

**COMMISSION OF INQUIRY INTO STATE CAPTURE**  
**HELD AT**  
**CITY OF JOHANNESBURG OLD COUNCIL CHAMBER**  
**158 CIVIC BOULEVARD, BRAAMFONTEIN**

**20 JULY 2020**

**DAY 235**



**Gauteng Transcribers**  
Recording & Transcriptions

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TRANSCRIBERS:

B KLINE; Y KLIEM; V FAASEN; D STANIFORTH



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**PROCEEDINGS RESUME ON 20 JULY 2020**

**CHAIRPERSON:** Good morning Mr Pretorius, good morning everybody.

**ADV PRETORIUS SC:** Good morning, morning Chair.

**CHAIRPERSON:** Morning. We -

**ADV PRETORIUS SC:** Chair I am sorry.

**CHAIRPERSON:** Yes you – you have a matter to deal with first.

**ADV PRETORIUS SC:** Yes you will recall last week Chair it  
10 was agreed that Mr Sikhakhane would address you briefly.

**CHAIRPERSON:** Yes.

**ADV PRETORIUS SC:** In regard to the evidence of the Ambassador.

**CHAIRPERSON:** Yes. Okay.

**ADV SIKHAKHANE SC:** Thank you Chair with your leave may I...

**CHAIRPERSON:** Yes.

**ADV SIKHAKHANE SC:** Pull this down?

**CHAIRPERSON:** Yes, yes thank you.

20 **ADV SIKHAKHANE SC:** Chair we are very grateful for the opportunity you gave us. We know your schedule is tight. I represent Mr Arthur Fraser but in order not to waste time I am also going to – what I am going to say for him applies to Mr Manzini so that there is – there is no difference.

**CHAIRPERSON:** Oh okay so you – you represent both?

**ADV SIKHAKHANE SC:** I represent both.

**CHAIRPERSON:** Okay.

**ADV SIKHAKHANE SC:** At this point for these points I am going to make today.

**CHAIRPERSON:** Okay. Okay.

**ADV SIKHAKHANE SC:** Chair the job is slightly easier now that me and my colleague Mr Pretorius have sort of resolved what set us apart. But the points that we wanted to put on record are the following:

10           Mr Fraser is probably the only witness – the only implicated person who has been accused of treason in these proceedings. As the Chair knows he is the former DG of State Security Agency and he never received on the 24 or – to 26 November last year 2019 when Mr Njenje came here implicated him, he never received any notice – 3.3 Notice.

As it applies now with Mr Maqetuka as well. And we make this point to record because a great deal of evidence was given which relates to serious, very serious matters.

20           Ordinarily Mr Fraser would have liked to die with the secrets he is going to have to disclose to this – to these proceedings but it is only because he has been accused of treason that he reluctantly comes here. And he comes here Chair to complete your picture of this thing called state capture. To complete it because what the Chair was told that at least from the Intelligence point of view which is not

something that ordinarily should be done at a place like this is this.

His evidence is going to be important because basically he is going to complete the picture for Chair about secrets of the states – of this state about who exactly is subverting our state. And he is going to complete the picture because unlike many other witnesses he is going to have to share the secrets with the Chair relating not just to those who were in the administrative arm of government he will  
10 have to complete this by doing something he reluctantly does to tell the Chair about things that relate to the President or the Presidents of this country past and present, that relates to the Judges, that relate to the Parliamentarians so those three arms because the Chair will have completed that when he knows what has been happening there.

As I said I have advised him not to because he signed an oath never to but he has been accused of treason now.

Chair we have agreed with Mr Pretorius that it is  
20 clear it is not denied that he was not served with Notice. The affidavit here tells you that what happened to him is that a certain number – in fact the affidavit says this from Patrick Mlambo. He says:  
“I was never asked to obtain Mr Fraser’s contact details in relation to the 3.3.”

So it is admitted by the commission at least the secretariat that he was never served with all of these serious accusations against him. The same applies to Mr Manzini.

And so they have curtailed the dispute because then what they did was to send the Rule 3.3 Notice not just to Mr Fraser's son's cell number but to Mr Fraser's son's wife cell number which Mr Fraser wants to talk about at some point because it tells you about what is happening behind the scenes that people would have his son's cell number and  
10 that is where they served him.

And when they say it was not intentional well recently this is another one sent to him where he works now. So the commission knows where he is but when it comes to these very serious accusations against him, they did not know. But they have just sent him things that relate to BOSASA where he is National Commissioner now.

And so what we would ask the Chair to rule on.

**CHAIRPERSON:** When I was about to say I am surprised why – why anything to be served on him would be sent to his  
20 son or whoever because is he not known to be at Correctional Services?

**ADV SIKHAKHANE SC:** Absolutely I think – I think that is why they said the worst thing than a spy is an inefficient spy. Whoever has the numbers whatever they do with the family numbers of the Frasers did not know which – which number

relates to Mr Fraser.

But I think that has been sorted out. What we would like the Chair to rule and I have raised this with my learned friend, I do not think he denies it and we thank him because he has curtailed the job a bit.

Is that we would like the time for Mr Fraser and Mr Manzini to file their statements in relation to Mr Njenje and in relation to Mr Maqetuka.

And as I have said because Mr Maqetuka's evidence  
10 is not complete we are told he was correcting it as he was going we would ask that for both of them there are days for reasonable matters run at the point when we receive the finalised affidavit of Mr Maqetuka from which point we will then file a statement with the items that I related to the Chair and then it is a separate process see whether we apply to cross-examine or call any witness. But we are not there yet.

We just think that is what we would like the Chair to rule. And most of the other disputes we would have raised are unnecessary because Mr Pretorius and I have tried to  
20 resolve them so that at least today we just get your ruling which makes it easier for both my clients to be able to file and assist this commission and probably their evidence will complete what this commission has to do.

Those are our submissions Chair.

**CHAIRPERSON:** No, no that is fine. It is always a pity if

Rule 3.3 Notices are not served at all or on time. I do not now pay attention as much as I used to when the commission started to whether Rule 3.3 Notices have been served because those who might have – who may remember when we were starting the first thing Counsel would deal with when before leading a witness would be to deal with 3.3 Notices so over time I thought that people would – the commission's people make sure that 3.3 Notices are served on time and when they are not served on time condonation  
10 application is made and so on.

I guess that in all probability most are served but still there are some that are not served timeously and so on. And whatever the commission has – has found out that it has not done well it should be big enough to apologise and try to do better in the future.

With regard to the filing of any affidavits by Mr Fraser and Mr Manzini I am aware that Mr Manzini sent an email towards the end of last week and requested an opportunity and I am under the impression that a letter – a response was  
20 sent to him on Friday to say that he must just calculate fourteen days from when he received the affidavit of Mr Maqetuka and then file his affidavit and apply for condonation is he files it outside fourteen days.

But the idea is simply to say where there may have been problems with 3.3 Notices there will be accommodation



– you know.

**ADV SIKHAKHANE SC:** Yes.

**CHAIRPERSON:** Probably. What I do not know Mr Sikhakhane is whether whatever is left off Mr Maqetuka's evidence whether it is likely to relate to your clients. Mr Pretorius might know better but from what I saw I was not sure that it would be so. But we – we can make an arrangement in terms of which the – the fourteen days runs from a date that one can determine now if there needs to be  
10 certainty about whether he might still include matters that relate to your clients.

**ADV SIKHAKHANE SC:** Well Chair two points which are my last points. So let me start with the last one. And one is that well if the Chair looks at the affidavit – I mean the evidence of Mr Maqetuka of Mr Njenje and Mr Mo Shaik the Chair will see that they tried to analyse different intelligence paradigms in the world and the country. And most of it I think will be complete when the other intelligence officers give you that. It may not relate to them but I think the  
20 version you are told about paradigms of intelligence on its own – I know many intelligence agencies are laughing at us that our intelligence officers are telling the world how weak and how strong we are but we are here now. So that is the first point

So it may help this commission to listen to the other

people who lee that environment.

**CHAIRPERSON:** Yes.

**ADV SIKHAKHANE SC:** Give you that.

**CHAIRPERSON:** No I certainly want to hear ja.

**ADV SIKHAKHANE SC:** The last point is this Chair. As I said Mr Fraser and Mr Manzini come here reluctantly to breach an oath they took that they would die with secrets of the state is that we are assume Chair that simply because the other three former leaders of intelligence have testified  
10 and laid bare things that relates to security my clients are also indemnified from breaching that oath because as I said when they talk about the PAN project the Chair will realise that the man who truly led that is Mr Fraser and because of the nature of what it is the legitimacy of it and what it does to the intelligence service is that he then has access to secrets that he otherwise should not share but he will and we assume Chair that because the other three have been allowed to deal with those secrets he is equally indemnified for doing so before the Chair because it is an important  
20 commission. But otherwise it is something ordinarily I have advised him not to do and he has felt no intelligence officer should do but there is no choice and we assume he will not be arrested for sharing those secrets with the Chair.

**CHAIRPERSON:** No thank you very much.

**ADV SIKHAKHANE SC:** Thank you Chair.

**CHAIRPERSON:** Let me hear what Mr Pretorius has to say. I just say that nobody has asked me to indemnify him from anything and I doubt that I have power to indemnify anybody. Thank you.

**ADV SIKHAKHANE SC:** Thank you Chair we thank you so much for the opportunity.

**CHAIRPERSON:** Thank you.

**ADV PRETORIUS SC:** Thank you Chair. Just very briefly.

**CHAIRPERSON:** Yes.

- 10 **ADV PRETORIUS SC:** The final affidavit of the witness, the Ambassador Maqetuka will also contain some corrections as emerged in evidence so it is probably fairer to the implicated persons that the fourteen days run from the time the evidence is complete.

Second point is that in defence of the secretariat and the investigators they go to extensive efforts under great pressure to obtain relevant addresses and correct addresses for implicated persons.

- 20 In this case as will appear in the affidavit which we should hand up to you because it is in the possession of the other party to which my learned friend referred the – the device to which the Rule 3.3 was sent was actually registered in the implicated person's name over quite a substantial period of time. What happened to it thereafter we will no doubt hear but that is the route of the confusion?

The third point great emphasis has been laid by my learned friend on the nature of the evidence given. It is – may be clear to us but it should be clear to the public as well Chair that however serious an allegation it does not constitute a finding or an approach of the commission unless and until you have heard all the evidence and made a finding.

And then lastly Chair the commission as we understand it is not in a position to give indemnities.

10 **CHAIRPERSON:** Okay thank you. So I – I do not think I need to make a ruling as such but I think that we will all accept that Mr Manzini and Mr Fraser's fourteen days will run from after they have received the supplementary affidavit or affidavits that relating to Mr Maqetuka that will be served on them.

**ADV PRETORIUS SC:** Yes Chair. Despite the adversarial nature of our relationship before you Chair we are colleagues and we are sorted out.

**CHAIRPERSON:** No, no that is fine. No thank you very  
20 much. Okay. Thank you. Those who wish to be excused are excused. Mr Notshe are you ready?

**ADV NOTSHE SC:** Chair we are ready to proceed.

**CHAIRPERSON:** Yes.

**ADV NOTSHE SC:** Chair today is the hearing of the evidence of Ms Nomvula Paula Mokonyane and the witness

is here to testify and Chair I will then after she has been sworn in and just take her through the file that we have and so that she can find her way when she is testifying through the file. And Chair before we even get there, I have spoken to the people who help us with the files and pagination we have agreed that this file which contains the evidence and the statements relating to Ms Mokonyane that it will be Exhibit B.

**CHAIRPERSON:** Bundle?

10 **ADV NOTSHE SC:** We will – bundle – I am sorry I am referring to the bundle B.

**CHAIRPERSON:** But I am sure there have been – there has been Bundle B before.

**ADV NOTSHE SC:** I am told Chair that the – the bundle numbering started with the evidence of – of Charl Le Roux and that was then labelled Lea Bundle A and then they say this will be then Bundle B.

**CHAIRPERSON:** I hope that information is accurate because we do not want to end up with two bundles B.

20 **ADV NOTSHE SC:** No I am – I was assured that the bundle system.

**CHAIRPERSON:** Ja.

**ADV NOTSHE SC:** Started with Charl Le Roux's evidence.

**CHAIRPERSON:** Okay. So we will – this will be Bundle B then.

**ADV NOTSHE SC:** Then you look Bundle B.

**CHAIRPERSON:** But before you proceed, I think there are lawyers representing the witness who need to get a chance to place themselves on record and I think they can place themselves on record. I do not know if the – I hope the microphones where they are working then they can – they do not need to go to the podium for now. Yes.

May it please you Mr Chairperson I appear for the witness in this matter if I may remove my mask?

10 **CHAIRPERSON:** Yes, yes.

**UNKNKOWN COUNSEL:** We were instructed by Madlanga Attorneys and we are here in the spirit of cooperation to cooperate with the commission.

**CHAIRPERSON:** Thank you.

**UNKNKOWN COUNSEL:** Thank you.

**CHAIRPERSON:** Thank you. Yes Mr Notshe. So this will be Bundle B.

**ADV NOTSHE SC:** Yes.

20 **CHAIRPERSON:** And it – it has – well they included notices here. I think notices should be perhaps separate from this because we do not really need the notices. They can be in separate file but there is nothing we can do about it now. We will keep them there but for future notices and correspondence that have got no evidential value should not be included. So that what we should have in the lever arch

file should only be statements and documents that have got evidential value.

**ADV NOTSHE SC:** I understand Chair.

**CHAIRPERSON:** Okay. Alright yes proceed.

**ADV NOTSHE SC:** Chair the – the genesis of the evidence of – just presented before you is the evidence Mr Agrizzi and there is a statement he gave to the commission. He gave evidence thereafter there was a supplementary statement and then Ms Mokonyane filed a response and then Mr Agrizzi  
10 filed a reply thereto. I will take before Ms Mokonyane testified, I will take you through just to files so that she knows what document – where the document is. And what I also intend doing Chair is Ms Mokonyane will testify and then I will then take her to the point that she is responding to and then – so that it then makes sense what she is testifying about. Because what she has done in her – in her affidavit is to respond directly to the statement of Mr Agrizzi both the main statement and the – the main statement and the supplementary statement. So Chair with your leave can she  
20 be sworn in and then I will take her through the statements before she testifies.

**CHAIRPERSON:** She will be sworn in and then we talk about what you propose to do after that.

**ADV NOTSHE SC:** Thank you.

**CHAIRPERSON:** Please administer the oath or affirmation.

**ADV NOTSHE SC:** Oh sorry. Sorry Chair I did not realise the microphone is – this Chair was meant for tall people. I never realised that a short person like me will come. So it was high up but it is now to my height.

**CHAIRPERSON:** Yes okay.

**REGISTRAR:** Please state your full names for the record?

**MS MOKONYANE:** My name is Nomvula Paula Mokonyane.

**REGISTRAR:** Do you have any objections

**CHAIRPERSON:** I am sorry, I am sorry. You can take off  
10 your mask for when you are just taking the oath so that everything can be heard properly. Well you can move it a little bit you do not have to take it off completely.

**MS MOKONYANE:** Thank you very much Chairperson. I saw yesterday that they said it is also unhygienic to put it on the cheek.

**CHAIRPERSON:** Yes. Okay.

**MS MOKONYANE:** And I do have serious ailments hence I am very sensitive of my health.

**CHAIRPERSON:** No, no – oh no – look if that is so maybe  
20 put it back and then we will just try to speak louder. Ja okay.

**REGISTRAR:** Please state your full names for the record?

**MS MOKONYANE:** My name is Nomvula Paula Mokonyane.

**REGISTRAR:** Do you have any objection to taking the prescribed oath?



**MS MOKONYANE:** No.

**REGISTRAR:** Do you consider the oath to be binding on your conscience?

**MS MOKONYANE:** Yes I do.

**REGISTRAR:** Do you swear that the evidence you will give will be the truth; the whole truth and nothing else but the truth; if so please raise your right hand and say, so help me God.

**MS MOKONYANE:** So help me God.

10 **CHAIRPERSON:** Thank you. You may be seated. Before Mr Notshe proceeds Ms – Ms Mokonyane I just want to thank you for coming to the commission to testify and I want to also indicate that the reports that I have received recently are to the effect that you and your lawyers have given the commission cooperation in everything that they have been doing and there has been a lot of cooperation from your side and from the side of your lawyers and I just want to record the commission's appreciation for that cooperation.

**MS MOKONYANE:** Thank you. Thank you Chairperson.

20 **CHAIRPERSON:** Ja. Thank you. And maybe before he goes further I must also say you will be asked questions by him. I will also ask some questions. Listen to the questions carefully. If you do not understand the question say so it will be repeated. Answer the questions to the best of your ability and as far as you – you remember. He has a duty to ask

questions to try and get to the truth of the matters that we are looking at and he would be doing that to the best of his ability. I have to satisfy myself that I have got all the information and clarification that I may need because in the end I must decide matters and it is important that I should understand your version, I should understand what you say, I should understand what everyone else says. So I thought I must just explain that but this is the – your opportunity to put your side of the story and to do deal with whatever matters.

10 So use this opportunity to make sure that your side of the story is heard.

**MS MOKONYANE**: Thank you.

**CHAIRPERSON**: Okay. Ms – Mr Notshe.

**ADV NOTSHE SC**: Thank you. Ms Mokonyane I am sure you have a black file in front of you – arch lever file.

**MS MOKONYANE**: Yes.

**ADV NOTSHE SC**: Now the – the statement to which you responded it will be appearing on page – when I refer Ms Mokonyane to pages, they will be – if you look the  
20 documents in front of you there is a – the number in red. So page number 1 refers to a page number. It will be a number which is in red.

**CHAIRPERSON**: Alright just one second Mr Notshe. It is quite dark inside. The technicians or whoever must just do something so that we have better lighting in the room. I

have previously asked that there should be a lamp next to where the witness stands because sometimes it is so dark, I do not know whether everybody can read documents when the lighting is like that. Does it look like you will be able to read Ms Mokonyane?

**MS MOKONYANE:** I will try to Chairperson.

**CHAIRPERSON:** You will be able.

**MS MOKONYANE:** Thank you for your considerations yes.

**CHAIRPERSON:** Okay, alright. Thank you. We will proceed  
10 in the meantime.

**ADV NOTSHE SC:** Ms Mokonyane check they will be at the top page 7 is 007.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** That is the evidence of Mr Agrizzi. I am just – just showing you where the statements are and then we will come back to deal with them. And then that goes to page 11. And then if you look at the dividers, they are in...

**CHAIRPERSON:** Maybe you must just mention that when you refer to page number you will not be calling the MPM  
20 and 00 you will just say 7, 8.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** And so that she will understand. You understand that?

**ADV NOTSHE SC:** You understand that?

**MS MOKONYANE:** Yes I do. The red?

**ADV NOTSHE SC:** Ja the red one ja. And then I will just – I will not call T20MPM00 I will just refer to page.

**MS MOKONYANE:** To page.

**ADV NOTSHE SC:** To page number but it is the red number that I am referring to. Then what will also help us you will see there are dividers.

**MS MOKONYANE:** Ys.

**ADV NOTSHE SC:** That colour – multi-coloured. So document it is – I will refer to the section where it is. I will  
10 firstly refer you to the divider and then to the number, to the page number alright. Now your statement will be under divider 4. That is your answering statement on page 19.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** And then – then we jump from there – so if you go – can you go to divider 10 and then on page 3881.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** That is the supplementary affidavit of Mr Agrizzi and you have referred to it also in your statement.

**MS MOKONYANE:** Page 381.

20 **ADV NOTSHE SC:** No 3881 – 3881.

**CHAIRPERSON:** Well, is it 388.1?

**ADV NOTSHE SC:** 388.1. I beg your pardon, Chair.

**MS MOKONYANE:** 38 ...[indistinct] Is it 381 or...?

**ADV NOTSHE SC:** 388.1.

**CHAIRPERSON:** I do not have point ...[indistinct]

...[intervenes]

**ADV NOTSHE SC:** You see, the... I think what could be, the red indicators in the middle...

**MS MOKONYANE:** Oh, yes. I see there the supplementary.

**ADV NOTSHE SC:** Yes, supplementary.

**CHAIRPERSON:** Ja, but why ...[intervenes]

**ADV NOTSHE SC:** Is the Chair ...[intervenes]

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Why is the page number ...[intervenes]

10 **MS MOKONYANE:** It is numbered in the middle.

**ADV NOTSHE SC:** The page is in the middle, yes.

**CHAIRPERSON:** Ja, why did they write the page number in the middle on that page when... or every other page it is at the corner?

**ADV NOTSHE SC:** It should have been there.

**CHAIRPERSON:** That is what is confusing.

**ADV NOTSHE SC:** Ja, I apologise Chair and...

**CHAIRPERSON:** Yes, you may continue.

20 **ADV NOTSHE SC:** Yes. Then, Ms Mokonyane, then go back... then go back to Divider 6.

**CHAIRPERSON:** Should there not have been another divider just before his supplementary... before Mr Agrizzi's supplementary affidavit?

**ADV NOTSHE SC:** There are nine dividers... there are ten. Agrizzi is under ten Chair.

**MS MOKONYANE:** [Indistinct]

**ADV NOTSHE SC:** But I have taken the witness to Divider 6.

**CHAIRPERSON:** Ja, there should have been another divider for the supplementary but I think we will find our way.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** Okay.

**ADV NOTSHE SC:** And then Divider 6, it is on page 064. Is the Mr Agrizzi's reply to your affidavit.

**MS MOKONYANE:** H'm.

10 **ADV NOTSHE SC:** Now, Ms Mokonyane, let us go back then to your affidavit and start there. Can you just before you ...[intervenes]

**CHAIRPERSON:** Wait just. Tell us again where it is?

**MS MOKONYANE:** [Indistinct]

**ADV NOTSHE SC:** Sorry, Ms Mokonyane. It seems as if you suffer from the same illness as me.

**MS MOKONYANE:** H'm.

**ADV NOTSHE SC:** The height. Chair, I apologise for the both of us.

20 **MS MOKONYANE:** Ja.

**ADV NOTSHE SC:** Our height.

**CHAIRPERSON:** H'm.

**ADV NOTSHE SC:** [Indistinct]

**MS MOKONYANE:** [laughs]

**ADV NOTSHE SC:** [Indistinct]

**MS MOKONYANE:** Ja.

**ADV NOTSHE SC:** In this one. That one is fine.

**MS MOKONYANE:** Okay.

**MS MOKONYANE:** It is on which divider?

**ADV NOTSHE SC:** In the... the affidavit is on Divider 4.

**MS MOKONYANE:** Thank you. Yes, yes. Okay. Yes.

**ADV NOTSHE SC:** Now ...[intervenes]

**CHAIRPERSON:** One second. Is somebody doing something about the lighting?

10 **ADV NOTSHE SC:** Apparently... they say it is on the side somewhere.

**CHAIRPERSON:** Well, I am talking more about in the room.

**ADV NOTSHE SC:** Apparently, the connection is there in order to get lights. They must...[intervenes]

**CHAIRPERSON:** Oh ...[intervenes]

**ADV NOTSHE SC:** They must do something.

**CHAIRPERSON:** ...must I adjourn so that somebody can do that?

**MS MOKONYANE:** Maybe, ja.

20 **CHAIRPERSON:** Let me adjourn so that they can connect that.

**ADV NOTSHE SC:** No, that is fine.

**CHAIRPERSON:** It should have been connected before I came in.

**ADV NOTSHE SC:** That is fine.

**CHAIRPERSON:** We will adjourn for five minutes. We adjourn.

**INQUIRY ADJOURNS:**

**INQUIRY RESUMES:**

**CHAIRPERSON:** I think that looks better. Yes, okay. Let us continue.

**MS MOKONYANE:** Chairperson?

**CHAIRPERSON:** Yes?

**MS MOKONYANE:** May I beg your indulgence?

10 **CHAIRPERSON:** Yes.

**MS MOKONYANE:** Before I get lead on the affidavit, I would also wish to address yourself with due respect.

**CHAIRPERSON:** You would like to...?

**MS MOKONYANE:** I would wish to make a statement before ...[intervenes]

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** ...if you permit?

20 **CHAIRPERSON:** That is fine. You may do so. The last time I allowed somebody to make a statement before starting the evidence, what happened is that they implicated certain people, other people in their statement and we did not know in advance. So I am hoping that you will not be implicating anybody.

**MS MOKONYANE:** Not at all.

**CHAIRPERSON:** Yes, okay. Ja. Your statement, you would



like about what, five minutes?

**MS MOKONYANE**: Yes, if you give me five minutes.

**CHAIRPERSON**: Ja, okay.

**MS MOKONYANE**: I will do my best.

**CHAIRPERSON**: Yes, okay. You may go ahead.

**MS MOKONYANE**: Thank you very much Chairperson. And thanks for your consideration also for affording me the period to mourn. And finally, I have presented myself before the Commission and I promise to continue cooperating with  
10 your good selves.

Chairperson, just as a precursor to affidavit I have submitted. I just want to put it on record that for the better part of my life since the age of fifteen, I have been part of many South Africans who have availed themselves to be directly active in fighting in suffering and sacrificing for a non-racial, a non-sexist and a united democratic South Africa.

Throughout, until today, here in this particular Commission, I have come knowing very well Chair that it is  
20 still part of that journey I have made a commitment towards, of paying the price for my commitment and determination to fight any injustice against me, my comrades, family and all other South Africans.

The submissions that has led to me being here today, I find them extremely defamatory. I find them full of

contradictions by someone who has had ample time and opportunity afforded to him exclusively.

I find that the smack of hatred. I find that they are very insensitive. I find that they seem to be an act of excessive desperation for the reasons that are better known by Mr Agrizzi to discredit me, to destroy the little of what remains of my character, my family and myself in particular.

There are cessions that have been made of my political influence of the presidents as it is stated in his affidavits. It  
10 also shows the naivety and ignorance that he himself, Mr Agrizzi has on how the ANC functions, together with his witnesses.

And it goes as far as to say in page 467 paragraph 10 that I have even gone to an extent to having a serious influence on President Comrade Thabo Mbeki.

They are falling short Chairperson of even saying I had influence on Comrade President Nelson Mandela. The above accessions indicate that both him, Mr Agrizzi and his alias do not understand nor know the ANC nor even know me as a  
20 person.

I belong Chair and I am member of the African National Congress. I have and I enjoy full democratic rights within the ANC, including the choice of a leader I prefer.

At no point Chair have I never been loyal or supportive of any leader democratically elected, even in instances

where I have directly contested a position and lost, I would embrace the outcomes and rally behind the elected leadership executive and even execute the mandate of that particular outcome.

But I have also been, notwithstanding that, being a victim of those who had come with the notion of the 1996-Class Project in the scheme of politics. I have received dismissal letters, dismissing me from the Central Committee of the South African Communist Party because of my loyalty  
10 to the movement and the leadership of the African National Congress.

I have contested the current Treasurer, the General of the ANC for the position of a Gauteng chairperson. Yet even then, our families, our personal relationships have remained so close to each other, such that he remains a family friend, a brother and more in particular, an uncle to our kids and the same with me and his family.

Who went to Nasrec Chairperson in 2017. It is a known fact that my preference was on Comrade Nkosazana Dlamini  
20 Zuma, the current Minister of CoGTA.

I was even then part of a collective, on behalf of the National Executive Committee of the ANC, that ran this conference properly.

Yet I was accused by some in the media for intending to collapse the conference by having called for a recount and

many other accusations.

Even then Chairperson, the conference ran and concluded its agenda and immediately thereafter, we all had to rally behind the leadership collective, and all the outcomes of the conference.

When we moved it to East London post Nasrec - because the conference was in December. In January when we went to celebrate the anniversary of the ANC in 2018, I was amongst those and there are those social media clips  
10 that showed Nomvula Mokonyane publicly announcing in front of the media that delegative spoken, the slates were broken in Nasrec and we have to move on with the agenda as mandated by Conference under the leadership of the current President of the ANC, Comrade Cyril Ramaphosa.

As for President Zuma. It is a known fact that I supported Comrade President Zuma against Comrade President Thabo Mbeki, firmly on my believe that he could not have more than two terms, as well as, on my policy preferences and the choice I have made.

20 I have served Chair and led under Comrade President Zuma including being part of his cabinet. I have never acted in the Criminal Justice System Cluster. I have never been appointed in any of those positions.

I have only served as the Minister of Water. And then post-Nasrec, I was moved from Water taken to

Communication. Then moved from Communication taken to Environmental Affairs. And then post the elections, I opted not to go back to parliament.

I was part of the collective going to Mangaung, Chair that supported Comrade President Zuma for second term. And for that, I also supported Comrade President Motlanthe who, amongst others, he preferred, he himself, to be a contestant against President Zuma, when I preferred him with many other members and structures within the ANC as  
10 the deputy president to Comrade President Zuma.

Upon Comrade Motlanthe declining the Deputy President position, I was personally, amongst many ANC members, who then opted to bring the current President, Comrade Cyril Ramaphosa to be the Deputy President against former Treasurer General of the African National Congress, who by the way, left us at that conference.

And we had to be saved by many other people who are accused of being corrupt and have captured the state and those are the people who saved us from the Mangaung  
20 Conference and the conference ran smoothly and President Zuma and Deputy President then, Ramaphosa were elected.

I did this all as a loyal member of the ANC, understanding the duties of a member including the Constitution.

On my personal attack and vilification Chair, I take

serious exception, find it insensitive for Mr Agrizzi to claim that they paid the costs for the burial of my son and my family.

He even confuses the names, even my own sons, as to who has passed on who has had a drug problem. Precisely because he has other ulterior motives of which I do not know.

My family, like many others, including yourselves and many others, both black and white, do receive condolences  
10 during bereavements.

But we all know Chair that to claim that BOSASA buried my son and family is so hurting, derogatory and insensitive of Mr Agrizzi.

In any of my bereavements, we uphold our pride and cultural practices and one of those is that we bury our own. We take the responsibility of what are the burial cost. We take full responsibility in line with our customs and traditions.

I am married to Basotho, proudly. Proudly Basotho.  
20 [Speaking vernacular], who have their own cultural. I am born a ...[indistinct] We have our own culture at home and we have our own rituals that we prefer.

And therefore, we cannot go and have a stranger burying our own because we do not want to be followed up by other things that we have to sort out post the burier. I think the

Chair understands better what I am saying.

And we know that where people come Chairperson and make contributions, it will be, as it is done in other families including in other religions.

Now people offer condolences in different forms. Some not even known by the immediate family. And in the instances that Mr Agrizzi is referring to, I have been the chief mourner.

And in our own tradition and our culture, I am confined  
10 to the bedroom with a mattress put down and myself just interacting with... the only people that I can tell you Chair, who I have never been their supporter but they have become my own family, is Orlando Pirates.

The Orlando Pirates would forever, during my bereavements come, and yet they know I am an avid supporter of Kaizer Chiefs.

Even when ...[indistinct 00:14:29] said this is their family business, I am still a fan of Kaizer Chiefs but my home is with Orlando Pirates because *sis* Mantwa, *bra* Irvin Khoza, I  
20 see them as my own brothers. I call him "Grootman". I called *sis* Mantwa ...[indistinct 00:14:44] Mantwa, precisely because of my marriage to Basotho.

Out of all this, I so wish Chair that even one day when death has struck on Mr Agrizzi's family, no one use his pain to try and discredit or seek to destroy him.

It is un-African, it is inhumane, it lacks Ubuntu. [Speaking vernacular]. People do come [speaking vernacular].

And some of the things that he is referring to, are things that I really think they are actually bother on undermining and trying to destroy the little of my character that I have built.

With regard to the food donated by BOSASA. As these things are happening now Chair, just now, under lockdown, 10 there are hundreds, if not thousands, of business and individuals who go all out to share with communities.

With BOSASA was no exception and it continues to be no exception. I am still involved in charity work, not even being in parliament, not being a public representative.

As we speak now, kids in Kagiso 1, will be fed through the initiatives and the support that business have extended to make sure that those who normally depend on the food that they find... they get served at school, are now actually giving something to live and survive now that schools... now 20 that they have not gone back to school.

And also Chair, I can also indicate that not only have BOSASA worked or supported the community of Kagiso. It has gone as far as Orange Farm. It has done a lot of work in Limpopo in the rural areas.

It was worked in Port Elizabeth. And here, they found



me as one of the public representatives, one of the activist of Kagiso, a child of Kagiso, a child of Munsieville, that we should work together and make sure that when they donate these things we are there.

And they have served and they have done those things. They have even been given an opportunity to people who would not have had a Christmas celebration, a chance to have a Merry Christmas.

There was a moment when parents and communities  
10 Chair in Gauteng – and I think all of us will remember because it was out in the media – when all of us were overwhelmed and desperate because of the drug abuse in this province.

Outside of my responsibility as a public representative but as an affected parent Chair, together with community leaders, parents – and I want to state it, Orlando Pirates which I do not even support even today – came forward, worked on a programme that went out to assist kids.

We picked up kids laying in Vilakazi Street. We picked  
20 up kids in Diepkloof. We picked up kids in Kagiso. And because of this social mobilisation... we had a crisis in Eldorado Park that everybody knows, where I met many of the anti-drug activists.

We worked together. And all these people came forward. And in this partnership - it was not only BOSASA,

there were other institutions that also came to partner with the communities.

And in this instance, BOSASA again, offered to lend a hand in assisting to fight this scare of substance abuse. They offered services voluntarily. Not to my child only. Not to me but to the community that had come forward.

And young people who are willing to be assisted, volunteered themselves and admitted themselves into the services of BOSASA, not... and it then went beyond  
10 Gauteng. It even went to the Western Cape. It went to Limpopo. It went to the North West as well.

On security matters Chair. Chairperson, my life and that of my family has been always under threat from as far back as in the 80's.

We have survived bombings. We have survived kidnappings. We have survived torture. We have survived shootings. We have survived poisoning, not one but many a times.

Even when I was eleven days married and two months  
20 pregnant. We thought we were going into a special honeymoon only to find that we are going to Section 29 and we were then kept in isolation together with my late husband, Serge Mokonyane.

At the time when I was even the Premier, Chair, never mind those times in the 80's, and unfortunately, if you know

the 80's, the Truth Commission – and I think it was amongst other venues, using this kind of facility – has never come out until today.

Nobody, including a district sergeant who colluded with the security branch to say, “I am not pregnant”. Trying to abort me forcefully, never came forward to apologise.

Even today, nobody has come out to say who bombed our homes more than once. Nobody has come forward to say who actually wanted to jump the fence and the gate in  
10 ...[indistinct 00:20:17] Street, where I used to live in 10...  
'85.

And that out of the security advise of the ANC, we had to move away from that area because there was illegal electricity connection and our house sometimes got dark because of illegal connection, only to find out that there was also a plan to keep our house dark.

We had to move to Silverfields, not to Kenmare as Mr Agrizzi and his witnesses refer. I have never lived in Kenmare. I have lived in Kagiso.

20 I got married. I lived in Munsieville. I moved to Kagiso. I then lived with my family in Silverfields and then we are now in Noordheuwel.

Again, a demonstration that they do not know me. They seem to be barging and trying to find everything. It just deals with the little of the character that I have built for

myself.

At the time when I was the Premier, Chair I was faced with a housebreaking whilst I was asleep inside the official residence in Bryanston. That residence had cameras on. That residence had South African Police Services officers on duty. And strangely on that day, the alleged that they knocked off at two in the morning.

People got into the house. They took all the electronic appliances. Fortunately, I locked the door when I am asleep.

10 And they left with no one having found them.

To date nobody, including members of the SAPS who were on duty that time or started duty, have ever faced any hearing. Just a simple hearing or a disciplinary case. Nothing has happened. But let us leave that Chair.

Now when I was the minister, I was sent to go and work in the Eastern Cape in Umtata. There was a break-in into my room and only to find out that that hotel only had its cameras at the reception and in the kitchen and people broke into my room.

20 They took all the electronic gadgets, whilst I was asleep. They took my handbag and all other valuables. To date, nobody has been prosecuted. A case was opened. Until today, nobody has actually come back to me and say, “We have closed this case because we have no evidence whatsoever”.

But now recently, with the killing of George Floyd – I live in Noordheuwel, Chair. And living in Noordheuwel... Noordheuwel – I do not live in the upper Noordheuwel. I live amongst the working class in that area just as in Silverfields.

I live in a standalone house. I am subscribed to a security company. And when there was this issue of George Floyd and about Black Lives Matter, one of the other people who reside in Noordheuwel, a white person, actually went onto the chat group and was making a mockery of George  
10 Floyd.

I responded. My daughter who lives with me also responded to say but this is so wrong. This is a security chat group. You cannot do these things. And they were all laughing. They were all making a mockery. And I was the first who responded.

But guess what happened Chair? This man, a white man who I do not know, decided to go for my daughter, Katleho, telling her, “I know you. I know where you live. I know you and your mother are staying alone. I will get you. I can  
20 come even now”.

And I am saying this now during this period of the lockdown. And all these things were reported to the police. And precisely because of that, I can say all those who want to deal with Nomvula find it difficult to confront me directly but opt to go directly to those that they know they matter

most in my life, my children.

Any parent who gets attacked through his or her kids, actually feels the severest pain compared to being directly attacked.

Now Chair, when I was in Silverfields, one of the things that happened was that one of the days we found our dog actually poisoned. Even then, no work was done. The SPCA took the dog and all those things. We do not know what has happened.

10 Not once Chair but many a times, even during the apartheid days, I have never refused or failed to cooperate whenever there is an investigation against me.

Even now, when the Commission arrived at home, I stayed away from them. Also due to my own health conditions but also because of the respect for the rule of law and allowed the team to work.

And in that inspection, still, they continued to look for whatever that they were looking for, which unfortunately, the very witnesses that have made me to come here today, are  
20 still fudging issues and confusing matters but thanks to Mr Nixon who actually confirmed that some of the things that are said here do not actually stand ground.

I find it very concerning Chair that having been at pains to cooperate, a lot of sensation has been created about my house, about my family and what is found in my house even

with a lot of inaccuracies, including a simple inaccuracy to say that I have wooden stairs in my house.

There are not wooden stairs. His assessment of describing my house inside. Before you get to the kitchen, you pass a private lounge which has got a door on the right-hand side and we have a dining room that has always been in use.

But of course, it is Mr Agrizzi's... [throat clearing]. Excuse me Chair. It is Mr Agrizzi's intention to really rub in  
10 a perception that has been preferred over time about the kind of person that they want to project to society against the person that I am.

He claims to have been there when I was giving cash and I am contesting him. I am challenging him. They also agree with his witnesses that there were instances that when they came to the house and they met there at the house in my absence, knowing very well Chair that I am actually a busy woman and hence I was also given the name Mamma Action.

20 I am always on the road for church reasons or community issues or my own family things, even travelling as far as Lesotho because of the love I have for the people. Not only that are of my ...[indistinct 00:27:21]

He remained in the council but later will reflect and said only one of us must stay in politics and the other one must

opt out. He took care of the family, including most of the matters that have to do with the up keeping of the home, as well as, our safety and moved to National Cabinet.

Throughout my term in Gauteng, security matters were the responsibility of the state. Even when the Sunday Times paddled the news before the Commission said, my husband actually reported through an SMS to say this is hogwash. This is [speaking vernacular].

Unless Mr Agrizzi does not know, my husband is a proud  
10 African man. A very proud Basotho. Very selfless who has tried everything Chair, even under these conditions, Ever Green Project in Eskom.

Until today, my husband was fighting that case where his preference, including the application of the 30% quota, was ignored because the Ever Green been anyway a Secret Intelligence operator of the African National Congress, the person of Mr Agrizzi.

In my serving the ANC, being the member of, I have seen various business organisations momentarily coming  
20 forward to support ANC leaders and programmes, including sharing campaigns and parties of... and parties of leaders of the ANC.

This has not only happened during Comrade President Zuma's term, but with all leaders starting with Comrade President Mandela up to now. I am not sure if Mr



Agrizzi is saying it was because of other ulterior motives that we were working and BOSASA was supporting and working with us in the African National Congress. What would he say of the taxi industry? To date the taxi industry is not subsidised by the State but the taxi industry has worked with us in the ANC using their cars as mobile bill boards, telling supporters of the ANC to rally a state owned entity, national – Chairperson, I beg your pardon, Chairperson, a state owned entity Telkom was one of those  
10 who sponsored our national conferences and many other businesses that are included here.

And this has been something that is being done not only for the ANC, not only for me, not only for members of the ANC but this has been part of the democratic operations here in this country where businesses had chosen to support those that they prefer would pursue their interests and would also help to reconstruct and rebuild this country.

The support that was given and the relationship had  
20 no strings attached and that is an assertion that Mr Agrizzi himself says that at some point he got frustrated about this relationship. He himself and Mr Nixon, one of the investigators, also confirmed that there has never been a contract or a tender when I was MEC for Environment but I can proudly say my legacy and the legacy of the ANC when

I was appointed MEC for Agriculture, Conservation and Environment in Gauteng was to now have Maropeng, being a World Heritage site.

I moved it to Safety. I am sorry, I will say something, one of the things that we did was to activate communities and one of the key campaigns that we mobilised communities, business against crime, everybody on, was a campaign against wanted criminals and dealing with those that were harassing women and children in the  
10 streets and reclaiming the streets.

One of those projects was Operation Wonderful(?) Pardon my language but it was demonstration of the extent of which communities were angry against crime.

The second one, Chair, as we speak, here in Braamfontein, is Ikhaya Lethemba where together with Telkom they donated the building for victims of gender-based violence.

I moved to Housing. When I came in Housing there were only eight companies, white, well-established, Stocks  
20 and Stocks that is now Stefanutti and your other big companies, they were the only eight that were established contractors and the other upcoming were only male. Again, I went out and pursued the policy position to bring women into the construction industry, to empower young people into the construction industry and this is how I have

worked. So having BOSASA here in Gauteng, having BOSASA in South Africa, collaborating and supporting government initiatives and the African National Congress was not a foreign thing, showing off that he is working with the African National Congress here in Gauteng and that has never been an issue, nobody has ever frowned upon and we all know [African language] that our children must also find space to express themselves without the influence of [African language].

10 I wish and pray, Chair, that Mr Agrizzi out of his own could refrain from using this Commission in a manner that shows a sense of desperation and destruction of people's characters for motives better known by him.

Thirdly, Chair, that man tells no story. Whether this Commission is deprived of hearing not only from the late Mr Gavin Watson but my late son, Retlabusa they have – having not been a person who is addicted to drugs and yet Agrizzi refers to him showing how he does not even know my kids and as we speak now, my child who has a drug  
20 problem is trying by all means to survive but they get chastised, they get humiliated, they get mocked and they get actually hurt every time and again by what is happening about their own parents.

And here I can see Mr Agrizzi now his new project with all those – of that are his handlers, is on my daughter

Katleho. I cannot be correct. It cannot be allowed. It hurts. I so wish that - sad Gavin and Retlabusa would have been alive so that they can also come and tell their side of the story because he claims he knows it.

Yes, my husband is a golfer but my husband does not have a relationship with Agrizzi nor is my husband a racist and the very fact that we have been born, lived and bringing our families in Krugersdorp, it is one of the *verkramp*te places. Two kilometres away from my place  
10 you have got that monument where Terre'Blanche used to go. I live with those community. I have high respect for them. I do respect them and I appreciate that if they hate you, they hate you. If they do not want any relationship with you, they do not have a relationship. But if they make friends they are the best of buddies. So I really think that he himself does not actually take also respect for individuals, both the dead and the living.

I here, Chair, in conclusion, to respond to his continuous contradictions, the affidavits which I also think  
20 reflect an abuse of this Commission for motives better known to him.

The following are just my concerns, that my house has been put up for public knowledge and access, the address has mentioned more than once here and there has also been those Google Maps that he has taken and has

presented here before the house. For the record, Chair, I want to tell you, as we speak today, in that house I only live with two other women, myself my daughter and my little grandchild Latita.

Rather than me investing on the future of my grandchildren, I have to invest on my security. I have to invest on my safety. I have to invest on paying legal support because I do not know what the intentions are but I am here, Chair, because I believe that Mr Agrizzi must be  
10 proven to be a character that I have characterised here today.

With crime being on the rise, with all the issues that are happening, I have said it, I have invested on – I have to invest on security, I have to take care of myself because I think this deep hatred from the man and those that have actually advised him to go this route.

I am also concerned, Chair, about what is happening in the country on crimes against women and children, not only violent or physical abuse but also  
20 misogyny, I think Mr Agrizzi hates women. He chose to pick myself and Dudu Myeni, for what reason, I do not know. I have never worked in Correctional Services, I have never worked in the Department of the Justice, I have never acted for any Minister. He gives me the credit that I am [African language]. He claims that I have influence on

Comrade President Zuma. Chairperson, for the record, President Zuma signed a proclamation to investigate a department under my leadership without having even said anything to me but it came out and there was investigation. Even then you can go and ask the Law Enforcement agencies, I have cooperated to an extent where I had to frog march officials who were refusing to cooperate with the SIU and everybody to come and cooperate because I do believe that where there is transgression there must be

10 accountability.

I am not sure why in all these supplementary affidavits Mr Agrizzi fails to confirm that through BOSASA his own son, Giancarlo, rendered services to the ANC in Gauteng Province and doing research. He took selfies, he posted and even when they were doing all these things, he would always put the ANC there. As to whether it was to protect BOSASA, I do not know, but I do want to say to yourself, to your good self, Chair, I am here because I have to put my own side of the story and all these things

20 that Agrizzi is saying about me, only him and his handlers – I do not think even his God allows him to do this.

And hence even last night, Chair, we went to bed early hours of today, working on all these documents that are similar to this because I want to come set the record straight, go out and continue with the life of looking after

my own children now as a widow, make attempts to ensure that there is food on the table, serve the people of South Africa still, build this very ANC, as we are doing even under lockdown, and make sure that there is peace and friendship in our country. Thank you very much Chair.

**CHAIRPERSON:** Thank you very much, Ms Mokonyane. I just want to mention you did mention that you wished, among others, that Mr Gavin Watson was around to be able to put his side of the story. I have mentioned previously  
10 that before he passed on the Commission had already been in touch with his lawyers in order to make arrangements to get an affidavit from him so that he could put his side of the story but unfortunately, he passed on before we could get that. So I just thought I would mention that. But I am grateful you are here and you have already made certain points about your side of the story. I think we will take the tea adjournment so that when we come back then we can continue. Okay, we will take the tea adjournment. The time is twenty five past eleven. We will resume at twenty  
20 to twelve. We adjourn.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**ADV NOTSHE SC:** ...of state capture there can be many ways of capturing the state by influence – trying to influence the people who have got influence in the state,

you understand that?

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Yes. Now I see when you mentioned in your speech that there are certain gifts that are made to the ANC support but with no strings attached.

You mentioned things like that and I suppose the strings attached, you refer to the exact issued that is involved in this Commission, the state capture.

**MS MOKONYANE:** Yes.

10 **ADV NOTSHE SC:** Strings attached being tend to capture the state.

**MS MOKONYANE:** Yes, strings attached in terms of what Agrizzi says about my role in – on that.

**ADV NOTSHE SC:** Now ...[intervenes]

**CHAIRPERSON:** Ms Mokonyane, although he will be asking the questions most of the time but when you answer please look this side.

**MS MOKONYANE:** Okay.

20 **CHAIRPERSON:** Yes, so I can hear you and I can understand what you say properly.

**ADV NOTSHE SC:** Now let us ...[intervenes]

**CHAIRPERSON:** Are you comfortable, are you okay?

**MS MOKONYANE:** I am comfortable, it is just cold here but I am here.

**CHAIRPERSON:** Oh, ja, this venue is very cold. Last



week I had to say they must switch off even the air con because it seemed better without what they call the heater.

**MS MOKONYANE:** But we can proceed, Chair.

**CHAIRPERSON:** Well, as we continue, I do not – is it not better if we switch off – they indicate that it is better that it is on but...

**MS MOKONYANE:** Ja, let us soldier on, Chair.

**CHAIRPERSON:** Ja, let us soldier on but just mention if it becomes too much or unbearable.

10 **MS MOKONYANE:** Yes.

**CHAIRPERSON:** Yes, okay. Thank you.

**ADV NOTSHE SC:** Ma'am, can we go to folder divider 4, your statement?

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** On page 19 you give details about yourself, your name, where you stay.

**CHAIRPERSON:** Well, Mr Notshe, do you not want to have her affidavit admitted as an exhibit?

20 **ADV NOTSHE SC:** Thank you, Chair. Before that, can you just then turn, Ms Mokonyane, on the same page on page – turn to page 40.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Now you confirm there is an affidavit there above the name Nomvula – sorry, there is a signature above the name Nomvula Paula Mokonyane, is that your

signature?

**MS MOKONYANE:** Yes, it is.

**ADV NOTSHE SC:** And do you confirm that this document we are looking at together with annexures NPM6 is your affidavit?

**MS MOKONYANE:** NPM?

**ADV NOTSHE SC:** M6 on page 60.

**CHAIRPERSON:** Well, maybe let us say this. Ms Mokonyane, the document that starts at page 19.

10 **MS MOKONYANE:** Yes.

**CHAIRPERSON:** And goes up to page 40, is that your affidavit?

**MS MOKONYANE:** Yes, it is, Chair.

**CHAIRPERSON:** And do you confirm that the contents of that document are to the best of your knowledge and belief true and correct?

**MS MOKONYANE:** Yes, it is, Chair.

**CHAIRPERSON:** And it has got annexures, doe it? I am just going to have a look. Does it have annexures? Ja, it  
20 has annexures.

**MS MOKONYANE:** Yes, it is, Chair.

**CHAIRPERSON:** Ja, those are annexures to your affidavit.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Okay, thank you.

**ADV NOTSHE SC:** Chair, then this document is – can it be admitted then as EXHIBIT T20 starting on – as Chair, has indicated, page 19 and ending at page 62, that is the content and the annexures.

**CHAIRPERSON:** Do you propose that it be EXHIBIT T20 only or T20A or T20.1 or...?

**ADV NOTSHE SC:** Chair, with your leave, can we – because they have got the dividers 1, 2, 3, but if you use the alphabet then it should be D, it should be 20D T20D.

10 **CHAIRPERSON:** What will be 20A?

**ADV NOTSHE SC:** 20A will be the letter, the letter that said the 3(3) on Ms Mokonyane and the B, the notice ...[intervenes]

**CHAIRPERSON:** Ja, but that is just a letter that is not going to have any evidential value, is it not?

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** Yes, there is no need for it to be admitted at an exhibit.

20 **ADV NOTSHE SC:** As you then please, Chair. Then we can move – Chair, the only issue where I need your guidance then is 20 on divider 1, the letter contains the notice in terms of Rule 3(3) and in the notice is accompanied by the affidavit of Agrizzi which will be part of the evidence.

**CHAIRPERSON:** Yes, but the notice should not have been

there.

**ADV NOTSHE SC:** I suppose they had put the notice there because it contained the affidavit. What was intended to be there is the affidavit of Mr Agrizzi, the main affidavit. Chair, what we can do, what we can ...[intervenes]

**CHAIRPERSON:** You will not be referring to the notices, is it not?

**ADV NOTSHE SC:** No, I will not.

10 **CHAIRPERSON:** Yes. Well, the first affidavit you have got in the bundle is that of Mr Agrizzi.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** Which would have been admitted and has a certain exhibit when he gave evidence.

**ADV NOTSHE SC:** Oh yes.

**CHAIRPERSON:** Preferably we should keep that exhibit number.

**ADV NOTSHE SC:** In the that – in the evidence that you ...[intervenes]

20 **CHAIRPERSON:** In regard to his one, the first one, because that one would have been – the supplementary affidavit, his supplementary affidavit would also have been given an exhibit at the time he gave evidence.

**ADV NOTSHE SC:** I understand.

**CHAIRPERSON:** It is only his response to Ms

Mokonyane's affidavit that would not have been given an exhibit number as yet because he did not testify after giving deposing to that affidavit and Ms Mokonyane's affidavit certainly needs to be admitted but now you might not have – you might not be ready to say what the exhibit number was of Mr Agrizzi's affidavit.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** And it may be that for the sake of convenience the extracts from his affidavit, because it is  
10 not the whole affidavit.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** The extracts that are here could be given a new exhibit number and then that would make things easier. So we could start with Mr Agrizzi's one and make it EXHIBIT T20A or .1 and then when we reach Ms Mokonyane's one that might be T20.2 or B and so on and so on. Do you prefer it that way?

**ADV NOTSHE SC:** I prefer it that way, Chair, so Chair, we can leave then...

20 **CHAIRPERSON:** Okay, so Mr Agrizzi's affidavit appearing at page 7 will be admitted – the extracts from his affidavit will be admitted and marked as EXHIBIT T20A. Okay?

**EXTRACTS FROM MR AGRIZZI'S AFFIDAVIT HANDED IN AS EXHIBIT T20A.**

**CHAIRPERSON:** And we must give the notices and then

we go to Ms Mokonyane's affidavit or statement – oh, it is a statement, it is not an affidavit, hey? At least that is how it looks like at the beginning of the statement, I am not sure at the end. At the end it says an affidavit.

**ADV NOTSHE SC:** Basically an affidavit, yes. Her affidavit is admitted and marked as EXHIBIT T20B, that is together with its annexures.

**MS NOMVULA MOKONYANE'S AFFIDAVIT TOGETHER WITH ANNEXURES HANDED IN AS EXHIBIT T20B.**

10 **ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** And then as you refer to others then we will add. Okay. So, Ms Mokonyane, when he refers to EXHIBIT T20B, that is your affidavit but he will probably – will also say your affidavit.

**MS MOKONYANE:** Okay.

**CHAIRPERSON:** And when we refer to EXHIBIT T20A, that will be the extracts from Mr Agrizzi's affidavit at the beginning and then others will be marked as we go along. Okay, Mr Notshe.

20 **ADV NOTSHE SC:** But, Ms Mokonyane, if you get lost please indicate and then we will also use the numbers to guide you.

**MS MOKONYANE:** Ja.

**ADV NOTSHE SC:** Now we were at page 19, the introduction in your affidavit, where you described your

name and your address and also you – also there, Ms Mokonyane, what you have done, through the directions of the Chairperson, is to withhold from evidence from mentioning your address also for security purposes. Throughout you have tried to steer away from mentioning your address so we will not read it into the record.

**MS MOKONYANE:** Thank you.

**ADV NOTSHE SC:** And then at paragraph 2 you deal with the various public offices, positions you have held.

10 **MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** And on page 20, paragraph 3, you deal with the positions you have had in the ANC and paragraph 4 you have dealt with – Chair, it is – I am merely going through this because it is just merely a background.

**CHAIRPERSON:** Well, I think you should go straight to the issues unless Ms Mokonyane has anything on these pages that she particularly wants to mention. Nothing?

**MS MOKONYANE:** No, nothing, Chair.

20 **CHAIRPERSON:** Okay. Yes, okay. So I think you should go straight to the real issues.

**ADV NOTSHE SC:** Ms Mokonyane, where I would really want to start is on page 23, paragraph 14, where you refer on paragraph 14, there where you said the narrative you are dealing with is the publication in the Sunday Times. I am reading in the middle of the second sentence of that

paragraph.

**CHAIRPERSON:** Why do you want to deal with that?

**ADV NOTSHE SC:** Chair, I just want to discuss - Ms Mokonyane to explain to the Commission the issue of the Integrity Commission of the ANC.

**CHAIRPERSON:** Yes, but ...[intervenes]

**ADV NOTSHE SC:** The point ...[intervenes]

**CHAIRPERSON:** But why is that particularly part of the issues?

10 **ADV NOTSHE SC:** The point I wanted to find out and hope Ms Mokonyane would assist the Commission that the Integrity Commission also is guarding against members of the ANC, members who are in government to be unduly influenced who gather [inaudible – speaking simultaneously]

**CHAIRPERSON:** I think start with the issues that Mr Agrizzi raised. Let us start with that. If we end up dealing with Integrity Commission, we can see how important it is but I think let us go to the real issues for the day.

20 **ADV NOTSHE SC:** Yes, fine, Chair. Then ...[intervenes]

**CHAIRPERSON:** And if at any stage there is something that you have not covered that Ms Mokonyane or her lawyers feel is important they will mention.

**ADV NOTSHE SC:** Thank you, Chair.

**CHAIRPERSON:** Ja.



**ADV NOTSHE SC:** Then, Ms Mokonyane, turn to page 27 of the bundle which is your affidavit, paragraph 24, where you are dealing with – you start to deal with the allegations made by Mr Agrizzi. Paragraph 24 is – and if you can put your hand on page 27 and then turn to Mr Agrizzi's affidavit which starts ...[intervenes]

**CHAIRPERSON:** I am sorry, Mr Notshe, there are two ways of dealing with this. One way is for you to tell Ms Mokonyane which allegation by Mr Agrizzi you are dealing  
10 with and she can deal with it because some of these matters she might be able to deal without having to go and look at a particular page but obviously if she wishes to have a look, she can have a look. So one way is for you to say Mr Agrizzi says the following and then let her deal with that. Another way is the way you want to deal with it but I leave it to you, which one you want to adopt.

**ADV NOTSHE SC:** Chair, I think then the easier and quicker way is for me to let Ms Mokonyane keep – stick to her affidavit and then I will read and if necessary, we can  
20 go and refer back to Agrizzi.

**CHAIRPERSON:** Okay.

**ADV NOTSHE SC:** So, go back to your affidavit on page 27.

**MS MOKONYANE:** Yes, I am, Chair.

**ADV NOTSHE SC:** And then what I will do then, Ms

Mokonyane, I will read what Mr Agrizzi is saying and then you can respond on what you are responding to. Turn to page 28 where you deal with paragraph 22.2 of Mr Agrizzi. At 22.2 Mr Agrizzi says this: He says:

“During 2002/2003 she was the MEC for Safety and Security Gauteng, as far as I can remember. I met her at the BOSASA office while she was there on a social visit.”

Now you deal with that on page 28 of your affidavit. You  
10 say:

“The contents of this affidavit are admitted insofar as these relate to my status. At the time that I denied in relation to me having met Agrizzi at that stage at the BOSASA office on a social visit.”

Now Mr Agrizzi replies, he replies to this – on your paragraph 26. He replies to it and this is on page 70. Of – ja, page 70 of the red number.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Now Mr Agrizzi says this, says – I am  
20 reading his affidavit, he says:

“I deny the contents of this paragraph..”

That is your paragraph.

“...and Mrs Nomvula Paul Mokonyane has denied that she had met me on a social visit at BOSASA office park. I met Ms Nomvula Paula Mokonyane on

both social and business meeting. I even coordinated Nomvula Paula Mokonyane's 50<sup>th</sup> birthday party celebrations which was funded by BOSASA. The theme of the birthday party was "Break a Leg" or words to that effect. It was held at Victorian Guesthouse situated at A1 Tom Muller Street, West Village, Krugersdorp. I was personally present as a guest at the birthday party to coordinate the parking."

- 10 **MS MOKONYANE:** Chairperson, if I may respond on that. This is again an assertion on what I have said about Mr Agrizzi. My 50<sup>th</sup> birthday was held at the casino, Silver Star in Krugersdorp and not where Mr Agrizzi is referring to.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** I turned 50 in 2013.

**CHAIRPERSON:** Once again, Ms Mokonyane, I do not know whether it is the air con but you are not as audible as you were earlier on.

- 20 **MS MOKONYANE:** Is it better now?

**CHAIRPERSON:** It is better, ja. Yes, okay, just start again.

**MS MOKONYANE:** Chairperson, once more, this is a false assertion. I turned 50 in 2013, my 50<sup>th</sup> birthday was hosted at Silver Star Casino in Krugersdorp.

**ADV NOTSHE SC:** Is there a party ...[intervenes]

**CHAIRPERSON:** I am sorry, what did Agrizzi – what venue did Mr Agrizzi give?

**ADV NOTSHE SC:** He says Victoria Guesthouse situated at A1 Tom Muller Street, West Village, Krugersdorp. Now, Ms Mokonyane, just explain to the – just tell the Chairperson ...[intervenes]

**CHAIRPERSON:** One second before you – that is not the venue where your birthday party was held?

10 **MS MOKONYANE:** No.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** The venue was at Silver Star and it is a known place, it is on the road on N14.

**CHAIRPERSON:** Yes, okay, thank you.

**ADV NOTSHE SC:** But is there a party that was ever held at Victorian Guesthouse?

**MS MOKONYANE:** There has been many parties at that place.

**ADV NOTSHE SC:** I mean your party?

20 **MS MOKONYANE:** No.

**ADV NOTSHE SC:** You have never had a party there?

**MS MOKONYANE:** No.

**ADV NOTSHE SC:** And you have never had a party called Break a Leg?

**MS MOKONYANE:** I have had a birthday party at Silver

Star.

**ADV NOTSHE SC:** A Break a Leg?

**MS MOKONYANE:** No.

**CHAIRPERSON:** Well, he says the theme of your 50<sup>th</sup> birthday party was Break a Leg, you say that is not true?

**MS MOKONYANE:** No.

**CHAIRPERSON:** Yes. Well, did your 50<sup>th</sup> birthday party have a theme even if it is not ...[intervenes]

**MS MOKONYANE:** The call was to people to come and  
10 celebrate.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** The journey of my life.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Okay, thank you.

**ADV NOTSHE SC:** Ms Mokonyane, just in fairness to you, I mean, you did not respond to this in an affidavit but what you would do – what the Commission, as they are entitled to do, is it can follow up the response you give.

20 **MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** So I just want you to confirm that you say there was no 50<sup>th</sup> birthday at Victoria Guesthouse and you say there was never your birthday at Victoria Guesthouse.

**MS MOKONYANE:** No.

**ADV NOTSHE SC:** Is that your evidence?

**MS MOKONYANE:** There has been other parties but not my birthday.

**ADV NOTSHE SC:** At that place?

**MS MOKONYANE:** No.

**ADV NOTSHE SC:** And you also want to confirm that at that place at Victoria Guesthouse there was never your birthday paid for by BOSASA.

**MS MOKONYANE:** No, there was never that they paid  
10 [indistinct – dropping voice]

**ADV NOTSHE SC:** And also, there was no birthday called “Break a Leg”?

**MS MOKONYANE:** No, not to my knowledge. Not my birthday – not Nomvula’s birthday, not Nomvula’s 50<sup>th</sup> birthday.

**ADV NOTSHE SC:** Now then I am continuing with Mr Agrizzi’s statement, paragraph 23.2, he says ...[intervenes]

**CHAIRPERSON:** Maybe let us expand on this. Mr Agrizzi  
20 says that he had had both – he had attended meetings where he was present and you were present, that you had business meetings as well as social visits. So do you say that is not true at all or do you say some meetings, yes, but not others or do you say you never attended a meeting which was attended by Mr Agrizzi whether it was a business meeting or a social meeting?

**MS MOKONYANE:** I have never been in a meeting with Agrizzi.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** And he is also not a personal friend or anybody who I can have a social interaction with him. He says I will come across him in BOSASA and I did not.

**CHAIRPERSON:** Yes. He says that there were meetings where he was accompanying Mr Gavin Watson and you were there. You say there were no such ...[intervenes]

10 **MS MOKONYANE:** A few companies of Mr Gavin Watson but I have never sat with Agrizzi in a meeting.

**CHAIRPERSON:** You have never been in a meeting with the two of them at the same time?

**MS MOKONYANE:** No.

**CHAIRPERSON:** Yes, okay?

**ADV NOTSHE SC:** Ms Mokonyane, the Chair has just touched on the paragraph I was about to read where Mr Agrizzi says he met you a number of occasions at the BOSASA office park where you normally used to visit, to  
20 arrive after 17h00 where you attended on meetings with the late Gavin Watson and he was personally present. Now in this are you say you never or are you saying you did attend meetings at the BOSASA office park but Agrizzi was not there?

**MS MOKONYANE:** I have never in the day meeting with

Agrizzi in BOSASA office park. I have met other people who work at BOSASA because of the ANC's operations in BOSASA.

**ADV NOTSHE SC:** And – but you confirm that you did attend meetings at BOSASA office park?

**MS MOKONYANE:** Yes, I have.

**ADV NOTSHE SC:** Now if you look at paragraph ...[intervenes]

**CHAIRPERSON:** Sorry, would one of the people that you  
10 would meet at BOSASA office park be Mr Gavin Watson?

**MS MOKONYANE:** Yes, it will be Gavin and then he would hand over the people who will be running a call centre and those that will be assisting the ANC in its programme.

**CHAIRPERSON:** Yes, okay.

**ADV NOTSHE SC:** Now paragraph 23.3 he says:

“Some of the meetings held where I was present related specifically to criminal prosecution that was being considered against BOSASA and its directors and the SIU report.”

20 **MS MOKONYANE:** I deny that, I have nothing to do with the SIU and authority.

**ADV NOTSHE SC:** And then he says on paragraph 23.4:

“Nomvula Paula Mokonyane did further attend at the office park on social occasions as well where I was present. This includes the official headquarters



and ANC events. BOSASA funded all celebrations, food, refreshments including hiring and ancillary costs.”

**MS MOKONYANE:** This was for the ANC and it was not a social thing, it was a political programme of the ANC which I am a member of.

**ADV NOTSHE SC:** And is it correct ANC – BOSASA funded the celebrations, the food, refreshments including hiring and ancillary cost?

10 **MS MOKONYANE:** Yes, BOSASA did fund some of the programmes, was a sponsor. Like I have indicated that there have been many other sponsors such as BOSASA, Telkom and many others would come in and sponsor ANC there.

**ADV NOTSHE SC:** Now you go back to page 28 of your affidavit. Now this is a – on paragraph 27 you are responding to paragraph 22.3 of Mr Agrizzi. I will then – let me read Mr Agrizzi’s affidavit, paragraph 22.3, that is the main affidavit. Now he says:

20 “Subsequent thereto, towards the end of every year I was tasked by Gavin Watson to see to her family’s Christmas needs. It would include approximately:

22.3.1 120 cases of cold drinks.

22.3.2 4 cases of high quality whiskey.

22.3.3 40 cases mixed beer.

- 22.3.4 8 Lambs
- 22.3.5 12 cases of frozen chicken pieces.
- 22.3.6 200 kg Beef (as well as various braai packs.
- 22.3.7 Numerous cases of Premier brandy and speciality alcohol.”

Now you respond to this in paragraph 27 on page 28.

**CHAIRPERSON:** Maybe you just let her respond without going to her affidavit because some of these things I think  
10 she knows the answer but if she wants to be referred to the relevant part of her affidavit she can be referred. Ms Mokonyane, if you feel free to just respond, just do that. But if you need to have a look at your affidavit that would be fine.

**MS MOKONYANE:** No, thank you, Chair. Just to respond on this.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** I do not have the capacity to store these volumes that Mr Agrizzi is referring to. I have never  
20 benefited or received any goods to the benefit of my family. I have been employed and those who know me post December '16, my family closes off, we go on holiday, we take a break, we only come back on the 30 December to be with my family and all my in-laws and every in Kagiso in my own parents' home, so this is not true.

**ADV NOTSHE SC:** Now is there – sorry, Mr Agrizzi responds to your affidavit, his response is on page 72. He responds to a number of these and paragraph 24 of his affidavit he says:

10 “I admit I was gainfully employed as a Public Office bearer and that her late husband was a business man. Then 4.2, save for the above, I deny the contents of this paragraph, that is your paragraph, I repeat that late Gavin Watson always a point of looking after Nomvula Paula Mokonyane and her family’s Christmas needs and that *inter alia* the items I mentioned were, in fact, not only delivered but received by Nomvula Paula Mokonyane and her family. On most occasions the items were delivered to her address at Blouberg Street at Noordheuwel, the house is situated in a cul-de-sac”,

Now just here, Ms Mokonyane, firstly he says you received these personally, were received by you and your family.

20 **MS MOKONYANE:** Chairperson I’ve never received anything, as Mr Agrizzi is stating and as it is reflected on my affidavit this has not happened, we all know that a house like this one cannot have a storage to keep all these items even those that came on site, I’m sure they didn’t find any strong room or a fridge or whatever, freezer that cold keep this, nor did I have a place where I could keep

many of these kind of items. I know what BOSASA has done for the communities of the West Rand and for the events over the festive season prior to them closing down supporting and going an extra mile to do their CSI in support of these communities, not for my personal benefit.

**ADV NOTSHE SC:** He says that these items were delivered at an address, at Blouberg Street and he says, most importantly he says the house is at a cul-de-sac, is that correct?

10 **MS MOKONYANE:** Yes, it's common knowledge that the house is in a cul-de-sac, I've had bereavements there people have come, Agrizzi had googled the map of the house and it is at the cul-de-sac it's never moved away from there.

**ADV NOTSHE SC:** Now further in his affidavit, on the same page, 72, he admits that BOSASA is involved in the CSI projects but he persists that you did receive the items you have mentioned and then over the page on page 73 paragraph 27, he then importantly mentions this, he says –  
20 it deals with your paragraph 30 – but if you go back to paragraph 30 of your affidavit you say, paragraph 30 you say,

“I'm not privy where this gossip is resourced from, if any, but no documentary proof has been provided as to the nature and type of products were

purchased and delivered by Agrizzi”,

In his response he says,

“Meat was purchased from Zimane’s Food, Greenfields butchery, Randfontein and the liquor and cold drinks are purchased from Swanes in Krugersdorp, the other items were sourced from BOSASA kitchens”.

Do you know this Zimanes, the Greenfields Butchery?

10 **MS MOKONYANE:** I’ve never come across all of them, I know the places where I purchase my own meat, where I purchase my own liquor and where I do my groceries.

**ADV NOTSHE SC:** And Swanes...[intervenes].

**CHAIRPERSON:** Well Mr Notshe you asked Mr Mokonyane whether she knows these places, I don’t think that Mr Agrizzi was suggesting that she knows those places where the – those things – where he says they were purchased.

**ADV NOTSHE SC:** No, I understand Chair.

20 **CHAIRPERSON:** Yes.

**ADV NOTSHE SC:** I also wanted to confirm whether these – to her knowledge whether these places do exist but she says she doesn’t know.

**CHAIRPERSON:** Well I think the point is he gives certain particulars to his – to what he says and he says where

these items were purchased you might have nothing to say other than you never received any such items.

**MS MOKONYANE:** Thank you Chair, I've never received nor do I know these companies.

**CHAIRPERSON:** Yes, is there a possibility that some of these items may have been purchased by BOSASA not for you personally or for your family but to be given to the community through you?

**MS MOKONYANE:** What I'm refuting is that they did all  
10 this purchase for me personally and for my family where they bought them, I don't know. What I know, they provided for those that were deserving and that was actually distributed – people were even hosted with meals they would have three meals a day and they will go home with their Christmas hampers out of those activities.

**CHAIRPERSON:** Is it possible that you may have asked BOSASA or they may have approached you to respond to community needs and purchased these for purposes of you or whoever you work with in the community to pass on to  
20 communities and not for you and your family personally, is there a possibility that, that might have happened?

**MS MOKONYANE:** BOSASA always invited us in their activities amongst others because one is in the community, it's a child of that community not just as a public representative they've also not only did this kind of thing

for the community of Kagiso or in the West Rand but across. They've also gone to an extent of even supporting schools with the school nutrition programme so it may be possible that he may be referring to where BOSASA used to purchase, where they came from I don't know.

**CHAIRPERSON:** Okay.

**ADV NOTSHE SC:** And in that – just a follow-up to what the Chair's raising is it – were there any occasions where the food that was meant or the items that were meant for  
10 the CSI projects were delivered at your house?

**MS MOKONYANE:** Chairperson there was one instance where they brought things because the Kagiso Old Community Hall was under reconstruction and then the food was collected, everything and the women in Kagiso, as they normally did including veterans, older women, they had their own big pots and own stoves they come, they go and cook and then the following day everybody actually has a shift, that is the only time and that is the time when the Kagiso Community Hall – the Kagiso Hall, next to the  
20 old police station and that's when we moved towards, what is known as, Kagiso Community Hall in Lewsham and also we've had many other activities in Mogale Community Hall and now at the Heritage Centre.

**ADV NOTSHE SC:** But you're saying these were not at your house, this cooking and delivery of the goods?

**MS MOKONYANE:** No the cooking and everything – Kagiso, the old Kagiso Hall used to have a kitchen, used to have facilities, used to have everything that would be utilized there and these other ones they would then come in and do the cooking do the preparations and other sponsors would bring blankets, others would actually bring other goodies, food hampers and health products right at the site of the activities that were taking place.

**ADV NOTSHE SC:** I see, now then you go on and  
10 paragraph – on page 29 you respond to Mr Agrizzi’s paragraph 22.5, let me read paragraph 22.5, it reads as follows:

“Soon after 2002 I was asked by Gavin Watson to supply her and her family and friends with provisions during the course of the year. I was instructed to contact her personal assistant, Sandy Thomas”,

Now your response is on page 29, what is your response, actually to this?

20 **MS MOKONYANE:** Sandy is my personal assistant which she is still even now and she assisted me in arranging meetings to some extent but she would also be requested by my own late husband to some of the things in the absence where they could not actually get hold of me. I know, Chairperson, that BOSASA also assisted



communities, veterans, military combatants, destitute families with the burial so that people do not have proper funerals but in so far as I've stated in my opening statement, I've buried my family we are a family that might not be wealthy but we take pride of burying our own but we also appreciate whatever contributions that are made and many of them are not even known to me, personally and to some of my own family members.

**ADV NOTSHE SC:** Now just – and the Mr Agrizzi then  
10 responds to your answer on page 73, he says this,

“I deny the allegations in relation to Nomvula Paula Mokonyane and/or her family not being unduly benefited by BOSASA and I state further that, she did, in fact receive gratifications. I further deny the allegation that BOSASA never paid for the funerals for any of her family relatives – her family members then over the page on page 74, I state more specifically that I signed off documentation and expenses – funeral expenses of Nomvula Paula  
20 Mokonyane’s late son. The funeral and the expense related thereto was committed by myself together with the employees of BOSASA, this entailed the hiring of a marquee, tents, air-condition, flooring together with the printing of memorial pamphlets together with the provision of foods and

refreshments. I signed off documents for payment by BOSASA in respect of the relative of Nomvula Paula Mokonyane”,

You say, you deny all of this?

**MS MOKONYANE:** Chairperson as I have indicated, he says he has signed off the funeral expenses, that is not correct. We are the ones that procured the services of the funeral undertaker, we paid for the burial of my son and as to what BOSASA had contributed, like I do not know what  
10 other people have contributed, I further deny that. I was never even approached by BOSASA and I really take offence of Agrizzi continuously making us to be such an irresponsible family that cannot even afford to bury their own child nor even my family. I know in my own circumstances that there are many people who are coming of our condolences and in many instances you don't even know who has done what and not even having approached me and I really take exception, I take offence because he  
20 has repeatedly dragged [speaking in African language] into this game when even my son, is no more, he has even gone to an extent of referring to him as a drug addict. I take exception and I refuse to accept, whatever that was a contribution I can tell you that it is a contribution that might have been done, not on the basis of what Agrizzi is stating, that's like any other person. Hence at the end of

every burial in our own culture, surely Chairperson, you'll know there'll be an elder who'll come and thank everybody who has made contributions who has helped to take the burden off your own shoulders when you are grieving but for people to come now and want to sensationalise what has happened to my son, and wants to make use of this situation, it is not correct, the marquees and all those kinds of things I have people that I know who have been always supporting us we pay for those because others are  
10 young people in Gauteng and in South Africa who are doing all this – who are involved in the entertainment industry including my own nephew who is involved and used to work with those individuals.

**ADV NOTSHE SC:** Now, Mrs Mokonyane, when you drafted your answering affidavit, you must have noticed, you must have read, that in paragraph 22.5 Mr Agrizzi says that he was instructed to contact your personal assistant, Sandy Thomas. Now when you prepared your affidavit did you ask Sandy Thomas about this, whether he was ever  
20 contacted by Agrizzi?

**MS MOKONYANE:** Chairperson, yes, I have checked with Sandy. There was an instance, just once, where there was a storm and our alarm was continuously going on and because of that – and I was not even home nor was my services – service provider available because they were

out in the field dealing with challenges that had effected, even the flooding of some of the airports and so on and so forth, that's when then, Sandy got a call from my own husband to say, no there's a problem in the house because he wasn't even at home, saying, can you check exactly what is happening and can you assist and there was no-one who could be of help and that's when – because these people were known to be also involved in dealing with issues of security, they came and what they found was that  
10 there was a tree that fell on the fence and that was it, any other thing, never except if there are things that have to do with my availability for the programmes that have to do with the CSI.

**ADV NOTSHE SC:** Sorry, I just want to clarify something, are you saying that Sandy confirmed that he contacted Agrizzi about the problem with your electric fence.

**MS MOKONYANE:** He contacted BOSASA yes.

**ADV NOTSHE SC:** She contacted BOSASA?

**MS MOKONYANE:** Yes she contacted Gavin – sorry she  
20 contacted BOSASA and in BOSASA she was referred to a person that she would have to talk to on that particular time and then because of the weather conditions she sent a text message.

**ADV NOTSHE SC:** But you're saying she never contacted or she had never had any interaction with Agrizzi?

**MS MOKONYANE:** No not to my knowledge.

**ADV NOTSHE SC:** Now, sorry, just to help me Chair, why did she contact BOSASA who told her to contact BOSASA?

**MS MOKONYANE:** She was asked by my own husband, because he was trying to get hold of the security company, the electrician who were out 24/7, who were out in the field because of the storm and everything and the only people that are in the neighbourhood that she knew, could actually come and assist, just come and check what is happening  
10 with the alarm that is going on and off and that's why she sent the message, the simple thing is, can you please come and check I'm told in Ms Mokonyane's house the alarm is going on and off and there's nobody around.

**ADV NOTSHE SC:** And is it your evidence that you didn't authorise her to call BOSASA?

**MS MOKONYANE:** No and I can even confirm, Chairperson, that on the weekend where the Sunday Times actually issued a statement about actually flouted the rules the rules of this Commission and publicised Agrizzi's  
20 statement, my husband immediately responded to say, this is hog wash, he is responsible for the security he's got service providers he knows what has happened around this matter and that sms is still there.

**ADV NOTSHE SC:** Now you then, on page 29 you deal with paragraph 22.5.1 where he says the assistance given

by BOSASA include, I'm reading his affidavit – main affidavit, include paying and organising funerals in respect of deceased members...[intervenues].

**MS MOKONYANE:** Sorry, Chair, on paragraph?

**ADV NOTSHE SC:** No I'm dealing with your paragraph on page 29.

**MS MOKONYANE:** Yes

**ADV NOTSHE SC:** On page 29 you are dealing with his paragraph 22.1 where he says,

10 "Paying of and organising funerals",

You deny that and his response is merely, also, he's also denying that you are denying it, you won't deny that?

**MS MOKONYANE:** No

**ADV NOTSHE SC:** And then on the same page you deal with paragraph 22.2 or his affidavit, now in his affidavit paragraph 22.2 he says,

"Something that was done...[intervenues].

**CHAIRPERSON:** I'm sorry I think, just wait for Ms Mokonyane to find...[intervenues].

20 **ADV NOTSHE SC:** Paragraph 22.2 it's on page 28 – no, no, no you are – we're at page 29 of your affidavit.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** But you are dealing with paragraph 22.2 but don't worry about going to paragraph 22.2, I'll read it to you.

**MS MOKONYANE:** Okay.

**ADV NOTSHE SC:** Ja, it's going to confuse if you are going to run back and forth then in paragraph 22.5.2 he says,

“BOSASA arranged for the rental of a vehicle for a period of three months at a time through Blakes Travel a premium vehicle such as Audi A3 for her daughter when she visited from China where she was studying”,

10 Now you deal with it on page 29 of the record, paragraph 33.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** And you are saying here this is - it was for your daughter?

**MS MOKONYANE:** Yes, Chairperson, my daughter is South African and because of our own experiences of what has happened to our two kids we opted to take her away from this messy environment where our children were immediate targets. She studied at Roedean she flew all by  
20 herself to China after we have opted and agreed with her to go and further her studies in China. She studied in China, she can read, write she can even explain issues that are related to trade and commerce in both Mandarin and in English she can even try and explain it in Zulu or in Sesotho. My daughter, even before she went to China, she

used to do part-time jobs here at Silverstar in one of the restaurants of a family friend that we know who offered to train her about the work culture. She would come back from Roedean, from her boarding school and go and work over the weekends twice a month and that has been the culture that my daughter had. She came back from China, she's been in China for almost 12 years, my daughter came back when she now, could actually speak, read and write and was also involved in the issues of translation and interpretation, she was invited by Gavin, who has known her as a little girl long before the positions of Government and Gavin had an interest in understanding some of the issues that he would have to deal with when it comes to businesses in China and that has been the arrangement. He actually, like any other child [speaking in African language] and how you used to do the part-time jobs during school holidays, plenty of us have done that. He was – she was offered that because, Chair, before even this whole notion of politically exposed people, my children, my immediate family remain unemployed do not get opportunities because of their identity and association with me. She was offered this opportunity and they made the arrangement therefore, for Katleho to move around from point A to point B doing that particular part-time job whilst she was at home and this was an arrangement of two



adults.

**ADV NOTSHE SC:** Now he responds to that, because what you are saying is also what you put in your affidavit.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Now he responds to that on page 74, he says on paragraph 30, he says,

10 “Save for noting the contents of this paragraph I have no knowledge of the contents of the same but I confirm that, on occasions when Nomvula Paula Mokonyane’s daughter was in South Africa we received instructions from the late Gavin Watson for higher model vehicles for her daughter on at least two occasions, of which two I personally dealt with. I’m over the page on page 75, on a further occasion, Frans Foster, acting on the instructions of late Gavin Watson hired and personally took the car to the house of Nomvula Paula Mokonyane, this was an Audi A3 model vehicle. I state further that relationship between the late Gavin Watson and  
20 Nomvula Paula Mokonyane together with looking after all her and her family’s needs was mutually beneficial to both the late Gavin Watson and BOSASA and Nomvula Paula Mokonyane. The late Gavin Watson made clear to myself and other Directorate, on various occasions that because of

Nomvula Paula Mokonyane's relationship with late Gavin Watson and the Watson family and BOSASA, which extended over decades of time, the late Gavin Watson repeatedly made it clear to myself and others the important positions she held in Government and at a Provincial level. It was evident that Nomvula Paula Mokonyane had the respect and eminence in top Government settings and because of her relationship with  
10 the...[intervenes].

**CHAIRPERSON:** I think, Mr Notshe that's too long by the time you finish Ms Mokonyane might not remember all of that, do you want to break it up to put to her what you want her to deal with?

**ADV NOTSHE SC:** All I want is your comment on the issues he raises here.

**MS MOKONYANE:** My facts still remains the same around my daughter and secondly my issues that I have raised about how he is trying to give me the authority and  
20 influence that I have, again smacks of an act of desperation because for the record even Mr Nickson and others do concede that they've checked through, there's never been where I've been responsible having to be able to grant BOSASA any business opportunity or out of our relationship they've been able to work in the space that I

have been assigned to lead.

**CHAIRPERSON:** Basically your response insofar as Mr Agrizzi’s evidence relates to your daughter is, my daughter is an adult she has had a relationship with the Watson family for a long time and you don’t deny what she – what is written about her or cars being hired for her, all you are saying is she and Mr Gavin Watson had their own relationship and they made their own arrangements, you have nothing to do with that.

10 **MS MOKONYANE:** Yes Chair.

**CHAIRPERSON:** That’s the gist of your answer?

**MS MOKONYANE:** Yes Chair.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** And as for the elaborations on 30.4 and so forth, I think, I would further challenge him to substantiate this influence that he is referring to.

**CHAIRPERSON:** Yes, thank you.

**ADV NOTSHE SC:** Now on page 30 on paragraph 34 you respond to Mr Agrizzi’s affidavit, wherein he says,

20 “BOSASA also catered for several ANC rallies and on your instructions”.

**MS MOKONYANE:** Chairperson, again I actually realised I forgot the constitution of the ANC. The fund-raising committee of the ANC is headed by the Treasurer General of the ANC. There is a fund-raising committee and there

are fund raising initiatives it is not the individual, no individual has the capacity and the ability to go all out and go and look for resources, you have to actually work and even be led by a Treasurer General of the African National Congress. I've never been a treasurer of the ANC, I've been the treasurer of the South African Communist Party here in Gauteng – in the Southern Transvaal and I have been part of those who work and organise ANC events and for the record I can't deny that BOSASA had actually come  
10 out to support the ANC in its initiatives.

**CHAIRPERSON:** So, you accept that BOSASA supported the ANC and may have funded some of its rallies as well but what you are saying is, it was not at your request.

**MS MOKONYANE:** No, it would never be even at my request, there are different, even ways of raising funds, people make endorsements. The ANC has never hidden it's fund raising initiatives, people have come to the gala dinners of the ANC, people have been acknowledged, as I have shown here, we even have a book with different  
20 companies including Telkom that have come out publicly to support a conference of the ANC. So I have never, I don't have that authority and prior to every programme being implemented you put what the resources are and what will be required and together with the leadership of the ANC in its entirety, you all adopt that programme and its

implementation and that's why, even, for the record now, I'm saying I can't deny the fact that BOSASA supported the ANC, I can't deny the fact that BOSASA Office Park has been on, more than one occasion, an elections operation centre of the ANC, I can't deny the fact that BOSASA has also, not only worked with the African National Congress at the National level but also the ANC, even here in the West Rand Chair and our conferences hosting the Provincial meetings of the ANC here in Gauteng providing foods, lunch  
10 packs because of their kitchen capacity for our volunteers and even providing for people who are coming to our rallies.

**CHAIRPERSON:** Hm.

**MS MOKONYANE:** And lastly.

**CHAIRPERSON:** But maybe we should switch off the air conditioner.

**MS MOKONYANE:** Yes please.

**CHAIRPERSON:** Ja.

**MS MOKONYANE:** There was a time when I was referred to a TG Minister when I was supposed to move to an office  
20 that has carpets.

**MS MOKONYANE:** Hm.

**MS MOKONYANE:** This is me Chairperson.

**CHAIRPERSON:** Ja, Ja no then switch it off.

**MS MOKONYANE:** Thank you.

**CHAIRPERSON:** They will switch it off. Let me understand

your evidence correctly. If a member of the ANC...

**ADV NOTSHE SC:** Chairperson I think she is – wants to do something.

**MS MOKONYANE:** Can I?

**CHAIRPERSON:** Oh okay. Thank you.

**ADV NOTSHE SC:** Chairperson she had asked me during some breaks whether she can bring a humidifier or something like that? I was not sure.

**CHAIRPERSON:** Yes of course. Yes, yes. Is it – is it  
10 something you would like to have immediately?

**MS MOKONYANE:** Yes we can proceed but I will bring it.

**CHAIRPERSON:** Okay. No that is fine. I just want to understand your evidence correct – properly with regard to fund raising and individual members of the ANC or individual leaders of the ANC. If I am a member of the ANC or if I am one of the leaders of the ANC can I not approach a company and say, you know the ANC is going to have a function or a rally or whatever or meeting can you please contribute or sponsor that function or contribute to whatever  
20 expenses the party is going to be – party is going to incur in regard to that function to make it a success? Can I not go to a company as an individual get them to agree and maybe once they have agreed I then tell the formal structure that I have spoken to BOSASA or who – Telkom will you then take it from there when they will – they will expect your letter Mr

Treasurer General or something like that?

**MS MOKONYANE:** In fact, Chair what happens is the opposite. The fund raising committee sits, the fund-raising committee and the GG together with those that are responsible for organising will also come together and other officials. We will identify the need and we will identify what needs to be done and the Chair who is the Treasurer of the ANC is the one then who will go out and identify those that have to be approached. Others voluntarily come forward.

10 They come to the ANC and say, what can we help you with? We want to endorse your manifesto how can we lend a hand? We subscribe to your mission, how can we do that? Then the Treasurer General will then make all of you to make a follow up depending on what you are responsible for. If I have a responsibility of filling two stadiums back to back at the same time I would be assigned the responsibility of chairing the mobilisation committee of the ANC and knowing everything about who is going to be a Marshall, who is going – when are we going to get the

20 stadium, when are people going to come? People have to be fed, where are we getting the resources and there will be different work streams and finally the authority gets signed off by an organisation through an organisational process. You cannot just – you do not do things on your own because at the end of the day the party must actually account. And

hence post the event there will be a token of appreciation that goes to the sponsors to say, [African language]. You know I do not know how to say it in English but that is how we do it. [African language] and they will do that and they would – they would even say proudly sponsored by so and so like you see with the Telkom book, it is not a secret and the different telecommunication businesses that is what would happen Chairperson. And finally, you then when you run a command centre for an event like Nomvula being the  
10 Head of Organising in the ANC you then have to know when is the food coming? When are the Marshalls going to eat? Have the food been delivered at the pick-up points of the – of the thing – of the – the pick-up points of the glasses and all those things are not necessarily you but because this person acts like you know in this particular way he thinks I am the alpha and omega of the ANC. Never, there are structures and systems to deal with these matters.

**CHAIRPERSON:** But are you saying it is not allowed by the ANC or an individual member or leader unless they are...

20 **MS MOKONYANE:** Assigned.

**CHAIRPERSON:** Treasury General or specifically assigned?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** They are not allowed to approach potential funders or sponsors and ask to sponsor and then



get the organisation or the relevant structure to formalise the arrangement later?

**MS MOKONYANE**: No. You – when you have a contact you must present it before the Treasurer General.

**CHAIRPERSON**: Yes.

**MS MOKONYANE**: And to the committee.

**CHAIRPERSON**: Yes.

**MS MOKONYANE**: And then it must then be institutionalised and made to be part of the thing.

10 **CHAIRPERSON**: Yes. Okay.

**ADV NOTSHE SC**: Now Chair just in this – in this case I understand you knew the Watsons before even ANC brought him to government?

**MS MOKONYANE**: I have known the Watsons from as far back as pre-Democracy yes. I have known them. I have known actually Ronnie Watson before I came to know Gavin Watson. I have worked with Ronnie Watson. I have met the Watson family when I was part of the National Civic Organisation and when we were under the UDF organising  
20 the consumer boycott and one of the areas that had the longest consumer boycott was in Port Elizabeth and here citizen in Kagiso in Mogale. One of the longest boycotts that even took out Greyhounds that that entity today has no – that company that operates because we took out Greyhound which was colluding with the apartheid system

and the [indistinct 00:07:07] who were actually killing our people. When there was the Rowntree strike by the unions, I was a trade journalist. I know that period. I also met them when there was that – those long strikes and with various other acts and I also know them for having assisted the ANC in our ready to govern programme where they took people like Popo Molefe and many other people including myself to the Watson School of Business. And we all went there. We were joined by I think it Valance Watson who  
 10 went with us or Ronnie I cannot recall but that is how far back I know the Watson family. I have also known their generosity when there was no tender. When they used to support the detainees. When they used to support the underground operations. And when the issue of BOSASA and the relationship with the ANC came it was a natural – natural relationship of Teno fighters coming together, Teno freedom fighters coming together and their commitment and option to support the ANC was not something that I would actually frown upon compared to maybe getting Fidelity  
 20 Guards I do not know Fidelity Guards except them being SGS I know it. So that is how I relate with that – with that situation of knowing the Watson family.

**ADV NOTSHE SC:** Now are you saying then that the BOSASA volunteered on their own? We have heard someone introducing them to the ANC to support the ANC?

**MS MOKONYANE:** BOSASA – the Watson family are members of the ANC. And I think they – it was out of their own conviction and the love for this country that they have always been generous even before BOSASA was there.

**ADV NOTSHE SC:** Now when the Watson family was involved then in BOSASA and they had government tenders, rendering services to government it is not a problem to the ANC that they would continue supporting the ANC?

**MS MOKONYANE:** I do not want to speak for the African  
10 National Congress here. I have come to present myself but still I do not believe that there was anything untoward. As I have said we have seen even an SOE coming out publicly to support the African National Congress. Golf courses, Premier's golf courses, [indistinct 00:09:40] golf courses, Presidents golf courses all these activities are funded and supported by the private sector who many of them have got things to do. Not only the black business was [indistinct 00:09:55] those that are in the wine industries and everybody endorsing our events. Not only during Jacob  
20 Zuma's time. Even during Madiba's time. Even during Comrade Thabo Mbeki's time, Comrade Kgalema's times. Business has been quite good for the African National Congress those who believe in what the ANC stands for.

**ADV NOTSHE SC:** Now Agrizzi's response to your answer on page 75 paragraph 31 she says – and she denies that

you – you never approached the himself or the BOSASA to cater for ANC rallies. He says I am reading on page 76: “The true and correct position is and is that on numerous occasions for election galas and on occasion and for ANC Leghotla BOSASA set up funded and catered for various municipal, provincial and general elections. On numerous occasions this was at Nomvula Paula Mokonyane request to late Gavin Watson.”

Because you say you deny this.

10 **MS MOKONYANE:** No it will not be at my personal request. I have never done that. But he is also just showing how he is so naïve on understanding the ANC. The Head of organising he is responsible for organising the ANC must provide the resources. They Head of organising is not the convenor of the Leghotla. Leghotla is convened by the SG of the African National Congress.

**ADV NOTSHE SC:** Now on page – whilst we are still on page 76 he says:

20 “I am attaching hereto as annexure AG1 a copy of an email dated 15 April 2011 addressed to Nomvula Paula Mokonyane in her official email reporting to her on the ANC call centre.”

And that AG1 is on page 99.

**MS MOKONYANE:** Yes it is about the call centre.

**ADV NOTSHE SC:** Yes. Do you know about this?

**MS MOKONYANE:** I know the call – about the call centre and it was the call centre for the ANC operations it does not form [indistinct 00:12:24].

**ADV NOTSHE SC:** But he says here and I am looking at AG1 you excuse me at times this tricks me this – when the emails are printed.

**MS MOKONYANE:** Where is it?

**ADV NOTSHE SC:** Here it seems as if there is...

**MS MOKONYANE:** It is on?

10 **ADV NOTSHE SC:** Page 99 sorry. Page 99. There at the top there is an email seemed to be from Agrizzi and it is – it is to [Nomvula.Mokonyane@gauteng.gov](mailto:Nomvula.Mokonyane@gauteng.gov) – is that A and Sandy then in brackets Nomvulapa call on Gavin Watson then decided to support. So it seems as if here if I understand it Agrizzi sent an email to you on the 11 April 2011.

**MS MOKONYANE:** It was about the Ops centre for elections of the...

20 **CHAIRPERSON:** I am sorry before you – you respond Ms Mokonyane. Mr Notshe read this – the email if – is the one at the bottom supposed to be an attachment to the one at the top or what? I see it says sent via mobile e-phone and then it says begin forwarded message. Is the message at the bottom what was being sent by...

**MS MOKONYANE:** Agrizzi.

**CHAIRPERSON:** From Mr Agrizzi?

**ADV NOTSHE SC:** It seems as if the message at the bottom is – Agrizzi sends the message that followed below.

**CHAIRPERSON:** Yes okay. So if that is the message that he sent or – then you – I think you must just read it so that we know what it says before she responds.

**ADV NOTSHE SC:** Well the message is – is from Agrizzi Chief Operations Officer, BOSASA Group of Companies Mogale Business Centre in Gauteng. And it is from Agrizzi.

10 – [angeloagrizzi@bosasa.com](mailto:angeloagrizzi@bosasa.com) and [jenapieters@bosasa.com](mailto:jenapieters@bosasa.com) and then the phone numbers. Then being forwarded. And what is forwarded it seems as if it is from Johan Fourie, fourie@ - [johan.fourie@bosasa.com](mailto:johan.fourie@bosasa.com) and that email was to send to [thomas@gauteng.gov.za](mailto:thomas@gauteng.gov.za) and then the reports and then the contents reads:

“Dear Sandy attached for your perusal and comment are the following reports on the election contact centre activities.

1. Call statistics on the 13 and 14 April.
2. Canvassing information reports to date.

20 And then he say please let me know if there is anything else you would like reporting on or the formatting of the reports. If you find these reports useful, I can mail them to you on a daily basis.”

And then over the page and then it is Johan Fourie BOSASA IT Pty Ltd and then – and then it warns people think before

you print. And then there is an email from – attachments of an email from Agrizzi to send to Thomas.

“As discussed, we will send reports through.”

And it is from Agrizzi. And then from 102 Chair it is a whole host of – reports.

**CHAIRPERSON:** Are you saying those are reports from 102 – page 102?

**ADV NOTSHE SC:** 102 to 115.

**CHAIRPERSON:** Yes.

10 **ADV NOTSHE SC:** So Ms Mokonyane it seems as if Agrizzi who sent you an email on the 15 April giving this report.

**MS MOKONYANE:** My take through you Chair is that the message was forwarded from Johan Fourie to Sandy and in this very email it is all about the operations of an election. There is no conviction that is said that on condition you deal with this for us or on condition you stand to benefit on this matter.

**ADV NOTSHE SC:** I think Ms Mokonyane what is Agrizzi is trying to say here – remember he says no, I know Ms  
20 Mokonyane and he says I even sent an email, received an email, sent an email to her. And that is why he says:

“I am attaching hereto.”

I am reading his affidavit.

“I am attaching hereto AG1 a copy of an email dated 15 April 2011 addressed to Nomvula Paula Mokonyane in her

official email reporting to her on the ANC call centre.”

And then she says this – he say this is important.

“This was done at her request.”

**MS MOKONYANE:** It could not have been done at my request because it was not for my personal consumption. All that we needed is the Head of organising and elections was to be continuously be giving the update and have a program an operation centre that will help the African National Congress to know the developments in terms of  
10 canvassing and in terms of the voter turnout. And of importance you can see when Johan Fourie responded they actually communicated directly with Sandy who is my personal assistant and they even indicated there that if they find these reports useful they will then come back. And that was what actually happened.

**CHAIRPERSON:** Do you recall specifically this communication or you do not recall it necessarily but you are saying this is what would happened? This would have been the context?

20 **MS MOKONYANE:** Chairperson when we set programs for elections we go on site where we will be operating from. Whether it is in Luthuli House, whether it was in Shell House, whether it is at the BOSASA Conference you sit with all your teams, you work on the program. And most of the people who were on the IT side were the ones who were



communicating directly with us. They are the ones who set the programs that the African National Conference required. And for them to then report to the ANC it was an obvious case. I may not remember this record but it is an obvious case. They will not just go and look for an administrator in the ANC they will look for the Head of elections. Thus, does the taxis owners from Thatha would also be looking for me when we have to sort out the pick-up points and when we have to work out how we are going to fill up two  
10 stadiums at the same time back to back.

**CHAIRPERSON:** I think part of the point that Mr Agrizzi seeks to make through providing this email as I understand it maybe this that on his version, he says in effect he had a lot of interactions with you. You remember when we started his affidavit – in his affidavit he said business meetings or social visits. He even said he attended your 50<sup>th</sup> birthday party. But he also says that in a number of meetings he was with Mr Gavin Watson and yourself. He says in other meetings you would have met Mr Gavin Watson without him.  
20 But he says some of the meetings he was there. He seems to say, I have had a lot of interactions with Ms Nomvula Mokonyane but when one reads your response it seems to suggest that you have not had any interaction with Mr Gavin Watson.

**MS MOKONYANE:** With Agrizzi.

**CHAIRPERSON:** Maybe minimal but you might say not even minimal. You did not have any interactions with him and maybe through this email he is saying, here is just one instance where I have interactions with her office.

**MS MOKONYANE:** Agrizzi – Mr Agrizzi will not know what was discussed in meetings and everything that I was in contact with Mr Gavin Watson on. He would – he will only feature when now we operation alive these kind of activities. And that is when you will come across him at the  
10 site when he would come across and meet us and tell us that we will work with Johan Fourie and all those things. But all the arrangements would have been an arrangement that BOSASA had done directly with the ANC and not with me personally.

**CHAIRPERSON:** Okay thank you.

**ADV NOTSHE SC:** Now Ms Mokonyane just to – before we leave off this point. Tell me how would Mr Agrizzi...

**CHAIRPERSON:** I am sorry we – we are at three minutes past one already.

20 **ADV NOTSHE SC:** Chair can I just one question then I leave AG1.

**CHAIRPERSON:** Ja okay.

**ADV NOTSHE SC:** When would Mr Agrizzi have obtained your email address?

**MS MOKONYANE:** They would have obtained my email

address from the contacts and the – they would have obtained my contacts from the interactions that we have had with BOSASA and us in terms of preparing for the ANC's activities. Obviously, you will need to give contacts to one another to say, this is how we will communicate and so on and so forth.

**CHAIRPERSON:** Okay alright. Let us take the lunch adjournment. We will resume at two o'clock. We adjourn.

**REGISTRAR:** All rise.

10 **INQUIRY ADJOURNS**

**INQUIRY RESUMES:**

**ADV NOTSHE SC:** I wish the proceedings were under a tree outside. It is so nice and warm outside than inside here.

**CHAIRPERSON:** [laughs] Yes, but I hear some aircon noise and I think the witness had a problem earlier on. And I think let us switch it off. I certainly did not feel before lunch that switching it off made it colder. Ms Mokonyane, I think before lunch we had switched it off because it was causing problems for you.

20 **MS MOKONYANE:** Yes, it does affect the hearing...[intervenes]

**CHAIRPERSON:** Yes, okay.

**MS MOKONYANE:** ...with this thing.

**CHAIRPERSON:** Alright. Thank you. You may proceed Mr Notshe.

**ADV NOTSHE SC:** Now Ms Mokonyane, we deal with on page 31, where we deal with where Mr Agrizzi said BOSASA also provided catering. He says it provided catering for supporters at President Zuma's birthday parties, at amongst others, the pool house and for his private birthday parties.

And in essence, by way of example Annexure G a photograph of a cake that he arranged for President Zuma's 72<sup>nd</sup> birthday. Now you responded to that. What is your response to that? Your response is on page 31.

10 **MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Yes.

**MS MOKONYANE:** Yes. As I have stated before and as reflected in this paragraph Chairperson. I wish to again, indicate that the provision of all these things had to do with the different and many other people who were involved in... it was not my direct involvement.

It was after the interest of everyone who wish to... wish President Jacob Zuma a happy birthday and it has happened even now with Mandela Day and even the President Thabo  
20 Mbeki's birthday.

**ADV NOTSHE SC:** Now just on that, Ma'am. You... if this was done by, and at the expense of BOSASA, would that not be a problem, a birthday party?

**MS MOKONYANE:** I cannot deal with the if. All I know is that there were different things that happened on that

particular day at the party and before. I do not see myself being able to make a judgment.

**ADV NOTSHE SC:** Now, will it be proper for a person who has a tender with government to sponsor a birthday party of party officials or government officials?

**MS MOKONYANE:** Chairperson, I do not find it actually being improper. As I have said and I have proved here that even an SOE have come out to support activities of presidents of premiers and that was also what BOSASA has  
10 done. Not only to President Zuma’s birthday but to many other activities of the ANC and individuals.

**ADV NOTSHE SC:** Now, Mr Agrizzi responds to your answer and his response and he says:

“I have no knowledge of the actual role in respect of the catering for President Zuma’s birthday parties which were arranged mainly by Dudu Myeni but I state further that, at the specific request of Nomvula Paula Mokonyane, and over and above the use of BOSASA’s premises for conferences, elections, call  
20 centres on the diverse occasions when the Thuli House celebrated President Zuma’s birthday, all catering were done Nomvula Paula Mokonyane’s request and was funded by BOSASA”.

And you deny this?

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Now we then on the same page, page 81. We are dealing with the... what is stated by Mr Agrizzi in part of 82.5.5 of his main affidavit. He says:

“They also did maintenance at your house in Roodepoort which included maintaining electric fencing, generators, CCTV’s, gardening, pool gates and lightning...”

On this... your response is on page 31.

**MS MOKONYANE:** Yes.

10 **ADV NOTSHE SC:** Yes.

**MS MOKONYANE:** And my response remains as it is. And as I have also indicated. There is even an SMS where my husband responded when the media queried about what exactly had happened at what is alleged by Mr Agrizzi.

And at no point has he ever indicated that I have asked him and my husband has also indicated that he took responsibility.

And during my ten years at the MEC and the Premier, those responsibilities of the security were provided by the  
20 state but even now, where Mr Nixon has also confirmed that he has not found anything that is actually raised by Mr Agrizzi’s affidavit.

**ADV NOTSHE SC:** Now just ...[intervenes]

**CHAIRPERSON:** Just one second before we proceed. I just want to find out from the transcribers whether they are able

to hear the witness properly with the mask on or not?

**UNIDENTIFIED SPEAKER:** [Indistinct]

**CHAIRPERSON:** Sorry?

**UNIDENTIFIED SPEAKER:** [Indistinct]

**CHAIRPERSON:** Yes, but she... I think she said she has some conditions. I think she would prefer to put the mask on. Is that right?

**MS MOKONYANE:** I will try and ...[intervenes]

**CHAIRPERSON:** Yes, we have to put it on if possible.

10 **MS MOKONYANE:** I would prefer for the ease of the Commission, let us proceed.

**CHAIRPERSON:** Yes. Well, I just wanted to find out because if they can hear properly then you could keep it on, but if they cannot hear properly it would affect what they type for the transcript.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** I think we will wait. Probably it is a long story. [laughs]

**MS MOKONYANE:** Ja.

20 **CHAIRPERSON:** That they will tell me.

**MS MOKONYANE:** Okay.

**ADV NOTSHE SC:** Chair, it is as if they are struggling to hear the witness with the mask on. Even my junior says even her sitting there, she is struggling to hear.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** I will continue Chairperson.

**CHAIRPERSON:** Okay. Alright.

**MS MOKONYANE:** [Speaking vernacular]

**CHAIRPERSON:** [laughs] Okay. [Speaking vernacular] The witness just said she will be... she gets sick when she gets home. I am hoping she will not get sick. [laughs] Okay. Alright.

**ADV NOTSHE SC:** Chair, if we let the witness, I have got a [speaking vernacular] It is very good.

10 **CHAIRPERSON:** [laughs]

**MS MOKONYANE:** [laughs]

**ADV NOTSHE SC:** We can sort it out Chair.

**CHAIRPERSON:** [laughs] Okay let us continue. She just... she gave an answer to Mr Agrizzi's evidence that BOSASA provided the maintenance of certain security features at home. You want to take it from there Mr Notshe?

**ADV NOTSHE SC:** Yes. Yes Chair. Now, Ms Mokonyane you... there... it is confirmed also on the minute that was signed by the lawyers after they visited your house that  
20 when one enters your yard, there is a guard house on the left. Is that correct?

**MS MOKONYANE:** Yes, it is the ...[indistinct]

**ADV NOTSHE SC:** And it is manned, that the guards were there?

**MS MOKONYANE:** Yes.



**ADV NOTSHE SC:** And supposedly, they had to check who comes in... who is coming into the house there?

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Now, no one would be able to come to your house to do maintenance without going pass those people?

**MS MOKONYANE:** No one would do that, yes.

**ADV NOTSHE SC:** And have you ever received the report that there were unauthorised people who came to your house  
10 to do repairs like you... people who were not authorised by your family?

**MS MOKONYANE:** I have never received a report, other than the people that I know that have been doing work in the house.

**ADV NOTSHE SC:** And you read the affidavit and you have heard the evidence of Charle Roux?

**MS MOKONYANE:** Yes?

**ADV NOTSHE SC:** And his file is not far from you, where he says, he went and identified the house where he did some  
20 repairs and it is your house.

**MS MOKONYANE:** I do not know what he has done. It was not per my instruction. All I know is that we had requested them to go and help us with an alarm that was going on and off.

And that is all that we have asked them to do per the

instructions from my late husband, who, as I have said, in his own SMS, after the Sunday Times story, he actually said he is responsible personally for the services that has to do with the security and the maintenance of the house.

**ADV NOTSHE SC:** Now, just one thing. The one instance which you say was authorised by your husband, did your family pay for that?

**MS MOKONYANE:** I do not know. As I have said. Those ...[intervenes]

10 **CHAIRPERSON:** I am sorry. I am sorry. I did not hear the question clearly.

**ADV NOTSHE SC:** Oh, sorry. The question is. In the one instance where she admits that the repairs were done at the request of her husband. The question is, did he... did she pay for... or the family paid for those repairs?

**CHAIRPERSON:** H'm.

**MS MOKONYANE:** As I have stated Chairperson. These are the responsibilities that my husband would take responsibility thereof. As to whether he was invoiced or not,  
20 that remains an issue that I cannot come and substantiate here.

**CHAIRPERSON:** H'm. H'm.

**ADV NOTSHE SC:** Now is your evidence Ms Mokonyane, if I understand it, that Charl le Roux could have done work at your place but he was not authorised by you?

**MS MOKONYANE:** He was never authorised by me Chair.

**ADV NOTSHE SC:** And you did not BOSASA for work ...[intervenes]

**MS MOKONYANE:** I ...[intervenes]

**ADV NOTSHE SC:** Sorry miss. You did not pay BOSASA for work that was done by Charle Roux.

**MS MOKONYANE:** I do not know whether they were paid or not paid for the intervention with regards to the fence that had broken. And any other extra work, I am saying for the  
10 record, and also would be texted that my husband responded to the Sunday Times, he took the responsibility of the upkeep and the security of the house. Only from 2014 when I moved from Gauteng and became a minister.

**ADV NOTSHE SC:** Now, did you find out from your husband when the report came in the newspapers about repairs at your house, whether he paid for those repairs?

**MS MOKONYANE:** My husband actually responded in that SMS to say they took him ...[indistinct] because he has taken responsibility. Then that text is there. What they did beyond  
20 that, I do not know.

**ADV NOTSHE SC:** Now... and still your answer is that you did not ask him whether he paid for it or not?

**MS MOKONYANE:** No, I would not ask. It is his responsibility.

**ADV NOTSHE SC:** I see. Now on page 32 of the record.

That is paragraph 37.2. You say that your... you say:

“I never requested BOSASA ...[intervenes]

**CHAIRPERSON:** I am sorry Mr Notshe. Maybe let us approach this differently. You know the thrust of Mr Agrizzi’s evidence against you is that BOSASA had in effect a special relationship with you or Mr Gavin Watson had a special relationship with you. A special relationship, maybe is my phrase, not his.

**MS MOKONYANE:** H’m.

10 **CHAIRPERSON:** But as I understand his evidence. He says you were close. I do not know whether I can go as far saying you were friends but you were close. That is yourself and Mr Gavin Watson.

He goes on to say, BOSASA gave your presents and gave you money monthly as you would have heard. And he says all these, from what Mr Gavin Watson told him, that is Mr Agrizzi, was done effectively to buy your influence because he says Mr Gavin Watson kept on saying to him that you are a very influential person both in government and in  
20 the ruling party.

And that BOSASA needed to treat you very well because you would provide them with protection with regard to investigations that were being conducted by the SIU and protection from prosecution, criminal prosecution.

And he says that Mr Gavin Watson emphasised that you

had influence with the former President, Mr Jacob Zuma.

Now you have already said you never got any... received any presents or gifts from BOSASA personally. And I think in your affidavit, you deny having received any money.

And one of the things that Mr Agrizzi said in his evidence is that there were two occasions on which he was present when you were given money by Mr Gavin Watson. One of those occasion, he said, it was in your house.

He says he had been asked by Mr Gavin Watson to  
10 prepare the money and put it in a bag and they left it on a chair for you in your house.

Now you have said that with regard to security issues in the house, you never asked BOSASA to do anything for you and your family. And I think you said Mr Agrizzi has never been to your house.

And you must tell me if I misunderstand his evidence. So when it comes these issues, it is important that in putting your side, you provide what reason you would have, how Mr Gavin Watson... how Mr Agrizzi would know some of the  
20 features in your house if he had not been there. So I think it is important to deal with those things.

**MS MOKONYANE:** Thank you very much, Chairperson.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** In the submission that he says, I think it is also one of his people who was saying they met at my

place and I was not there. So they... he came to my house in my absence. He has never sat with me.

And as he says... he says he left money in a chair and yet he says he was inside a meeting. I have never received any cash coming from Gavin Watson, nor also through him, Agrizzi, as he claims that he was once at... That is not what I know and that is not what ...[indistinct]

**CHAIRPERSON:** Maybe... and maybe Mr Notshe, you can just run through some of those features that are agreed as  
10 common course that he mentioned. Because as you would remember Ms Mokonyane from his affidavit, he said certain things in order to show that he knows the house on the inside.

He has been to the house. He has said certain things. He said, there is this, there is this. I think one of them was... but he first said the guard house is to your left as you enter.

And then I think he says there are a few steps just before you enter the house. And I think he said on the right  
20 hand side as you enter, there is...

I do not know whether he said it is a lounge or it is the kitchen or he said it is the study. And then he says inside there is a, I think, a staircase if I am not mistaken. So let us deal with those so that Ms Mokonyane can just deal with those things and...

Because it is important to deal with them and see how he would have known about those things if they are and if they cannot be seen from outside.

Obviously, if it is something that can be seen from the road, then it cannot prove that he has been inside but let us hear those and then Ms Mokonyane can deal with those.

**ADV NOTSHE SC:** Chair, before we get there. Can I just ask one question from Ms Mokonyane?

**CHAIRPERSON:** Yes, oaky.

10 **ADV NOTSHE SC:** Ms Mokonyane, do you deny that Mr Agrizzi visited your home?

**MS MOKONYANE:** Mr Agrizzi never visited my home in my presence.

**ADV NOTSHE SC:** It is... that is a ...[indistinct] answer. Are you saying is... you said he never visited your home but then you add “in my presence”. Are you saying he could have visited when you were not there?

**MS MOKONYANE:** He might have actually has said in the statement, but I deny the fact that Agrizzi had actually been  
20 in my house with me in presence. They might have left with my husband. They might have met with people in the house as they alleged but never with me.

And it was on one occasion. But also, the knowledge of my house Chairperson, as I have said, when you have an occasion like a bereavement. You are being visited even by

members of the DA in my house.

I have been visited by people that I do not know. All because they have come to pay respect. And for them to know my house, it is some people I meet even today. They tell me: “We came. We saw you”. And I cannot even remember.

But the other things that are wrong about Agrizzi’s accessions. I do not have a wooden staircase. There is no wooden staircase in my house, including the one that goes to  
10 the bedroom. It is not a wooden staircase.

Also, there is a lounge, a TV lounge, a private TV lounge on the right as you go towards the kitchen. And thirdly, there is a dining room that has been in good use from the day I moved into that house.

So his allegations of saying it is not actually... there is an open space that is supposed to be a dining room that is not being used. That is also a lie.

The thing that he is saying about knowing the features of the house, maybe it is on that day when they came to come  
20 to look at the fence.

I do not know. I was not even present on that day. I have never held a meeting with Mr Agrizzi in my house. Mr Agrizzi indicates that this is what he has always been told by Gavin Watson.

**CHAIRPERSON:** Mr Notshe, will you proceed to look at the



features that Mr Agrizzi talks about or that are agreed as have being identified. But I want to ask this question.

Would it be fair to think that your late husband would have told you, at least after hearing Mr Agrizzi giving evidence, if he had ever met Mr Agrizzi in your house on any particular occasion?

Is it fair to think he would have said: “Well, that man was here. Blah-blah-blah?” Or not really?

**MS MOKONYANE:** Yes, it would have been fair but the thing  
10 that I know as a matter of record is that he said, “They are talking nonsense”.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** He is responsible.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** It was only on this occasion when there was a problem with the alarm ...[intervenes]

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** That he asked. Because our own 24/7  
20 electricity and security company was on call because of the problems of flooding and storm in Gauteng.

**CHAIRPERSON:** Yes, but on that occasion, did he say or anybody in the family say, Mr Agrizzi himself ...[intervenes]

**MS MOKONYANE:** No, that he ever gave me that account.

**CHAIRPERSON:** No, nobody ever said then ...[intervenes]

**MS MOKONYANE:** No.

**CHAIRPERSON:** ...Agrizzi came? Mr Agrizzi came?

**MS MOKONYANE:** No.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** No.

**CHAIRPERSON:** Okay and did anybody say who came exactly or not really?

**MS MOKONYANE:** No. [laughs] They would actually ...[indistinct]

**CHAIRPERSON:** Yes, okay. Mr Notshe.

10 **ADV NOTSHE SC:** Now, Ms Mokonyane what the Commission did last week is to write to your lawyers to set out what features Mr Agrizzi says he observed at your home, seeking confirmation whether those exist or not. And these... I am reading from the letter. The letter actually is on the last file. It is file 11. The last folder 11.

**CHAIRPERSON:** Well, it is a very... she might not need to go. You can just read it. It is a brief letter. You can just read what the letter says.

**ADV NOTSHE SC:** The letter says:

20 "... the evidence of Agrizzi regarding his visit, to your client's place at..."

And then the address is given, is *inter alia* as follows:

"There is a guard house to the left as one enters the premises. There is a small set of stairs what is the main door. It seems, to the house, is a study to the

right as one enters the house through the main door. If one continues the entrance passage, one sees a staircase to the far left. This staircase leads to what is presumed to be the bedrooms upstairs.

If one could go down the passage, one would enter into a kitchen area. Off the kitchen area, it is what seems to be like an open area that was not in use. That leads out to the backyard area. And linked to the dining room is a large lounge area...”

10 And then your attorneys have responded and says:

“Nevertheless...”

I am just reading the pertinent part:

“Nevertheless, in the short time I ...[indistinct] to ask, we have obtained instructions from our client that she confirms most of Mr Agrizzi’s contentions but disputes that the contents in relation to where the kitchen is and the dining room not been used in this regard.

20 We are further instructed as follows in relation to the features of your home. Before you reach the kitchen area, you pass the room that is used as a private lounge on your right and a dining room and is in use...”

So it seems as if your lawyer is saying you agree with most of the features except the ones you have pointed out.

**CHAIRPERSON:** Before you answer Ms Mokonyane. I am just wondering whether it is not better to take each feature one by one, so she is able to say that... because they say most. So I do not know which ones or which ones fall out. They specifically mentioned some, I think two, where there is a problem.

**ADV NOTSHE SC:** Yes, yes.

**CHAIRPERSON:** Ms Mokonyane, would you prefer to answer now or would you prefer that Mr Notshe mentions them one  
10 by one so you can be clear exactly which ones you say  
...[intervenes]

**MS MOKONYANE:** I can respond even now Chair.

**CHAIRPERSON:** Okay.

**MS MOKONYANE:** With your permission.

**CHAIRPERSON:** Yes, yes.

**MS MOKONYANE:** Firstly, from the Google Maps that Mr Agrizzi downloaded, it is a given. You will see where the guard house is because it is there and it is a guard house. It is a brick and ...[indistinct]

20 And correctly so. There are a few steps that you take as to go into... not what seems to be. What is the main entrance and immediately there is a study.

And immediately on your opposite side of the study on your left, not as you go further through the passage, there is a staircase. Not a wooden staircase. A tiled staircase.

Because of my health, I cannot actually live with any carpet or even wooden floor. There is a staircase that takes you to the bedrooms. That is immediately there.

And you then immediately turn right. That is when then you first go pass a private lounge and immediately on your other side, you then have the kitchen.

And in front of you, you would not have to look for it, you will see then the dining room because it is an open plan. So nothing is hidden there.

10 **CHAIRPERSON**: Mr Notshe, have you been able to see which ones are... she is not admitting as being there?

**ADV NOTSHE SC**: Ms Mokonyane, as I am sure you read the letter?

**MS MOKONYANE**: Yes.

**ADV NOTSHE SC**: There is no mention of the wooden stairs in the letter.

**MS MOKONYANE**: Yes, Chair.

**CHAIRPERSON**: It might be in the affidavit.

**MS MOKONYANE**: In the affidavit ...[intervenes]

20 **CHAIRPERSON**: Ja.

**MS MOKONYANE**: ... that we have got and that we worked even overnight on that.

**CHAIRPERSON**: H'm. It might be in the affidavit.

**ADV NOTSHE SC**: Now, the... and is it correct that if one comes down... I am reading on paragraph 2.5 of the letter. It

says:

“If one continues down the passage, one will enter into a kitchen...”

Is that correct?

**MS MOKONYANE**: If you continue?

**ADV NOTSHE SC**: Yes.

**MS MOKONYANE**: You do not even enter. Because it is an open plan, you just reach the kitchen and across you see there is also a dining room on... in front of the kitchen.

10 **ADV NOTSHE SC**: And he says off the kitchen area there is what seems to be like an open dining area. And he said that was not in use that leads out to the backyard area.

**MS MOKONYANE**: My dining area... there is... we do not have any other dining room except that dining room and that has been there from the day we occupied that space and we have lived there. Everyone can attest to it. That is what I am disputing from Mr Agrizzi. I have no unutilised space in the house.

**ADV NOTSHE SC**: And then ...[intervenes]

20 **CHAIRPERSON**: Do you say, does it lead to outside, I thought you were reading ...[intervenes]

**ADV NOTSHE SC**: Yes, it says off the kitchen there is what looks like an open dining room area, dining area, that leads out to the back yard, the back yard area.

**CHAIRPERSON**: Is that part correct?

**MS MOKONYANE:** We have two exits, one to the front and one to the back and when we have functions, we actually open all of them so that people can move easily.

**CHAIRPERSON:** Okay.

**ADV NOTSHE SC:** And the lastly, linked to the dining room is a large lounge area.

**MS MOKONYANE:** There is a lounge.

**CHAIRPERSON:** And is it where he exactly says it is ...[intervenes]

10 **MS MOKONYANE:** Linked to the – like I said, Chairperson, it is an open plan, the kitchen, the dining room and the lounge but he also forgot to say there is a bar.

**CHAIRPERSON:** Okay. And it is in your face as you walk because you walk past the private lounge and on your other side immediately it is just maybe two, three moves then it is the kitchen and as you come right from the entrance after you have turned away from the study you see a dark brown wooden bar, it has glasses, it has a – it  
20 is in your – it is like a mirror, you see it, it is unavoidable not to see.

**ADV NOTSHE SC:** You will agree with me that the features that are mentioned by Mr Agrizzi. Let us leave the guardhouse for the moment and the stairs. The features inside the house, they are features that have been

observed by someone who was inside the house.

**MS MOKONYANE:** They would have been observed but not as accurately- but not as inaccurate as he is putting there. I think he might have been told and hence he has forgotten what could just immediately come into your mind about the Mokonyane's house that there is a bar as you come in there, a small family bar and you walk across and you pass the private lounge and then you get into the kitchen on the other side and just there it is an open plan  
10 kind of a situation. So I find very absurd that he would not even recognise that one unless somebody has told him and they forgot to give him the position.

**CHAIRPERSON:** Of course, even if he had been there, he might have forgotten that part or forgotten some features, is it not?

**MS MOKONYANE:** He has never been in that house with [indistinct – dropping voice]

**CHAIRPERSON:** No, I accept that you are saying he – I accept that your version is that he has never been to the  
20 house.

**MS MOKONYANE:** Mr Agrizzi has amended his submissions, Chairperson.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** So many a time and surely if he wants to prove the probability that he alleges, yes, surely be that



things that he will not even forget. Anyone who you can ask, like I am saying even leaders of the Democratic Alliance, leaders of the IFP, leaders of the EFF, people that have come to that house, they will tell you that right in front of you – even during bereavements, Chairperson, we do not remove that dining room. In fact, it gets used as an alter. I am very Catholic. So that dining room operates as a little alter when there is a bereavement. When there is no bereavement that is the table that we all spend time  
10 because we are all busy people. That is – we call it our place of convergence where we all come together. So I do not know if he had forgotten to see tables and chairs.

**CHAIRPERSON:** Well, you said that when there are functions in the house and when there is a bereavement or a party people will come and you open both ends for people to move in and out.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** I take it that you are not suggesting that Mr Agrizzi might have been to your house during one of  
20 those occasions but what you are saying is that he must have got this information from somebody else about the features of your house, is that correct?

**MS MOKONYANE:** He might have gotten this explanation from somebody who has been in the house and that is my assertion.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** Of he does not know the house at all.

**CHAIRPERSON:** Yes. Because, of course, if he was ever there in the house when there was some – there were many people, he is not the kind of person that you would miss, you would see him, there is no way you would not see him.

**MS MOKONYANE:** I would not miss if he would have joined us when we have mass. You know, when you have a bereavement you then come then [African language] there  
10 is a prayer service and you come downstairs but most of the time when there is a bereavement and when it is a bereavement in my house I am the chief mourner, I spend most of the time upstairs and with the loss of my son, Chairperson, I want to tell you, it was not an easy thing for me to accept. I could not deal with it. I was confined in bed. I was under medical treatment and people came in numbers. By the time I went to son in Botswana and confirm with his identity before he was taken the mortuary, I arrived when the house was full. I cannot tell you, I  
20 cannot tell you who the white person who was there and the black person who was there and all those kinds of things, I lived for the better part of that period being sedated. I had to deal with the insides and all those things but just the people who come, I cannot really remember. Others still remind me today that we were with you and that

is me with the issues of grieving(?) because the other time that opens any African home is when [African language] and the other time it is when you host [African language] and my [African language] I will not invite Agrizzi, not *mphahlele mpanza* and all those things, I will not invite Agrizzi, I will not even invite Gavin because it has to do with me and my family and my interpersonal and that is what will happen. When I entertain, I do entertain, I entertain my friends, not even Gavin has been entertained  
 10 in my house because we do not relate at that level because that is – I have never had a relationship where I will party with Gavin and stuff. When I met with Gavin we will just relating about politics. He was very passionate and very outspoken about politics and all those things. And the other thing that will be - his own contributions will be us reminiscing about our past and all those kind of things or all of us working for the ANC and implementing the mandate of the African National Congress.

**CHAIRPERSON:** Well, I guess you would agree with me  
 20 that if he has never been to your house and he had to go and look for somebody who knew your house inside then it means he really went to great lengths to try and get something which would create the impression that he has been to the house when in fact he has not been to the house. Now the question that arises for me – and I am the

one who must ultimately decide, make a finding which of these versions is true. What arises is, why would he go to these lengths to do this to you? It is important that you address that because I have no doubt that if he or his lawyers, as an argument, they might say why would he have gone to all of these lengths, why would he want to punish you, put you in a bad light and go and look for people who must – who know your house and say please tell me what are the features that one can find in the  
10 house?

**MS MOKONYANE:** Thank you, Chair. I think the extent of the desperate acts of Mr Agrizzi goes beyond just the description of the house. The very fact that he thinks for a movement as old as the ANC, 108 years old, can actually be dependent on a Nomvula for it to remain a popular organisation that has – and being a leader of society smacks of his ignorance and naivety.

Secondly, I just think whatever that has happened between him and Gavin, he is at pains to really not only  
20 tarnish Gavin but look for people who at that particular time and even now their names have been tarnished both in the media as well as the perceptions that have been branded about them. He himself has not actually denied the fact that he hates black people, he himself he has not denied the fact that he has complained about the

relationship I have with Gavin. He has actually put it on record. Only him can indicate that I really think that Gavin trusted somebody who was never committed to actually being what he, Gavin, and the Watson family and all other people, not only Gavin, even other people who worked for BOSASA that actually were doing for the African National Congress like it has happened with other businesses. Only him can explain but I do believe that he has a mission and his mission, as you can see, is going to an extent of saying

10 I have influence. It is like I am in charge of leaders of the African National Congress and President. I think that is also wrong and now the act of desperation pushes him to not even say – I wish he could have said I have gone to Nomvula's bedroom and I found her lying on the mattress and that is where we agreed to sign off and do all the burials and everything. Because that is where the decision of me and my family. Like you know, Chairperson, [African language] for in your home there are moments where the family comes together and [African language] and did all

20 those things. That is where issues are discussed, he does not say in all those things about the things that he is saying that I met Nomvula or I met such Mokonyane and I was told that I must do this and this and that. He says he was instructed by Gavin and I definitely can say, Chairperson, Gavin never bought a coffin for my child.

Gavin never paid for burial for my child. BOSASA never buried my child.

He even goes to an extent – I think this desperation just irritates me. Irritates me and hurts me so bad that – he even goes to an extent of confusing my two son, Retlabusa. Africa, the eldest and Retlabusa. And leave the aside the description of the house. That is that. So he does not even know their names yet in every other thing he is able to drop the names, Nomvula Mokonyane’s son and  
10 that is how my kids have gone through in this country, they are all associated – they are all Nomvula’s son, Mokonyane’s son. Now it is Mokonyane’s daughter and I think my own issue is, Agrizzi with how is has come into the Commission and how he is conducting himself and how he had also provided information, it is up to him to say what exactly is the motive and why has he handpicked those that he had handpicked? Chair, just a simple thing.

I have never been in any department that deals with the procurement of that department with BOSASA.  
20 Chairperson, I am not sure if the SIU and everybody had stopped the investigations, I do not know, so I really do not – I [African language] I really do not know why but I think the man is full of hatred and there was a situation between him and Gavin and as I have said, that man tell those stories that really, really, I am saying Chair, you can go to

my house immediately, once you pass the study, immediately you have the staircase and in your face, before you even see there is a kitchen you see the bar. You see the dining room. You only realise once you have moved into the open space that there is a kitchen.

**CHAIRPERSON:** Thank you. Mr Notshe?

**ADV NOTSHE SC:** Ms Mokonyane, you confirmed that your house has got high walls, the perimeters of the premises is made of high walls.

10 **CHAIRPERSON:** Yes, it is, as it was also shown by Agrizzi on the Google Map.

**ADV NOTSHE SC:** Yes. And I am sure one cannot be able to see the guardhouse outside the premises, one has to enter the premises.

**MS MOKONYANE:** No, you can see the roof even from outside and also through a Google Map you can see.

**ADV NOTSHE SC:** And one would not be able to see that the roof, that the roof of a guardhouse, one may just see the roof.

20 **MS MOKONYANE:** Come again?

**ADV NOTSHE SC:** One may just see the roof but would not know whether it is the roof of another building or a guardhouse, one has to open and enter the premises to see that it is a guardhouse.

**MS MOKONYANE:** Yes, we have to open and enter but

knowing that that has been a house of an MEC and a Premier, goes with logic.

**ADV NOTSHE SC:** Now also the stairs that lead to the main house cannot be seen from outside, one has to enter the yard to see those stairs.

**MS MOKONYANE:** You can also when you Google – you do an aerial photography, you can see those stairs and yes, also when you enter, that is the main entrance.

**ADV NOTSHE SC:** When you say that you can see the  
10 stairs leading to the main house to Google photography, are you saying that is what Agrizzi did?

**MS MOKONYANE:** I do believe. I do not understand what led him to actually downloading Google Maps. I am saying yes, it is easy to find out that way and you can also be told by anybody else and you can also see it once you inside the yard.

**ADV NOTSHE SC:** Now you also say in your answer in paragraph 37.2 and page 32 that your primary security was provided by the state and you say:

20 “This included, as far as I was concerned, the provision of close circuit television.”

As you saying the primary security at your house, your private home, was done by the state?

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Now the – you say the affidavit of Mr



Alan Nixon that he asked the state for details of this. The state never confirmed that they put security at your place.

**MS MOKONYANE:** The state was responsible for my security and what had happened.

**ADV NOTSHE SC:** Now when you saw ...[intervenes]

**CHAIRPERSON:** I am sorry, I think it is important to clarify. In one part of your affidavit you said the state was responsible or you were entitled to being provided with primary security by the state and then here you say  
10 primary security was provided by the state so that is separate from being entitled because you can be entitled and they do not provide. So you are saying as a matter of fact the state did provide what you referred to as primary security, is that right?

**MS MOKONYANE:** Yes, including the security guards that were provided as they sit here.

**CHAIRPERSON:** Yes, I want to come to that to say what do you – what falls under primary security, what are you covering when you say my primary security was provided  
20 by the state. Exactly who, is that the protectors only or is there something else as well. I just want to ...[intervenes]

**MS MOKONYANE:** The state also provided a guardhouse.

**CHAIRPERSON:** Guardhouse.

**MS MOKONYANE:** The state also provided the burglars and the security in terms of cameras.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Okay, so the CCTV cameras?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** And the guardhouse.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** And I assume ...[intervenes]

**MS MOKONYANE:** And the 24 hour guarding.

**CHAIRPERSON:** Ja, the personnel in the guardhouse.

10 **MS MOKONYANE:** Yes, it was the South African Police Service.

**CHAIRPERSON:** Yes, okay. Mr Notshe?

**ADV NOTSHE SC:** Now when you answered – when you were preparing this affidavit you had already heard and seen the affidavit of Agrizzi where he says the CCTVs were provided by BOSASA, right? You had seen – where you were answering this...

**MS MOKONYANE:** Yes.

20 **ADV NOTSHE SC:** You had seen Agrizzi saying these were provided by BOSASA, am I right?

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Now did you ask the state and say please show – give me the receipts or show me – confirm that you did provide. Someone is saying here that they provided CCTVs for my house, I know it was provided by

you, the state, please confirm this?

**MS MOKONYANE:** Chairperson, even the decision of having a protector you do not get any explanation from the state. Even when the state out of their own risk assessment resolves that I must not spent time in whatever because of the security issues, I must actually move to Bryanston. I took time to move that official residence until I was forced by the South African Police Service VIP Protection that I have to move to that place because of  
10 their own concerns and they will never even explain to you, you just see those things.

So the state, I would never – and think I took it as a matter of fact that everybody knows how the State deals with these issues and I have seen also Mr Nixon confirming that he had checked all those issues with the state. It is up to Agrizzi himself to prove why he actually is misleading this house.

**CHAIRPERSON:** Well you mentioned Mr Nixon, I thought I would come back to that because earlier you did make  
20 reference to him having confirmed something and I did not hear what it was. So what is it that, on your reading of his affidavit, he has confirmed?

**MS MOKONYANE:** That the CCTV cameras could not be associated with those that say Agrizzi or whoever have come to the Commission to ...[intervenes]

**CHAIRPERSON:** Would not be?

**MS MOKONYANE:** That he confirmed that the security in the house is not the same at that that is being alleged to have been bought, I do not know in what company.

**CHAIRPERSON:** Oh, is not the same as the security or CCTV cameras that Mr Agrizzi talked about?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Oh, okay.

**MS MOKONYANE:** And all other issues that are in the  
10 affidavit by the gentleman.

**CHAIRPERSON:** Yes, well if you want to go to the affidavit feel free to do so but otherwise Mr Notshe might assist to find it.

**ADV NOTSHE SC:** The affidavit is just on page 148.

**CHAIRPERSON:** Well, Mr Notshe, if you know exactly whereabouts?

**MS MOKONYANE:** Yes, on page – Chairperson?

**CHAIRPERSON:** Yes, yes?

**MS MOKONYANE:** On page 158.

20 **CHAIRPERSON:** 158, yes. Do you want to read the relevant part, Ms Mokonyane?

**MS MOKONYANE:** Thank you, Chairperson. The conclusions on paragraph 35 reads as follows:

“The date of deposing to this affidavit, our investigations have not found any evidence that the

purchases of CCTV security equipment from Regal Security and made on the Angelo Agrizzi cash account can be matched to the security installations done at Ms Mokonyane's private residence in Krugersdorp."

And 34.2:

10 "Ms Mokonyane received and security installations at her private residence as a consequence of the position that she held as the MEC of Gauteng, the Premier of Gauteng, or as the Minister of Water and Sanitation."

**CHAIRPERSON:** Yes, I understand that to mean the following and I want you to confirm whether my understanding and your understanding is, you know, are the same. I understand Mr Nixon to be saying as at the date of deposing to this affidavit his investigations have not found any evidence that the CCTV security equipment from Regal Security, which was made on Mr Agrizzi's cash account, can be matched or matches the security  
20 installations at your residence. That is the first point I think he is making. I think we agree on that one.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Is that right?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Yes. And secondly, I understand him to

say his investigations have also not found any evidence that the security installations at your residence were security installations that you got as a result of the positions you held as MEC Gauteng Housing, Premier of Gauteng or Minister of Water and Sanitation. Is our understanding on both points the same?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Okay, fine.

**MS MOKONYANE:** Yes, Chair.

10 **CHAIRPERSON:** Yes, thank you. Mr Notshe?

**ADV NOTSHE SC:** So just on this, just on this, you see that the state did not confirm that they did install the security equipment at your house.

**MS MOKONYANE:** Come again?

**ADV NOTSHE SC:** On this paragraph, paragraph 34.2.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** The state did not confirm, did not confirm that the security TVs at your house were installed by it, by the state. Did not confirm that.

20 **MS MOKONYANE:** That is what is says [indistinct – dropping voice]

**ADV NOTSHE SC:** Yes. So the state has not confirmed that they put the CCTVs at your house.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Now it takes me back to my earlier

question, the clarification I just seek from you, you had – you read Mr Agrizzi saying the CCTVs were installed by BOSASA and you say those CCTVs were installed by the state.

**MS MOKONYANE:** All security features in my house were installed by the state and every other further security feature, that was my husband [indistinct – dropping voice] post my departure from Gauteng.

**ADV NOTSHE SC:** No, all I am saying is, you heard Mr  
10 Agrizzi's affidavit in that the CCTVs and security around your house were installed by BOSASA.

**MS MOKONYANE:** And I am saying ...[intervenes]

**ADV NOTSHE SC:** And you are saying no, they were installed by the state. Did you find out from the state and ask them to confirm that these were installed by them?

**MS MOKONYANE:** I have not gone to the state because I have read Mr Agrizzi's statement and I have also had the confirmation from my husband that he took responsibility and we do have a 24/7 security company that does all the  
20 maintenance and everything that is related to our security, even as we speak today.

**ADV NOTSHE SC:** Sorry, Ms Mokonyane, did you go to the state despite the serious allegations made against you that the CCTVs and security equipment was installed by a private person at your house and you are saying they were

installed by the state?

**MS MOKONYANE:** I never ...[intervenes]

**ADV NOTSHE SC:** Sorry, sorry, I did not mean to speak over you. Was it not easy for you to ask the state to say you installed this please, in an affidavit or confirm that these were installed by the state and not by BOSASA?

**MS MOKONYANE:** No, I have never done that precisely because I have never found it being my responsibility to go back to the state and go and find out what they have done.

10 The guardhouse, for example, that is in my house, we had to build after the state's guardhouse had actually collapsed and it was post my being the Premier and moving into National Government because National Government does not actually provide security in your private residence and that is what we did. So I never went back to the state for the purposes of the security.

**ADV NOTSHE SC:** And, of course, Ms Mokonyane, as you know this enquiry is an ongoing inquiry, you will obtain confirmation from the state that this was done by them and

20 provide the Commission with that.

**MS MOKONYANE:** Chairperson?

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** If I am requested to get information from the state other than what Mr Nixon has obtained then I would have gone back to the state and they will have to



give it to me.

**ADV NOTSHE SC:** So, fine, Ms Mokonyane, do not misunderstand me, I am sure perhaps you might be misunderstanding Mr Nixon's affidavit. He does not say he obtained confirmation, he did not obtain confirmation.

**MS MOKONYANE:** Yes, I would have to go and check with the state if I am requested to. But also, if it is up to the Commission itself also, to call the state and let the state come and explain itself.

10 **CHAIRPERSON:** Yes, yes. No, no, no, the Commission has the obligation to investigate that but obviously you can, as you have been doing, give whatever cooperation to facilitate in terms of maybe who the right people are to talk to if that is information that you know but the Commission will continue to investigate and if they need to ask you for assistance, they will ask you.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** And I am confident that you will ...[intervenes]

20 **MS MOKONYANE:** Yes. And I can also assist the Commission by giving you a security company that is responsible for our own close monitoring.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** For our firm.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** For our own other extra security feature in the house.

**CHAIRPERSON:** Yes, yes, please do that.

**MS MOKONYANE:** Okay, I will through my lawyer ...[intervenes]

**CHAIRPERSON:** Would that be – would the company that is there now, the security company be the same one that would have been there that time or is it one that was contracted recently?

10 **MS MOKONYANE:** No, the company that does security services in terms of guard of the house is different because those are the people who are dealing with static, the company that deals with electrical and close circuit monitoring and stuff, it's a different company.

**CHAIRPERSON:** Okay, no that's fine, so do provide that information then the Commission can look into that, yes.

**ADV NOTSHE SC:** Now the – you then proceed to deal with paragraphs 26 and 27, that is now, I'm looking at page 32 of the affidavit. Dealing with paragraphs 22 and 26,  
20 this is about the analysis, the report that Agrizzi says you sought for securities at hospitals and...[intervenes].

**CHAIRPERSON:** I'm sorry Mr Notshe shouldn't we complete the aspect that relates to what Mr Agrizzi and what Mr Richard le Roux and Mr Charl le Roux say in terms of what they say was provided to – the services that they

say were provided to the – Ms Mokonyane’s home because it’s all connected, you have got Mr van Biljon deposing to an affidavit, dealing with that, you have got Mr Charl le Roux saying certain things about his visits to the house inside and – so we can finish that part and that’s an important part, to rather re-visit it with each affidavit.

**ADV NOTSHE SC:** Chair, I left it because the way I understand the evidence of Mr Mokonyane is that, whatever was put there, it was not put at her request, the  
10 only incident that was requested was when there was a problem with the security fence and therefore she denies all that the witness is saying was put.

**CHAIRPERSON:** Yes, no I think we must deal with it nevertheless.

**ADV NOTSHE SC:** No, that’s fine.

**CHAIRPERSON:** Let’s go to is, I won’t necessarily go to the affidavits. Ms Mokonyane Mr Richard le Roux, he was from BOSASA or rather let me start by saying, Mr Agrizzi says in one of his affidavits that Mr Gavin Watson  
20 instructed him that he should put together a team that would, effectively, I think look after you in terms of maintenance of certain features in the house, security features and other things in the house and Mr Agrizzi says, Mr Richard le Roux from BOSASA was the leader of that team and he says – and Mr Richard le Roux, in his affidavit

also says, they contracted another company to provide services, maintenance and other services to your home and a certain Mr van Biljon, I'm sure you've seen his affidavit as well, who now lives in New Zealand if I'm not mistaken explains in his affidavit how he got connected with BOSASA and he says he did some work at Mr Agrizzi's house and he was connected to Mr Richard le Roux and his company did some work over a certain period of time in your residence and he says, initially he didn't know whose  
10 house it was because he says he had been told not to ask questions about whose house it was because he says he had been told not to ask questions about whose house this is and he says but he remembers the house, I think, quite well, he mentioned certain features and the work that was done there.

Mr van Biljon who was contacted by the Commission where he is, I think in New Zealand, through investigation, puts up even invoices that he says he has been able to find relating to, I can't remember whether it's only those  
20 relating to your house or also to other houses that he did at the time. He says, here are the invoices that relate to that address and he – the invoices indicate the work that he says his company did and they showed the amount that they were going to charge it's quite a few invoices there, they are all here and then – that's Mr van Biljon and he

says he went to your house, it must be about, I think he says about ten times, over a certain period of time. Mr Charles Roux who gave evidence here a few weeks ago, says, Mr van Biljon I think, is his cousin or nephew he worked for him or under him, so he says Mr van Biljon would send him to a number of houses, he mentions other houses as well but included in the – among the houses, is your house and he specifies what he did on some of the occasions there.

10           So, the question that arises for me is, whether you would say that these people must have done the work that they did in the house but, one without your knowledge or instruction, authorisation or you say it's all fabrication they could not have done that work in your house without you knowing about it, what do you say?

**MS MOKONYANE:**   Thank you very much Chairperson. Once more I want to state that issues of the security and the maintenance of the house have continuously been a responsibility of the father of the house also, there has  
20   been security companies that were sourced to provide these kind of services including the maintenance, the maintenance of our own yard. First, it's a company then you've got people who are doing part-time who came from that very company that was doing house maintenance. I've never instructed or actually requested anything to be done

by BOSASA on my behalf not even on the issue of the alarm because I could not be reached at that time, I think I was at Lagodla or wherever but I've never asked nor have I actually, been told by BOSASA the extent of the work that they have done in my yard.

**CHAIRPERSON:** Would it be fair to say that if you late husband had obtained the services of BOSASA, other than, maybe that one occasion to come and provide maintenance services in the house or to install any security features  
10 that there's no way he would not have told you because he would have known that you are close to Mr Gavin Watson who was the CEO of BOSASA?

**MS MOKONYANE:** Including himself, he also knows Gavin Watson, he knows the Watson family.

**CHAIRPERSON:** Yes, so there's no way he would not have shared that with you?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Yes, so I'm trying...[intervenes].

**MS MOKONYANE:** And on record when the Sunday Times  
20 issued that statement and there were enquiries, he responded in a text message, that is available to say, he is responsible, he is the one who has appointed people that have been doing work except for that particular intervention that we had asked them to do because of the challenges of the storm and the alarm that was actually

going on and off in the house.

**CHAIRPERSON:** Of course, what both, Mr van Biljon...[intervenes].

**ADV NOTSHE SC:** Mr van Biljon.

**CHAIRPERSON:** It's a difficult surname to pronounce.

**MS MOKONYANE:** Van Biljon yes.

**CHAIRPERSON:** Ja, both Mr van Biljon and – not both actually Mr van Biljon, Mr Charl le Roux and Mr Richard le Roux, they all say that payment for the services that were  
10 provided by this company of Mr van Biljon, those services were paid for by BOSASA. Now I guess that you won't be in a position to say whether BOSASA paid that company or not because you were not part of any arrangement.

**MS MOKONYANE:** We were not part of that arrangement except the call that, please come and help us because everybody was out in the area making interventions because of the storm, so I wouldn't.

**CHAIRPERSON:** Yes, yes and I think you – from what you say it's difficult to think that your husband would have  
20 arranged a company to come and do work, a company that was associated with BOSASA and he would not share that with you?

**MS MOKONYANE:** Yes, it's not a company that is associated with BOSASA that has been doing work in the house.

**CHAIRPERSON:** No what I mean is if, what Mr Charles Roux says and if what Mr van Biljon says is factually true, namely, they did come to your house on the occasions that they came, without your knowledge, they did the maintenance work that they say they did and if, indeed, they installed any security features, I'm saying that there seems to be very little chance that they would have been asked by your late husband to come and do that if your husband would not mention that to you and they are  
10 connected with BOSASA, if they are connected with BOSASA and if he knew that.

**MS MOKONYANE:** I would have known but for now I don't know what you are talking about.

**CHAIRPERSON:** Yes, yes, so as things stand your position is, you don't know of any arrangement in terms of which Mr van Biljon's company may have come to the house to perform any maintenance work, you did not ask them, you did not authorise them, your husband never told you that he had anything to do with such a company but he  
20 was responsible for security matters in the house, is that right?

**MS MOKONYANE:** It is right Chairperson.

**CHAIRPERSON:** Yes, yes okay, Mr Notshe?

**ADV NOTSHE SC:** And just on that finishing off, it seemed as if you cannot dispute that van Biljon's company



did the work at your place, you don't know all you can say, I don't know whether they did it or not?

**MS MOKONYANE:** Van Biljon was never asked, by us to come and do work, nor have we ever been told that van Biljon has come to do work because, amongst other things, for the record Chair, we had a company called Mafuta which is a company that was doing gardening services for my house, they've even gone to an extent where, after burying my own son, they actually went and helped us to

10 stack the grave site and actually put stones and everything until the grave actually goes down. After that we then got one of their employees, because the company was battling, who came in and was actually doing work in the yard and as we speak now, we now even have another person who's doing the part-time, so those are the ones that I can affirm.

**ADV NOTSHE SC:** The reason I'm raising this, is that, Mr Charl le Roux gave evidence, one of the issues is one description of the house outside and the features that were there, which he went and pointed out, can you dispute that

20 he has been to your house?

**MS MOKONYANE:** I cannot dispute nor challenge whether he has been in the house but he has never been in the house to do things on my instruction or in my knowledge.

**ADV NOTSHE SC:** And also, just to deal with the issue you raised about Mr Alan Nixon, remember the

investigator?

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** There's an affidavit of Mr Richard le Roux, remember Mr Richard le Roux is the BOSASA person...[intervenes].

**CHAIRPERSON:** Let's go to that affidavit what page is it?

**ADV NOTSHE SC:** Of Richard Le Roux is the other.

**CHAIRPERSON:** Okay.

**MS MOKONYANE:** Yes.

10 **ADV NOTSHE SC:** Now, the – actually the ...[intervenes].

**CHAIRPERSON:** Actually, I wonder whether – I see that the first one here is that of Richard le Roux, can we quickly see whether there is anything to raise there, on that one?

**ADV NOTSHE SC:** Richard le Roux?

**CHAIRPERSON:** Ja, well Ms Mokonyane I don't know if you've been able to find, not the one for Charl le Roux but the one for Richard le Roux?

**MS MOKONYANE:** Yes.

20 **CHAIRPERSON:** You have found it?

**MS MOKONYANE:** Yes Chair.

**CHAIRPERSON:** Okay it starts on page 1 – on this Bundle, Mr Notshe we haven't said what Bundle it is.

**ADV NOTSHE SC:** Chair it's – this should be Bundle C.

**CHAIRPERSON:** Okay so we call it Bundle C, that's the

Bundle that's got Mr Richard le Roux's affidavit, you know on page four of that affidavit, paragraph 18 Mr Richard le Roux says,

10 "As part of this maintenance I used sub-contractors such as Renier van Biljon and a person that worked with him by the name of Charl le Roux to perform some of the work and Nomvula Mokonyane's residence. This was mainly in respect of the lighting, electrics, the swimming pool BB, the pond's electrical work, the generator and the air conditioners. It is likely that Mr van Biljon purchased the equipment himself and then invoiced BOSASA. These invoices were then, mostly, paid in cash",

20 That is in paragraph 18 and then he says at 19, "In relation to the maintenance at the Blouberg premises I also dealt with Ms Nomvula Mokonyane's personal assistant, Ms Sandy Thomas who would arrange for certain repairs and maintenance to be performed when needed and in 20 he refers to a message, in this regard I attach hereto a copy of a WhatsApp message sent to me on 1 June 2017 by Ms Sandy Thomas which states, dear Richard, there's a problem at the house with the alarm system, for some reason it keeps ringing so now it

has to be switched off at the switch, please let me know what to do”,

So, I thought I might read this but the gist of it is something that I have put to you that Richard le Roux was employed by BOSASA and he says he used Mr van Biljon’s company and he refers to Mr Charl le Roux as well for purposes of performing some of the work, which he says, they performed on behalf of BOSASA. You might need to say something or you might say, the response you gave  
10 earlier on stands.

**MS MOKONYANE:** Chairperson the response I have given earlier still stands and hence even in his response he doesn’t elaborate on anything, further than saying, the alarm is sorted out.

**CHAIRPERSON:** Yes, yes, now I just want to also understand something, Mr Notshe referred, earlier on, I think it was before lunch to a message from Ms Sandy Thomas, your PA to Richard le Roux, this is the same Richard le Roux I believe and you said something about it.  
20 I seem to think you said there had been a storm of flooding or something like that, did I understand you correctly?

**MS MOKONYANE:** This is the message Chair.

**CHAIRPERSON:** This is the message?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** When the alarm was going on and off because there was a tree that had fallen on the fence.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** And then the second one is that, that Mr Agrizzi was talking about, about the email about the ANC election, which I have also not denied and said it does not show anything about me having asked favours from them, it was again, in the operation of the work that has been done and that was it and for the record he was  
10 not even talking to me directly, I use my personal assistant like people will know being a busy person then communication, including the personal assistant's responsibility is to render service to the family of the Executive.

**CHAIRPERSON:** Yes okay, thank you, Mr Notshe you may proceed.

**ADV NOTSHE SC:** Just from there, Chair...[intervenues].

**CHAIRPERSON:** But before you go to Mr Charl le Roux, I think I have something on Mr van Biljon, I just want to refer  
20 to some of the matters he deals with. On what page is his affidavit.

**ADV NOTSHE SC:** Mr van Biljon is that file.

**CHAIRPERSON:** Is it a different Bundle?

**ADV NOTSHE SC:** Yes, it's Bundle A, Mr van Biljon will be Bundle AT14.

**CHAIRPERSON:** Well you started with Bundle B, earlier on.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** And I thought you said that was because in other proceedings Bundle A had been identified.

**ADV NOTSHE SC:** Yes, this is the Bundle A...[intervenes].

**CHAIRPERSON:** This is the same Bundle A?

**ADV NOTSHE SC:** This is the Bundle, remember, Chair, you'll see there it was when they gave – Charles Roux  
10 gave evidence.

**CHAIRPERSON:** Yes – oh he's the one?

**ADV NOTSHE SC:** He's the one.

**CHAIRPERSON:** Oh okay.

**ADV NOTSHE SC:** And then remember in it they had been put under 13 and then you gave direction that they should be broken up, the affidavits, into different T's. So, Mr Renier van Biljon is T14.

**CHAIRPERSON:** Is it T14?

**ADV NOTSHE SC:** T14 yes.

20 **CHAIRPERSON:** Okay, have you found it Ms Mokonyane, yes thank you. I think that Mr van Biljon says that he's a qualified electrician and during 2015 he got a call-out on a Saturday at Mr Agrizzi's house, that's how he made contact with Mr Agrizzi and he, ultimately, met Mr le Roux and he says, in paragraph six,

“To my knowledge I was doing the work for BOSASA as a sub-contractor and the usual manner in which we operated was as follows: Mr le Roux would inform me of an address where services were to be provided and I’d meet him on site. 6.2 I would evaluate the work to be done and then go to BOSASA for this work stipulating the items required, such as CCTV fittings and the like. 6.3 I would not stipulate the residential address on the quotation but would simply refer to BOSASA on the quotation for example if the pumps for water features had to be changed at a residence the heading on the quotation would merely state, “water feature pump”. 6.4 As a freelance electrician I subcontracted and it was normal for me to quote by simply placing “water pump replace” as the wording on the quote and invoice, these were never high-value jobs. 6.5 In certain instances I would purchase spares or equipment in order to effect the repairs and in other instances BOSASA would purchase the items and provide these to me, I would then commence with the work and invoice BOSASA after completion. He says, all of the quotations and invoices were made out to either BOSASA or cash and/or Richard. 6.7 There was

normally no mention of the address where the work was provided on the quotation or invoice.

I recall this as I had to redo certain quotations and invoices making sure that there was no mention of the address. These instructions were given to me by Mr le Roux, I would email the quotations and invoices to Mr le Roux who would then arrange for payment into my account, and then here's a heading, worked performed at Minister Mokonyane's residence. I recall that I performed work at house number, he gives the address, the Commission's investigation team has provided me with photographs of her house which depicts the entrance and outside of her house attached hereto as Annexure RVB1. I confirm that this is the house situated at, he gives the address, where I performed the work and then later on, he says, below, that is 14, below is the list of some of the things I recall doing at the house. 14.1 repaired and re-programmed the generator changeover. 14.2 replaced the distribution board for the swimming pool, replaced the outside stair lights leading to the house, repaired the electric fence, called out to repair the air-conditioning system one night, called out to repair the generator one night, replaced and



rewired some of the water features. He says that, I would estimate that I went to the Blouberg site to perform work there on approximately ten occasions. Then he says at 16.1 I've searched for and located certain quotations and invoices for the work performed at, and he gives the address, and have managed to locate the following,

10 And then he has got dates there and the invoice numbers one of which is on the 9<sup>th</sup> of October 2014 he says, he inspected generator alternator, then on the 15<sup>th</sup> of October 2015 he says, generator has been tested and is 100% operational a separate test report will be mailed and then 10 October 2015, replace pool DB, 15 October 2014 replace pool DB, 18 April 2015, repairs to lighting and he gives the amounts that he – the work – he charged for the work”.

20 So I just wanted to indicate that these are the details that – or some of the details that he puts up to say, he was there, he did the work, he says he did it on instructions of BOSASA, he doesn't say, on your instructions he did it on the instructions of BOSASA. I assume that your position is, what you said earlier on?

**MS MOKONYANE:** Chairperson, yes, I do want to affirm what I've said earlier on but if you also go back to his

affidavit on page three ...[intervenes]

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** On paragraph 12 he says:

“On one occasion I was called to the house one evening to attend to the backup of a system and met Sergio. He was a friendly guy but he did not mention his surname and did not mention his wife’s position.”

So it had nothing to do with my status. It had nothing to do with who I am and as he says he was never even being  
10 informed that he is going to be working in the house of the Minister or an MEC. And as I have said I know nothing about this thing. They are not in my space of responsibility and to my knowledge.

**CHAIRPERSON:** Thank you. You can proceed Mr Notshe.

**ADV NOTSHE SC:** Chair – so Ms Mokonyane I just want to take you – sorry Ma’am. I want to take you back to Bundle C in Richard Le Roux’s affidavit. That is the page that the Chairperson referred you to. Look at paragraph 20 of that page. Page 4 of that affidavit. You have it?

20 **MS MOKONYANE:** Yes I have it.

**ADV NOTSHE SC:** Look at paragraph 20.

**MS MOKONYANE:** Yes I have it.

**ADV NOTSHE SC:** Just only – I want you to give just to explain to the Chair this. This is a WhatsApp message sent to Richard Le Roux by Sandy. Sandy says: I want to read it

again.

“Dear Richard there is a problem at the house with the alarm system for some reason it keeps ringing so now it has to be switched off at the switch. Please let me know what to do.”

You read that?

**MS MOKONYANE:** Yes I did.

**ADV NOTSHE SC:** From my reading I mean you can perhaps explain this. It is in the – she is referring – she is reporting this for the first time that there is a problem at the  
10 house.

**MS MOKONYANE:** She was actually indicating that as she was referred to talk to this person and hence even the person then responded and said the alarm is sorted out. And in all his affidavits he does not then further indicate that she was – he was then contacted by Sandy to then come and do A, B, C, D after he had dealt with this matter.

**ADV NOTSHE SC:** But also here I would have noticed again perhaps you will help the commission. He says there is a problem at the house. She does not say which house as if  
20 Le Roux knows the house.

**MS MOKONYANE:** There is only one house and that house is my house. And I take it because Sandy did not just talk to him Sandy was asked to communicate with BOSASA because they were the guys available also in the vicinity over and above other security companies. And surely, he was – I do

not know how he came to know which house but it does show that there was communication about the – the house that is being referred to.

**ADV NOTSHE SC:** Does it not again you will tell me if I am wrong and explain. Does this not indicate that Richard Le Roux is referred to a house he had been to before? Because he is not too [indistinct 00:03:22] by it he says:

“There is a problem at the house and he responds the alarm is sorted.”

10 **MS MOKONYANE:** There might have been telephonic conversations that then ended up with the WhatsApp. I cannot attest whether he has been to the house or not been to the house and I have also said never have I called them nor have I met them in my house.

**CHAIRPERSON:** Now of course Richard Le Roux that your PA talks to or sends a message to happens to be the same man that Mr Agrizzi has said was given the responsibility to lead the team or to be responsible for attending to certain things in the house. It is the same person.

20 **MS MOKONYANE:** That is Agrizzi’s story Chairperson.

**CHAIRPERSON:** Yes, yes.

**MS MOKONYANE:** All I know is an instance where the alarm had gone on.

**CHAIRPERSON:** Ja.

**MS MOKONYANE:** And off and it needed an intervention

because of a challenge that we faced with it.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** Any other thing Chair as it is stated even here I have never been in touch with [indistinct 01:34:20]. I have never been in touch with anyone and as they also attest, they actually interacted with the father of the house.

**CHAIRPERSON:** Hm.

**ADV NOTSHE SC:** Now whilst you now on that – on that affidavit turn to page 2 of the affidavit of Le Roux. There he  
10 seems to explain what – you remember you had referred the Chair to Mr Nixon’s affidavit regarding the invoices. Paragraph 11 Mr Richard Le Roux says the following:

“I am unable to match any invoices to the work done at Nomvula Mokonyane’s residence.”

**CHAIRPERSON:** I am sorry, I am sorry, I am sorry. Where you reading from now?

**ADV NOTSHE SC:** His place – Richard Le Roux’s affidavit Chair.

**CHAIRPERSON:** Charl Le Roux?

20 **ADV NOTSHE SC:** Richard.

**CHAIRPERSON:** Richard Le Roux.

**ADV NOTSHE SC:** Richard Le Roux.

**CHAIRPERSON:** Hang on one second. Okay I am there.

**ADV NOTSHE SC:** Now he says on page – Chair I am on page 2.

**CHAIRPERSON:** So that Richard Le Roux's affidavit is in Bundle B.

**ADV NOTSHE SC:** Bundle C.

**CHAIRPERSON:** Hm no it is B.

**ADV NOTSHE SC:** Richard Le Roux they say here.

**CHAIRPERSON:** Hm.

**ADV NOTSHE SC:** Bundle C.

**CHAIRPERSON:** What do you have Ms Mokonyane?

**MS MOKONYANE:** I [African language] Bundle A I only have  
10 Exhibit T21.

**CHAIRPERSON:** Oh okay. We need to make sure that has one.

**ADV NOTSHE SC:** Chair we...hair we...

**CHAIRPERSON:** Earlier on I wrote Bundle B because I believe that is what you said. Did I confuse things?

**ADV NOTSHE SC:** No Bundle B Chair is there. It is Ms Mokonyane's.

**CHAIRPERSON:** It is the big one ja.

**ADV NOTSHE SC:** Ja the big one is Bundle D and then that  
20 is Bundle C.

**CHAIRPERSON:** So this is – what bundle is this?

**ADV NOTSHE SC:** Bundle C.

**CHAIRPERSON:** Oh.

**ADV NOTSHE SC:** Sorry, sorry I beg your pardon Chair.

**CHAIRPERSON:** Okay. Just for the purposes of the record

wherever I have referred to Bundle B as being the bundle where Mr Richard Le Roux's affidavit is that should – that was a mistake it should have been Bundle C. Okay alright you said paragraph 11?

**ADV NOTSHE SC:** Paragraph 11 on page 2 of...

**CHAIRPERSON:** Ja.

**ADV NOTSHE SC:** Then I start reading:

“This is the affidavit of Richard Le Roux. He says: I am unable to match any invoices to the work done at Nomvula  
10 Mokonyane's residence in Blouberg.”

And then:

“As the work was performed in 2013 and the invoices from Regal Security are from 2014 onwards.”

And then paragraph 12.

“It appears that the Agrizzi cash account was opened with Regal Security in 2014 prior to this we may have purchased items for special projects on Regal Security under a different name.”

Now I am referring the witness to this just to – because he  
20 had referred the Chairperson to the affidavit of Nixon.

**MS MOKONYANE:** She – she.

**ADV NOTSHE SC:** Sorry Ms Mokonyane my Bantu education caught up with me there sorry. I referred to her as he has – and he instead of she.

**CHAIRPERSON:** Ja.

**ADV NOTSHE SC:** I apologise for my education.

**CHAIRPERSON:** Ja okay.

**ADV NOTSHE SC:** And it is she had referred to – he had referred you to paragraph – to page 158 wherein Mr Nixon had said the purchases of CCTV is from Regal Security made on the Agrizzi account cannot be matched to secure TV installations. So here he seems to be explaining that gap.

**CHAIRPERSON:** H.

10 **ADV NOTSHE SC:** You understand Ms Mokonyane what I am...

**MS MOKONYANE:** I do.

**ADV NOTSHE SC:** I am just referring you to this.

**CHAIRPERSON:** Hm.

**MS MOKONYANE:** Yes I hear.

**CHAIRPERSON:** Ja.

20 **ADV NOTSHE SC:** Now before I leave that affidavit – I am sorry that – that affidavit Ms Mokonyane is the Chair referred you the same affidavit where Mr Le Roux says he must have gone to your house not less than ten times. You would not dispute that?

**MS MOKONYANE:** I do not know and often...

**CHAIRPERSON:** I am sorry I think that was Mr Van Biljon who said no – ja.

**ADV NOTSHE SC:** Sorry I beg your pardon Mr Van Biljon.



**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** And you will not dispute that?

**MS MOKONYANE:** I would not know that and when he says it was also those minor jobs that they were doing.

**CHAIRPERSON:** Hm.

**MS MOKONYANE:** There is no way where I see any instruction that came from. Either my husband or myself as I have been brought to this commission now to come and attest to that.

10 **CHAIRPERSON:** Hm.

**ADV NOTSHE SC:** Now Ms – let us go back to your affidavit – now to Bundle B.

**CHAIRPERSON:** You were going to Mr Charl Le Roux's affidavit or have you been there without me seeing.

**ADV NOTSHE SC:** Chair no what I did is I took your summary of Charl Le Roux and I thought the witness had then dealt with it in the sense that...

**CHAIRPERSON:** No I think I dealt with – with – did I not deal with Van Biljon only.

20 **ADV NOTSHE SC:** David Van Biljon but then summarised.

**CHAIRPERSON:** Let us go to Charl Le Roux.

**ADV NOTSHE SC:** Charl Le Roux is in – look in the plastic bundle.

**CHAIRPERSON:** I think you must deal with Charl Le Roux.

**ADV NOTSHE SC:** No that is fine. Ms Mokonyane Mr Charl

Le Roux testified and he also gave – gave a statement and he testified. His – look at Bundle A at T13 page 4 of that bundle wherein she deals – he deals with the repairs at – at your house.

**CHAIRPERSON**: What page did you say we must go to?

**ADV NOTSHE SC**: Page 4.

**CHAIRPERSON**: Ja.

**ADV NOTSHE SC**: Of T13 in Bundle A.

**CHAIRPERSON**: Yes.

10 **ADV NOTSHE SC**: Are you there Ms Mokonyane?

**MS MOKONYANE**: Yes I am.

**ADV NOTSHE SC**: Under D – D repairs and maintenance.

**MS MOKONYANE**: Yes.

**ADV NOTSHE SC**: At – at your house. He says on – I am reading this.

“On an occasion during 2017 or 2018 I was again contacted by Mr Van Biljon to go to the premises situated at Noordheuwel where I was to meet Mr Le Roux. Indeed, I did. In fact met Mr Le Roux there and he arranged for us to enter  
20 the premises. The premises I recall had a high fence and guard house to the left side at the entrance. There was a guard post at the guard house.”

Do you have any comment about that?

**MS MOKONYANE**: There is a guard house. And there is always a guard.

**ADV NOTSHE SC:** And he says:

“Here I recall”

I am now reading paragraph 17.

“Here I recall that the generator would not start on automatic when the power went out. So the occupants had to go outside to start the generator. The generator was situated behind the garage in a cage with wires fed through the wall into the garage where they were connected to the control panel. I had difficulty in resolving the problem. So Mr Van  
10 Biljon came to assist.”

Do you have any comments – to this particular – do you confirm that your generator at some stage had a problem?

**MS MOKONYANE:** The generator has had challenges like any other you know machine and as I have indicated this was the responsibility of my own late husband as he has also confirmed that he was responsible for the upkeep and the maintenance of the house. And of course, the generator is behind the house not even behind the garage. It is at the back of the house and I think when the investigators went,  
20 they saw the generator. I want to assume because I was never there. I was not in their company.

**CHAIRPERSON:** Hm.

**ADV NOTSHE SC:** And you confirm that it is in a cage with wires fed through the wall into the garage?

**MS MOKONYANE:** Yes it is wired. It also has the wires not

in the garage, not inside the garage. The wires and everything of the generator is on a shed next to the garage.

**ADV NOTSHE SC:** They are fed through from the generator through the – to the shed?

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Now he says on page 18:

“We replaced lights fitted to the side of the walls on either side of the stairs. The original lights were old and not functioning properly so we replaced them with new round  
10 lights. We also replaced blown globes and I recall carrying out repairs on the fountain situated in the corner. Let us just stop before you deal with the blown globes. You confirm that the lights on the stairs had problems and they had to be replaced? Do you know about that?”

**MS MOKONYANE:** Even now post the death of my husband we do actually do the maintenance of the globes and it is common cause that globes will go on and off. But for this particular mission not to my knowledge.

**ADV NOTSHE SC:** But you do – you would confirm that  
20 there are lights that are fitted on the side of the walls on either side of the stairs?

**MS MOKONYANE:** There are those lights on the staircases getting into the house.

**ADV NOTSHE SC:** And he says:

“We also repaired blown globes and I recall carrying out

repairs on the fountain situated in a corner. I recall that we had to fit a small pump to the fountain in order to pump the water out and then I think I replaced some lights in the fountain.”

Here Ms Mokonyane do you confirm you have a fountain in the – situated in the corner of your premises?

**MS MOKONYANE:** We have got a fountain with three pots at the back of the house. That is a fact. Big brown pots. We have a fish pond next to the swimming pool and those are  
10 the features. Then we have a little corner of a fountain that has never been put to use.

1. Because we wanted to save water and

2. Because it was not of any use to us because it is obscured – it is far from our side and from anything.

**ADV NOTSHE SC:** Do you have...

**MS MOKONYANE:** It is not even in use as we speak.

**ADV NOTSHE SC:** Do you have – of any knowledge of works done on a pump situated at the corner?

**MS MOKONYANE:** No I have no knowledge Chairperson. As  
20 I have no knowledge of them being contracted to come and do this job.

**ADV NOTSHE SC:** Then he said:

“we carried out maintenance on about four occasions within a month period as we had other work that we were busy with so we returned when we had – when I had the time. On

other occasions Mr Le Roux did not accompany us and I would hoot at the gate where the guard would let us in.”

Do you know about this?

**MS MOKONYANE:** No I do not know. I never was part of arranging their visits.

**ADV NOTSHE SC:** But you would confirm that the guards would not just let anyone there. They would let someone that had been authorised to admit to your house – to your premises?

10 **MS MOKONYANE:** Of course, nobody would have easy access. They would have to be granted access by the security guards as it is part of their responsibility.

**CHAIRPERSON:** And would – would it be correct that the security guards would not allow anybody in that the family or somebody in the family has not said should be allowed in?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Yes. So if they allowed anybody in it would have – it would have had to be that...

**MS MOKONYANE:** It would have to be arranged.

20 **CHAIRPERSON:** That either somebody in the family has – had authorised.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Ja. And in terms of maintenance work or the installation of anything would it be correct to think that the only persons who could authorise in the house would

either yourself or your late husband or could there have been somebody else who could authorise or make those arrangements?

**MS MOKONYANE**: I would never make any authorisations.

**CHAIRPERSON**: You would not make any authorisation.

**MS MOKONYANE**: Yes.

**CHAIRPERSON**: But in terms of people entering the house to carry out anything like if you would not make any authorisation then it would have had to be your husband –  
10 your late husband.

**MS MOKONYANE**: Yes.

**CHAIRPERSON**: Is that right. Okay.

**ADV NOTSHE SC**: Now paragraph 19 in page 5 Chair says that:

“Mr Le Roux and Mr Van Biljon had also informed me from the outset that I must not ask questions about who the owner was and that I should never admit or disclose what work I had carried out at the premises. Whilst working in the garage I noticed what appeared to be a vehicle covered in a  
20 tarpaulin. Out of curiosity I lifted the tarpaulin up and noticed a new looking Aston Martin vehicle parked under the tarpaulin. The vehicle was dark in colour and it could have been either dark blue or black. I then knew that the person residing at the premises had to be very rich to afford a vehicle like that.”

**MS MOKONYANE:** Chairperson yes there is an Aston Martin. The Aston Martin is neither black nor blue. It is cream white and cream white black and blue actually depicts that maybe the person was informed or the person was inside the garage. But the fact that he wants to – said on record in his affidavit that he has sworn his oath of – I do not know whether he affirmed or he did whatever. He says it was – it was either dark or blue. There has never been that kind of Aston Martin in my house.

10 **CHAIRPERSON:** So when he gave evidence here it was the day after he had been part of the visit to your house. That is Mr Charl Le Roux.

**MS MOKONYANE:** Hm.

**CHAIRPERSON:** And I think he said that when they made that visit to your house recently, they did see an Aston Martin but he said I think he said it was white. Either he said that or Mr Notshe said that I cannot remember.

**ADV NOTSHE SC:** He said – the witness said that Chair.

20 **CHAIRPERSON:** Yes and then he was asked the question that in his affidavit earlier he had said that he had seen an Aston Martin that was either blue or black. And he then seemed unsure. I think he might have said he is not sure whether the one he had seen was black or blue. I do not know whether he said or white because I think I even said but there is a big difference between blue or black and white.



So became unsure when he was giving evidence here. But the – the question that I want to pose and maybe you have answered it is – at the time he is talking about 2015 or is it 2014 Mr Notshe – or is it 2017?

**ADV NOTSHE SC:** 2017.2018.

**CHAIRPERSON:** Hm. You – there was no Aston Martin in the family that could have been in the garage that was dark or black.

**MS MOKONYANE:** There was never a dark or blue Aston  
10 Martin even at that time.

**CHAIRPERSON:** Yes. Yes.

**MS MOKONYANE:** Chairperson which also demonstrates that he might have been misleading this commission because he is referring to the connections of the generator inside the garage when the connections have always been outside of the garage.

**CHAIRPERSON:** Hm.

**MS MOKONYANE:** And so I just take exception that he even went to the extent of – you know they curiosity has killed the  
20 cat he went and even lifted the cover of the car.

**CHAIRPERSON:** Hm.

**MS MOKONYANE:** But he still saw black or blue and saw white. There has never been such a colour of an Aston Martin in my house.

**CHAIRPERSON:** Hm. Okay alright. Yes Mr Notshe.

**ADV NOTSHE SC:** Just the – and tell me – just tell the commission this Aston Martin is it registered this – in what colour is – was it registered?

**MS MOKONYANE:** It is registered it is in cream. The same colour as that we found this – the time when the commission went to visit my house.

**CHAIRPERSON:** Hm.

**MS MOKONYANE:** It has never been sprayed, it had never been changed. It has always been that colour.

10 **CHAIRPERSON:** Hm. How long has – has – have you had it?

**MS MOKONYANE:** From 2013.

**CHAIRPERSON:** From 2013?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Okay.

**ADV NOTSHE SC:** Now Ma'am I think that this would be an issue. Whilst you are on the – on the bundle Bundle A – you still have Bundle A there with you – Mr Van – Yes that bundle.

20 **MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Go to – Chair can we go to Exhibit T16 Inspection In Loco.

**CHAIRPERSON:** What page?

**ADV NOTSHE SC:** Page T16.

**CHAIRPERSON:** Page 16?

**ADV NOTSHE SC:** No T16 page – Exhibit T16. Sorry Chair I tend to – I tend to wonder off.

**CHAIRPERSON:** No that is – that is – there is no exhibit T16.

**ADV NOTSHE SC:** On Bundle A.

**CHAIRPERSON:** On A – what page on Bundle A?

**ADV NOTSHE SC:** The pages Chair on Bundle A they go according to their exhibits in. Does Chair know – is there is no – no 16?

10 **CHAIRPERSON:** Why is that so because I have been saying that that should not be like that?

**ADV NOTSHE SC:** Chair if I recall.

**CHAIRPERSON:** It should be sequential.

**ADV NOTSHE SC:** If I recall you – you gave instructions that – remember this bundle came as T13 then we said it should be broken up into like T13 would be Charl Le Roux affidavit. T14 would be the statements of Van Biljon. T15 would be the affidavit of Van Biljon and then T16 is the memorandum on the inspection in loco.

20 **CHAIRPERSON:** Okay I see this document with a memorandum ja with an index. Well it is not even marked in terms of page numbers at the top.

**ADV NOTSHE SC:** I do not understand how.

**CHAIRPERSON:** Oh that is 1. Remember we – so it is a document written T16 – MIIL-01.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** Yes. Ja this – something should have done to make sure that this would be user friendly. Okay let us get going. Yes just continue.

**ADV NOTSHE SC:** Are you there Ms Mokonyane?

**MS MOKONYANE:** Yes I am Chair.

**ADV NOTSHE SC:** Okay. Look at – this is – okay let me explain to you. This is a memorandum which was – which was assigned by both and representatives of the commission  
10 and your representatives about the observations that were made at your place. Now look at paragraph 2 on page 01.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** It says:

“Generators situated behind garage in a cage with wires fed through the wall into the garage where they are connected to a control panel.”

**MS MOKONYANE:** Yes. That – it is that shed. Because remember the garages have got those doors.

**ADV NOTSHE SC:** Yes.

20 **MS MOKONYANE:** And there is that shed that I am referring to which can be referred to as a garage but it is a shed it does not even have what you call it – it does not even have doors.

**CHAIRPERSON:** A door ja okay.

**ADV NOTSHE SC:** But this observation confirms Charl Le

Roux's affidavit.

**MS MOKONYANE:** But this observation actually talks about the control panel. That control panel it is still as we speak now an orange it is on that shed which may be seen as the fourth garage, the fourth door. And that is why I accepted this information.

**ADV NOTSHE SC:** Chair with your leave then I will move to – back to the statement of...

**CHAIRPERSON:** Which bundle are you moving to now?

10 **ADV NOTSHE SC:** No I will move back to the main bundle and just...

**CHAIRPERSON:** Are you done with...

**ADV NOTSHE SC:** Just one second.

**CHAIRPERSON:** Mr Charl Le Roux?

**ADV NOTSHE SC:** Just one second before I do that. If we just sticking to the – to Bundle A the affidavit of Charl Le Roux paragraph 20 he mainly says that – are you there?

**MS MOKONYANE:** Yes I am there. 20?

**ADV NOTSHE SC:** Yes.

20 **CHAIRPERSON:** Did you say page 20?

**ADV NOTSHE SC:** No paragraph 20 of Charl Le Roux.

**CHAIRPERSON:** Ja.

**ADV NOTSHE SC:** Which is page 5. He says:

"I never saw the owner of the premises as when I would go there only the maid and the security guard would be

present.”

Do you see that?

**MS MOKONYANE**: Yes I see. Yes I see that Chairperson.

**ADV NOTSHE SC**: And just on this I mean the person who works there as a helper I am sure if there were people who are unauthorised were going to your house she would report it to you?

**MS MOKONYANE**: They would – they will report to the immediate person who would be the owner of the house especially on matters related to maintenance and the up  
10 keeping of the security of it not to me.

**CHAIRPERSON**: What appears – what appears to be indisputable and you must tell me if you agree with me. What appears to be indisputable is that this Mr Van Biljon’s company did some work in your residence. Performed some jobs and that Mr Van Biljon and or Mr Charl Le Roux and Mr Richard Le Roux from BOSASA all had been to your house and that Mr Van Biljon as the owner of the company says for the work that they did in your house they were paid by  
20 BOSASA and they were there because BOSASA instructed them to go there. Now, you have already said that you do not know whether they were there or they were not there. This did not fall within your responsibility. It fell within the... your late husband’s responsibility.

And if anybody came to do this kind of work, it would

have fallen under the responsibility of your late husband. But you have also said, if he had arranged for a company that was connected with BOSASA in way or another to come and perform work, he probably would have shared that with you. So far, are you with me?

**MS MOKONYANE:** I am with you Chair.

**CHAIRPERSON:** You are with me. Are you able to accept that maybe what I have just said is what happened? What remains maybe is whether your husband actually made the  
10 arrangements for these people to come?

**MS MOKONYANE:** Chairperson, the fact that I do and as I have said even in reaction to the Sunday Times, because what my husband said, “These people are crazy”. He is responsible for the upkeep of security and maintenance.

They might have been to the house because of the challenge of those alarms that went on and off and upon them being in the house, they might have then done all these things but not as per my instructions and not to my knowledge.

20 **CHAIRPERSON:** H’m. [coughing] Excuse me. The fact that your late husband said at the time of the Sunday Times article or report, to the effect that these people are talking nonsense. Can I take it that what he meant was: “I do not know anything about these people coming to the house”. Can I take it you mean that or what should I take it to mean?

**MS MOKONYANE:** I take it to mean that he has never asked them to come and do any work in the house.

**CHAIRPERSON:** Oh, in the house.

**MS MOKONYANE:** Other than that intervention as recorded in the ...[indistinct]

**CHAIRPERSON:** Yes, yes.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Yes, yes. Yes, because you see... and I have got to put these things to you so that you can assist me  
10 because in the end when all of you are gone, I am the one who will remain with the responsibility to say what actually happened here.

If the position is that Mr Van Biljon's company did come to your house, did perform certain jobs other than the single incident that you have referred to, and your husband had not arranged for them to come and you have not arranged for them to come, the question arises: Who would have arranged for them to come?

20 Because the guards, the security at the gate, as I understand it, would not allow anybody to come in unless they had authority from within the family to say allow so and so to come in.

**MS MOKONYANE:** Chairperson, as I have said and as one of the people have indicated. They came to the house in one instance and that is when they met the person who



introduced themselves as Serge and that is the instance.

I do not know whether it was at a time when they were coming to fix what we had ask them to come and deal with or not and that in the course of doing that, they then saw all these features in the house and whatever that happened there. I do not know Chairperson.

**CHAIRPERSON:** Thank you. Mr Notshe.

**ADV NOTSHE SC:** Now Ms Mokonyane, let us go back to Annexure B, the main file. You can put the others away for  
10 now. Now Mr Agrizzi in his main affidavit on page... on paragraph 22.6 and 22.7 refers to ...[intervenes]

**MS MOKONYANE:** On page 46 or 47?

**CHAIRPERSON:** I am sorry. I am sorry. Mr Notshe and Ms Mokonyane. We have just gone past four o'clock. We normally stop at four. So if we are going to go beyond four o'clock, let me make sure that everybody is happy with that. Starting with you Ms Mokonyane. Are you happy that we proceed?

**MS MOKONYANE:** I am happy Chair.

20 **CHAIRPERSON:** You are happy?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Okay. Your legal team?

**UNIDENTIFIED SPEAKER:** [Indistinct]

**CHAIRPERSON:** Thank you. Thank you. Mr Notshe, you are available?

**ADV NOTSHE SC:** I have no choice.

**CHAIRPERSON:** Ja. [laughs] Maybe... let us have an idea. I do not think we should take too long but Mr Notshe might have a different view, but it is important that all important issues be covered and Ms Mokonyane should be able to deal with all of them and put her side of the story properly but since we are going to proceed.

Maybe we should take a short comfort break and then we continue. I do not know but my estimate it that once we  
10 resume, we should not take longer than an hour. That is...[intervenes]

**ADV NOTSHE SC:** It should not be more than...

**CHAIRPERSON:** It should not, ja.

**ADV NOTSHE SC:** But it depends on achieving more than...

**CHAIRPERSON:** Okay. No, that is alright. Let us take a break. It is now about ten past four. Let us resume at twenty-five past four. We adjourn.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

20 **ADV NOTSHE SC:** with the additional affidavit that Mr Agrizzi made. The additional affidavit... supplementary affidavit appears Chair on page 388.1 of the record.

**CHAIRPERSON:** When you say of the record, you are going to...?

**ADV NOTSHE SC:** Of Bundle B.

**CHAIRPERSON:** At what page?

**ADV NOTSHE SC:** 388.1. It starts there.

**CHAIRPERSON:** Yes?

**MS MOKONYANE:** Is it 381?

**CHAIRPERSON:** 388.1. 388 point 1. That is Mr Agrizzi's supplementary affidavit. Well, the number is in the middle of the page. It is not at the corner.

**MS MOKONYANE:** Oh, ja.

**CHAIRPERSON:** That is the one we were talking about in  
10 the ...[intervenues]

**MS MOKONYANE:** Yes, thank you. I have found it.

**CHAIRPERSON:** Ja.

**MS MOKONYANE:** I am looking at this Chair.

**ADV NOTSHE SC:** [No audible reply]

**MS MOKONYANE:** Yes, Chair.

**ADV NOTSHE SC:** Now on page 389 of that affidavit, Mr Agrizzi deals with... the Chair referred you to this, to this issue where it is "I was present..." I am reading Mr Agrizzi's affidavit. He says:

20 "I was personally there when cash was delivered on two occasions. The one was in Bryanston whilst she was Premier. We had to meet her with the MEC of Social of Development.  
The meeting was regarding incidents at the Youth Development Centre at Mogale where we had to

assist to accommodating youth from another state-owned facility.

We sat in the lounge for about two hours waiting. Thereafter, we had a meeting with her. Gavin Watson had earlier that day packed R 50,000,00 in a grey security bag and placed it in his briefcase.

Once the meeting was concluded, he left the grey bag with the R 50,000,00 with her on the chair...”

**MS MOKONYANE**: Chairperson, I still deny ...[intervenes]

10 **CHAIRPERSON**: Yes.

**MS MOKONYANE**: ...what Mr Agrizzi is saying. I have never received cash and there is no cash that was ever left on the chair by Mr Gavin Watson.

**CHAIRPERSON**: Yes. And you said he has never been to your house?

**MS MOKONYANE**: He has never been in a meeting with me ...[intervenes]

**CHAIRPERSON**: In the... ja.

**MS MOKONYANE**: ... in the house.

20 **CHAIRPERSON**: Yes. Yes, Mr Notshe.

**ADV NOTSHE SC**: And then in part of 14.3 of his supplementary affidavit, he then says that on the second occasion when the money was delivered, it was delivered to your house and he was present in Krugersdorp. And you say you have never... he has never been to your house?

**MS MOKONYANE:** I have not been in a meeting, nor with Mr Agrizzi in my presence in the house. Not even received that cash that he is referring.

**ADV NOTSHE SC:** Now in his answer... and his answer to your affidavit. His answer on page 81.

**CHAIRPERSON:** I am sorry. Which affidavit?

**ADV NOTSHE SC:** No, the answer... where Mr Agrizzi answers to Ms Mokonyane's answering affidavit.

**CHAIRPERSON:** On this issue?

10 **ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** But we know that he can only be answering to a denial that he... I think just go there. What does he say?

**ADV NOTSHE SC:** No, he just merely expresses to say he has been there a number of times.

**CHAIRPERSON:** Ja.

**ADV NOTSHE SC:** And... or I am also referring to it, just to put on record.

**CHAIRPERSON:** Ja. No, no. It is fine.

20 **ADV NOTSHE SC:** And unfortunately, ...[intervenes]

**CHAIRPERSON:** Yes. No, I think it is fine because there are these crisp issues that we all have come to know. We know that Mr Agrizzi said Ms Mokonyane received... was paid... was given monthly payments by BOSASA. She has denied that.

We know that Mr Agrizzi said he has been to both business meetings and social visits or social and meeting or encounters with Ms Mokonyane. She has denied that.

We know that Mr Agrizzi said he was even as... and actually, I think he said, he coordinated Ms Mokonyane's 50<sup>th</sup> birthday celebration party and Ms Mokonyane said, "No, there is nothing like that".

So there are these things that we know already. Agrizzi has said and Ms Mokonyane has denied them. So we do not  
10 need to repeat those.

**ADV NOTSHE SC:** Yes, Chair.

**CHAIRPERSON:** But you can move from there. The one about receiving cash, I do not think he elaborates much, Agrizzi.

**ADV NOTSHE SC:** Well, only he does where I was referring to now, it is... there was an issue with that with where he then describes Ms Mokonyane's house inside.

**CHAIRPERSON:** Ja.

**ADV NOTSHE SC:** But Ms Mokonyane has dealt with that.

20 **CHAIRPERSON:** We have dealt with that.

**ADV NOTSHE SC:** We have dealt with that issue.

**CHAIRPERSON:** Ja, ja. Because there it is a question of whether it is true that Mr Agrizzi has been to Ms Mokonyane's house. And if it is true whether he is... it is true that Mr Gavin left money or a security money with

R 50,000,00 for Ms Mokonyane and Ms Mokonyane's version in regard to that it has been given.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** Ja, ja.

**ADV NOTSHE SC:** Well, Chair I will leave those and then just deal with the issues ...[intervenes]

**CHAIRPERSON:** No, that is fine. Ja, where there is elaboration. If it is the same thing.

**ADV NOTSHE SC:** Yes.

10 **CHAIRPERSON:** If there is an elaboration that we have not touched on, then we can deal with that.

**ADV NOTSHE SC:** Yes, yes.

**CHAIRPERSON:** To avoid going back to this same thing.

**ADV NOTSHE SC:** Yes. No, I understand. Now on 14.5 on page 391 of Mr Agrizzi's ...[intervenes]

**CHAIRPERSON:** Hang on one second. Ms Mokonyane, were you still wanting to attend to something?

**MS MOKONYANE:** Yes, my water Chair ...[intervenes]

**CHAIRPERSON:** Yes.

20 **ADV NOTSHE SC:** Oh, shame. Sorry, I was not looking. Sorry. I beg your pardon.

**CHAIRPERSON:** Ja, we will wait for you.

**MS MOKONYANE:** Can you switch the thing off?

**CHAIRPERSON:** And you must indicate if you need a short adjournment or anything. Okay. Alright.

**MS MOKONYANE**: Ja, I am fine.

**CHAIRPERSON**: You are fine.

**MS MOKONYANE**: Yes.

**CHAIRPERSON**: Okay.

**ADV NOTSHE SC**: You can take water to push it down.

**MS MOKONYANE**: No, I do not have to drink water.

**ADV NOTSHE SC**: You do not have to...

**MS MOKONYANE**: It is actually...

**ADV NOTSHE SC**: Oh, shame.

10 **MS MOKONYANE**: Yes, I do not have to go to the stomach.

**ADV NOTSHE SC**: Oh, okay. I thought you said you want to have to take water.

**MS MOKONYANE**: No.

**CHAIRPERSON**: Yes, Mr Notshe.

**ADV NOTSHE SC**: Now, here Mr Agrizzi seems to be dealing with the issue of the food that was... food and liquor that was delivered. On paragraph 14.1.5 page 391 of Mr Agrizzi's supplementary affidavit.

He says:

20 "On one example of the demand from Ms Mokonyane is attached hereto as Annexure FF..."

Now if we go to Annexure FF ...[intervenes]

**CHAIRPERSON**: It is one example of what?

**ADV NOTSHE SC**: He deals... it deals above Chair with the issue of the purchase of food products, meat, hampers,



liquor and other items as set out in his original affidavit. Now he says that as an example of the demand from Ms Mokonyane, he refers us to a document which is marked FF which is on page 397.

**CHAIRPERSON:** H'm.

**ADV NOTSHE SC:** Are you there Ms Mokonyane?

**MS MOKONYANE:** Yes, I am.

**ADV NOTSHE SC:** It seems to be an email from you to Mr Agrizzi on the 13<sup>th</sup> of April 2012. Do you remember, what is  
10 this email about?

**MS MOKONYANE:** Thank you very much Chairperson. As it is indicated here, the responses that have come and the communication was between Ms Ndaba and the people that were delivering.

And all that they needed was to make sure that there is interaction between those people and the people in... and all I did, which I cannot also recall what it had to do with... the information that is herein reflects that I have just forwarded it. And I did not even make a comment on the matter.

20 **CHAIRPERSON:** Who is Ms Nonhlanhla Ndaba?

**MS MOKONYANE:** She is a South African. A member of Parliament.

**CHAIRPERSON:** Oh, okay. Ms (sic) Notshe, you ...[intervenes]

**ADV NOTSHE SC:** Yes. No, this is just what I want to find

out.

**CHAIRPERSON**: I am sorry. I just said Ms Notshe. [laughs]

**ADV NOTSHE SC**: Ms Mokonyane will be very unhappy.

**MS MOKONYANE**: Not for him.

**CHAIRPERSON**: Just to... [laughs]

**ADV NOTSHE SC**: So we are square. Now we are level.

**CHAIRPERSON**: Ja. [laughs] I wanted to say. Tell us more about that Annexure FF Mr Notshe. Mr Agrizzi says it is an example of a demand from Ms Mokonyane.

10 **ADV NOTSHE SC**: Yes. Now, the only see... the only ...[intervenes]

**CHAIRPERSON**: Is it a demand?

**ADV NOTSHE SC**: It does not... on the face of it, it does not... the court does not deem it a demand but what it does Chair, and I wanted to ask Ms Mokonyane to perhaps help us with this. It seems as if it is a communication between her and Mr Agrizzi. Now I want Ms Mokonyane to confirm. Did you... were you communicating with Mr Agrizzi in 2012 like in here on the 13<sup>th</sup> of April 2012?

20 **MS MOKONYANE**: I have forwarded this... this message was forwarded from my gadget at that time and all the details thereof, I do not even know any basis thereof. And I am definitely sure, it had to do with the body of what is on the email and the interest of those people who wanted to fund South African Partners.

**ADV NOTSHE SC:** But what I am saying is, who would have forwarded it from your email address to Mr Agrizzi, except you?

**MS MOKONYANE:** I am saying Chairperson, surely I might... I would have spoken to Gavin who have maybe said, "Send this thing to Angelo, Mr Agrizzi". And that is all that happened and that was the end of the conversation as you can see here, even on the letter.

There was not any further contact and communication.  
10 Even Mr Agrizzi himself can attest, I have never since that instance, there was never any other interaction with me because I had nothing to do or to show any benefit or interest in it.

**CHAIRPERSON:** Mr Notshe, is this not the document in respect of which Mr Agrizzi says... reflects possible business venture that he says Ms Mokonyane wanted BOSASA go into or is that another document?

**ADV NOTSHE SC:** It is another document. This one is ...[intervenes]

20 **CHAIRPERSON:** Oh, it is another one.

**ADV NOTSHE SC:** This one is just... he says Ms Mokonyane is... he puts it up as proof of demand.

**CHAIRPERSON:** Ja.

**ADV NOTSHE SC:** And then in all fairness. Ms Mokonyane in her and even in her reply there, it says: "Well, this

document, I am not demanding anything”.

**CHAIRPERSON:** H’m.

**ADV NOTSHE SC:** But what I wanted, the explanation now she has given, is in order to find out whether by that time he was conducting, Mr Agrizzi as shown in the email.

**CHAIRPERSON:** Okay. Alright. Move on.

**ADV NOTSHE SC:** Now the issue is. On paragraph 15 of the supplementary affidavit page 392, then mister ...[intervenes]

10 **MS MOKONYANE:** Page?

**ADV NOTSHE SC:** Page 392 of the supplementary affidavit. Then, in general terms, he says that you were... the question was, he must elaborate on what basis did BOSASA continue looking after Nomvula Mokonyane and he needs requirements and wishes.

He says:

“Well, Ms Mokonyane was a very... was a known and a very powerful person in South Africa. She had influenced over the former president of South Africa.

20 I think we have dealt with this.

**CHAIRPERSON:** We have.

**ADV NOTSHE SC:** In your answer, you... on page 85 of your answer...[intervenes]

**CHAIRPERSON:** I think Ms Mokonyane already gave evidence earlier to say Mr Agrizzi gives - I am putting to my

own words – credit that she does not deserve to say she is so influential. Am I right?

**MS MOKONYANE**: Yes, you are right Chairperson.

**CHAIRPERSON**: Yes, yes.

**MS MOKONYANE**: It is the credit that I do not even need coming from him.

**CHAIRPERSON**: Yes.

**MS MOKONYANE**: Secondly, on the very issue that he is referring to. It is also a demonstration that it is about, you  
10 know, experience and opportunism in the character of Mr Agrizzi. These matters of the Department of Environmental Affairs do not rest with the minister.

And I found these processes in the department but even during my tenure, it was at the time when Minister Lindiwe Zulu was the acting minister and there was never been any decision around this particular matter that had do with Nomvula but it was put to make the headlines and to again go for my character.

**CHAIRPERSON**: H'm. Mr Notshe.

20 **ADV NOTSHE SC**: And then, on page... mister ... and then Mr Agrizzi deals with the issue on page 86 of the main bundle, where he says that I have... on paragraph 15.

**CHAIRPERSON**: Paragraph 15?

**ADV NOTSHE SC**: Paragraph five zero Chair on page 086.

**CHAIRPERSON**: Are we still on the same bundle?

**ADV NOTSHE SC:** On the same bundle.

**CHAIRPERSON:** What page?

**ADV NOTSHE SC:** Page zero eight six. 086. Your page 86.

**CHAIRPERSON:** Ja, I think forget about zero. Just 86 so that we are consistent.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** 86. Okay. Yes, continue.

**ADV NOTSHE SC:** Where he says on paragraph 15:

10            “I have no knowledge of the SIU Investigation into  
Nomvula Paula Mokonyane’s department. Safe for  
the above, I deny the contents of this paragraph. I  
confirm that I was personally present with the late  
Gavin Watson and knew Willem when the SIU  
Investigation as well as prosecution in the state was  
discussed by Nomvula Paula Mokonyane with us...”

That is his response. He says he was there and he discussed this with you.

20            **MS MOKONYANE:** Chair, as I have stated previously. I  
have no such authority. I have never been part of the  
Criminal Justice System Cluster. I have never been in any  
meeting with any of those that are responsible for  
investigations, including in the SIU.

And I still want to affirm that he is actually lying. I have no such influence to the extent that Mr Agrizzi wants to portray about me.

**ADV NOTSHE SC:** Now, in your affidavit ...[intervenes]

**CHAIRPERSON:** He say somewhere... I am sorry. He says somewhere you had direct access to former President, Jacob Zuma. What do you say about that?

**MS MOKONYANE:** You know, I even had direct access to President Mandela. There is a picture in the house, Chair ...[intervenes]

**CHAIRPERSON:** H'm. Yes.

**MS MOKONYANE:** ... of us coming from Polokwane, post  
10 the National Conference in Polokwane. Myself and other comrades were assigned a responsibility.

We went through the residence of President Nelson Mandela to go and prepare and make sure that the MEC comes and present ourselves to the president as it was a decision of the newly elected MEC.

Chair, I have also had contact and just like any other African National Congress member and a leader in that regard, been able to also interact with President Thabo Mbeki's office on many issues, including issues that are  
20 related to the youth programmes, the AIDS awareness programmes, the issues around housing and so on and so forth, during his tenure.

And hence I am saying, I have also been victimised as a Thabo Mbeki... you know, a project that was called a project, the 1996 Class Project. That is me because of how

I always carry myself. I remain loyal to the organisation, I remain loyal to the leaders of the organisation, the same with President Thabo Mbeki, the same with Kgalema Motlanthe within his short stint as the President. So I have done that.

Chair, same with President Jacob Zuma, and as I have said, I had preferred Comrade Jacob Zuma in line with the processes of the African National Congress, I have supported President Jacob Zuma as I have supported even  
10 the current President who is now under attack. You can see how the media is now going for him, because I do believe internal party democracy. So the access has been like that. But, you know, for the record, I have never been to any of those national events that President Zuma will host in Nkandla and all those things, I would relate with President Jacob Zuma and even call him *ubaba* in the same spirit as any other person would have done it. I think Mr Agrizzi is taking chances and maybe it is because this is all about trying to pin me down as somebody who had an  
20 influence over President Jacob Zuma to an extent that I did not have.

**CHAIRPERSON:** Yes, Mr Notshe?

**MS MOKONYANE:** And as I am saying, Chair, with your permission, as we speak now, you know, I would call officials of the ANC because of the responsibility I have



now and ask the Secretary General to say come, we are meeting with Province X, join us on Zoom. They will do that. The President himself – I have been during this period of lockdown on behalf of the ANC's organising committee gone all out to get our President to come in and hear from our own members of the ANC in the various provinces about the state of organisation and what is happening under lockdown during this particular pandemic and we communicate, communicate even when there is

10 urgency. I would even send a message directly to him knowing where I stood in terms of the preferences. Surely somebody will see me as a traitor but it is because of who I am and how I understand the workings of the ANC and therefore, I take serious exception but I will continue to respect President Zuma as I have respected President Thabo Mbeki, President Motlanthe and President Nelson Mandela.

**CHAIRPERSON:** Yes. Mr Notshe?

**ADV NOTSHE SC:** And then on the same page of the

20 supplementary affidavit – I am sorry, Chair, on 392, just a one liner.

**MS MOKONYANE:** 3..?

**ADV NOTSHE SC:** 392, Chair.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Are you there?

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Okay. Paragraph 15.3 he says:

“On diverse occasions a discussion with Mokonyane and Watson pertained finalising the closure of the SIU matter, even to that extent where a meeting was arranged with Anwar Dramat, the then National Head of the Hawks. This was in order to get them to return the BOSASA docket to Advocate Nomgcobo Jiba so that she could arrange  
10 for the matter not to be proceeded with.”

Now you respond to that on page 37.

**MS MOKONYANE:** Yes.

**ADV NOTSHE SC:** Paragraph 54. You say the contents of this paragraph are denied.

**MS MOKONYANE:** Yes, I do ...[intervenes]

**ADV NOTSHE SC:** I have never – you say:

“I have not been a party to any arrangement with Anwar Dramat or Adv Jiba who are not known to me.”

20 **CHAIRPERSON:** I think she wanted to make...

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** Ms Mokonyane?

**MS MOKONYANE:** Insofar as what Mr Agrizzi is saying about my influence and arrangements with both Advocate Jiba and Anwar Dramat, that is the reason why I am saying

I do not know, I do not relate to them on those bases. I know them at that level that they were responsible in that space but I have never had this kind of a relationship in terms of their businesses and responsibilities. It is a damn lie.

**ADV NOTSHE SC:** He responds to your answer at page 87.

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** We need to look for it because you could  
10 just – we know where Ms Mokonyane stands.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** You can just read the relevant part.

**ADV NOTSHE SC:** Yes. No, I just wanted to – so that she can get to it as well, then I will read. Then he says – this is now Mr Agrizzi. He says:

20 “I deny allegations of this paragraph. I state at the material time Mr Dramat was the head of the Hawks and Advocate Jiba was in a senior position as the Director of Public Prosecutions and at a later stage became the Acting Head. It is indeed surprising that Nomvula Paula Mokonyane would deny in the sense that these people are not known to her.”

Now, Ms Mokonyane, you never had contacts with any of these people?

**MS MOKONYANE:** I have never had contacts with any of

these people. I have never even had any influence on them nor even sitting in any meeting with them. I have no relationship and hence on the basis of what is alleged I am saying I do know but I know them as individuals out there doing their job and myself doing my job somewhere else.

**ADV NOTSHE SC:** And never had a telephone conversation or cell phone conversation with them?

**MS MOKONYANE:** No, I have never had any telephone conversation with Anwar Dramat nor have I had any  
10 telephone conversations with Nomgcobo Jiba.

**ADV NOTSHE SC:** Nomgcobo?

**MS MOKONYANE:** Nomgcobo Jiba.

**ADV NOTSHE SC:** Nomgcobo Jiba.

**MS MOKONYANE:** Ja, that is the only time that I can say. The only other time when you have the people out there being paraded and stuff you will know of them and you will celebrate them, Chairperson, you will celebrate them as women leaders and I think, amongst other things, it is a game, the onslaught that I said in my statement, about  
20 vilifying women and I am one of those people who will always stand by women and support them when they are under attack.

**CHAIRPERSON:** Mr Notshe?

**ADV NOTSHE SC:** And your support was merely limited to moral support, not to call them and support them in two

phone calls?

**MS MOKONYANE:** No, we would actually support them both in the organisation. I belong to the ANC Women's League. I am a gender activist, I am a feminist and would forever, just like it happened with Riah Phiyega, just as it has happened with Bathabile Dlamini, just as it has happened with Nkosazana, we will always have to have that sister support.

**ADV NOTSHE SC:** Chair, just bear with me? Chair, may I  
10 just approach...? Chair, whether there is any other thing of importance we need to raise, from our side I think that is all I need to deal with the witness to help the Commission.

**CHAIRPERSON:** Yes, okay, alright. So I just want to go back to one point namely that Ms Mokonyane you say that to the extent that on your version Mr Agrizzi decided to falsely accuse of all the things that he has accused you of, you do not know exactly why he is doing that but you believe there is hatred involved, is that right?

**MS MOKONYANE:** There is hatred involved.

20 **CHAIRPERSON:** Yes.

**MS MOKONYANE:** And he has also played into the political gallery.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** Because if you look at the timing, Chair, you will see that it was at a time when there were

tensions within the ANC, healthy tensions in the movement because it is not the first time that there has been differences in terms of preferential leaders.

He has also played into what everybody has done about President Jacob Zuma that anyone who can say I support Jacob Zuma is actually corrupt.

But he also has his own issues to respond to because I do not even know the investigations of the SIU with BOSASA and I really am quite – very, very concerned  
10 about how he has actually jumped into this Commission, come in and out, cleared things and everything. I so wish that my – my assumptions and what I have come to believe are actually wrong.

First, he has gone out to – on record to be known as a racist.

Secondly, he has gone out himself to be the one who was frustrated about me not helping them. So surely now he is punishing me because his mission and what he assumed that I have the capacity to do, was never  
20 realised.

Thirdly, I think Mr Agrizzi also wants to make everybody believe that he is a holy cow and everybody who was related with BOSASA and anyone who has been associated with President Jacob Zuma or anyone who has gone out to support the African National Congress is fine

except for BOSASA. And yet, as I am saying, we have state owned entities who have big companies like Group 5 that has now gone under liquidation who have supported the ANC. You have seen pictures of the Ruperts wining and dining with Presidents of the African National Congress, with Madiba, with President Thabo Mbeki and so on and so forth and because all these things were above board, you know of how the Guptas had funded the DA and Helen Zille wrote and accepted that contribution and Mr  
10 Agrizzi want to make this a monster.

It is only now that there is a Bill in parliament, Chairperson, that speaks about funding of political parties. There has never been a rule that says funding of political parties must not happen and so on.

So all I can say [African language], but mostly importantly, it is about him pursuing an agenda that I think it is better known by himself. I really cannot tell, Chair. And I so wish one day I would come to understand but I remain with the view that I hold.

20 **CHAIRPERSON:** Well, you said some words in isiZulu just now, you want to try and put them in English for the record. You said *inzondo* and you mentioned...

**MS MOKONYANE:** Yes, Chair, I think when you become, when you are emotional and hurt you...

**CHAIRPERSON:** You revert to your language.

**MS MOKONYANE:** Yes, you do.

**CHAIRPERSON:** Ja, ja, ja.

**MS MOKONYANE:** And this ...[intervenes]

**CHAIRPERSON:** But for the record, ja.

**MS MOKONYANE:** For the record, Chair, it is hatred, it is misogyny, it is racism, it is character assassination and it is opportunism that goes with the character in Agrizzi's personality. He has flirted with all political parties, he has flirted with the media, he has protected himself as an  
10 extension of the Watson family only to find that he is the extreme opposite of the Watson family.

What was happening in BOSASA, like what was happening in Group 5, like what was happening in other big companies that have come out to support the ANC, I know nothing about that. If there has to be a day for them to come and account, so be it. And I think Mr Agrizzi must just appreciate that. I am deeply concerned.

**CHAIRPERSON:** Yes. Now I think we got to a point with regard to jobs that were done in your residence, we got to  
20 a point where, as I understood the position, from your side there was no denial that some jobs were done. The denial was you did not give instructions, one. Two ...[intervenes]

**MS MOKONYANE:** Not to my knowledge.

**CHAIRPERSON:** H'm?

**MS MOKONYANE:** Not to my knowledge.



**CHAIRPERSON:** Yes, well you do not mean you do not remember whether you gave instructions of not?

**MS MOKONYANE:** No, I have never given instructions.

**CHAIRPERSON:** Ja, you have never given instructions, yes.

**MS MOKONYANE:** Never gave.

**CHAIRPERSON:** You never gave instructions, that is one. Two, with regard to your late husband, am I right to say we ended on a point where you said if he had made  
10 arrangements for these – this company of Mr van Biljon which is attached to BOSASA in terms of arrangements. If he had made arrangements, he would have shared that with you.

**MS MOKONYANE:** Yes, Chairperson.

**CHAIRPERSON:** Is that right?

**MS MOKONYANE:** Yes.

**CHAIRPERSON:** So the fact that he never shared that with you points to him not having made any arrangement.

**MS MOKONYANE:** And his assertions also with that  
20 Whatsapp ...[intervenes]

**CHAIRPERSON:** In response to the Sunday Times article?

**MS MOKONYANE:** Yes, yes, Chairperson.

**CHAIRPERSON:** So – but what you also concede, I think, is that the security personnel at the gate would not open or allow anybody in unless they knew that the person was

authorised to come in.

**MS MOKONYANE:** Yes, Chairperson. Yes, Chair.

**CHAIRPERSON:** Ja. It seems to me that we – that leaves with a situation where Mr van Biljon's company and Mr Richard le Roux and Charl le Roux may have come and done some work in circumstances where it is not clear who authorised that. Is that your impression as well?

**MS MOKONYANE:** And who instructed them from ...[intervenes]

10 **CHAIRPERSON:** Who instructed them to ...[intervenes]

**MS MOKONYANE:** From the Mokonyane family, yes.

**CHAIRPERSON:** Yes, yes, okay, alright. Mr Notshe, I think there is one part which I seem to remember you did not touch on and I do not know whether that was deliberate, Ms Dube's affidavit.

**ADV NOTSHE SC:** ...[Indistinct – microphone off]

**CHAIRPERSON:** No I think you must cover it, Ms Mokonyane must know that there is somebody else who seems to corroborate the story of deliveries so that she  
20 can deal with it, other than Agrizzi.

**ADV NOTSHE SC:** Yes Ms Mokonyane go to divider 7.

**MS MOKONYANE:** Yes Chair.

**ADV NOTSHE SC:** You see the affidavit of ...[intervenes]

**CHAIRPERSON:** Where?

**ADV NOTSHE SC:** Chair it is on page 119.

**CHAIRPERSON:** I've got it.

**ADV NOTSHE SC:** Now this is the affidavit of Mrs Bongiwe Eves Dube.

**CHAIRPERSON:** Did you say Mr Notshe, did you say Mr?

**ADV NOTSHE SC:** Mrs.

**CHAIRPERSON:** Miss?

**ADV NOTSHE SC:** Mrs, I said Mrs Bongiwe.

**CHAIRPERSON:** Oh, okay. Ja, I thought you repeated ...[intervenes]

10 **ADV NOTSHE SC:** No, no I got a very stern – I got a very stern look from Ms Mokonyane never to repeat such a mistake.

**CHAIRPERSON:** Well maybe I can quickly deal with this.

**ADV NOTSHE SC:** Yes.

**CHAIRPERSON:** Ms Bongiwe Dube and her other name Ms Mokonyane is Eves, she says that she was previously employed as a unit leader which she says is essentially manager in the kitchens at BOSASA and her work included oversight of staff, working out the specifications for diets,  
20 the preparation of food with the chefs and ordering and receiving of stock and she sets out her movements within BOSASA and she says she ultimately worked at the head office of BOSASA and was running the kitchen and she says this was for staff, guest meetings and people who attended training and they provided catering.

She says Mr Alistair Esau was in charge at head office and she was second-in-charge. She took over from Katherine Matabate when she moved to Lindela. She says at 5.1 with regards to deliveries of food I would receive instructions from either Papa Leshabane or Alistair. It is my understanding that in the instances where Alistair gave me instructions, he would have received instructions from someone higher up at BOSASA.

10           5.1       Christmas. She says over Christmas time in December food would be delivered to Nomvula Mokonyane, I know this as in the first December I was at head office. In 2016 I was on my way to fetch an order from a butchery called Food Boys in Strydom Park when one of the butchery staff phoned me and asked me about a specific order. They asked me if I knew about it as it was normally dealt with by Katherine every December. The staff I dealt with at the butchery were Precious, Happy and Laura ...”

20       And she gives her cell number, she says Food Boys, she says I phoned Katherine and asked her about the order whereupon she said I must not deal with the order as that was for Nomvula Mokonyane and she would deal with it. It was a large order of meat, approximately R17 000 worth and the butchery staff informed me that the order was

already in place. The same occurred the following year in December 2017 as this was a standing order. Thomas was the driver at BOSASA at the time and he would have made the deliveries, I did not deal with the delivery of any drinks and alcohol to Nomvula Mokonyane.

So I wanted you to know that there is somebody else other than Agrizzi who has deposed to an affidavit who has something to say about you so that you can comment, you might say you stand by what you have said

10 ...[intervenes]

**MS MOKONYANE:** Chairperson I stand by what I have said and I would wished, with your permission Chair, that the Chair would have then gone to page 122.

**CHAIRPERSON:** Let's go there, let's go there, if you want to read you can read.

**MS MOKONYANE:** The lady says, who I have never met, who also confirms that there is nowhere where she says ...[intervenes]

20 **CHAIRPERSON:** Mmm, ja, she does not say she delivered.

**MS MOKONYANE:** And I have really indicated what all these things were about and what they were meant for. She then goes on, on page 122 Chairperson where she says I came to BOSASA through Mr Angelo Agrizzi and in 2018 it was common knowledge that BOSASA's

management wanted to get rid of people of relating to Mr Agrizzi. This was because there had been a fallout between them. I think this is a mouthful, I just want to leave it there.

**CHAIRPERSON:** Yes, yes.

**MS MOKONYANE:** And actually, go further and complete that statement. She then goes further to say Alistair and other staff linked to Mr Agrizzi were removed by early 2018. In this period one of the staff said that I was  
10 receiving money from one of the guests and they had seen me on the CCTV camera. I informed BOSASA's management that I had received the money from Avon Products, I was selling and the person was delivering the money to me.

I was however then dismissed for failing to declare my Avon businesses, which I did in my spare time.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** I just want to leave it there Chair, but again this is the person who says she came through Mr  
20 Agrizzi but I really want the Commission to also underline what she is saying, that all these things happened because there was a fallout amongst them.

Some of us are becoming casualties of that fallout and I wish I can be able to corroborate what was the nature of the fallout and to what extent has it led to this

Commission being given all this time to now listen to all these insinuations and allegations including peddling of lies.

Thank you Chair.

**CHAIRPERSON:** Thank you. Mr Notshe you might have something that arises from this?

**ADV NOTSHE SC:** No, no I do not have. I do not have.

**CHAIRPERSON:** Okay, alright. Then we are done, there has not been any indication from the – Ms Mokonyane’s  
10 legal team that they would like to re-examine or anything?  
Yes, okay, that’s fine yes. Oh, okay, just switch on your mic then.

Okay, your counsel will re-examine, so he will put some questions to you, he says he will be five minutes, then you can just – he does so in order to just clarify certain things that he wishes to be clarified.

**UNKNOWN COUNSEL:** Thank you Mr Chairperson, I am indebted to you. Ms Mokonyane would you please look at the document that is Mr Agrizzi’s response to your  
20 statement, you will find it at page 64, it is his response dated the 18<sup>th</sup> of November 2019. When was the first time that you saw this document?

**MS MOKONYANE:** This is the one that is dated 2019 November?

**UNKNOWN COUNSEL:** Yes.

**MS MOKONYANE:** I saw this document after it was already in the newspaper.

**UNKNOWN COUNSEL:** This document here, where I want to put to you, perhaps you can clarify it with the leave of the Chairperson, this was only given to us over this last weekend.

**MS MOKONYANE:** It was given to us this Sunday, we worked on it Chairperson overnight and hence I am saying this we learnt of the story on the newspapers but we got  
10 hold of this document, this past weekend.

**UNKNOWN COUNSEL:** But you wanted to proceed with this matter today?

**MS MOKONYANE:** Yes, I wanted to proceed with the matter today.

**UNKNOWN COUNSEL:** Now at page 70 of that document, and this is an issue that arose for the first time on the weekend, at paragraph 20.4 there is an issue that Mr Agrizzi says that I cannot cross-examine him because he dealt with me personally on numerous occasions together  
20 with attorney Brian Biba. Is it still your wish for me to cross-examine him?

**MS MOKONYANE:** Chairperson I will still wish that my legal representatives do actually cross-examine Mr Agrizzi and for now I don't even know what is the conflict that he is referring to or his reservation.



**UNKNOWN COUNSEL:** Thank you.

**CHAIRPERSON:** Well maybe I should deal with that because at some stage this – today I would deal with that. The – I saw that in your affidavit, in Ms Mokonyane’s affidavit there is a line somewhere saying she would like to cross-examine or to have her legal team cross-examine Mr Agrizzi, but she has not – that has not been dealt with as an application for leave to cross-examine simply because the rules make provision for what to do if you want to apply  
10 for leave to cross-examine and that didn’t come in that way. I think the affidavit came because we requested Ms Mokonyane to file an affidavit. I think the legal team, her legal team if they wish to pursue an application for leave to cross-examine may be should just reflect on the rule and then take it from there.

**UNKNOWN COUNSEL:** As you please Mr Chairperson.

**CHAIRPERSON:** Yes, so from – certainly from the Chairperson’s side it wasn’t taken as an application for leave to cross-examine but the legal team of – her legal  
20 team can reflect on that and take it from there.

**UNKNOWN COUNSEL:** And just two remaining issues, thank you Mr Chairperson.

**CHAIRPERSON:** Yes, okay.

**UNKNOWN COUNSEL:** Then you will see at page 73 Madam, at paragraph 27.1 Mr Agrizzi states here

unequivocally that the meat was purchased from Zeeman's Foods, Greenhills Butchery, Randfontein, and you have just been referred to Ms Dube's statement where she says the food came from Food Boys in Strydom Park, do you know either of these companies?

**MS MOKONYANE:** No Chairperson I don't know either of the two.

**UNKNOWN COUNSEL:** Then my final issue Madam is you have touched on it but you haven't clarified it in succinct  
10 terms and I would like to be more specific about this if you can. You have two sons that are referred interchangeably to by Mr Agrizzi and he seems to have confused the two. He specifically states that your one son, whom he doesn't name, had a drug problem and went to Clanwilliam and he implies that that is the son that then passed away. Is that the case, is there any merits in that or not?

**MS MOKONYANE:** Chairperson it is not the truth, my son who had gone to Clanwilliam and got rehabilitated from substance abuse is still alive, he is trying his best to get  
20 out of it, and therefore Mr Agrizzi is not telling the truth. My son who has passed on had nothing to do with the drugs, in fact he had challenges of being persecuted by the media and being chased around, just for him being an ordinary child and now being labelled as Nomvula's son, so that is the difference, and I really think that the

interchangeable use of the two indicates that he was actually clutching on all straws because Africa Mokonyane is alive and may he live long. Retlabusa is now in his grave, he has been buried, he passed on in November 2010 and there was a lot that surrounded what the media was saying about him, but again in my culture and in the manner that I respect bereavement we opted never to respond to the media and until today we have refused to take such issues into the public space, and hence I do  
10 believe that he is heaving ulterior motives. He does not even know the people he is talking about.

**UNKNOWN COUNSEL:** Then finally madam your son who passed away full name was?

**MS MOKONYANE:** It is Retlabusa Mohaho Mokonyane.

**UNKNOWN COUNSEL:** And your son who is still alive and who seems to have confused with, that son's full name is?

**MS MOKONYANE:** My first born is Africa Peter Mokonyane.

**UNKNOWN COUNSEL:** Those were the only issues Mr  
20 Chairperson, thank you.

**CHAIRPERSON:** No thank you. I think there is just one question that I wanted to raise and you may have dealt with it but I want to be sure about it. With regard to your son who went to, is it Clanwilliam, Mr Agrizzi said BOSASA paid or whatever expenses for him being accommodated

there and he said BOSASA made all the arrangements for him to be accommodated there. I think in your affidavit you have denied that but I just want to be sure.

**MS MOKONYANE:** Chairperson my son was part of a group of young people who were picked in the streets of this country and taken into rehabilitation. He had to be removed even here because he was chased by the drug lords and trying to push him and he then out of the processes from here in Krugersdorp they then arranged  
10 that they would rather take him to a place that is away from where the drug lords are and those that wanted to continue using him, and that is how Africa ended up in Clanwilliam. It was part of that social programme that I was talking about where Orlando Pirates, various businesses against crime, various other organisations were part of in taking our kids away from the programmes, and he actually presented himself. I actually picked up other kids from the streets, from their homes with the consent of their parents and some who were above the age of 18 who  
20 volunteered to go to BOSASA.

**CHAIRPERSON:** So would the position be that BOSASA may or may not have paid but that was not at your request if they did pay?

**MS MOKONYANE:** No it was not at my request.

**CHAIRPERSON:** Yes.

**MS MOKONYANE:** It was their own ...[intervenes]

**CHAIRPERSON:** Initiative.

**MS MOKONYANE:** Initiative like I am saying Chair they have picked up so many kids.,

**CHAIRPERSON:** Yes okay, thank you.

**UNKNOWN COUNSEL:** Mr Chairperson just for the record the reference to that is at page 84, that is why it hasn't been dealt with previously, we didn't have this document before.

10 **CHAIRPERSON:** Okay no thank you.

**UNKNOWN COUNSEL** Just for the record.

**CHAIRPERSON:** Okay thank you. Mr Notshe you are done?

**ADV NOTSHE SC:** I am done Chair.

**CHAIRPERSON:** Yes.

**ADV NOTSHE SC:** The only thing is Ms Mokonyane had promised to give us details of people in government who can be contacted about ...[intervenes]

20 **CHAIRPERSON:** Ja, you can get that through her lawyers, after, ja. Ms Mokonyane we are done, thank you very much for coming to give evidence in the Commission and that we have also stayed beyond four o'clock in order to finish.

Thank you very much, we appreciate it.

**MS MOKONYANE:** Thank you very much Chair.

**CHAIRPERSON:** Ja, we are going to adjourn then and tomorrow we will resume at normal time, ten o'clock but we are done with the evidence of Ms Mokonyane.

We adjourn.

**REGISTRAR:** All rise.

**INQUIRY ADJOURNS TO 21 JULY 2020**