.

MR ADAMS MP: Yes.

20 **ADV SEGEELS-NCUBE:** Mr Adams, I really cannot keep up with the various versions that you are giving. Then there is also the complication of the version that you gave to Ad Hoc regarding this. Can I take you to 4049 of 9B? It is the transcript. Do you have it?

MR ADAMS MP: I do.

ADV SEGEELS-NCUBE: 4049, the last paragraph. This is you, Mr Adams.

“General Lincoln said to me that if this is what they have done, they are going to cover this thing up. I asked him, General, what do we do? He said, you walk away. I said, why? He said, because people are going to die before this thing goes to court. I said, General, are you serious? He said, hundred percent. I said, I am not going to walk away, and I am certainly not scared of death. What do I do? He said, son, you open this docket. You open these dockets, these case is in another province. Let us see what happens. I flew to Johannesburg, and I opened the case, the same cases at Orlando and Langlaagte police stations. But when I was there, I waited. I made it clear I was not going to leave until I received my case numbers, because I wanted this thing registered. Once that was done, the very next day, I emailed the Minister, the suspended Minister Mchunu, and I said to the Minister that my

dockets have been irregularly collected here in Cape Town, because I am complaining to the Minister. I did not know what course of action the Minister would take, but I did demand from the Minister that someone outside the SAPS investigate this case. General Lincoln gave me a telephone number for the IDAC, which I contacted. I cannot
10 remember who I spoke to, but I was contacted by Brigadier Perumal, and not the very next day, or maybe the day after that, by the IGI of Intelligence, Mr Imtiaz Fazel. He asked me about the case I had made.”

Now, where does General Lincoln now come into this? Because you say, here you do not mention that the Office of the Minister referred the matter to IDAC and copied you in in that email, which you have just told us now, and you said
20 you googled IDAC independently. But here, General Lincoln is the one that gave you the number for IDAC, and it seems that you decided to go to IDAC without the Minister having referred anything, or you having knowledge of the Minister referring to IDAC.

MR ADAMS MP: I did not know who IDAC was before I

received that. I can tell you that, even as a Member of Parliament, IDAC does not report to my portfolio. They report to Justice. I have never heard of them. So, when I received ...[intervenes]

ADV SEGEELS-NCUBE: No, you did hear of them. You got it from General Lincoln, according to what you told Ad Hoc.

MR ADAMS MP: No, no, what I am saying is, that before this referral, I would not say I did not know who they were.
10 I am saying I was not familiar with IDAC, I was not familiar with their mandate, the terms of reference, their powers, none of that. General Lincoln did give me the number.

ADV SEGEELS-NCUBE: You did not google it?

MR ADAMS MP: No, no, no. What I am saying is, the number he gave me did not work, it went straight dead. Then I googled it and if I can, I will even check during the lunch to see if the number that he gave me, there is a number for IDAC that does not work. There is one. I googled the number that works. That is what happened
20 there.

ADV SEGEELS-NCUBE: You have not even mentioned General Lincoln giving you the number, if the number that he gave you did not work. What is the relevance of that?

MR ADAMS MP: Please remember that I am telling all of this for the Ad Hoc Committee from memory.

ADV SEGEELS-NCUBE: This is you being asked questions.

MR ADAMS MP: Yes, but what I am saying is, as I am answering, I am answering off the spot, and sometimes I do not get the small details right. This is what happens sometimes. I am sure I did it yesterday, I am sure I am doing it today, I will do it tomorrow as well.

ADV SEGEELS-NCUBE: Okay.

MR ADAMS MP: This is what happens sometimes.

10 **ADV SEGEELS-NCUBE:** Okay. So you get the number, an incorrect number, from General Lincoln. So you are the one that speaks to Mr Perumal?

MR ADAMS MP: No, I do not speak to Mr Perumal. I am told that where is, can you give us a reference number? I said, I do not have one. They say, if the Minister has referred you, someone is going to call you. And then I get contacted by Brigadier, tsk, by Chief Investigator Perumal.

ADV SEGEELS-NCUBE: Yes, that is what I was saying, you spoke to ...[intervenes]

20 **MR ADAMS MP:** Yes, I spoke to him like that.

ADV SEGEELS-NCUBE: Okay. So at which stage now, because in your Ad Hoc evidence, you do not mention the Minister's referral. You just say:

“I did not know what course of action the
Minister would take, but I did demand

from the Minister that someone outside of the SAPS investigate this case. General Lincoln gave me a telephone number for the IDAC, which I contacted.”

So at which stage, so the Minister, so now you know, or your evidence, we are missing that part, that you knew when you contacted IDAC that the Minister had also referred it to IDAC.

MR ADAMS MP: Yes, ma'am, with respect, the Ad Hoc
10 Committee is not as specific in its questioning. I was only asked the question that was being asked, answering the question that was being asked of me here. I mean, at the level of intensity, you cannot compare the two.

ADV SEGEELS-NCUBE: Okay, I accept that. But when you then, so now your call to IDAC, you do it because you were copied in on an email by the Minister's office, referring it to IDAC.

MR ADAMS MP: Yes, ma'am.

ADV SEGEELS-NCUBE: Okay, but does not the email say
20 that they must contact you, you initiate then?

MR ADAMS MP: Yes, ma'am, the email says they must contact me, but like I have demonstrated maybe ten times over the last day and a half, I am always in a hurry with this type of thing. So I made the first approach. I did not speak to anyone of relevance, and I was contacted. I think it was

the next day. I say in my affidavit the next day, I think it was the next day.

ADV SEGEELS-NCUBE: Okay, you then speak to Mr Perumal. And what happens thereafter? What are the arrangements?

MR ADAMS MP: Mr Perumal calls me and explains to me that as the IDAC, they work on section 27 referral and told me that if they do not have that, then they cannot work. They cannot investigate. I then, and here I do not have a
10 date. I have not even an idea. Mr Perumal told me that he would be in Cape Town in the very near future and asked if we could meet. And he asked if we could meet.

And because I was on my travels on that day, I think I was on my travels that day, and he was staying at the City Lodge Hotel, he asked me if we could meet for breakfast. I told him it was too early to eat for me, but we could meet. We sat down. I gave him the bare essentials of the case. He asked me where the documents were. I said it is in my office at Parliament.

20 He asked me, why is it in your office at Parliament? And I explained to him, I will hand you those documents in your office or at the NPA's office because I do not know where you are. That is what happened.

ADV SEGEELS-NCUBE: And you cannot recall the exact date when that happened?

MR ADAMS MP: I could not if I tried. I think Mr Perumal might be able to give an idea because they were at the Lodge Hotel right by the airport. It should be very easy to confirm.

ADV SEGEELS-NCUBE: Who did you meet with?

MR ADAMS MP: I met with Chief Inspector Perumal and Mr Brian Padayachee was at the hotel. He introduced himself, but he was not part of the meeting.

ADV SEGEELS-NCUBE: Okay. So it is the three of you
10 and the arrangement then is you are going to give the documents to them.

MR ADAMS MP: The arrangement was that we would meet at a later date. I would meet with an Advocate or an Advocate. My A1s would be commissioned and I would hand over the evidence when I was comfortable that they were in fact who they said they were.

ADV SEGEELS-NCUBE: And do you recall how long after that meeting did you then meet with them at the second meeting?

20 **MR ADAMS MP:** It was not too very long. Two and a half, three weeks maybe, I think. I did not write these things down, Advocate. At the time it was just a meeting, you know what I mean?

ADV SEGEELS-NCUBE: Was it still in November?

MR ADAMS MP: I think it was.

ADV SEGEELS-NCUBE: Okay. And what happened at that meeting?

MR ADAMS MP: Oh, the second meeting. No, the second meeting was on the 6th of December.

ADV KHUMALO SC: Yes, that is also what I understood, that the second meeting is for the A1s.

MR ADAMS MP: Ja.

ADV SEGEELS-NCUBE: The second meeting is in 2025.

MR ADAMS MP: No. No. I have got my dates mixed up
10 completely here.

ADV SEGEELS-NCUBE: Yes, you do.

MR ADAMS MP: But the second meeting, the second time I see Mr Perumal is on the same day when I meet Advocate Ramsamy and Mr Raphesu.

ADV SEGEELS-NCUBE: So that would have been not three weeks later, that would have been the new year, 2025.

MR ADAMS MP: Was it that late?

ADV SEGEELS-NCUBE: 6th January 2025.

20 **MR ADAMS MP:** Was it that late? Oh, well, that is the date. That is the date.

ADV KHUMALO SC: Can we maybe just try to understand this? Perumal contacts you, Chief Perumal. You then have a discussion with him. Can you just give us clarity on your first written submission to IDAC? Your referral now, not the

Minister's letter. Your referral to IDAC. When does that happen?

MR ADAMS MP: That referral date will be on the referral. I cannot even think when that, I have not seen that referral since I gave it to them.

ADV KHUMALO SC: But it was in November 2024.

MR ADAMS MP: I think it was.

ADV KHUMALO SC: Yes.

MR ADAMS MP: I think that is the day I gave him the
10 referral when it was at the City Lodge. Yes, because he explained to me, we cannot move if we do not have a referral. I said, I will give it to you when I see you. There, there we go. Yes, that was inconvenient.

ADV KHUMALO SC: So your first meeting with them was when you gave them your referral affidavit?

MR ADAMS MP: Yes, sir. That was part of the meeting. And it was not them. You know, the second time I saw Padayachee was here, because he introduced himself that day and I think he had someone else he seeing, he was
20 going to. I sat with Chief Perumal.

ADV KHUMALO SC: Just focus on the day of the referral affidavit. So who drafted it for you? Was it already prepared by you?

MR ADAMS MP: Yes, sir.

ADV KHUMALO SC: And you gave it to them?

MR ADAMS MP: Yes, sir.

ADV KHUMALO SC: And that would have been in November 2024?

MR ADAMS MP: On the date that it is signed.

ADV KHUMALO SC: Yes, because the next meeting when you meet with them, they had already told you that there will be a follow-up meeting for your A1 statement.

MR ADAMS MP: Yes, sir. And also in the envelope was my referral and I think this may explain something along the
10 way. I also included this email, this from the Minister, that was on the screen now, to the Investigating Director. There was three pages in, I gave them three pages. There was that document and this document was in there.

ADV KHUMALO SC: Yes. And I think at some point when Advocate Ncube engages you, we will need you to identify the document that you say was your referral to IDAC but you will be engaged by the evidence leader.

MR ADAMS MP: Hundred percent.

ADV BALOYI SC: Can I just understand how many
20 meetings you had? We know in January of 25 you have a meeting with Mr Padayachee, no, Mr Raphesu and Perumal and Advocate Ramsamy. That is in January 2025. In November, who do you meet with before you sign off your section 27 referral? I think it is dated the 21st of November. Who do you meet with before you do that document?

MR ADAMS MP: On my first meeting I met with Brian Perumal.

ADV SEGEELS-NCUBE: Just him?

MR ADAMS MP: No, and Mr Padayachee was also there but he only introduced himself and left.

ADV BALOYI SC: This is when?

MR ADAMS MP: That is the first meeting, that is on the day of the section 27.

ADV BALOYI SC: In November?

10 **MR ADAMS MP:** In November. My second meeting is I meet the whole team, the investigating team, the Advocate, Mr Raphesu, Mr Padayachee. Not Mr Padayachee, Mr Perumal, Mr Padayachee was not at that meeting.

ADV BALOYI SC: Okay, thank you.

ADV SEGEELS-NCUBE: Okay. So, how do you know that you need to prepare section 27 affidavit?

MR ADAMS MP: When Chief Padayachee called me...

ADV SEGEELS-NCUBE: Perumal.

20 **MR ADAMS MP:** Agh, Perumal called me. He explained to me the process. He said to me that we as IDAC cannot move without a section 27 referral. So, when I met with him, I was a little bit confused because according to my understanding, even this letter was a section 27 referral. I even typed out my own one and I included this in the envelope as well and I said, here you are, there is your

section 27.

ADV SEGEELS-NCUBE: The section 27 that you prepared, was it an affidavit or a letter?

MR ADAMS MP: It was an affidavit.

ADV SEGEELS-NCUBE: Okay. And where did you have it Commissioned?

MR ADAMS MP: I had it commissioned, it would have either been at my office or at the house of the councillor that did it because we are in each other's space all the
10 time. I cannot say for sure.

ADV SEGEELS-NCUBE: And who is that councillor?

MR ADAMS MP: It is Councillor Felicia Solomons.

ADV SEGEELS-NCUBE: Okay. And do you recall what was contained in that, the allegations that were contained in that section 27?

MR ADAMS MP: I mentioned various things in there and I do not think I would be able to tell you all of them off the cuff. It is 18 months ago. It is not the easiest thing in the world.

20 **ADV SEGEELS-NCUBE:** Do you recall if you mentioned the forklift?

MR ADAMS MP: I think I would have.

ADV SEGEELS-NCUBE: You would have?

MR ADAMS MP: I would have.

ADV SEGEELS-NCUBE: Because it was one of the

important cases that you had. Would you have mentioned the PKTT?

MR ADAMS MP: Yes, I did.

ADV SEGEELS-NCUBE: You definitely mentioned it.

MR ADAMS MP: I mentioned the PKTT.

ADV SEGEELS-NCUBE: Okay. And what about the PKTT did you mention in there?

MR ADAMS MP: I think I speak of the, and this is also, this is information that I cannot disclose the source, it was
10 not Andre Lincoln. The person spoke to me and said to me, there is so many things going wrong in the PKTT with regard to promotions. So that is one of the things I said. I think I might have said other things also, if I am remembering it, if I am remembering it correctly.

ADV KHUMALO SC: Did you also mention the use of Cimonies to purchase or book hotels for the PKTT?

MR ADAMS MP: I think it is one of my complaints, Commissioner.

ADV KHUMALO SC: Yes.

20 **MR ADAMS MP:** If I put it in there, I would need to have a look at it and just remind myself. It is a long time ago.

ADV SEGEELS-NCUBE: I just want to take you to the presentation that Chief Perumal did where he seems to summarise what was in your section 27 affidavit and then you can tell us whether that rings a bell.

MR ADAMS MP: I am just a little cautious here, Commissioners. I have laid a case against these people. There is an investigation underway. Maybe you must guide me as to where and when because I do not want to jeopardise this case. So you must just assist me with this, please. I did not come with a lawyer because I do not feel I need one. I am turning to your expertise here.

ADV KHUMALO SC: Ms Ncube, subject to what you have to say, the Raphesu commissioned affidavits, because
10 those are his, he cannot say I have laid a case. Will those not deal with the same issue, instead of the IDAC presentation? Subject to what you have to say.

MR ADAMS MP: Commissioners? Advocate, rather...

CHAIRPERSON: Why do you not please continue with how you were doing it initially, asking specifically about his recollection of his own referral affidavit. For example, you said, did you say anything about the forklift there? Mr Adams said yes. Anything about the PKTT? Yes. Please go through it. And again, the focus being Mr Adams' own
20 referral affidavit.

ADV SEGEELS-NCUBE: His recollection.

CHAIRPERSON: And then we can move on to something else.

ADV SEGEELS-NCUBE: Thank you, Chair.

MR ADAMS MP: Just Advocate, I was trying to get your

attention earlier, but I did not want to interrupt the Commissioners. Can I request a 60-second toilet break, please? I just need to, this water's not helping me.

CHAIRPERSON: Then in that case, let us take the lunch adjournment. Let us resume at 2 p.m.

MR ADAMS MP: Thank you, thank you.

CHAIRPERSON: Let us adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

- 10 **ADV SEGEELS-NCUBE:** Thank you, Chair. Chair, during the lunch adjournment Mr Adams and I had a discussion about the way forward on his testimony given that he has not completed the recording, listening to the recording and it is, I must say in fairness to him, you would have to know how far to skip forward and all of that, and if you are listening to it for the first time, you would be wary to skip, because you do not know if you are missing something. So he does need more time to listen to the recording and to consult with his attorney on certain aspects, especially the
- 20 aspects that we need to cover now dealing with the section 27 referral and how that impacts on the criminal case against IDAC and IDAC officials that have been laid by him. We have agreed, subject to the Commissioners' approval, that we adjourn now and reconvene tomorrow. I foresee that we, on condition that Mr Adams practice some brevity

on his part, that we would be finished by tea time, which would include the recordings. We do not have that many clips to play and they are not lengthy. He may have some, but I suspect it will not be lengthy either. He will tell us what it is this evening or later this afternoon. We will prepare the clippings and then we will be finished by tea tomorrow with his evidence, Chair.

CHAIRPERSON: And how does this impact on tomorrow's witness?

10 **ADV SELLO SC:** Chair, if they keep to the time allotted, which is by tea time, it would mean that that witness then, the scheduled witness starts at half past 11 tomorrow and on the current planning they should be done by 4 p.m. in the normal course. Thank you, Chair.

CHAIRPERSON: So what you are telling us is everything that is going to be covered with Mr Adams is impacted by the issues you are telling us about.

ADV SEGEELS-NCUBE: Yes.

CHAIRPERSON: There is nothing beyond those issues
20 ...[intervenes].

ADV SEGEELS-NCUBE: Yes, Chair ...[intervenes].

CHAIRPERSON: Which can still be dealt with today?

ADV SEGEELS-NCUBE: That is correct, Chair. So the section 27 and the affidavit, supplementaries and A1's is dealt with in that recording where they talk about the

supplementaries, so what we want to do is when we play our clip, we want to present those affidavits so you can see that what is being dictated is what we say are the affidavits and then for Mr Adams of course to take whatever he wants to include from the recordings. So that is really all that is left under section 27.

CHAIRPERSON: Mr Adams, you confirm that that is the arrangement?

MR ADAMS MP: That is the best I could get out of those
10 two, Commissioner. Thank you.

CHAIRPERSON: Thank you. Let us, oh, you want to say something?

ADV SEGEELS-NCUBE: Sorry, Chair. Yes, Chair, just before you adjourn, it is also just to say to Mr Adams that we would request details of the criminal case that he has lodged against IDAC so that it can assist us in dealing with whatever objections he may raise tomorrow, should he raise an objection on the basis of that criminal case. But we will discuss that with him off record.

20 **CHAIRPERSON:** Yes, you have no issues sharing that information?

MR ADAMS MP: I have absolutely none and I will give it to you as I walk into the building tomorrow morning.

CHAIRPERSON: Okay.

MR ADAMS MP: Thank you.

CHAIRPERSON: Okay, let us adjourn then and resume at 9:30 tomorrow morning.

INQUIRY POSTPONED TO 21 AUGUST 2026

INQUIRY ADJOURNS
